HOUSE OF REPRESENTATIVES—*Wednesday, June 13, 2001*

The House met at 10 a.m.

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

Lord God, who desires us to receive Your word, be with us today, here in Congress and across this great Nation. Fill us with Your Holy Spirit, that with diversity and creative willingness we may find ways to express deep human concerns and yet uncover true wisdom. Thereby, You will guide us in important decisions and impact our future.

May our native differences and historical experiences provide us with insight and an inner freedom so that we discover new avenues to reach consensus and realize Your power at work in each of us.

Grant freedom of speech to peoples everywhere that the cacophony of voices may give You glory and bring all to a deeper understanding that in You we are already one, You the one who was, who is, and who will be the same now and forever. Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

Mr. TRAFICANT. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER. The question is on the Speaker's approval of the Journal.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. TRAFICANT. 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. 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The point of no quorum is considered withdrawn.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. Will the gentleman from Colorado (Mr. TANCREDO) come forward and lead the House in the Pledge of Allegiance.

Mr. TANCREDO 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.

A MAJOR VICTORY FOR THE AMERICAN PEOPLE

(Mr. STEARNS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. STEARNS. Mr. Speaker, I am pleased here this morning to announce that the Republicans in Congress have passed legislation which President Bush has signed into law to provide all taxpayers some money, an immediate tax rebate check.

Because Republicans believe that surplus tax dollars are better spent by the American people than the Washington bureaucrats up here, you will all be receiving a rebate check in the next few weeks: $600 for married couples, $500 for head of households, and $300 for single taxpayers.

Now, this is real money. It is money taken out of Washington put into the hands of families who need it and deserve it. After all, it is their money.

The Treasury Department will start sending letters out to every taxpayer in America explaining when you will receive your tax rebate check and how much you will receive. You can go on the Internet and find out. If you want to, you can call my office and we will give you the Internet site.

Rebate checks will be mailed over a 10-week period at a rate of 10 million checks per week starting in July. Taxpayers will receive their check according to their Social Security number.

Mr. Speaker, it is their money. The taxpayers should be the ones spending it on car payments, mortgage, saving for college, school supplies and clothing for their children, a new washer, a dryer, on energy bills and gasoline.

CHINA SHIPPING WEAPONS TO CUBA

(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, the State Department now admits that China and Cuba have signed a military agreement, and China is shipping weapons into Cuba. But the State Department said, and I quote, ''we are not sure if those weapons are lethal''. Unbelievable. Every American knows those are not 4th of July fireworks that China is shipping to Cuba, Mr. Speaker.

Think about it. China is now selling weapons to Cuba. Castro hates America. Cuba is 90 miles away from America. Beam me up. What is next? A Chinese missile 90 miles away from the United States of America. I yield back the next bay of dragons in America's history.

RECOGNIZING POQUOSON HIGH SCHOOL

(Mrs. JO ANN DAVIS of Virginia asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. JO ANN DAVIS of Virginia. Mr. Speaker, I rise today in recognition of a group of students from Virginia's First District who recently set international standards in demonstration of their creative problem-solving skills.

Earlier this month, representatives from Poquoson High School joined with fellow students from around the globe to compete for international prestige in a contest of ingenuity.

In exercising their talents, these Virginia students not only captured a first place world ranking, but also set a world record through their success at the Odyssey of the Mind's World Competition.

In their rise to confront challenge, Mr. Speaker, these students demonstrated their ability to think critically, to work cooperatively, and to overcome obstacles. Their vigor and success distinguishes our education system in its ability to cultivate the talents of our youth.

In this, it is my desire that these accomplishments of these students be recognized and thus be a testament to the positive role of education in preparing students as emerging leaders.

INDIVIDUAL DEVELOPMENT ACCOUNTS

(Mr. PITTS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PITTS. Mr. Speaker, today, along with 34 cosponsors, I am reintroducing the bill to establish Individual Development Accounts on a national level. They already exist in several States, including Pennsylvania.

IDAs allow working poor families to save and invest and receive matching contributions from their financial institutions. They can be withdrawn and used only to buy a home, start a small business, or get higher education. Finally, after decades of government-funded poverty, we are encouraging poor and working poor Americans to provide for themselves and plan for their futures.

Just like welfare reform, this program will help those who need help, but IDAs will help people help themselves. Imagine the pride of a new investor who has saved enough to go into business for himself or the joy of putting a down payment on a house one thought one would never be able to afford or opportunities made possible by a college diploma.

IDAs are a good idea for this country. They are part of the President's community renewal plan. I encourage my colleagues to join me in making them a reality.

ENCOURAGING LTV STEEL AND THE UNION TO GO BACK TO THE TABLE

(Mrs. JONES of Ohio asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. JONES of Ohio. Mr. Speaker, on Monday in the City of Youngstown, LTV Steel filed in the bankruptcy court a request to be relieved from its union contract in order to continue its process of reorganization.

Over the past 6 months in conjunction with Federal officials, including yourself, local officials, counties, State, we have been trying to work with LTV to help them through this bankruptcy. I would encourage LTV corporate officials and the unions to go back to the table.

We know that we are in a difficult time right now, but it is very important that we do not lose 5,000 jobs in the City of Cleveland that would impact 40,000 jobs throughout our area.

LTV, back to the table. The union is ready to work. Let us resolve this issue for the people of the City of Cleveland.

LA LIGA CONTRA EL CANCER PROUDLY SERVES FLORIDA COMMUNITIES

(Ms. ROS-LEHTINEN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. ROS-LEHTINEN. Mr. Speaker, the League Against Cancer or La Liga Contra el Cancer, as it is more commonly known in my congressional district, recently raised over $3 million for cancer patients during its 25th annual telethon.

Florida ranks second in the incidence of cancer, as one in every two men and one of every two women are diagnosed over a life-span.

La Liga never turns away cancer patients, and I wish to commend its president, Dr. George Suarez and its VP, Brenda Moreira, and the hundreds of volunteers and sponsors who give hope to thousands of Florida's victims of cancer.

Low-income and uninsured cancer patients come to the League for life-saving treatment. Over 300 Miami-Dade board-certified doctors and hundreds of community members volunteer their time and skills and work tirelessly to help cancer victims.

Last year, with the budget deficit, La Liga provided life-saving services to almost 4,000 patients, all of whom were legal residents of Florida. We thank La Liga Contra el Cancer for its proud record of service to our community.

STOP GOUGING PEOPLE IN CALIFORNIA

(Mr. GEORGE MILLER of California asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GEORGE MILLER of California. Mr. Speaker, it is not bad enough that the energy wholesalers selling energy into California have been able to continue to gouge the California consumer, California families and small businesses, but now we see that the energy companies have joined with the White House, joined with the Republicans in Congress to launch a campaign that, according to CNN, may spend upwards to $50 million by the energy companies to convince Californians that price caps on wholesale energy costs would be bad for them.

The suggestion is that somehow the price gouging that is going on now in California and in the western United States is good for consumers. Yet, we see that, in California, more and more households are unable to pay their energy bills. More and more small businesses are at risk or have already gone out of business because of energy costs. We are starting to see individuals make decisions about locating businesses in California.

The White House and its buddies in the energy business ought to stay out of this. What they ought to do is stop gouging the people in California.

THE CHECK IS IN THE MAIL

(Mr. GIBBONS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GIBBONS. Mr. Speaker, there is a couple of old sayings around. One is that the check is in the mail and, two, I am from the Federal Government and help is on the way.

Well, Mr. Speaker, I am happy to announce to my fellow hard-working Nevadans that their check, their rebate check is truly in the mail. Nevadans can expect to see over $292 million in tax relief arriving in their mailboxes this summer. Now, that is real help. This equates to an average tax rebate check of over $420 for every hard-working taxpayer in the silver State.

It is about time. The people of Nevada and our great country have been paying far too much in taxes for far too long. Thanks to this bipartisan tax relief bill passed by this Congress and signed into law by President Bush, single taxpayers can expect tax rebates of up to $300 and married tax filers can expect up to $600 in tax relief.

This money can go toward paying the mortgage, a car loan, or a new washing machine or even gasoline for one's car. These tax rebate checks are just the beginning. Americans can expect additional tax relief over the next 10 years. Mr. Speaker, this time Nevadans can be assured that their check their overpayment in taxes is in the mail.

□ 1015

THANKS TO PRESIDENT BUSH FOR TAX REBATES

(Mr. SAM JOHNSON of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SAM JOHNSON of Texas. Mr. Speaker, I am glad he talked about tax relief, because that is what I want to emphasize, too.

Thanks to President George W. Bush, for those who paid taxes for the year 2000, the check is in the mail. Taxpayers are likely to receive a $300 check in the mail if they are single, a $500 check if they are a single parent, and a $600 check if they are married. No one has to even fill out forms, or file anything. They just have to check their mailbox this summer.

Depending on the last two digits of an individual's Social Security number, they could have that money in their pocket as early as July 23. Anyone wishing to find out should check www.samjohnson.house.gov, to learn when they will receive their rebate.

Mr. Speaker, Americans are overtaxed. They are overtaxed, and they deserve a rebate.

CALIFORNIA DREAMING

(Mr. BALLENGER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BALLENGER. Mr. Speaker, California's Governor has decided to hire high-priced Democrat spin-meisters instead of addressing the emergency crisis in his State. Taxpayers will subsidize Mark Fabiani and Chris Lehane at $30,000 per month to boost Governor Gray Davis in the media as California's energy crisis further drops his poll numbers.

Instead of repairing California's energy crisis, the Governor is using taxpayer dollars to repair his image. This $30,000 in consultant fees that will be charged to the taxpayers is more than the Governor earns monthly himself. The Governor has had plenty of time to implement a solution. He knew over a year ago he had a problem; yet Gray

Davis has refused to address that problem. He kept putting it off and putting it off and putting it off. It becomes blatantly obvious that the Governor is more concerned about repairing his image than helping the people of his State. Rather than working with the President and the White House to help California, the Governor is trying to find ways that high-priced PR men can exploit the energy crunch to his advantage.

ENERGY AND IMMIGRATION

Mr. TANCREDO. Mr. Speaker, many pundits, and many of my colleagues, will undoubtedly continue to discuss the energy crisis that the Nation faces, and specifically in California they will be proposing solutions that will range from increased supply to reduced demand and price caps. Mr. Speaker, when will we get the courage to attack the root of this problem or even discuss the root of this problem? The problem in California and many places around this Nation is a massive population increase caused by massive immigration, both legal and illegal.

It is the numbers, Mr. Speaker. That is what drives everything. That is what drives the demand for all the resources we are now running out of, and it is something we must come to grips with as a Nation. The numbers, Mr. Speaker, more than anything else, that is the reason we are going to be facing these kinds of dilemmas over and over and over again, starting in California; but believe me, that is just the beginning.

It is the numbers. We have to do something about reducing massive immigration into this country.

THE ENERGY CRISIS

(Ms. DELAURO asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. DELAURO. Mr. Speaker, let us talk about the energy crisis. Let us talk about electricity costs in California. Let us talk about what the White House is going to do.

Take a look at what CNN said the other day in an article by Major Garrett: ''Power of advertising fights electricity rate gaps. Worried GOP White House give blessing to utilities California campaign. The major United States utility companies, at the behest of senior congressional Republicans and with White House approval, are going to launch a multimillion dollar advertising campaign to fight the Federal caps on electricity prices in California.''

That is how they are going to handle the energy crisis in California, is by getting their friends in the special interests to launch a media campaign against doing something about energy prices in this country, and particularly in the State of California where it has been an overwhelming burden on families with what their electricity costs have been.

This is the way this administration handles the crisis, not by giving any help to Californians. They have walked away and said, ''California, drop dead.''

SCHOOL CONSTRUCTION, RENOVATION AND MODERNIZATION

(Mr. OWENS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. OWENS. Mr. Speaker, we had a major education bill on the floor for consideration, and we did not permit a single amendment to deal with school construction, renovation, or school modernization. We were afraid to have the issue presented on the floor.

I think we were afraid that we might get a majority vote on it. For some reason, the leadership is afraid of school construction, school modernization, and school repairs. We are pushed into the vehicle of a motion to discharge today; and I urge all of the Members, regardless of their party, to sign the motion to discharge on the Rangel-Johnson bill.

This is a bipartisan bill. It is a bill which impacts on all America, rural as well as urban. It is a bill which almost every school district in America can benefit from. Even charter schools can benefit from a bill which calls for more funding for construction, for modernization, and for repairs.

It is impossible to go forward and really claim we want to reform education unless we are willing to provide the physical facilities that are necessary to educate our children. I urge my colleagues to sign the motion to discharge.

CALIFORNIA'S ENERGY CRISIS

(Mr. KINGSTON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KINGSTON. Mr. Speaker, we all just heard a very interesting discussion, and I am being very generous with that word, on the energy crisis. It seems that there are those who are just content in trying to make political hay out of a problem in California during a period of time when demand for energy went up 25 percent; yet the supply that was allowed through government permit was only allowed to increase 6 percent.

Now, who was at the wheel during that period of time? It was generally liberal Democratic Governors and legislators who did not want nuclear power, even though France has nuclear power and has used it safely and efficiently, and about 25 percent of the power in California is nuclear. They do not want to use coal, because, well, you know, we just cannot use coal, so we do not want that. We do not want to use waterpower, because that would keep salmon from swimming upstream and spawning, even though there are ladders that would allow them to do that.

Sometimes we have to say yes to something. Energy means hospital beds, energy means schools and senior citizens homes. Helping people stay warm and stay protected, that is what energy is all about. I wish that it would be time for the folks from California to start working with the rest of the Nation for a common-sense middle road.

CALIFORNIANS LOOKING TO FERC AND WHITE HOUSE FOR LEADERSHIP IN ENERGY CRISIS

(Ms. SOLIS asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. SOLIS. Mr. Speaker, I am representing a district in Los Angeles County, California; and a week and a half ago I had my first experience going through a blackout. One would think that in a community like mine, in the city of El Monte, that our readiness would be there; that we would have substantial support to be able to help our community out. What I found going through 30 minutes of this blackout was that I was unable to use my cell phone because there was no capacity to make calls. All the electricity went out. All our lights went out on our streets. And no one was notified in advance.

This is a serious problem that we are going through, and it was not even 80 degrees in California. So we are talking about a very severe problem that is affecting many residents throughout California.

I happen to represent an area where we have a large number of people who are on fixed incomes, low-income people and senior citizens. They are not going to get a tax break, they are not going to get $300 or $600, but they are going to get in return a big utility bill. In addition, they also have to pay more for gasoline, $2.12. That is what it is.

They are looking for leadership from FERC and from this administration.

SCHOOL MODERNIZATION

(Mr. RODRIGUEZ asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. RODRIGUEZ. Mr. Speaker, I rise to ask all Members, both Republican and Democrats, to sign up on the discharge petition to make sure that our kids throughout this country have an opportunity to have a modernized classroom.

Most of our schools throughout this country are 50 to 60 years old. If any of

my colleagues live in a home like I live in, a home that is also 50 to 60 years old, where I had to go back and redo the wiring, we need to make sure the wiring for the technology is there in our schools. We need to make sure that those youngsters have access to good quality care and a good education.

One of the realities is that as baby boomers, and we were the largest generation and these facilities were there for us to make sure that we had access to good education, now it is up to us to look and consider now the next largest generation, the baby echo, and make sure that those youngsters have access to good quality care and good quality education.

In terms of the needs, as we look, we want to make sure that this is one of the main priorities throughout the country. I know we recognize that that is important, but we have not put the resources where they should be. So I ask that my colleagues sign up on the discharge petition and force the Congress to come up on this major piece of legislation.

SCHOOL MODERNIZATION LEGISLATION

(Ms. PELOSI asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. PELOSI. Mr. Speaker, I join my colleague, the gentleman from Texas (Mr. RODRIGUEZ), in urging our colleagues to sign the discharge petition for America's children. This is a school modernization bipartisan legislation that is so very, very important.

We were all very disappointed that the House did not have the opportunity to debate this issue in various tax bills that had come before us. Let us just think about the children for a moment. They are very, very smart. If we tell children that education is important to them, to their own self-fulfillment, to their competitiveness economically, to our international competitiveness, that we have a well-educated workforce, yet we send them to schools that are below par, where they are overcrowded, that are dilapidated, that are leaking, that are not wired for the future, children get a mixed message.

Children see the inconsistency, indeed even the hypocrisy of a message that says education is important, that they should value it; but we do not value it enough to put forth funds in the way that, very wisely, the gentleman from New York (Mr. RANGEL) and the gentlewoman from Connecticut (Mrs. JOHNSON) have put in their bill. This bipartisan legislation very wisely commits small resources for a big payoff: for many more classrooms; smaller classrooms for more children.

All the science tells us that children do better in smaller classrooms. School modernization will make that happen. Let us be consistent with the children. Please sign the discharge petition.

EDUCATION IS A FEDERAL PROBLEM

(Mr. RANGEL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. RANGEL. Mr. Speaker, this is one issue that lends itself to true bipartisanship. I think President Bush, when he was campaigning, emphasized why we should not leave any child behind. That is not merely a campaign slogan. If America is just to keep up, we are going to have to invest in our young people to make certain that we can keep up with foreign technology.

We hope that we will continue to grow and have economic growth in this country, and yet we find that our high-tech people are forced to import labor into this country. We hear pleas every day from the medical industry, from the State Department, how important it is for us to train people for these important jobs, and yet we find that if they are not ready to get a decent public school education, how in God's name are they going to be ready for higher education and high tech?

There are a lot of people that do not believe education is a Federal problem; but the President knows, as do most Americans.

THE JOURNAL

The SPEAKER pro tempore (Mr. LATOURETTE). Pursuant to clause 8, rule XX, the pending business is the question of the Speaker's approval of the Journal of the last day's proceedings.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Ms. KILPATRICK. 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 374, nays 42, answered ''present'' 1, not voting 15, as follows:

[Roll No. 158]

YEAS—374

Ackerman
Akin
Allen
Andrews
Armey
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett
Bartlett
Barton
Bass
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop
Blagojevich
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Boswell
Boucher
Boyd
Brady (TX)
Brown (FL)
Brown (OH)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Capps
Cardin
Carson (IN)
Carson (OK)
Castle
Chabot
Chambliss
Clay
Clayton
Clement
Clyburn
Coble
Collins
Combest
Condit
Conyers
Cooksey
Cox
Coyne
Cramer
Crenshaw
Cubin
Culberson
Cummings
Cunningham
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Jo Ann
Davis, Tom
Deal
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dicks
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Flake
Fletcher
Foley
Ford
Frank
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Grucci
Hall (OH)
Hall (TX)
Hansen
Harman
Hart
Hastings (WA)
Hayes
Hayworth
Herger
Hill
Hilleary
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Honda
Hooley
Horn
Hostettler
Houghton
Hoyer
Hunter
Hyde
Inslee
Isakson
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (RI)
Kerns
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kirk
Kleczka
Knollenberg
Kolbe
LaFalce
LaHood
Lampson
Langevin
Lantos
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (KY)
Linder
Lipinski
Lofgren
Lowey
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
Meehan
Meek (FL)
Meeks (NY)
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Mink
Mollohan
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Obey
Olver
Ortiz
Ose
Otter
Owens
Oxley
Pascrell
Pastor
Paul
Payne
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Platts
Pombo
Pomeroy
Portman
Price (NC)
Pryce (OH)
Putnam
Quinn
Radanovich
Rahall
Rangel
Regula
Rehberg
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roukema
Roybal-Allard
Royce
Ryan (WI)
Ryun (KS)
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Scarborough
Schakowsky
Schiff
Schrock
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simmons
Simpson
Skeen

Slaughter	Terry	Watkins (OK)
Smith (MI)	Thomas	Watt (NC)
Smith (NJ)	Thornberry	Watts (OK)
Smith (TX)	Thune	Waxman
Smith (WA)	Thurman	Weiner
Snyder	Tiahrt	Weldon (FL)
Solis	Tiberi	Weldon (PA)
Souder	Tierney	Wexler
Spence	Toomey	Whitfield
Spratt	Towns	Wicker
Stearns	Traficant	Wilson
Stenholm	Turner	Wolf
Strickland	Upton	Woolsey
Stump	Velázquez	Wu
Sununu	Vitter	Wynn
Tauscher	Walden	Young (FL)
Tauzin	Walsh	
Taylor (NC)	Wamp	

NAYS—42

Aderholt	Hilliard	Ramstad
Borski	Hulshof	Sabo
Brady (PA)	Kennedy (MN)	Schaffer
Capuano	Kucinich	Stark
Costello	Larsen (WA)	Stupak
Crane	Lewis (GA)	Sweeney
Crowley	LoBiondo	Taylor (MS)
DeFazio	McDermott	Thompson (CA)
English	McNulty	Thompson (MS)
Filner	Menendez	Udall (CO)
Gutierrez	Moore	Udall (NM)
Gutknecht	Oberstar	Visclosky
Hastings (FL)	Osborne	Waters
Hefley	Pallone	Weller

ANSWERED ''PRESENT''—1

Tancredo

NOT VOTING—15

Abercrombie	Hutchinson	Rush
DeGette	Jefferson	Skelton
Dingell	Johnson, E.B.	Tanner
Ferguson	Largent	Watson (CA)
Fossella	Miller, George	Young (AK)

□ 1054

Mr. WELLER changed his vote from ''yea'' to ''nay.''

Mr. SHAYS changed his vote from ''nay'' to ''yea.''

So the Journal was approved.

The result of the vote was announced as above recorded.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 877

Mr. CLEMENT. Mr. Speaker, I ask unanimous consent to have my name removed as a cosponsor of H.R. 877.

The SPEAKER pro tempore (Mr. LATOURETTE). Is there objection to the request of the gentleman from Tennessee?

There was no objection.

PACIFIC SALMON RECOVERY ACT

Mr. HASTINGS of Washington. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 163 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 163

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 1157) to authorize the Secretary of Commerce to provide financial assistance to the States of Alaska, Washington, Oregon, California, and Idaho for salmon habitat restoration projects in coastal waters and upland drainages, and for other purposes. The first reading of the bill shall be dispensed with. Points of order against consideration of the bill for failure to comply with clause 4(a) of rule XIII are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Resources. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute printed in the Congressional Record and numbered 1 pursuant to clause 8 of rule XVIII. Each section of that amendment in the nature of a substitute shall be considered as read. During consideration of the bill for amendment, the Chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII. Amendments so printed shall be considered as read. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the amendment in the nature of a substitute made in order as original text. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. House Resolution 156 is laid on the table.

The SPEAKER pro tempore. The gentleman from Washington (Mr. HASTINGS) is recognized for 1 hour.

Mr. HASTINGS of Washington. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentlewoman from New York (Ms. SLAUGHTER), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

Mr. Speaker, House Resolution 163 is an open rule waiving clause 4(a) of rule XIII that requires the 3-day availability of the committee report against consideration of the bill. The rule provides 1 hour of general debate equally divided and controlled by the chairman and ranking minority member of the Committee on Resources. The rule makes in order as base text for the purpose of amendment the amendment printed in the CONGRESSIONAL RECORD and numbered 1 which shall be open for amendment by section. The rule also authorizes the Chair to accord priority in recognition to Members who have preprinted their amendments in the CONGRESSIONAL RECORD. Finally, the rule provides one motion to recommit, with or without instructions, and lays House Resolution 156 on the table.

Mr. Speaker, H.R. 1157, the Pacific Salmon Recovery Act, would authorize the Secretary of Commerce to provide financial assistance to five States in the Pacific Northwest for salmon habitat restoration projects in both coastal waters and upland areas which support a number of important species of salmon. The bill was introduced by the gentleman from California (Mr. THOMPSON) in response to a request from the Governors of Washington, Oregon, Alaska, and California for a coastwide approach to protecting salmon habitat from a variety of natural and man-made threats. The bill authorizes $200 million for that purpose through fiscal year 2003 to be made available to the States of Washington, Oregon, Alaska, California, and Idaho as well as certain Native American tribes in the region. In order to receive funds, the States must submit a recovery plan to the Secretary of Interior with specific goals and time lines.

The bill also authorizes U.S. representation on the Transboundary Panel of the Pacific Salmon Commission under the Pacific Salmon Treaty Act of 1985.

□ 1100

Finally, the bill authorizes payments to the Northern Fund and the Southern Fund for fiscal years 2001 to 2003, as well as lump sum payments to retirees of certain international commissions.

The Congressional Budget Office estimates that enacting H.R. 1157 would cost the Federal Government $510 million over the next 5 years. Pay-as-you-go procedures would apply because the bill would increase direct spending, although less than $500,000.

Finally, the bill contains no intergovernmental or private sector unfunded mandates.

The Committee on Resources reported H.R. 1157 by a voice vote on May 16 of this year and has requested an open rule so that Members seeking to amend the bill may have an opportunity to do so.

Mr. Speaker, those of us who represent districts in the Pacific Northwest are deeply committed to the cause of salmon restoration, and while we are determined to fully protect the rights of States and localities to chart their own destiny, we also believe that the Federal Government has an important role to play in this process.

The gentleman from California (Mr. THOMPSON) and Members of the Committee on Resources have worked hard to approach the job of salmon restoration in a balanced and responsible fashion.

While H.R. 1157 may not be perfect in every respect, the bill is an important step in the right direction and I do intend to support it.

Accordingly, I encourage my colleagues to support both the rule and the underlying bill.

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

Ms. SLAUGHTER. Mr. Speaker, I yield myself such time as I may consume, and I thank my colleague, the gentleman from Washington (Mr. HASTINGS), for yielding me the customary 30 minutes.

Mr. Speaker, I rise in strong support of this open rule. I would note that the underlying bill is noncontroversial and has passed the Chamber twice. The measure authorizes the Secretary of Commerce to provide financial assistance to Alaska, California, Idaho, Oregon and Washington for salmon habitat restoration projects.

Pacific salmon and steelhead trout are fish whose life cycle begins in freshwater, moves into the ocean and then returns to the freshwater when it is time to spawn. Along the way, dams, predators and commercial harvests all contribute to salmon mortality. Many salmon species are currently listed as endangered or threatened under the Endangered Species Act.

The underlying bill would authorize appropriations of $200 million to restore and conserve these endangered fish. The measure moved through the committee by unanimous consent and was favorably reported to the House by voice vote.

A bill such as this would be a perfect candidate for the suspension calendar and why it is being considered today under regular order is anybody's guess, but nevertheless I do support this rule and the underlying bill and urge its favorable consideration.

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

Mr. HASTINGS of Washington. Mr. Speaker, I reserve my time.

Ms. SLAUGHTER. Mr. Speaker, I yield 3 minutes to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. Mr. Speaker, I appreciate the courtesy of the gentlewoman from New York (Ms. SLAUGHTER) for yielding me the time.

Mr. Speaker, I rise today in support of the rule and strongly in support of the underlying legislation. It recognizes the fact that the Federal Government should be a full partner in the issue of salmon recovery. Part of the challenge is that this is a requirement of Federal legislation under the Endangered Species Act, which to be charitable, and this comes from somebody who is a strong supporter of the act and its purposes, it is not always the easiest to administer.

There are also a myriad of built-in challenges coordinating the various responses of the Federal agencies, NMFS, Bonneville Power, Fish and Wildlife, the Corps of Engineers, EPA, the long list of Federal players, and here again it is not always easy to coordinate this effort.

It is hard and expensive to work with the Federal Government, and this legislation acknowledges the fact and would provide help.

Additionally, much of the difficulty we face now is not just an operation of the Endangered Species Act and the complex set of Federal partners. It is a direct result of the application of a wide range of Federal policies and practices we have, many of which that at the time of their enactment made sense to Congress, made sense to the public, but sadly today many of these practices are outmoded. They would have serious side effects, even if we have not moved forward to modify them.

The construction of Federal dams on the Columbia River, for instance, the application of policies for water reclamation, forestry practices on Federal land, mining, transportation. There is an international implication which will be acknowledged later, as my colleague, the gentlewoman from Oregon (Ms. HOOLEY), will offer an amendment that seeks to have the Federal Government monitor the impact of harvests in Canada on the impact on salmon, and I think a very good idea.

Unless and until we come forward to deal comprehensively with these range of Federal policies, we need to have the Federal Government help us. There are many encouraging signs of activities taking place today at the local level, with private landowners, with private policies on forest lands. We have State and local activities, as well as the Federal Government itself, but it is going to take us time, money and energy to put these pieces together.

I think this bill is a step in the right direction, and I look forward to the passage of the rule and the act.

Ms. SLAUGHTER. Mr. Speaker, I yield back the balance of my time.

Mr. HASTINGS of Washington. 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 resolution was agreed to.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore (Mr. HASTINGS of Washington). Pursuant to House Resolution 163 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 1157.

□ 1107

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 consideration of the bill (H.R. 1157) to authorize the Secretary of Commerce to provide financial assistance to the States of Alaska, Washington, Oregon, California, and Idaho for salmon habitat restoration projects in coastal waters and upland drainages, and for other purposes, with Mr. LATOURETTE in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the bill is considered as having been read the first time.

Under the rule, the gentleman from Maryland (Mr. GILCHREST) and the gentleman from Washington (Mr. INSLEE) each will control 30 minutes.

The Chair recognizes the gentleman from Maryland (Mr. GILCHREST).

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

Mr. Speaker, this morning we are considering H.R. 1157, the Pacific Salmon Recovery Act. This bill was introduced by the gentleman from California (Mr. THOMPSON) with 65 cosponsors. The gentleman from California (Mr. THOMPSON) introduced a similar bill last Congress, H.R. 2798. That bill passed the House twice, once as a stand-alone bill and once as part of H.R. 5086, a bill including a number of fishery provisions.

Unfortunately, the other body never took up the measure.

Except for some technical changes, H.R. 1157 has the same text as H.R. 2798. This bill would authorize the Secretary of Commerce to provide financial assistance to the States of Alaska, California, Idaho, Oregon and Washington for salmon restoration and habitat restoration projects in coastal waters and upland drainages.

Habitat restoration is one of the most important factors in rebuilding endangered species populations, and especially endangered salmon populations. While the Federal Government has been working with local and regional groups to develop a recovery plan for the listed salmon, steelhead and trout species, there is still a great deal to do. The support of State projects is critical to the survival of listed species of salmon, steelhead and cutthroat trout. In some cases, the State and local governments often do a better job than the Federal Government. Local input is very important in order to direct funding to local restoration projects.

This bill will allow the States to focus the money they receive on areas and projects that need the most attention.

Small projects like replacing culverts and restoring stream flows may actually open up large areas of spawning habitat for little cost. Those are the projects that can be identified and undertaken by local governments and may provide the most benefit to the listed salmon, steelhead and trout. The States will be making their own decisions and can complement Federal restoration programs already in place.

I would encourage the local people and the Federal people to take off their Federal hats, take off their local hats, and put their hearts and minds together and get the job done.

I will note that there is currently an authorization in place through Public

Law 106–553, the District of Columbia fiscal year 2001 appropriations bill. However, there are differences in the two authorizations. First, the States are only required to match 25 percent in Public Law 106–553 versus a 100 percent match in H.R. 1157 for funds received by the State.

Finally, the current authorization does not include the State of Idaho, while H.R. 1157 does.

This is a good piece of legislation that addresses the conservation needs of salmon, steelhead and trout species residing along the Pacific Coast and Alaska. It is a noncontroversial bill which has a tremendous amount of bipartisan support, with cosponsors, including many Members interested in salmon restoration and those Members range from the gentleman from Alaska (Mr. YOUNG), to the gentleman from California (Mr. GEORGE MILLER).

I urge Members to vote aye on H.R. 1157.

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

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

Mr. Chairman, I am happy to rise in support of H.R. 1157, a great bill that has been introduced by our colleague, the gentleman from California (Mr. THOMPSON). Basically, it authorizes the Secretary of Commerce to provide financial assistance to the States of Alaska, California, Idaho, Oregon and Washington for salmon habitat restoration projects in coastal waters and upland drainages. As many of our colleagues are aware, there is more than 25 species of salmon on the West Coast right now that have been listed as endangered or threatened under the Endangered Species Act. Several more are currently under consideration for listing.

In 1999, the States of Alaska, California, Oregon and Washington proposed to tackle this crisis with a coastwide salmon restoration effort, conservation effort, that would allocate $50 million of Federal funds to each State for 6 years to support salmon conservation. A habitat restoration project was very important at a regional and local level. In response to this request, Congress established the Pacific Salmon Recovery Fund and appropriated $58 million for these purposes in the fiscal year 2000 and $90 million in fiscal year 2001.

In Washington State, our funds are allocated by the Salmon Recovery Funding Board, also known as the SURF Board, one of the great acronyms of all times, which is operated by William Ruckelshaus, a name I think is familiar to many.

The local regional project supported by the Pacific Salmon Recovery Fund will restore habitats and help stem the continued decline of the salmon populations on the West Coast. H.R. 1157 authorizes the activities that will be carried out using the appropriations in this fund; requires States and tribes to develop a conservation and restoration plan. To receive grants, it specifies the activities that are eligible to receive funding. It requires a one-to-one match of any Federal dollars that are provided and it thereby doubles their conservation efforts, a really good feature of the bill.

Finally, it adds Idaho, a great State, to the list of States that would participate in the program.

Mr. Chairman, in my own State of Washington, this program will enable us to work in conjunction with funding from the Puget Sound Initiative, a bipartisan bill I helped pass last year which authorizes the Army Corps of Engineers to use their expertise in designing community-based habitat restoration projects.

In King County, money appropriated to the funds has already been used to acquire 93 acres of land along Bear Creek, which includes a large wetland, a beautiful little area in my district, salmonid spawning areas and large beds of freshwater mussels, the noninvasive type, I may add.

King County also acquired 172 acres at several high priority habitats along the Snoqualmie River watershed.

□ 1115

The acquisitions focused primarily on the spawning areas in the Snoqualmie Basin, which are very important.

With future funds, we will be looking to provide more protection for salmon habitat along the Cedar River, which is the watershed feeding Seattle. This area has long been known for its critical habitat values, and has everything that salmon need to thrive. In addition to Chinook, sockeye and coho salmon, steelhead will also benefit from this newly protected area in the years to come.

H.R. 57 is a great bill. It will ensure these projects will continue. It is supported by the Governors of all five States, the tribes, fishermen and the environmental community. While the administration has not provided an official position on this bill, it has requested $100 million for Pacific Salmon Recovery Fund in fiscal year 2002 budget submission. That is good news, and I urge Members to support it today.

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

Mr. GILCHREST. Mr. Chairman, I yield 4 minutes to the gentleman from Idaho (Mr. SIMPSON).

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

Mr. Chairman, this is an important issue to all of us in the Pacific Northwest that care about salmon recovery. Today I rise in support of H.R. 1157, the Pacific Salmon Recovery Act. I compliment my good friend from the State of California for his efforts in directing funds to the areas where they may actually make an impact to the States and local governments of the Pacific Northwest.

The Federal Government is spending huge amounts of money on salmon restoration in the Pacific Northwest. Unfortunately, the Federal efforts do not always involve the small projects, and the Federal efforts do not always put much emphasis on the projects put forward by local units of government.

Mr. Chairman, I think these smaller local projects, when put together with larger Federal efforts, may actually begin to make a difference in restoring salmon populations and restoring salmon habitat.

At the end of the 106th Congress, the appropriators both authorized and appropriated funds for this type of State effort. Unfortunately, the original authorization left the State of Idaho out, and therefore Idaho received no funds for habitat recovery for these magnificent fish.

While Idaho is not one of the coastal States, it does in fact include much of the habitat for these spawning fish. It is a sad fact that some of these salmon are endangered. It is also a sad fact that Idaho could probably use some financial assistance to augment our salmon habitat restoration efforts.

Mr. Chairman, this bill not only authorizes the funding for the State and local restoration projects, but it also takes a few steps that the current appropriation language does not take. This bill requires the State to match dollar for dollar the funding they get through this authorization. The current authorization only requires a 25 percent match by the States.

This bill also requires that States develop a salmon conservation and restoration plan. This is an important provision that will ensure that funds are spent according to a publicly developed plan, rather than haphazardly funding projects with little or no coordination. This bill also requires the State plans to have measurable criteria by which the activities funded by this bill can be measured.

Finally, this bill requires that the States maintain their current level of funding for salmon recovery activities and not just substitute this Federal money for currently funded State salmon programs and use their funds for other priorities.

Mr. Chairman, this is a good piece of legislation, one that I believe will help the State and local governments partner in the recovery of salmon and salmon habitat in the Pacific Northwest, including the State of Idaho.

As has been mentioned, this legislation in a somewhat different form passed the House twice during the 106th Congress, both times by voice vote. I urge Members to support this legislation.

Once again, I compliment my good friend, the gentleman from California (Mr. THOMPSON), for his effort in making sure that we do whatever we can to recover the salmon and other fish of the Pacific Northwest.

Mr. INSLEE. Mr. Chairman, I yield 5 minutes to the gentleman from California (Mr. THOMPSON), who has done a tremendous job fashioning this bipartisan success story.

Mr. THOMPSON of California. Mr. Chairman, I thank the gentleman for yielding me time. I would like to also thank the gentleman from Idaho (Mr. SIMPSON) for his help on this bill; the chairman of the committee, the gentleman from Utah (Mr. HANSEN); the ranking member, the gentleman from West Virginia (Mr. RAHALL); and the gentleman from Maryland (Mr. GILCHREST) and the gentleman from Guam (Mr. UNDERWOOD) from the subcommittee that helped make this bill possible to be heard on the floor today. I would also like to thank all the staff that worked diligently to make sure this good bill was here.

Mr. Chairman, in California virtually every salmon spawning habitat has been altered by human activities, such as water diversions, dam building, overfishing and urban development. In many streams and rivers, the alterations have been so severe that fish can no longer return to their historical spawning areas. As a result, almost 80 percent of the salmon caught commercially in the Pacific Northwest and in northern California today come from hatcheries.

My bill will authorize $40 million per year for 5 years for California, Washington, Oregon, Alaska, and Idaho. The money will be distributed to the State agencies after an MOU has been approved by the Secretary of Commerce. It is designed to prioritize salmon recovery, provide a criteria for measuring success, and promote projects that are scientifically based and cost effective.

The States and the local governments will receive funds on a 50–50 cost-share basis for these restoration projects. This will double the amount of money spent and the amount of work that can be done to enhance this important purpose.

Salmon species are very much a part of the culture of the Pacific Northwest. Many of the port towns in my district on the north coast, such as Point Arena, Fort Bragg, Eureka, and Crescent City, were founded around the commercial fishing industry. Many of these towns have been devastated by the collapse of salmon populations.

Over the last 30 years, the salmon fishery closures in these areas have contributed to the loss of nearly 75,000 jobs. Private landowners, conservation groups, and industry have already committed a significant amount of resources to aid in the reversal of this decline. But the efforts are not sufficient. In fact, species are still declining. Recovery efforts must be stepped up, and they must be stepped up now.

By restoring our salmon populations, we can lessen the burden on industry and private landowners. By bringing back the salmon, the fishing industry economy will rise; and eventually the ESA regulations can be lifted. More importantly, if we restore salmon populations, future generations, like their ancestors, can enjoy and prosper from a great national treasure.

The Pacific Coast Salmon Recovery Act of 2001 not only enjoys bipartisan support in Congress, but also the support of a diverse organizational structure, such as the American Homebuilders, the California Farm Bureau, American Rivers, Trout Unlimited, and the Pacific Coast Federation of Fishermen.

I urge my colleagues to support this important measure and pass the Pacific Coast Salmon Recovery Act today.

Mr. INSLEE. Mr. Chairman, I yield 3 minutes to the gentleman from New Mexico (Mr. UDALL).

Mr. UDALL of New Mexico. Mr. Chairman, let me first applaud the gentleman from California (Mr. THOMPSON), the gentleman from Washington (Mr. INSLEE), and the gentleman from Maryland (Chairman GILCHREST) for their efforts on this important bill and for protecting this valuable resource.

I am a strong supporter of H.R. 1157, the Pacific Salmon Recovery Act. This measure would provide significant assistance to the Northwestern States and tribal and local governments involved in salmon management recovery and conservation activities.

The salmon populations are economic and wildlife resources whose preservation is our national responsibility. As such, the recovery of salmon populations in the Pacific Northwest is of great importance to the ecological, recreational, and economic future of the region.

The recovery of our salmon populations are important to the once-thriving commercial salmon fishery business, which is dwindling as a result of a decline in salmon population. This has left the industry crippled. Thus, by protecting healthy salmon runs and those of other species, we can possibly revive what was once a sustainable fishing industry in the region. Once there were 12,000 jobs in this industry. Would it not be great if we could move towards restoring many of those jobs?

These activities, coupled with a revival of the recreation industry, provide for a potential increase in commercial and recreational fishing, which can provide the region with new opportunities for economic growth.

Our efforts are also an important part of our commitment to honoring our treaty obligations with Native American tribes and with Canada. It is important to emphasize that, in passing this bill, we will take a significant step in honoring our treaty obligations. The history of the United States is replete with unfulfilled promises. As a Nation, we must remedy this by setting new precedents and taking steps to honor our commitments.

The potential cost of litigation, should Canada or the tribes contest the treaties in court, could be enormous. Some observers estimate that attorney fees, potential damage awards and/or a settlement based upon a failure to maintain a viable salmon population could exceed $10 billion.

Mr. Chairman, we must act now to preserve this magnificent national resource. By passing this measure, we take a necessary step in moving the salmon further from extinction. It is an action that makes sense for the ecosystem, the economy, the nations and tribes with whom we have treaty obligations; and most importantly, it allows us to pursue a balanced approach to preserving this national resource.

Mr. INSLEE. Mr. Chairman, I yield 3 minutes to the gentlewoman from California (Ms. WOOLSEY), a great Congresswoman from California; but she grew up on the shores of Puget Sound.

Ms. WOOLSEY. Mr. Chairman, I rise in strong support of H.R. 1157, not only because I was born and raised in the Pacific Northwest, but because I have lived all of my adult life in California along the coast and know how important the Pacific Salmon Recovery Act will be and how much support we must give it.

I want to commend the gentleman from California (Mr. THOMPSON) for his hard work to bring this bill to the floor and to my colleagues, the gentleman from Washington (Mr. INSLEE) and the gentleman from Maryland (Mr. GILCHREST), for their work and support.

Mr. Chairman, I am proud to be an original cosponsor of this bill, because, like the three gentleman that I just mentioned, I and our Pacific Coast colleagues in a very bipartisan manner know that salmon are in trouble.

Over the past decade, we have witnessed a huge decline in salmon population, and the listing of salmon on the endangered species list is a clear warning that we must take this seriously. That is why communities and local officials in my district of Marin and Sonoma Counties, just north of San Francisco across the Golden Gate Bridge in California, are actively supporting Federal efforts to help with salmon restoration.

We are fortunate that Marin and Sonoma Counties combined have received almost $850,000 from the current salmon recovery initiative, which was formed under President Clinton; and even better, these Federal dollars are available and are being leveraged at State, local, and nonprofit levels for

resources that will bolster the recovery efforts even further than that $850,000.

Next month, these Federal funds will begin to bear fruit. I do not think I should say that. They will begin to bear fish, not fruit. Projects that are under way will eventually return our salmon runs to their former abundance.

For example, the Kelly Road Stabilization Project in my district will help stop erosion from going into the nearby waterways that harm salmon habitat. Also in Sonoma County, through the county ecology center, a program will focus on bringing private landowners, government agencies, and environmental groups together to work on restoration efforts.

Other exciting habitat restoration efforts in my district that are getting under way include the Lagunitas Sediment Management Project, the Willow Creek Restoration Project, and work on Pine Gulch Creek.

Mr. Chairman, expanding habitat restoration efforts is a key component of any recovery effort, but we all know that money is another key ingredient to making these programs happen. I urge my colleagues to support this bill.

□ 1130

Mr. INSLEE. Mr. Chairman, I yield 3 minutes to the gentlewoman from California (Mrs. CAPPS).

Mrs. CAPPS. Mr. Chairman, I rise to express my support for the Pacific Salmon Recovery Act. I am very proud to be a cosponsor of this important legislation.

I want to thank the people who worked so hard to bring this to the floor, the gentleman from Washington (Mr. INSLEE) and the gentleman from California (Mr. THOMPSON), and also the gentleman from Maryland (Mr. GILCHREST) and the gentleman from Idaho (Mr. SIMPSON), for their hard work on this issue.

This is a very important issue for the fishermen in my district, particularly those in Morro Bay and San Luis Obispo. They depend on salmon for their livelihood, and when these species are endangered, it is a serious threat to provide for their families.

Steelhead salmon has been listed in my district as a threatened species north of the Santa Maria River, and as an endangered species to the south. It is vitally important that we restore their numbers.

As Members know, this legislation would authorize $200 million in Federal assistance to State programs so that they can restore salmon and steelhead populations. This funding would not only add to the resources that the California Fish and Game already has, but also leverage more funds from the State and from other local sources. This kind of assistance would support ongoing projects in California.

In my district, projects designed by groups like the South-Central Steelhead Coalition, the Arroyo Grande Watershed Forum, led by Central Coast Salmon Enhancement, these groups would benefit from this funding. These collaborative projects would be able to put such funds to good use in a way which will restore our natural resources.

This is a good bill, and I urge all of my colleagues to support it.

Mr. INSLEE. Mr. Chairman, I yield 3 minutes to the gentleman from Washington (Mr. LARSEN).

Mr. LARSEN of Washington. Mr. Chairman, I rise in support of H.R. 1157.

I want to first off thank my colleagues, the gentleman from California (Mr. THOMPSON) and the gentleman from Washington (Mr. INSLEE), on this side of the aisle, for the work they have done on the issue, and my colleagues, the gentleman from Maryland (Mr. GILCHREST) and the gentleman from Idaho (Mr. SIMPSON), for the hard work they have done as well on this issue. I am pleased to join them in cosponsoring this important piece of legislation.

Having served in local government before being in Congress and having worked with those who are in the trenches on this issue of salmon recovery, I can tell the Members that solutions need to come from the bottom up and not the top down. The funds provided by this bill will empower local communities to deal with salmon recovery efforts at the local level. That is the proper approach, and that is why I support this bill.

As an example, the Haskell Slough project along the Skykomish River in my district is considered many a model of what successful salmon recovery can look like throughout the Pacific Northwest. A coalition of private landowners, local governments, businesses, and tribes use Federal dollars to restore a critical piece of freshwater habitat, and the fish have come back by the thousands.

Passing this legislation will help fund hundreds of individual projects like the Haskell Slough project, and continue to move us in the right direction on salmon recovery.

So again, I want to thank my colleagues on both sides of the aisle for this work, for their work on this issue, and urge my colleagues to vote yes on H.R. 1157.

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

I just want to tell a personal story that relates a bit to this bill.

Last week I was sitting in my living room. I live on Puget Sound in the State of Washington. I was talking to one of my staffers about an environmental issue. We were sort of bemoaning some of the problems we have, both environmentally and legislatively, as it pertains to the environment here.

We were particularly concerned about the salmon, who really are on the ropes up and down the West Coast. These salmon are very much on the edge of extinction in a lot of these runs.

We were sort of down-mouthed at the moment, and just at that moment a bald eagle came soaring by, literally with the wings straight out, not flapping, just soaring on the wind as it came up over the shoreline, sort of eye level right past our house.

It was sort of a message, I think, maybe from some other power that we ought to keep our heads up when it comes to these endangered species; that if the bald eagle can have a spectacular recovery, perhaps the salmon can, too.

I think this is a good step forward towards that end. I want to compliment our friends on the other side for their work in getting this bipartisan product out.

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

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

Mr. Chairman, the comment about the bald eagle was well received, I say to the gentleman from Washington. If we can restore that magnificent creature to a healthy population, I am sure that we can do that to many other forms of nature's bounty.

The great Northwest is a magnificent and splendid place. If this one small effort can do what we want it to do, the fish will prosper, the land will prosper, and then people will prosper.

I urge my colleagues to give an aye vote on this legislation.

Mr. SMITH of Washington. Mr. Chairman, I would like to take this opportunity to thank my colleague from California for his leadership in introducing H.R. 1157, the Pacific Salmon Recovery Act. This bill will be an important tool for the Pacific Northwest's efforts to preserve and protect our unique salmon runs. Our region understands the importance of providing salmon with the habitat they need to flourish, and our state and local governments have developed valuable programs to recover salmon runs. This legislation will allow those established programs to qualify for federal matching grants, and provide the incentives needed to enable new organizations to participate in salmon recovery.

For Washington state, that means that our Salmon Recovery Funding Board will have an additional revenue source. This board does a good job of getting the funds to programs that are instrumental in recovery efforts, but they need more funding and that is exactly what this bill will do. This bill could mean additional funds for restoration projects like those on the Hylebos Watershed, and the Green and Duwamish Rivers. The states and Indian tribes know what needs to be done to help salmon recover, but they need help from the federal government. This bill will allow existing programs to expand on their successes with the opportunity to qualify for further funding. This bill authorizes $200 million a year for three years for states and Indian tribes for salmon

conservation and restoration projects in the coastal and upriver of Alaska, California, Idaho, Oregon, and Washington.

Last year the House considered a similar bill, but it was never taken up in the Senate. I am hopeful that the House's early action on this bill will give the Senate ample time to consider this legislation so that the President can sign it.

Ms. PELOSI. Mr. Chairman, I rise today in support of H.R. 1157, which authorizes financial assistance to West Coast states to support restoration and conservation of Pacific salmon. This bill would also support the restoration of a historic industry, comprised of proud fishing men and women and their communities, that provides both food and recreation to the citizens of this nation. I commend my colleague MIKE THOMPSON for his leadership on this issue.

Mr. Chairman, salmon have been an important source of sustenance for the native peoples of the Pacific coast for thousands of years. The modern fishing industry on the West Coast began in my district with the salmon fishery on San Francisco Bay. Salmon from the Bay were harvested to feed the forty-niners headed for the gold fields of the Sierra Nevada mountains. San Francisco Bay is still the migratory route for one of the largest runs of salmon on the Pacific Coast.

Our salmon have suffered mightily over the past century, as spawning and rearing habitat within their natal streams and rivers has been lost. We have lost about 80 percent of the productive capacity of salmon streams in the West Coast as a direct result of various causes of watershed destruction.

According to a 1991 comprehensive scientific study by the American Fisheries Society (AFS), at least 106 major populations of West Coast salmon and steelhead are already extinct. Other studies place the number at over 200 separate stock extinctions in the Columbia River Basin alone. The AFS report also identified 214 additional native naturally-spawning salmonid runs at risk of extinction in the Northwest and Northern California: 101 at high risk of extinction, 58 at moderate risk of extinction, and another 54 of special concern.

The productive capacity of the salmon resource has been enormous. Even as recently as 1988, and in spite of already serious existing depletions in the Columbia River and elsewhere, the Northwest salmon fishing industry (including both commercial and recreational components) still supported an estimated 62,750 family wage jobs in the Northwest and Northern California, including my district, and generated $1.25 billion in economic personal income impacts to the region.

H.R. 1157 continues the program of Federal matching assistance to the West Coast states to rebuild this important fishery. The bill would authorize funding for states and tribal governments to restore damaged and degraded salmon habitat in a scientifically based and cost-effective manner. Emphasis would be placed on the recovery of salmon runs listed under the Endangered Species Act to prevent their extinction and eventually permit the lifting of the restrictions that are set in place when a species is listed. Funds will be spent only for projects approved as part of state and tribal restoration plans.

H.R. 1157 is an investment in a healthful food source, an industry of hard working men and women, and a precious element of our ecosystem and natural heritage. I am proud to be a cosponsor of H.R. 1157, and I urge my colleagues to support the preservation and restoration of West Coast salmon.

Mr. LANTOS. Mr. Chairman, I rise in strong support of H.R. 1157, the Pacific Salmon Recovery Act. Passage of this important bill that is vital to preserving our rapidly disappearing natural resources on the West Coast. This important bill would authorize funding to protect and restore salmon and steelhead populations in the Pacific Coast states of California, Oregon, Washington, and Alaska.

Mr. Chairman, on our nation's Pacific Coast, many species of salmon and trout are listed as threatened or endangered, and that number will continue to grow if we do not take steps to reverse this trend now. I urge passage of H.R. 1157, which provides financial assistance to states and tribal governments for salmon and trout restoration.

The salmon population has been declining on the West Coast for many years. This is due to habitat destruction, urban development, water diversions, land use and industry practices. Approximately 25 species are listed as threatened or endangered under the Endangered Species Act of 1973, with additional species being considered for addition to the list. This bill will ensure that activities funded under the Endangered Species Act are conducted in a manner that will have long-term positive benefits for salmon conservation and habitat restoration.

Mr. Chairman, this is an important issue to my Congressional district, which includes California coastal lands in San Mateo and San Francisco Counties. The decline in Salmon populations has been widely felt throughout the region, from the coastal streams of San Mateo and throughout the State. Local governments and private citizens would like to continue efforts to restore salmon habitat but need assistance from the Federal government to do this.

H.R. 1157 will allow states and tribal governments to carry-out watershed evaluations and assessments and to develop plans to implement improvements. It will also fund research to ensure that the restoration is based on good sound data. Most importantly, it will offer assistance to educate private landowners on methods to restore the salmon and trout habitat on their land. The funding will also teach them land use and water management practices so they can continue to use their property without negatively affect these species.

This bill authorizes $200 million a year for three years, with oversight to ensure that the funds will be used where they are most needed. The funding will be in the form of matching grants to states and tribal governments. It also requires that states provide matching grants and report annually to Congress on the use of these funds and their efforts to restore salmon and trout populations.

Mr. Chairman, H.R. 1157 has widespread support, conservationists, fish producing states and local governments and local landowners alike, all share a common goal—the restoration of the salmon and trout populations along the Pacific Coast. I urge passage of the Pacific Salmon Recovery Act. The legislation will ensure that communities in San Mateo and all across California, Washington, Oregon and Alaska receive financial assistance to begin the important work of restoring salmon and trout populations in rivers and tributaries along the Pacific Coast.

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

The CHAIRMAN pro tempore (Mr. RYAN of Wisconsin). All time for general debate has expired.

Pursuant to the rule, the amendment in the nature of a substitute printed in the CONGRESSIONAL RECORD and numbered 1 shall be considered by sections as an original bill for the purpose of amendment, and each section is considered as read.

During consideration of the bill for amendment, the Chair may accord priority in recognition to a Member offering an amendment that he has printed in the designated place in the CONGRESSIONAL RECORD. Those amendments will be considered as read.

The Clerk will designate section 1.

The text of section 1 is as follows:

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 ''Pacific Salmon Recovery Act''.

The CHAIRMAN pro tempore. Are there any amendments to section 1?

If not, the Clerk will designate section 2.

The text of section 2 is as follows:

SEC. 2. SALMON CONSERVATION AND SALMON HABITAT RESTORATION ASSISTANCE.

(a) REQUIREMENT TO PROVIDE ASSISTANCE.—Subject to the availability of appropriations, the Secretary of Commerce shall provide financial assistance in accordance with this Act to qualified States and qualified tribal governments for salmon conservation and salmon habitat restoration activities.

(b) ALLOCATION.—Of the amounts available to provide assistance under this section each fiscal year (after the application of section 3(g)), the Secretary—

(1) shall allocate 85 percent among qualified States, in equal amounts; and

(2) shall allocate 15 percent among qualified tribal governments, in amounts determined by the Secretary.

(c) TRANSFER.—

(1) IN GENERAL.—The Secretary shall promptly transfer—

(A) to a qualified State that has submitted a Conservation and Restoration Plan under section 3(a) amounts allocated to the qualified State under subsection (b)(1) of this section, unless the Secretary determines, within 30 days after the submittal of the plan to the Secretary, that the plan is inconsistent with the requirements of this Act; and

(B) to a qualified tribal government that has entered into a memorandum of understanding with the Secretary under section 3(b) amounts allocated to the qualified tribal government under subsection (b)(2) of this section.

(2) TRANSFERS TO QUALIFIED STATES.—The Secretary shall make the transfer under paragraph (1)(A)—

(A) to the Washington State Salmon Recovery Board, in the case of amounts allocated to Washington;

(B) to the Oregon State Watershed Enhancement Board, in the case of amounts allocated to Oregon;

(C) to the California Department of Fish and Game for the California Coastal Salmon Recovery Program, in the case of amounts allocated to California;

(D) to the Governor of Alaska, in the case of amounts allocated to Alaska; and

(E) to the Office of Species Conservation, in the case of amounts allocated to Idaho.

(d) REALLOCATION.—

(1) AMOUNTS ALLOCATED TO QUALIFIED STATES.—Amounts that are allocated to a qualified State for a fiscal year shall be reallocated under subsection (b)(1) among the other qualified States, if—

(A) the qualified State has not submitted a plan in accordance with section 3(a) as of the end of the fiscal year; or

(B) the amounts remain unobligated at the end of the subsequent fiscal year.

(2) AMOUNTS ALLOCATED TO QUALIFIED TRIBAL GOVERNMENTS.—Amounts that are allocated to a qualified tribal government for a fiscal year shall be reallocated under subsection (b)(2) among the other qualified tribal governments, if the qualified tribal government has not entered into a memorandum of understanding with the Secretary in accordance with section 3(b) as of the end of the fiscal year.

The CHAIRMAN pro tempore. Are there any amendments to section 2?

Hearing none, the Clerk will designate section 3.

The text of section 3 is as follows:

SEC. 3. RECEIPT AND USE OF ASSISTANCE.

(a) QUALIFIED STATE SALMON CONSERVATION AND RESTORATION PLAN.—

(1) IN GENERAL.—To receive assistance under this Act, a qualified State shall develop and submit to the Secretary a Salmon Conservation and Salmon Habitat Restoration Plan.

(2) CONTENTS.—Each Salmon Conservation and Salmon Restoration Plan shall, at a minimum—

(A) be consistent with other applicable Federal laws;

(B) be consistent with the goal of salmon recovery;

(C) except as provided in subparagraph (D), give priority to use of assistance under this section for projects that—

(i) provide a direct and demonstrable benefit to salmon or their habitat;

(ii) provide the greatest benefit to salmon conservation and salmon habitat restoration relative to the cost of the projects; and

(iii) conserve, and restore habitat, for—

(I) salmon that are listed as endangered species or threatened species, proposed for such listing, or candidates for such listing, under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.); or

(II) salmon that are given special protection under the laws or regulations of the qualified State;

(D) in the case of a plan submitted by a qualified State in which, as of the date of the enactment of this Act, there is no area at which a salmon species referred to in subparagraph (C)(iii)(I) spawns—

(i) give priority to use of assistance for projects referred to in subparagraph (C)(i) and (ii) that contribute to proactive programs to conserve and enhance species of salmon that intermingle with, or are otherwise related to, species referred to in subparagraph (C)(iii)(I), which may include (among other matters)—

(I) salmon-related research, data collection, and monitoring;

(II) salmon supplementation and enhancement;

(III) salmon habitat restoration;

(IV) increasing economic opportunities for salmon fishermen; and

(V) national and international cooperative habitat programs; and

(ii) provide for revision of the plan within one year after any date on which any salmon species that spawns in the qualified State is listed as an endangered species or threatened species, proposed for such listing, or a candidate for such listing, under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.);

(E) establish specific goals and timelines for activities funded with such assistance;

(F) include measurable criteria by which such activities may be evaluated;

(G) require that activities carried out with such assistance shall—

(i) be scientifically based;

(ii) be cost effective;

(iii) not be conducted on private land except with the consent of the owner of the land; and

(iv) contribute to the conservation and recovery of salmon;

(H) require that the qualified State maintain its aggregate expenditures of funds from non-Federal sources for salmon habitat restoration programs at or above the average level of such expenditures in the 2 fiscal years preceding the date of the enactment of this Act; and

(I) ensure that activities funded under this Act are conducted in a manner in which, and in areas where, the State has determined that they will have long-term benefits.

(3) SOLICITATION OF COMMENTS.—In preparing a plan under this subsection a qualified State shall seek comments on the plan from local governments in the qualified State.

(b) TRIBAL MOU WITH SECRETARY.—

(1) IN GENERAL.—To receive assistance under this Act, a qualified tribal government shall enter into a memorandum of understanding with the Secretary regarding use of the assistance.

(2) CONTENTS.—Each memorandum of understanding shall, at a minimum—

(A) be consistent with other applicable Federal laws;

(B) be consistent with the goal of salmon recovery;

(C) give priority to use of assistance under this Act for activities that—

(i) provide a direct and demonstrable benefit to salmon or their habitat;

(ii) provide the greatest benefit to salmon conservation and salmon habitat restoration relative to the cost of the projects; and

(iii) conserve, and restore habitat, for—

(I) salmon that are listed as endangered species or threatened species, proposed for such listing, or candidates for such listing, under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.); or

(II) salmon that are given special protection under the ordinances or regulations of the qualified tribal government;

(D) in the case of a memorandum of understanding entered into by a qualified tribal government for an area in which, as of the date of the enactment of this Act, there is no area at which a salmon species that is referred to in subparagraph (C)(iii)(I) spawns—

(i) give priority to use of assistance for projects referred to in subparagraph (C)(i) and (ii) that contribute to proactive programs described in subsection (a)(2)(D)(i);

(ii) include a requirement that the memorandum shall be revised within 1 year after any date on which any salmon species that spawns in the area is listed as an endangered species or threatened species, proposed for such listing, or a candidate for such listing, under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.);

(E) establish specific goals and timelines for activities funded with such assistance;

(F) include measurable criteria by which such activities may be evaluated;

(G) establish specific requirements for reporting to the Secretary by the qualified tribal government;

(H) require that activities carried out with such assistance shall—

(i) be scientifically based;

(ii) be cost effective;

(iii) not be conducted on private land except with the consent of the owner of the land; and

(iv) contribute to the conservation or recovery of salmon; and

(I) require that the qualified tribal government maintain its aggregate expenditures of funds from non-Federal sources for salmon habitat restoration programs at or above the average level of such expenditures in the 2 fiscal years preceding the date of the enactment of this Act.

(c) ELIGIBLE ACTIVITIES.—

(1) IN GENERAL.—Assistance under this Act may be used by a qualified State in accordance with a plan submitted by the State under subsection (a), or by a qualified tribal government in accordance with a memorandum of understanding entered into by the government under subsection (b), to carry out or make grants to carry out, among other activities, the following:

(A) Watershed evaluation, assessment, and planning necessary to develop a site-specific and clearly prioritized plan to implement watershed improvements, including for making multi-year grants.

(B) Salmon-related research, data collection, and monitoring, salmon supplementation and enhancement, and salmon habitat restoration.

(C) Maintenance and monitoring of projects completed with such assistance.

(D) Technical training and education projects, including teaching private landowners about practical means of improving land and water management practices to contribute to the conservation and restoration of salmon habitat.

(E) Other activities related to salmon conservation and salmon habitat restoration.

(2) USE FOR LOCAL AND REGIONAL PROJECTS.—Funds allocated to qualified States under this Act shall be used for local and regional projects.

(d) USE OF ASSISTANCE FOR ACTIVITIES OUTSIDE OF JURISDICTION OF RECIPIENT.—Assistance under this section provided to a qualified State or qualified tribal government may be used for activities conducted outside the areas under its jurisdiction if the activity will provide conservation benefits to naturally produced salmon in streams of concern to the qualified State or qualified tribal government, respectively.

(e) COST SHARING BY QUALIFIED STATES.—

(1) IN GENERAL.—A qualified State shall match, in the aggregate, the amount of any financial assistance provided to the qualified State for a fiscal year under this Act, in the form of monetary contributions or in-kind contributions of services for projects carried out with such assistance. For purposes of this paragraph, monetary contributions by the State shall not be considered to include funds received from other Federal sources.

(2) LIMITATION ON REQUIRING MATCHING FOR EACH PROJECT.—The Secretary may not require a qualified State to provide matching funds for each project carried out with assistance under this Act.

(3) TREATMENT OF MONETARY CONTRIBUTIONS.—For purposes of subsection (a)(2)(H), the amount of monetary contributions by a qualified State under this subsection shall be treated as expenditures from non-Federal sources for salmon conservation and salmon habitat restoration programs.

(f) COORDINATION OF ACTIVITIES.—

(1) IN GENERAL.—Each qualified State and each qualified tribal government receiving assistance under this Act is encouraged to carefully coordinate salmon conservation activities of its agencies to eliminate duplicative and overlapping activities.

(2) CONSULTATION.—Each qualified State and qualified tribal government receiving assistance under this Act shall consult with the Secretary to ensure there is no duplication in projects funded under this Act.

(g) LIMITATION ON ADMINISTRATIVE EXPENSES.—

(1) FEDERAL ADMINISTRATIVE EXPENSES.—Of the amount made available under this Act each fiscal year, not more than 1 percent may be used by the Secretary for administrative expenses incurred in carrying out this Act.

(2) STATE AND TRIBAL ADMINISTRATIVE EXPENSES.—Of the amount allocated under this Act to a qualified State or qualified tribal government each fiscal year, not more than 3 percent may be used by the qualified State or qualified tribal government, respectively, for administrative expenses incurred in carrying out this Act.

The CHAIRMAN pro tempore. Are there any amendments to section 3?

Hearing none, the Clerk will designate section 4.

The text of section 4 is as follows:

SEC. 4. PUBLIC PARTICIPATION.

(a) QUALIFIED STATE GOVERNMENTS.—Each qualified State seeking assistance under this Act shall establish a citizens advisory committee or provide another similar forum for local governments and the public to participate in obtaining and using the assistance.

(b) QUALIFIED TRIBAL GOVERNMENTS.—Each qualified tribal government receiving assistance under this Act shall hold public meetings to receive recommendations on the use of the assistance.

Mr. TRAFICANT. Mr. Chairman, I ask unanimous consent that the remainder of the amendment in the nature of a substitute be printed in the RECORD and open to amendment at any point.

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

There was no objection.

The text of the remainder of the amendment in the nature of a substitute is as follows:

SEC. 5. CONSULTATION NOT REQUIRED.

Consultation under section 7 of the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) shall not be required based solely on the provision of financial assistance under this Act.

SEC. 6. REPORTS.

(a) QUALIFIED STATES.—Each qualified State shall, by not later than December 31 of each year, submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Resources of the House of Representatives an annual report on the use of financial assistance received by the qualified State under this Act. The report shall contain an evaluation of the success of this Act in meeting the criteria listed in section 3(a)(2).

(b) SECRETARY.—

(1) ANNUAL REPORT REGARDING QUALIFIED TRIBAL GOVERNMENTS.—The Secretary shall, by not later than December 31 of each year, submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Resources of the House of Representatives an annual report on the use of financial assistance received by qualified tribal governments under this Act. The report shall contain an evaluation of the success of this Act in meeting the criteria listed in section 3(b)(2).

(2) BIANNUAL REPORT.—The Secretary shall, by not later than December 31 of the second year in which amounts are available to carry out this Act, and of every second year thereafter, submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Resources of the House of Representatives a biannual report on the use of funds allocated to qualified States under this Act. The report shall review programs funded by the States and evaluate the success of this Act in meeting the criteria listed in section 3(a)(2).

SEC. 7. DEFINITIONS.

In this Act:

(1) INDIAN TRIBE.—The term ''Indian tribe'' has the meaning given that term in section 4(e) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b(e)).

(2) QUALIFIED STATE.—The term ''qualified State'' means each of the States of Alaska, Washington, Oregon, California, and Idaho.

(3) QUALIFIED TRIBAL GOVERNMENT.—The term ''qualified tribal government'' means—

(A) a tribal government of an Indian tribe in Washington, Oregon, California, or Idaho that the Secretary of Commerce, in consultation with the Secretary of the Interior, determines—

(i) is involved in salmon management and recovery activities under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.); and

(ii) has the management and organizational capability to maximize the benefits of assistance provided under this Act; and

(B) a village corporation as defined in or established pursuant to the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.) that the Secretary of Commerce, in consultation with the Secretary of the Interior, determines—

(i) is involved in salmon conservation and management; and

(ii) has the management and organizational capability to maximize the benefits of assistance provided under this Act.

(4) SALMON.—The term ''salmon'' means any naturally produced salmon or naturally produced trout of the following species:

(A) Coho salmon (oncorhynchus kisutch).

(B) Chinook salmon (oncorhynchus tshawytscha).

(C) Chum salmon (oncorhynchus keta).

(D) Pink salmon (oncorhynchus gorbuscha).

(E) Sockeye salmon (oncorhynchus nerka).

(F) Steelhead trout (oncorhynchus mykiss).

(G) Sea-run cutthroat trout (oncorhynchus clarki clarki).

(H) For purposes of application of this Act in Oregon—

(i) Lahontan cutthroat trout (oncorhnychus clarki henshawi); and

(ii) Bull trout (salvelinus confluentus).

(I) For purposes of application of this Act in Washington and Idaho, Bull trout (salvelinus confluentus).

(5) SECRETARY.—The term Secretary means the Secretary of Commerce.

SEC. 8. REPORT REGARDING TREATMENT OF INTERNATIONAL FISHERY COMMISSION PENSIONERS.

The President shall—

(1) determine the number of United States citizens who—

(A) served as employees of the International Pacific Salmon Fisheries Commission or the International North Pacific Fisheries Commission; and

(B) worked in Canada in the course of employment with that commission;

(2) calculate for each such employee the difference between—

(A) the value, in United States currency, of the annuity payments made and to be made (determined by an actuarial valuation) by or on behalf of each such commission to the employee; and

(B) the value, in Canadian currency, of such annuity payments; and

(3) by not later than September 1, 2001, submit to the Committee on Resources of the House of Representatives and the Committee on Commerce, Science and Transportation of the Senate a report on the determinations and calculations made under paragraphs (1) and (2).

SEC. 9. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated $200,000,000 for each of the fiscal years 2002, 2003, and 2004 to carry out this Act. Funds appropriated under this section may remain until expended.

AMENDMENT OFFERED BY MR. TRAFICANT

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

The Clerk read as follows:

Amendment offered by Mr. TRAFICANT:

Add at the end the following:

SEC. . SENSE OF CONGRESS; REQUIREMENT REGARDING NOTICE.

(a) 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, it is the sense of the Congress that entities receiving such assistance should, in expending the assistance, purchase only equipment and products made in the United States.

(b) NOTICE TO RECIPIENTS OF ASSISTANCE.—In providing financial assistance under this Act, the Secretary shall provide to each recipient of the assistance a notice describing the statement made in subsection (a) by the Congress.

(c) REPORT.—Any entity that receives funds under this Act shall report any expenditures of such funds on items made outside of the United States to the Congress within 180 days of the expenditure.

Mr. TRAFICANT (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

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

There was no objection.

Mr. TRAFICANT. Mr. Chairman, contrary to popular belief, this amendment does not mandate that all salmon eggs must be made in America, but this amendment has been added to other

authorization spending bills that urges that those recipients of Federal monies, whenever possible, utilize those funds when spending those funds on American-made goods, products, and services that are made by American hands.

In addition, it requires there be a notice of same to recipients of assistance under this bill.

Finally, after having dispensed with and expended such funds so authorized, it says there shall be a report made to Congress to see if people receiving American money are in fact, wherever possible, utilizing those funds to buy American-made goods and products made by American hands.

I urge that the committee accept it and keep it in conference.

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

Mr. TRAFICANT. I yield to the gentleman from Maryland.

Mr. GILCHREST. Mr. Chairman, I thank the gentleman from Ohio for yielding.

We have no opposition to his amendment.

Mr. TRAFICANT. Mr. Chairman, I yield to the gentleman from Washington (Mr. INSLEE).

Mr. INSLEE. Mr. Chairman, I have no comment.

Mr. TRAFICANT. Mr. Chairman, hearing no comment, I take that as no objection, as well.

With that, I ask for an aye vote.

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

The amendment was agreed to.

Amendment No. 3 Offered by Mr. Otter

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 3 offered by Mr. OTTER:

Add at the end the following:

SEC. . SENSE OF THE CONGRESS REGARDING BIPARTISAN JULY 2000 GOALS.

It is the sense of the Congress that the Congess supports the bipartisan July 2000 goals, objectives, and recommendations of the Governors of Idaho, Montana, Oregon and Washington to protect and restore salmon and other aquatic species to sustainable and harvestable levels while meeting the requirements of the Endangered Species Act of 1973, the Clean Water Act, the Pacific Northwest Electric Power Planning and Conservation Act, tribal treaty rights, and executive orders and while taking into account the need to preserve a sound economy in Alaska, California, Idaho, Montana, Oregon, and Washington.

Mr. OTTER. Mr. Chairman, I want to congratulate my colleague and good friend, the gentleman from Maryland (Mr. GILCHREST). I also want to congratulate the gentleman from California (Mr. THOMPSON), the sponsor of House Resolution 1157, for working to craft this important bipartisan piece of legislation authorizing $200 million in assistance to the States, tribes, and local entities for on-the-ground salmon recovery projects.

House Resolution 1157 will ensure that important salmon research, data collection, monitoring supplementation, and other activities will be given priority. It also finally calls for the States to establish specific goals and timelines for salmon recovery projects, and to measure whether or not these activities are actually achieving success.

I am cosponsoring House Resolution 1157 because it focuses money where it is proven to be the most effective, and that is at the local and the State level.

Mr. Chairman, it has been reported that close to $1 billion in public funds are now being spent directly to recover salmon runs in the Pacific Northwest each year. A small portion of that comes from the States, but the largest chunks are being funded through the electrical power bills of Pacific Northwest residents, and from Federal agencies.

Through the budgets of the Army Corps of Engineers, the Department of Agriculture, the Department of the Interior, the Department of Commerce, the Environmental Protection Agency, and through the Pacific Salmon Treaty with Canada, many, including me, are skeptical that a sufficient return on this huge Federal investment is being realized. Too much money now goes to Federal bureaucracies for permitting, regulating, and enforcing activities against people who are actually improving the life of the salmon.

Mr. Chairman, I suggest that we need better coordination. We need to seek more realistic, unified goals and better peer-reviewed science before salmon do go extinct.

Better coordination and more effective work is already happening on the State and local level, and it deserves the support of this Congress. That is why today I am introducing an amendment that simply recognizes a document produced last July by the Governors of the great State of Idaho, the States of Montana, Oregon, and Washington, two Democrats and two Republicans, setting out a list of goals, objectives, and recommendations on how the region can come together to recover the Pacific salmon.

These bipartisan recommendations are philosophically in sync with the goals of this legislation, House Resolution 1157. It also encourages the development of local salmon recovery plans that avoid duplication and top-down planning, with peer-reviewed science and measurable standards.

The Governors' plan acknowledges that while human activities may influence fish and wildlife survival, humans are not the only cause for salmon decline. It encourages more study to address the role of the Pacific Ocean on salmon, and calls for the management of flesh-eating predators; that is, the predators that eat the fish as they migrate to the ocean. It responsibly encourages hatchery supplementation, and many important habitat improvements, and it does so without advocating the removal of the four lower Snake dams.

My amendment, Mr. Chairman, restates the first goal of the Governors' plan, which is to recover salmon according to the applicable laws, while also adhering to the laws which ensure the continued reliable and affordable power sources that millions of families and businesses in the Pacific Northwest rely on.

It also understands the need to balance salmon recovery with the economic vitality of Alaska, California, Idaho, Montana, and Washington.

Mr. Chairman, I urge the adoption of this amendment and the passage of House Resolution 1157.

Mr. INSLEE. Mr. Chairman, I move to strike the last word.

Mr. Chairman, we do not intend to express any objection to the gentleman's amendment, but I do think it appropriate to comment that the recommendations, the goals, the suggestions of the Governors encapsulated in the report to which the gentleman's amendment is addressed are not the sole things that we need to consider to be done in regard to salmon recovery. I just think it is important for us to note that.

The way I read the amendment, it does not purport to say that these are the only things that need to be done for all time in our efforts. There are certainly other things that I think need to be done, and I know there are others who also think there is more to be done. So it is important for others to be aware that passage of this amendment will not be the end of our efforts in this Chamber to restore these runs.

□ 1145

The CHAIRMAN pro tempore (Mr. RYAN of Wisconsin). The question is on the amendment offered by the gentleman from Idaho (Mr. OTTER).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. KUCINICH

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

The Clerk read as follows:

Amendment offered by Mr. KUCINICH:

In section 7, after paragraph (1) (page 16, after line 12) insert the following (and redesignate the subsequent paragraphs of section 7 accordingly):

(2) NATURALLY PRODUCED SALMON AND TROUT.—(A) Each of the terms ''naturally produced salmon'' and ''naturally produced trout'' does not include any genetically engineered fish.

(B) In subparagraph (A)—

(i) except as provided in clause (ii), the term ''genetically engineered fish'' means—

(I) a fish that has been altered at the molecular or cellular level by means that are

not possible under natural conditions or processes (including recombinant DNA and RNA techniques, cell fusion, microencapsulation, macroencapsulation, gene deletion and doubling, introducing a foreign gene, and changing the positions of genes), other than a means consisting exclusively of breeding, conjugation, fermentation, hybridization, in vitro fertilization, or tissue culture; and

(II) a fish made through sexual or asexual reproduction (or both) involving a fish described in clause (i), if it has any of the altered molecular or cellular characteristics of the fish so described; and

(ii) such term does not include a fish produced by traditional breeding technologies in fish hatchery operations.

Mr. KUCINICH (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

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

There was no objection.

Mr. KUCINICH. Mr. Chairman, I fully support this legislation, but I am concerned that there is some problems with it on a technical nature that ought to be called to the attention of this House.

In the eligible activities section of the bill, salmon-related research and salmon supplementation and enhancement are two areas that I want to alert the Members of this House.

These are two areas that could be applied to genetic engineering and to genetic engineering research. My amendment perfects this bill to ensure that salmon for purposes of this legislation does not include genetically engineered varieties. However, the amendment explicitly addresses that this does not impact traditional breeding at fish hatcheries. We make sure that is excluded.

Allowing the diversion of Federal money for research into this technology may only exacerbate the environmental challenge of protecting Pacific salmon. There are already over 35 species of genetically engineered fish currently being developed around the world.

Genetically engineered fish contain genes from fish, from humans, and from insects. According to several fish ecologists from the University of Minnesota and Purdue University, there may be negative environmental impact on wild populations of fish. Studies show that genetically engineered fish are more aggressive, consume more food, and attract more mates than wild fish.

These studies also show that GE fish will attract more mates, their offspring will be less fit, and less likely to survive. As a result, some scientists predict that genetically engineered fish will cause some species to become extinct within only a few generations.

No Federal environmental laws specifically govern the regulation of genetically engineered fish. Concerned about the lack of existing law specifically covered genetically engineered fish, the State of Maryland recently passed a law imposing a moratorium on the growing of genetically engineered fish in State waterways that flow into other bodies of water.

Mr. GILCHREST. Mr. Chairman, if the gentleman will yield, I rise in opposition to the amendment, not because it is not well thought out and it is the direction that we need to move in, but we were unaware of this amendment until late last night.

Mr. Chairman, I thank the gentleman from Ohio (Mr. KUCINICH) for his efforts and for this amendment. This bill fundamentally is a restoration project to bring back three species of fish in the Pacific Northwest.

The funding is critical. If some of this funding is drawn away to try to detect or determine whether or not fish are genetically altered or they are hybrid fish grown in aquiculture ponds or they are wild species moving into the new restoration areas, I think that will take away from the legislation.

What I would like to offer the gentleman from Ohio (Mr. KUCINICH) is that I and our staff on the Subcommittee on Fisheries Conservation, Wildlife and Oceans will work with the gentleman. We will schedule a series of hearings.

We recognize that introducing genetically altered species of any kind is a very dangerous road to go down, and so I compliment the gentleman on his efforts. We will work to develop legislation separate from this bill today to deal with the problem, not only with genetically altered species of fish, but with the full range of flora and fauna.

Mr. KUCINICH. Mr. Chairman, I thank the gentleman from Maryland (Mr. GILCHREST) and I will consider your kind offer to hold hearings. I need your help in working on a bill on this. I would certainly withdraw the amendment, and I would also ask the gentleman from Washington (Mr. INSLEE) and the gentleman from California (Mr. THOMPSON) to work with me on this issue.

Mr. Chairman, I certainly respect the work that the gentlemen have put into this, and I know that if we all work together in a bipartisan way, we can protect our fish, our wildlife flora and fauna.

Mr. Chairman, I appreciate very much the opportunity to work with the gentleman from Maryland (Mr. GILCHREST) on this.

Mr. Chairman, I ask unanimous consent to withdraw the amendment.

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

There was no objection.

The CHAIRMAN pro tempore. The amendment is withdrawn.

AMENDMENT NO. 2 OFFERED BY MS. HOOLEY OF OREGON

Ms. HOOLEY of Oregon. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 2 offered by Ms. HOOLEY of Oregon:

At the end of the bill add the following:

SEC. . REPORT ON EFFECTS ON PACIFIC SALMON STOCKS OF CERTAIN TIMBER HARVESTING IN CANADA.

The Secretary, in conjunction with other Federal agencies, shall by not later than December 31 of each year report to the Congress to the best of the ability of the Secretary regarding the effects on Pacific Salmon stocks of timber harvesting on publicly owned lands in British Columbia.

Ms. HOOLEY of Oregon. Mr. Chairman, as an original cosponsor of the underlying bill, I am extremely pleased that the House is moving so expeditiously to give Oregon and other Western States greater resources to protect our Pacific salmon stocks.

I would also like to thank the gentleman from California (Mr. THOMPSON) and the gentleman from Idaho (Mr. SIMPSON) for all of their hard work on this great piece of legislation. I thank the gentleman from California (Mr. THOMPSON) and the gentleman from Idaho (Mr. SIMPSON.)

The bipartisan manner in which they have brought this legislation before us is an example of how Members from both sides of the aisle can come up with a commonsense approach to a common issue.

It shows that we can actually move forward and achieve a consensus that benefits our communities, our industries, and our surrounding environment.

With that said, the amendment I have is a measure which I believe strengthens the underlying intent of this legislation.

What it does is simply requires the Secretary of Commerce to report to Congress on an annual basis the effect that timber harvesting on public lands in British Columbia has on Pacific salmon stocks.

Mr. Chairman, the fact is that ecosystems are not constrained by geographical borders. It is not just the rivers and tributaries of the Western United States that are an essential habitat for salmon; the Canadian province of British Columbia is home to hundreds of stocks of salmon as well.

It is a vital component of the broader ecosytem that we are seeking to protect. I think it is completely reasonable for this body to, at the very least, consider the impact that logging practices on public lands in British Columbia have on Pacific salmon stocks.

After all, we are authorizing up to $600 million over the next 3 years to protect these fish and their habitats, many of which are closely linked with our neighbor to the North.

The truth is that watersheds in British Columbia vital to the survival of all stocks of Pacific salmon are regularly

affected by logging practices that are expressly prohibited under Canadian law and International Treaty.

Even though the Canadian Fisheries Act requires provincial governments in Canada to maintain buffers against fish-bearing streams on public lands, in British Columbia logging companies are not only allowed to cut right to their banks but to drag logs across them.

This practice may destroy salmon redds, make habitat inhospitable for fish by destroying the food web. It also increases the sedimentation which clogs the gills of fish and smothers salmon eggs and raises water temperature which kills immature salmon.

As a result, 142 stocks of salmon are now extinct in British Columbia, while another 624 are at high risk.

Because these practices are harmful to all salmon, not just those in American waters, I believe it is well within the realm of authority for Congress to ask the Secretary of Commerce, in conjunction with other Federal agencies, to annually report to Congress the effects of this logging practice on specific salmon stocks.

Mr. Chairman, this is a simple amendment asking Canada to enforce its own laws. I am confident that if confronted with the damages its policies are incurring to salmon stocks, the Canadian government will begin to enforce their own act with the Pacific Treaty.

Mr. Chairman, with that, I urge the adoption of my amendment

Mr. SIMPSON. Mr. Chairman, I move to strike the last word, and will ask the gentlewoman from Oregon (Ms. HOOLEY) to enter into a colloquy.

Is it the gentlewoman's intent, I want to make this clear, that this report done by the Secretary of Commerce, that the funding for that come out of the Department of Commerce and not come out of funds appropriated in this bill for salmon habitat restoration?

Ms. HOOLEY of Oregon. Mr. Chairman, will the gentleman yield?

Mr. SIMPSON. I yield to the gentlewoman from Oregon.

Ms. HOOLEY of Oregon. Absolutely.

Mr. SIMPSON. I appreciate the gentlewoman's amendment. We do not intend to oppose the amendment. There are many things that do affect salmon, one of those being logging practices, not only in the United States and in Canada, but also the predators, the ocean conditions, dams, many other things, and all of those things should be looked at along with those issues relative to logging practices in Oregon.

Let me tell the gentlewoman, there is one issue that we have not dealt with, and that is the differences between the agencies of the Federal Government and how they deal with this. In the Stanley Basin of Idaho, let me give you this example. In the Stanley Basin of Idaho, several years ago an illegal stream was dug around the Salmon River. It was dug illegally admittedly.

Today, there is conflict going on between the EPA, which is telling the new landowner to fill in that illegally dug channel, and Fish and Wildlife who is saying do not fill in that channel, because there are spawning salmon in that channel.

The landowner is stuck in the middle, the new landowner is stuck in the middle, and he refuses to fill it in. So we have not only all these other things, but we have some conflicts in the Federal agency that need to be addressed also.

Mr. Chairman, I thank the gentlewoman for her amendment, and we do not intend to oppose it.

Mr. WU. Mr. Chairman, as a cosponsor of H.R. 1157, I rise in support of the gentlelady from Oregon's amendment.

We have a problem. As everybody knows, ecosystems do not adhere to political lines. The border that lies between the United States and Canada, a political line, may also be contributing to the demise of dozens of species of salmon.

Canada does not share the same type of environmental laws that protect salmon as we have. The Northwest, and every other region in the United States, must comply with the Endangered Species Act and the Clean Water Act. While the United States still has its fair share of endangered species, we have the mechanisms in place to give many of these species a fighting chance.

Canada on the other hand, does not have these sort of guidelines. Harmful logging practices may be killing endangered salmon by the thousands. Ms. HOOLEY'S amendment simply asks the Department of Commerce to conduct a study that would be reported to Congress what effect Canada's logging practices have on these endangered salmon.

Until we know how great an impact these practices have on international fish stocks, will we be able to address the problem?

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

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentlewoman from Oregon (Ms. HOOLEY).

The amendment was agreed to.

The CHAIRMAN pro tempore. Are there other amendments? If not, the question is on the amendment in the nature of a substitute, as amended.

The 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. BOEHNER) having assumed the chair, Mr. RYAN of Wisconsin, 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. 1157) to authorize the Secretary of Commerce to provide financial assistance to the States of Alaska, Washington, Oregon, California, and Idaho for salmon habitat restoration projects in coastal waters and upland drainages, and for other purposes, pursuant to House Resolution 163, he reported the bill back to the House with an amendment in the nature of a substitute 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 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.

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. INSLEE. 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 418, nays 6, not voting 8, as follows:

[Roll No. 159]

YEAS—418

Ackerman	Boyd	Crenshaw
Aderholt	Brady (PA)	Crowley
Akin	Brown (FL)	Cubin
Allen	Brown (OH)	Culberson
Andrews	Brown (SC)	Cummings
Armey	Bryant	Cunningham
Baca	Burr	Davis (CA)
Bachus	Burton	Davis (FL)
Baird	Buyer	Davis (IL)
Baker	Callahan	Davis, Jo Ann
Baldacci	Calvert	Davis, Tom
Baldwin	Camp	Deal
Ballenger	Cannon	DeFazio
Barcia	Cantor	DeGette
Barr	Capito	Delahunt
Barrett	Capps	DeLauro
Bartlett	Capuano	DeLay
Barton	Cardin	DeMint
Bass	Carson (IN)	Deutsch
Bentsen	Carson (OK)	Diaz-Balart
Bereuter	Castle	Dicks
Berkley	Chabot	Dingell
Berman	Chambliss	Doggett
Berry	Clay	Dooley
Biggert	Clayton	Doolittle
Bilirakis	Clement	Doyle
Bishop	Clyburn	Dreier
Blagojevich	Coble	Duncan
Blumenauer	Collins	Dunn
Blunt	Combest	Edwards
Boehlert	Condit	Ehlers
Boehner	Conyers	Ehrlich
Bonilla	Cooksey	Emerson
Bonior	Costello	Engel
Bono	Cox	English
Borski	Coyne	Eshoo
Boswell	Cramer	Etheridge
Boucher	Crane	Evans

Everett
Farr
Fattah
Filner
Fletcher
Foley
Ford
Frank
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Grucci
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Harman
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Honda
Hooley
Horn
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kerns
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kirk
Kleczka
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Langevin
Lantos
Largent
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Miller, George
Mink
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Ose
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Payne
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Platts
Pombo
Pomeroy
Portman
Price (NC)
Pryce (OH)
Putnam
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roukema
Roybal-Allard
Rush
Ryan (WI)
Ryun (KS)
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Scarborough
Schakowsky
Schiff
Schrock
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simmons
Simpson
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Spence
Spratt
Stark
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Tancredo
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tiberi
Tierney
Toomey
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velázquez
Visclosky
Vitter
Walden
Walsh
Wamp
Waters
Watkins (OK)
Watson (CA)
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weller
Wexler
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NAYS—6

Brady (TX)
Flake
Hostettler
Paul
Royce
Schaffer

NOT VOTING—8

Abercrombie
Becerra
Ferguson
Fossella
John
Johnson, E. B.
Tanner
Weldon (PA)

□ 1222

Mr. BRADY of Texas changed his vote from ''yea'' to ''nay.''

Mr. NADLER and Mr. RUSH changed their vote from ''nay'' to ''yea.''

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

AUTHORIZING THE CLERK TO MAKE CORRECTIONS IN ENGROSSMENT OF H.R. 1157, PACIFIC SALMON RECOVERY ACT

Mr. GILCHREST. Mr. Speaker, I ask unanimous consent that the Clerk be authorized to make technical corrections in the engrossment of H.R. 1157, including corrections in spelling, punctuation, section numbering and cross-referencing, and the insertion of appropriate headings.

The SPEAKER pro tempore (Mr. SIMPSON). Is there objection to the request of the gentleman from Maryland?

There was no objection.

GENERAL LEAVE

Mr. GILCHREST. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks, and to include extraneous material in the RECORD on H.R. 1157, the bill just passed.

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

There was no objection.

PROVIDING FOR CONSIDERATION OF H.R. 2052, SUDAN PEACE ACT

Mr. DIAZ-BALART. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 162 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 162

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 2052) to facilitate famine relief efforts and a comprehensive solution to the war in Sudan. The first reading of the bill shall be dispensed with. Points of order against consideration of the bill for failure to comply with clause 4(a) of rule XIII are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on International Relations. After general debate the bill shall be considered for amendment under the five-minute rule. Each section of the bill shall be considered as read. During consideration of the bill for amendment, the Chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII. Amendments so printed shall be considered as read. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore. The gentleman from Florida (Mr. DIAZ-BALART) is recognized for 1 hour.

Mr. DIAZ-BALART. Mr. Speaker, for purposes of debate only, I yield the customary 30 minutes to the gentleman from Ohio (Mr. HALL), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

Mr. Speaker, House Resolution 162 is an open rule providing for the consideration of H.R. 2052, the Sudan Peace Act. The rule provides for 1 hour of general debate, evenly divided and controlled by the chairman and ranking minority member of the Committee on International Relations. This is a completely fair rule. In fact, as I stated before, it is an open rule allowing all Members the opportunity to present amendments and, obviously, to debate this very important issue.

The current situation in Sudan, Mr. Speaker, is extremely grave. More than 2 million men, women, and children have perished due to war-related causes; and more than 3 million men, women, and children have been forced from their homes. Thousands of children have been abducted and forcibly converted to practices that they reject, and slavery has become an institution of the so-called National Islamic Front. Many of these same men, women, and children have suffered harsh beatings and torture.

In the face of this horrific tragedy, the Government of Sudan has continually blocked the efforts to provide aid to the people who need it most. Famine has been a constant, and the World Food Program has record that 3 million Sudanese will require emergency food aid this year alone. The situation is clearly intolerable, and we should do what we can to provide relief to the millions of displaced people in Sudan.

In addition to the human rights abuses in their own region, the Government of Sudan has also, rightfully so, been considered a rogue state by much of the international community because of its support for international terrorism. The Government of Sudan has supported acts of international terrorism and allows the use of its territory for terrorist groups. The government there has been a safe haven for major terrorist figures. To preserve the safety of our Nation and to help with the safety and the security of the world, the international community, we must continue to send the message that support for terrorist activities is simply unacceptable.

The underlying legislation, the Sudan Peace Act, condemns the prosecution of the war by the National Islamic Front government and the associated human rights abuses. The legislation also acknowledges the role that oil has played in the war, expresses this Congress' support for an internationally sanctioned peace process, and urges the President to make previously appropriated funds available to the National Democratic Alliance. Additionally, the legislation requires businesses engaged in commercial activity in Sudan to publicly disclose the extent of their activities before raising money in American capital markets.

The underlying legislation has broad bipartisan support. The Bush administration has made Sudan a priority by announcing its intent to dispatch a special envoy; and I believe that now it is our turn, Congress' turn, to make Sudan a priority by passing this important piece of legislation.

I would like to thank the gentleman from Colorado (Mr. TANCREDO) and all those who have worked so hard to bring this important piece of legislation to the floor. I urge my colleagues in the strongest possible terms to support both this open rule and the underlying legislation.

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

Mr. HALL of Ohio. Mr. Speaker, I yield myself such time as I may consume, and I want to thank the gentleman from Florida (Mr. DIAZ-BALART) for yielding me the customary time.

This is an open rule. It will allow for consideration of the Sudan Peace Act. As my colleague has described, this rule will provide 1 hour of general debate to be equally divided and controlled by the chairman and ranking minority member of the Committee on International Relations. The rule permits amendments under the 5-minute rule. This is the normal amending process in the House.

Mr. Speaker, at a recent hearing of the Committee on International Relations, Secretary of State Colin Powell described Sudan as one of the world's greatest tragedies. Sudan is a nation of about 35 million people. It is on the northeast coast of Africa, south of Egypt and north of Kenya. It is blessed with rich natural resources. However, an 18-year-old civil war and a very oppressive government have conspired to create widespread hunger, famine, and suffering.

□ 1230

Mr. Speaker, I have been to Sudan three times. There are Members of this Congress who have been there more, such as my colleague and friend, the gentleman from Virginia (Mr. WOLF).

My last trip was in May of 1998. During that trip, I witnessed a level of human misery as great as any I have ever seen. I saw vultures cleaning the bones of cattle and people killed by slave raiders. I saw a man who had just buried his entire murdered family. I saw people who had nothing to eat but the roots of water lilies in malaria-infested swamps. I saw children in aid stations who were too weak to cry.

Mr. Speaker, in some ways conditions have worsened since that trip; although it is hard to imagine that could be possible. Famine still threatens a large part of the population. Human rights conditions are shocking, and the practice of slavery continues. What has happened is that the development of oil fields in the southern part of Sudan has contributed to more suffering as people and whole villages are removed to make way for oil drilling and the oil revenues to fuel the war machine.

Mr. Speaker, the Sudan Peace Act takes a series of steps to promote peace in this land of tragedy. It requires companies that trade their securities on U.S. stock exchanges to disclose information about their business dealings in Sudan. It also urges the administration to take steps to relieve suffering and to end the civil war in Sudan.

Although I support the purpose of the bill, I am concerned about some of the language, especially the language that criticizes the efforts of Operation Lifeline Sudan. This is a food relief effort that is carried out by UNICEF, the World Food Program, and other organizations.

The bill proposes cutting U.S. assistance to Operation Lifeline Sudan and redirects funds to other relief efforts. Operation Lifeline Sudan serves about 90 aid stations every month. The government of Sudan bans flights to air strips in about one-fifth of the areas that need help. However, Operation Lifeline Sudan is able to gain access to most of these areas by road or by using permitted air strips. The ban actually blocks delivery to only four out of 90 destinations on an average of every month. The real access problem is the result of ongoing fighting and poor road infrastructure.

I am afraid that directing U.S. support away from Operation Lifeline Sudan to other agencies without the experience and the ability of the United Nations food relief organizations would not improve food delivery to Sudan and could make matters worse. These organizations are doing an outstanding job under very, very difficult conditions.

Finally, I wish to offer my support for an amendment which will be offered by the gentleman from Alabama (Mr. BACHUS) and the gentleman from New Jersey (Mr. SMITH) and myself. This amendment would block businesses that develop oil or gas in Sudan from raising capital or trading securities in the United States. Threatening Sudan's oil development should provide an immediate incentive to bring all warring parties to the negotiating table. This concept was recommended by the U.S. Commission on International Religious Freedom.

Mr. Speaker, I support this open rule. Despite my concerns, I support the bill and I urge its adoption.

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

Mr. DIAZ-BALART. Mr. Speaker, I yield 5 minutes to the distinguished gentlewoman from Florida (Ms. ROS-LEHTINEN).

Ms. ROS-LEHTINEN. Mr. Speaker, I thank my colleague from Florida for yielding me this time. The widespread, systematic, heinous, and brutal crimes committed against the Sudanese people, the rape, the slavery, the mutilation, the systematic killing of millions throughout the years in what many assert is a deliberate campaign of genocide by the regime in Khartoum demands action by the U.S. Congress.

Mr. Speaker, I urge my colleagues to render their full support to the Sudan Peace Act before us today. When the question is posed: What can the people of the free world and, in particular, the U.S. Government do about one of the world's most tragic situations? What can be done about slavery and genocide in Sudan? We should start by calling things as they are for what they are.

This is why the Sudan Peace Act condemns the gross violations of human rights, the ongoing slave trade in Sudan, and the pivotal role played by the Sudanese regime in aiding and abetting these practices. There are those who may be willing to initiate and expand oil operations in southern Sudan that will generate billions of dollars in annual revenue for the terrorist regime in Khartoum. However, the U.S. must stand firm in the face of egregious violations of international legal and moral standards.

The Sudan Peace Act seeks to deter the financing of the regime from access to U.S. capital markets by establishing disclosure requirements on business activities in Sudan, and prohibiting securities trading in the U.S. until such requirements are met. The information to be provided to the Securities and Exchange Commission regarding the

nature and the extent of the commercial activity with this pariah state, the identity of Sudanese government agencies involved in such businesses, and the linkage to religious persecution and other human rights violations shall be made available to the public. All of this, in conjunction with reporting requirements detailing the sources and the status of Sudan's financing and the construction of the infrastructure and the pipelines for oil exploitation, will put the spotlight on those who help to prolong the oppression and the suffering. We will finally place the spotlight on those oppressors.

These are the people who help to propagate slavery, those who persecute the religious movement, and other religious human rights abuses. We are going to stop providing a financial lifeline to the Sudanese regime.

The U.S. must also help ensure that the humanitarian assistance sent to Sudan is not being manipulated and is in fact reaching the intended recipients so we can help alleviate some of the suffering in this war-torn nation.

The Sudan Peace Act has various provisions to address this critical issue, including reporting requirements and the development of contingency plans for the distribution of aid to the affected areas should the Sudanese regime impose any type of ban on air transport relief flights.

This bill seeks to provide a comprehensive approach to the war in Sudan and to facilitate a process which will help bring justice to the victims of the genocide and achieve this much-desired goal of peace. I, therefore, ask my colleagues to vote in favor of H.R. 2052.

Mr. HALL of Ohio. Mr. Speaker, I yield 3 minutes to the gentleman from New Jersey (Mr. MENENDEZ).

Mr. MENENDEZ. Mr. Speaker, I rise in strong support of the Sudan Peace Act. The National Islamic Front, which rules the Sudan, is one of the most degenerate and depraved regimes this world has ever known. It kidnaps, rapes, tortures, bombards; and yes, in this 21st century, enslaves its own civilians. It manipulates, blocks, and even bombs relief flights to advance its war aims. It attempts to destabilize the governments of its neighbors, including by assassination. And it sponsors terrorism abroad, including against the United States.

The situation in the Sudan is not only a humanitarian crisis, it is a crisis of humanity. Its extreme severity and sheer depravity call for international action. And it calls especially for United States leadership, which this bill provides.

While I support the appointment of a diplomatic envoy to advance the peace process, let me underscore that only international pressure has moved the thugs of Khartoum to make even the slightest gesture towards peace. They have been mostly empty gestures and lies at that.

This bill has it right. Only international sanctions and pressures can affect this regime's unconscionable behavior. This bill will also have the Secretary of State report on war crimes from all sides. In my view, it is evident that the Sudanese regime are genocidal war criminals.

The disclosure requirement on business activities make it clear that the line has to be drawn somewhere, and I fully support it. National interests cannot be determined simply by the color of money. But let us be realistic about any prospects for progress.

On May 25, the regime said they will cease bombing, and within a week they were bombing in the south and the western Nuba mountains. In the last couple of days, the government came close to hitting two World Food Program food planes, and bombed the civilian areas that were intended recipients of that aid in Bahr al-Gazal.

Mr. Speaker, we are morally obliged to do what we can to help the hungry, the abused, the besieged, and enslaved people of the Sudan. Let us have no illusions as to their intent, but let us do what we can. Let us pass the Sudan Peace Act.

Mr. DIAZ-BALART. Mr. Speaker, I yield 3 minutes to my distinguished colleague, the gentleman from Florida (Mr. WELDON).

Mr. WELDON of Florida. Mr. Speaker, I rise in support of this rule and in support of the underlying bill. I just want to say a few numbers loud and clear for everyone to hear. Over 2 million people are dead. Over 4 million people have been displaced.

Mr. Speaker, these are not just numbers. These are individuals. These are people: women, children, mothers, fathers, brothers, and sisters. We hear these numbers from far away, from Africa here in Washington; and for too long the plight of these oppressed people in the Sudan has just been ignored. It is imperative that we recognize the total devastation that has been going on and that we take serious action against these oppressors.

This is a civil war in the Sudan that has been going on for 14 years and wreaking devastation on the Sudanese people. The National Islamic Front government of the Sudan has been on a rampant campaign against its own people. The Sudan Islamic fundamentalist regime has brought killings, evictions, and slavery to its own people. The regime is on a deliberate campaign of genocide against the black Christians and other non-Islamic people in southern Sudan. Eyewitnesses have testified over and over again before Congress about the Sudanese government's active efforts to promote slavery, torture, rape, mutilation, and killing.

Mr. Speaker, myself and other House Members have been taking action to bring this genocide into the limelight and focusing our efforts on stopping this brutality. H.R. 2052 is a good bipartisan measure that will facilitate famine relief efforts and a comprehensive solution to the war in the Sudan.

Mr. Speaker, although the Islamic government has claimed that they will end the bombing of civilian targets, as was previously stated by the gentleman from New Jersey (Mr. MENENDEZ), the evidence is directly in conflict with that claim.

The impending famine in the south and the improved military technology of the government threaten millions more of these poor, defenseless civilians in southern Sudan.

Mr. Speaker, we need this bill, and I encourage all my colleagues to vote for the rule and to vote in support of the underlying bill. Most importantly, I encourage my colleagues to continue their engagement on this issue. To simply vote for this bill and forget about the problem is not doing enough. We must remain engaged.

Mr. HALL of Ohio. Mr. Speaker, I yield 3 minutes to the gentlewoman from Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise to support not only of the rule but the underlying bill. I rise to support as well the leadership of the ranking member of the Committee on Rules who I know has had a long-standing history on this issue; as has the gentleman from Florida (Mr. DIAZ-BALART) on the majority side.

Mr. Speaker, I rise in support of this particular legislation sponsored by the gentleman from (Mr. TANCREDO) and the gentleman from New Jersey (Mr. PAYNE).

□ 1245

I thank them both for their leadership, because this is a vital legislative initiative. I am gratified that the House will consider an important piece of legislation that condemns slavery and human rights abuses in Sudan, human rights that have been violated time and time again.

Mr. Speaker, it is unfortunate that Sudan and the Sudanese people have chosen not to listen, and when I say the Sudanese people, those who are governing, because there are those who have been put upon and who have been brutalized because of the failure to understand that all people are created equal. I am thankful that the legislation sets conditions of genocide as it relates to the Convention on Genocide. Genocide and war crimes must be addressed by the international judicial entities to ensure that justice is achieved. I am delighted that this legislation calls for the United Nations to be used as a tool for peace and condemns slavery by all combatants. It permits a revision of Operation Lifeline Sudan; encourages support for an internationally sanctioned peace process authorized by the Secretary of

State to support the peace process; provides transparency for foreign companies operating in Sudan that have capital markets in the United States; and it condemns the bombing of innocent civilians.

As the ranking member of the full committee and the chairman of the full committee, both the gentleman from California (Mr. LANTOS) and the gentleman from Illinois (Mr. HYDE) have been on the forefront of human rights. They realize that we have tried to work continuously to be able to address the issue of what is going on in Sudan, the violence in Sudan. Numbers of Congresspersons have visited Sudan, including the gentleman from New Jersey (Mr. PAYNE), who have gone in on foot, by plane, bus and train, attempting to work with those and attempting to create peace. Yet no one is listening.

Tens of thousands of people have died a slow and painful death by starvation as a result of the actions by the government in Khartoum preventing food from getting to the people in need. Will anyone listen? Do they realize that families are being destroyed? That children are dying? That Christians who want nothing else but to be able to practice their faith and live in peace are being destroyed and killed? Not only is the government of Sudan a terrorist regime but also a genocidal one, responsible for slavery, bombing raids against humanitarian targets, massacres and deliberate starvation in the southern part of the country where Sudan's religious and racial minorities reside. Two million people have died, Mr. Speaker.

I would simply say as I was able to pass legislation dealing with children soldiers, prohibiting them and requiring a study by the State Department authorization bill, H.R. 1646, this bill sends a loud and resounding sign, no more, no more. No more brutalization, no more loss of life. Peace in the valley. The Sudanese people must be free and the Sudanese government must be taught a lesson.

Mr. Speaker, I rise today in strong support of H.R. 2052, The Sudan Peace Act. I am gratified that the House will consider an important piece of legislation that condemns slavery and human rights abuses in Sudan. I am a cosponsor of this critical legislative initiative because I believe we must confront the atrocities being committed in the Sudan.

Let me be clear on what the Act does do. First we must be thankful that the legislation sets the conditions of genocide as it relates to the Convention on Genocide. Genocide and war crimes must be addressed by the international judicial entities to ensure that justice is achieved. But the bill does a great deal more to ensure peace. It calls for the United Nations to be used as a tool for peace; condemns slavery by all combatants; it permits a revision of Operation Lifeline Sudan; encourages support for internationally sanctioned peace process authorized by the Secretary of State to support the peace process; provides transparency for foreign companies operating in Sudan that have capital markets in the United States; and it condemns the bombing of innocent civilians.

The bill does not amend our Federal securities laws or call for capital market sanctions, or importing sanctions. It does not address those issues because we are focused on stopping the atrocities from continuing in the Sudan.

The staggering scale of atrocities in Sudan has caused me and several other Members of Congress to support this measure. Tens of thousands of people have died a slow and painful death by starvation as a result of the actions by the Khartoum preventing food from getting to the people in need. Not only is the Government of Sudan a terrorist regime but also a genocidal one responsible for slavery, bombing raids against humanitarian targets, massacres, and deliberate starvation in the southern part of the country where Sudan's religious and racial minorities reside. An estimated 1.9 million people have died of causes linked to Sudan's 17-year-old civil war. Over 4.3 million have been uprooted. These are simply egregious human rights abuses that must be addressed by the United States together with the international community.

While the current stage of this conflict, being waged primarily between the National Islamic Front (NIF) and other warring factions. The Government of Sudan has waged a brutal campaign against civilians. Although the National Islamic Front government recently pledged to end bombing of civilian targets, there is little evidence that the conflict is nearing resolution. Indeed, the improved military technology of the government, combined with an impending famine in the south, threaten to virtually destroy the population of southern Sudan by the year's end.

H.R. 2052 addresses this situation in a comprehensive manner. The legislation actually requires the Secretary of State to reinvigorate international diplomatic peace efforts that are desperately needed to bring closure to the fighting and an end to the atrocities. We need the foreign policy team of America to help play a constructive role in the Sudan.

The legislation also creatively requires all businesses trading securities in the United States capital markets and operating in Sudan to disclose fully the extent of their involvement in Sudan. This will provide transparency to the nature of business being done in the Sudan. This is an important step, Mr. Speaker.

Let me just add that we must rid the use of child soldiers in conflict. Children used as soldiers are unacceptable. As a result of an amendment that I offered and was adopted during consideration of the H.R. 1646, the State Department authorization bill, the United States will now begin to collect specific information on those nations that use children as children soldiers. If children continue to be used in this conflict as soldiers, the world community will not only know but the United States will formally have the opportunity to raise this matter with the Sudanese government.

Mr. Speaker, H.R. 2052, the Sudan Peace Act, reflects bipartisan support to end the atrocities being committed in the Sudan. I strongly urge my colleagues to vote in favor of the bill.

Mr. DIAZ-BALART. Mr. Speaker, I yield 4 minutes to the distinguished gentleman from Florida (Mr. STEARNS).

Mr. STEARNS. I thank the gentleman for yielding me this time.

Mr. Speaker, Edmund Burke, who was a distinguished politician in England, said it best when he said that the only thing necessary for the triumph of evil is for good men to do nothing. So, Mr. Speaker, let us not be idle this afternoon.

The size of Sudan's population is about 35 million people. This event has been going on, off and on, since 1955. This is something that we should take quite seriously and try to come to grips with in this House to do something constructively. The humanitarian crisis in southern Sudan is considered one of the worst in decades. Efforts at national, regional and international levels to bring peace and stability to the region have so far been unsuccessful, and outbreaks of fighting and mass population displacements continue to occur. This vicious operation against citizens has resulted, as mentioned before, in the loss of 2 million souls and left 4 million homeless.

These statistics fall in this House, but they are so meaningful. The 14-year recent civil war has also brought drought and raids that have been backed by the government. They back these militias. They have disrupted the distribution of food aid and obstructed assessments of need in severely affected areas. In short, we are not able to discern the exact need. We only know as we stand on the House floor today that it is great.

The Sudan Peace Act does several things that attempt to address the many complicated issues that are facing the people of Sudan. First of all, the reporting requirement included in this bill would serve as a deterrent to foreign companies raising money in United States markets for oil development activities in Sudan, activities which undoubtedly have an effect on human rights and religious freedom. The thriving oil industry in Sudan, according to the International Monetary Fund, has allowed the Sudanese government to double its military budget. Some believe that because of the prosperity of the oil export, the National Islamic Front, NIF, which is the controlling governmental authority, is not interested in negotiating seriously to end this war.

More importantly, it condemns the war being waged by the NIF government in Khartoum. The NIF views itself as the protector of Islam in Sudan. Any political dissent is seen as being anti-Islam and any action against religious opposition is understood as justified in what the NIF believes is a holy war.

According to a March 2001 report by the congressionally established U.S. Commission on International Religious

Freedom, quote, the government of Sudan continues to commit egregious human rights abuses, including widespread bombing of civilian and humanitarian targets, abduction and enslavement by government-sponsored militias, manipulation of humanitarian assistance as a weapon of war and severe restrictions on religious freedom.

Mr. Speaker, this legislation is not the total solution to the humanitarian crisis in Sudan, but, rather, in a small way, it is a contribution to a larger effort which we should embark on here in Congress, an effort that will bring a long-term commitment to a suffering people whom we do not know but whose human freedom we take seriously today.

Mr. HALL of Ohio. Mr. Speaker, I yield 5 minutes to the gentleman from New York (Mr. MCNULTY).

Mr. MCNULTY. Mr. Speaker, I thank my friend from Ohio for yielding me the time. I rise in support of the rule and the Sudan Peace Act. But I submit, Mr. Speaker, that this is not enough.

I traveled to Sudan in the year 1989 with our late colleague Mickey Leland, with our late colleague Bill Emerson, and with GARY ACKERMAN. I saw firsthand the human devastation in that country. And here we are in the year 2001 witnessing the same civil war, the same devastation and basically the same participants. Sadiq al-Mahdi was in charge in Khartoum when we were there, but he was replaced later that year by Lieutenant Colonel Bashir, who is still in power. John Garang was then and is now the leader of the SPLA.

We traveled, after we left Khartoum, to the south to Muglad and Waw, a couple of the refuge camps. I cannot describe to you the feeling of looking out at a crowd of thousands and thousands of people who are not sure where their next meal is going to come from. One of the NGO officials at the time said, ''Congressman, would you like to see our hospital?'' I became encouraged for a moment. I was going to see a medical facility. They took me to their medical facility, which was a great big tent. It was large, and it was air-conditioned, just to keep people alive, but the medical facility was primitive at best. It became clear to me why it was so difficult to get medical personnel from the continent and elsewhere in the world to donate their time and to go there. The NGO officials explained to me that initially they had an outpouring of support from volunteer medical personnel from around the world but once they got there, the situation was so primitive as far as what they had to work with that they would get discouraged and leave.

Now, I am suggesting, Mr. Speaker, that we do something more than just pass the Sudan Peace Act. I think that the United States role has to be much more, and I am not talking about military intervention. We have become involved in negotiations for peace in many other areas of the world where there is much less human devastation. We became heavily involved in the situation in Ireland, and especially because of my heritage I am very happy that we did that. We have made significant progress with the Good Friday Accords. We are not where we want to be but we are making progress. That is because the President of the United States got directly involved and got people together and we made significant progress.

We have been doing that for years in the Middle East. We are not where we want to be in the Middle East, but we have made significant progress—most notably starting with the Camp David Accords back during the Carter administration. We have moved step by step. We are much better off today than we were a generation ago, but we still have a lot of work to do.

Bosnia, etc. We keep going down the list. We got directly involved.

Why is Africa the forgotten continent when there is so much more human devastation there? Compare it, for example, to the situation in Ireland, which I feel very deeply about. From the time that the current troubles started in 1969, 3,000 innocent people have died. That bothers me a lot. But in this one nation on the forgotten continent of Africa, in a shorter period of time, less than two decades, 2 million people have died. Two million innocent men, women and children have died. The year before Mickey led that delegation in 1989, 280,000 people starved to death in that one country in that one year.

Why is this the forgotten continent? Why can we not become more directly involved? Members might ask me, what am I suggesting? I am suggesting that the President of the United States make this a priority. When I say that, I am not directing anything at the current President. He just started his term, so this is a new suggestion to him. Other Presidents, Democratic and Republican before, have not done that. I am suggesting that he do that and focus on this international issue, get Bashir and Garang to the negotiating table, and get a cease-fire. I think if we have the leadership of the President of the United States, the leader of this country and the leader of the free world, we can get the international attention that we need to stop the human devastation in Sudan.

Mr. DIAZ-BALART. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Indiana (Mr. PENCE).

Mr. PENCE. I thank the gentleman from Florida for yielding me this time and for his leadership on this issue.

Mr. Speaker, the United States Department of State released a statement on Friday to report that the National Islamic Front government of Sudan launched a series of aerial bombings in southern Sudan 1 week ago. These attacks clearly targeted civilian areas, an act Khartoum pledged not to do only 2 weeks prior to the bombings.

Mr. Speaker, while the Sudan Peace Act condemns human rights violations by all sides of this four-decade-old conflict, it is important to note that it recognizes that the NIF government bears the greatest responsibility for the violations. The NIF has continually blocked humanitarian relief efforts and apparently now bombs civilian areas.

Mr. Speaker, it is important that the American people know that the heart of this conflict has deep religious origins. As the gentlewoman from Texas said only moments ago, last year the State Department designated Sudan as a country of particular concern because the NIF commits what is commonly believed to be the world's worst acts of religious persecution.

As a Christian, Mr. Speaker, it particularly grieves me to report that the worst of these acts of persecutions are against Christian believers in Sudan. Christian southern Sudanese are sexually abused, beaten and forced into religious conversion. Matthias Akabd was arrested in January of 1995 along with his wife and his infant son. They have not been heard from since. The Akabd family is merely one example of tens of thousands of persecuted Christians in southern Sudan who are discriminated against, stripped of their freedom, enslaved, imprisoned, tortured and even killed.

As the Good Book says, Mr. Speaker, ''Remember those who are in prison as if we were their fellow prisoners and those who are mistreated as if we ourselves were suffering.''

Mr. Speaker, by supporting the Sudan Peace Act, the Congress will do much today to fulfill this noble commission.

□ 1300

Mr. HALL of Ohio. Mr. Speaker, I yield 3 minutes to the gentleman from Iowa (Mr. BOSWELL).

Mr. BOSWELL. Mr. Speaker, I thank the gentlemen who have worked on this very, very important piece of legislation.

Mr. Speaker, I rise to support the rule and the passage of the bill, and I am thankful for this opportunity to give my support. The situation in Sudan came to my personal attention as a result of constituent case work, diligently completed by Karen Kinkel of my Iowa district office staff.

In April of 1999, we received a letter from a constituent, Paula Friederich of Ames, regarding her passionate concern for a group of children now commonly referred to as the ''Lost Boys of the Sudan.'' Paula and her husband, Dr. Jim Friederich, expressed their desire and their commitment to assist financially the plight of two of these lost boys in particular.

The Friederichs had recently learned of the war in the Sudan from a young man named Madul Aguan, who is currently a senior at Iowa State University. I submit for the RECORD today a copy of the experience of how he escaped as a young lad of 8 years old. His father had been killed, who was a Dinka chief, when the war that raged separated him from his mother. Then they came back and were going to take the children, and he escaped over into Ethiopia into a refugee camp.

The experience of what he went through is just heartrending. By force he was returned to the Sudan and then he was shot, broken ribs and wounded severely, and he survived that. Then he went to another refugee camp. To make a long story short, he finally landed in the United States with help from the State Department and many other entities. So he landed there and as a youngster was going to school in Kansas City, sleeping on a mattress in a leaky basement but kept pushing on. He said, I have freedom. It is okay. I have freedom.

Then he landed up in Ames. Now he is in the State University where he met the Friederichs and told them of his brother and his nephew that were having a similar situation. So the Friederichs set out to help. They worked with us and we worked with them, and the work went on and on and on.

Last winter, on a cold night in Des Moines, Iowa, off the airplane came the brother and the nephew. The brother and the nephew, which I will show here, Aguan in the middle, had not seen each other for 15 years, little children at the time, and here they were. They came and they were reunited in the United States. They are in a warm home with loving care, getting an education and moving forward in their lives.

That experience to me and for all of us should be a reminder that being in Congress is a lot more than just casting a vote here and there. Sometimes the most rewarding experiences that we can have are for our constituents and the positive role that plays, and such an important factor in their life. I am hopeful today we will not only pass this rule and this bill that will help bring this to an end, I would encourage everybody that is listening and thinking about it, give it their wholehearted support. It is the right thing to do.

In 1986, when Aguan was 8 years old, Northern Sudanese troops attacked his village of Lou Mawein in Southern Sudan. Aguan's father, a Dinka chief, had been assassinated in 1983. In the confusion of this battle, Aguan was separated from his mother. After two days of attacks from the northern troops, the Sudanese Peoples Liberation Army (SPLA), in Aguan's words, "came into the village to bury the dead, tend to the wounded and gather up the children who parents were killed or lost". At this time, Aguan began walking, barefoot, to an Ethiopian refuge camp. It is my understanding that many other children did not survive the journey to Ethiopia, dying when attacked by crocodiles as they passed through the Gilo river. During the last three days of his journey, Aguan had no food or water. Aguan stayed in an Ethiopian refuge camp for five years, until Ethiopia had it's own civil war. As a result of this war, Aguan was forced to return to southern Sudan, which was once again attacked by northern troops. With the assistance of the United Nations, Aguan went to Kapoeta to be protected by the SPLA. However Kapoeta was attacked, and Aguan was short. The bullet broke his ribs, collapsed his lung and caused internal bleeding. He was taken by the Red Cross to Lokichoggio, Kenya for surgery. At this time, Aguan was placed in the Kakuma refuge camp, in northern Kenya.

According to Aguan the conditions in the camp were inhumane. The water was polluted and there was little food. The tents were overcrowded. After two years, Aguan went to Nairobi for medical exams. Following results of the exam, he began the process of obtaining a referral as a refugee for resettlement. When he was approved for resettlement as a refugee by the Immigration and Naturalization Service, Aguan immigrated to the United States. This was made possible through the primary assistance of the Joint Voluntary Agency and the Red Cross. Aguan worked to put himself through high school in Kansas City, Missouri, sleeping on a mattress in a leaky basement for three years. Aguan told the Friederich's he was just "happy to be free".

Following high school graduation, Aguan attended the Des Moines Area Community College for one year before transferring to Iowa State University, where he now majors in International Law. Aguan plans to attend law school following graduation.

This story of Aguan's escape from the Sudan was shared with Jim and Paula Friederich. Aguan then asked the Friederich's if there was any way they could help him bring two surviving family members, a brother and a nephew, to the United States for the purpose of family reunification.

I brought this inquiry to the attention of the appropriate African Population, Refugee and Migration Bureau (PRM) representative of the State Department which coordinates overall United States Government policy on assistance, protection and resettlement of refugees. Refugee resettlement involves the White House, National Security Council, U.S. Immigration and Naturalization Service, Department of State, Department of Health and Human Service, the International Organization for Migration, the Joint Voluntary Agency (Lutheran Immigration and Refugee Service), the United Nations High Commissioner for Refugees, and the United States Congress.

After working for over two years to facilitate communication with the Immigration and Naturalization Service, and the State Department on behalf of Aguan and the Friederich's, Aguan's brother and nephew were located, and were granted approval for refugee resettlement in September 2000. They arrived at the Des Moines International Airport in January of 2001. Aguan had not seen his brother in over fifteen years. He last saw his nephew eight years ago. Aguan's brother and nephew have similar stories of how they survived and escaped and the war in southern Sudan.

I believe that this reunion would not have been possible without the assistance of the aforementioned federal agencies, coupled with the concern and involvement of the Friederich's, and the persistent work of my casework staff.

Members on both sides of the aisle, there is a civil war in the Sudan that has been raging for the past 18 years. As a result of this war, children are lost from their families, and many are sold into slavery. The fortunate ones escape to surrounding countries, but often with little hope for a future. I have been touched by this story. It is my desire to bring an end to this war, and now is the time to take action on behalf of the helpless who remain in Sudan. Please join me in support of H.R. 2052.

Mr. DIAZ-BALART. Mr. Speaker, I reserve the balance of my time.

Mr. HALL of Ohio. Mr. Speaker, I yield 2 minutes to the gentleman from New Jersey (Mr. PAYNE), a man who has spent a lot of time on this issue. He has traveled to Sudan. He is an expert on so many countries in Africa.

Mr. PAYNE. Mr. Speaker, I stand in strong support of the rule and would like to commend the gentleman from Ohio (Mr. HALL), who chairs a hunger committee, for his tireless work not only in Africa but around the world where he travels at his own danger in some instances to investigate and bring back the report of what is going on.

I would also certainly like to commend the gentleman from California (Mr. LANTOS), who has given all of the support that we need for issues in the continent of Africa. I would also like to mention the work of the gentleman from Colorado (Mr. TANCREDO), who is the sponsor of the Sudan Peace Act.

The first congressional delegation that the gentleman from Colorado (Mr. TANCREDO) went on was a trip with me and Senator BROWNBACK to southern Sudan. It was quite a way to initiate congressional travel. I told him that it was not always like this when Congresspeople travel.

His interest, his curiosity, his want to learn inspired him to move this bill.

Also a long-time warrior, the gentleman from Virginia (Mr. WOLF), has spent many, many, many hours and days and months traveling, working for the benefit of people throughout the world and in Sierra Leone and in Sudan.

The gentleman from California (Mr. ROYCE), the chairman of the Subcommittee on Africa, has done an outstanding job. So I think this is a great opportunity for a bipartisan move to talk about probably the worst scourge on the Earth today, a pariah government, a government which bombs its own people, starves its own people, tortures its own people.

There are other people, too, like Charles Jacobs from the anti-slavery

movement and Nina Shay from a commission to deal with religious discrimination.

What I think is finally happening is that America, the world, is starting to see about this tragedy of Sudan: 1.9 million people dead, 4.4 million people displaced. Finally, it has been too long but I hope that the new administration will have vigor to see us change the pariah government in Khartoum so people can have the ability to live a normal life.

Mr. HALL of Ohio. Mr. Speaker, I yield 2 minutes to the gentleman from Tennessee (Mr. CLEMENT).

Mr. CLEMENT. Mr. Speaker, I want to thank several people that have worked so hard concerning the Sudan Peace Act. I do support the rule.

I want to congratulate the gentleman from Ohio (Mr. HALL), the gentleman from Virginia (Mr. WOLF), the gentleman from New Jersey (Mr. PAYNE), the gentleman from Colorado (Mr. TANCREDO), and the gentleman from California (Mr. LANTOS) for their leadership and strong support. I was one of the authors of the International Religious Freedom Act of 1998, which set in place the framework for U.S. action against violations of religious freedom around the world.

The Sudan Peace Act is a worthy successor to that act, and I am proud to be an original cosponsor. The tragedies of Sudan are truly unspeakable, though we must attempt to make them clear to the world. Some 2 million people dead in the war, millions more displaced; women and children abducted and raped by government-backed militia; torture of dissidents; bombing of hospitals and schools. It is an endless litany of suffering.

This act clearly condemns these atrocities perpetrated by an extremist and heartless regime. This act strengthens our ability to provide assistance to the suffering civilians of Sudan, particularly in areas barred from relief by the government. It reinforces our commitment to negotiating peace; and of tremendous importance, it requires that businesses that want to raise capital from American investors disclose any dealings in oil development in Sudan. That oil is blood oil. It has enriched the war machine of the government and emboldened Khartoum to believe that it will enjoy limitless funds to crush its own people into submission.

I urge all my colleagues to denounce these atrocities and vote for the Sudan Peace Act.

Mr. HALL of Ohio. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I would simply say that the rule is a good rule. It is in good shape. It is open. The bill is not a perfect bill. It is very hard to pass a perfect bill on an issue like Sudan, where millions of people have died. They have fought for years. I am particularly impressed and glad that in the bill when it talks about the broad bipartisan support of this bill from the House of Representatives, it condemns violations of human rights by all sides to the conflict.

I know that for the most part today, what we have heard is the very, very serious and very troubling human rights violations coming from the north and coming from the government, but there is blood in the south as well. Tribes fight tribes. Leaders use innocent people, and there is blood on both sides. I hope that this bill will not only address some of those issues but will go a long way in helping bring this terrible war to an end.

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

Mr. DIAZ-BALART. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I commend all of my colleagues who have spoken so eloquently on this very, very important subject and join them in urging the House to obviously support this open rule, but also the underlying legislation.

We, I hope, speak on this moral issue in a very united fashion this afternoon.

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 resolution was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. ROYCE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and to include extraneous material on H.R. 2052.

The SPEAKER pro tempore (Mr. SIMPSON). Is there objection to the request of the gentleman from California?

There was no objection.

The SPEAKER pro tempore (Mr. DIAZ-BALART). Pursuant to House Resolution 162 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 2052.

□ 1313

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 consideration of the bill (H.R. 2052) to facilitate famine relief efforts and a comprehensive solution to the war in Sudan, with Mr. SIMPSON in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the bill is considered as having been read the first time.

Under the rule, the gentleman from California (Mr. ROYCE) and the gentleman from California (Mr. LANTOS) each will control 30 minutes.

The Chair recognizes the gentleman from California (Mr. ROYCE).

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

Mr. Chairman, firstly I would like to thank the gentleman from Colorado (Mr. TANCREDO), a member of the Subcommittee on Africa that I chair, for introducing the Sudan Peace Act.

The ranking member of the Subcommittee on Africa, the gentleman from New Jersey (Mr. PAYNE), has been a strong supporter of this legislation, as has the gentleman from California (Mr. LANTOS). I want to thank them for their assistance.

I would also like to thank the chairman of the Committee on International Relations, the gentleman from Illinois (Mr. HYDE), for his efforts on behalf of this bipartisan bill.

As we have heard during the debate on the rule, Sudan is suffering through what is probably today the longest civil war in the world. The fighting between the radical government in the north and forces in the south has led to suffering on such a massive scale that it is estimated today that close to 2 million Sudanese have died of war-related causes since 1983.

There are 4 million Sudanese internally displaced in that country, 2 million living in squatter areas in Khartoum. Over 3 million Sudanese will require emergency food aid this year if they are to survive.

□ 1315

Famine is a constant in Sudan. At a March hearing of the Committee on International Relations, Secretary of State Colin Powell said that Sudan is one of the greatest tragedies on the face of the Earth. There is no greater tragedy, he said.

Well, I think Secretary Powell is right. He recently traveled to Africa, where Secretary Powell consulted with African leaders about the crisis in Sudan. Early signs indicate a strong administration commitment to addressing this crisis, and this legislation is designed to bolster the administration's effort.

The Sudan Peace Act condemns violations of human rights on all sides of the conflict. However, it recognizes that it is the Sudanese government and groups under its control that bears by far the greatest responsibility for human rights violations.

The Sudanese regime regularly blocks humanitarian relief efforts and bombs humanitarian and civilian centers. Southern Sudanese are victimized by slave raids, which this legislation recognizes as government-backed, as well as by religious persecution, which is commonly believed to be the worst religious persecution in the world.

Last year, the State Department again designated Sudan as a country of

particular concern due to its systematic and egregious violations of religious freedom. Sudanese forced into slavery are subject to all forms of physical abuse, including beatings and sexual abuse, and forced religious conversions.

Congress has gone on record before expressing concern over the strife and human suffering that is occurring there in this country. In 1999, the House of Representatives passed a resolution condemning the Sudanese government for ''its genocidal war'' in southern Sudan. The Sudan Peace Act condemns the government of Sudan in the strongest possible terms, finding again that its acts constitute what we term genocide.

Here are some of the particulars in the bill. The bill requires companies with operations in Sudan to disclose the nature of their Sudanese operations before they are permitted to trade their securities in U.S. capital markets. This disclosure includes the nature of those operations and their relationship to violations of religious freedom and other human rights in Sudan. This should prove to be a useful tool in alerting American investors to the troubling nature of their potential investment, particularly in the energy sector.

Over the last several years, non-U.S. companies have raised money in the U.S. to develop Sudanese oil fields, located primarily in the south. Oil reserves have allowed Khartoum to double its military expenditures, giving it the means to prosecute its war more aggressively.

The second thing the bill does is it urges the administration to make available to the National Democratic Alliance $10 million in previously appropriated funds. This funding should be used to help build the civil society that has been devastated in the south and which is essential to the region's long-term future.

The third aspect of the legislation is that it requires the administration to develop a contingency plan to operate its humanitarian relief efforts outside Operation Lifeline Sudan, and that is the United Nations sponsored humanitarian aid operation that has been shamelessly manipulated by the government of Sudan to advance its war aims, leading to widespread death by starvation and other causes. So what has in fact happened with Operation Lifeline Sudan, the government in Sudan has directed do not bring this relief into the south; we will direct you as to where you are allowed to take the food aid. So, again, this will develop a contingency plan to operate outside and around that Operation Lifeline Sudan.

The Subcommittee on Africa has held several hearings on Sudan over the last few years. This crisis has increasingly caught the attention of the American people. The Sudan Peace Act is an effort to bring further attention to the suffering in Sudan and help along a resolution to this long-running conflict.

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 support of the Sudan Peace Act. I first would like to thank my colleague, the gentleman from Colorado (Mr. TANCREDO), for introducing the measure. I want to express my special appreciation to my colleague and friend, the gentleman from New Jersey (Mr. PAYNE), the ranking Democratic member of the Subcommittee on Africa, for his many years of tireless efforts to bring to the attention of the Congress and the American people the Sudanese crisis. I also want to commend my friends, the gentleman from California (Mr. ROYCE) and the gentleman from Illinois (Chairman HYDE), for moving this legislation forward and for their deep commitment to the issues.

Mr. Chairman, it appears unreal that at the beginning of the 21st century we again are talking about genocide and slavery, but it is genocide and slavery which characterizes the situation in the Sudan. This is a long-standing crisis. It originated in the early 1950s, and it became particularly severe since the mid-1980s.

The Islamic government of Sudan is perpetrating genocide on its own people. This crisis represents the most comprehensive attack against Christians any place on the face of this planet today; mass rapes, large scale forced starvation, kidnapping, and, as has been stated time and time again in this debate, we have over 2 million innocent men, women, and children who have been killed in this process, over 4 million internally displaced.

This legislation, which I hope will get the unanimous support of this body, calls for our Secretary of State to collect evidence on war crimes and crimes against humanity. It is inconceivable that the perpetrators of these gigantic scale atrocities should escape appropriate punishment.

A special word needs to be said, Mr. Chairman, about the oil companies that play a significant role in this nightmare. I am pleased to say that there are no American oil companies involved, but it pains me to no end to indicate that an oil company from Sweden, an oil company from Canada, and, much less surprisingly, oil companies owned by Malaysia and Communist China, are providing the funds to this outrageous government to pursue and perpetrate its atrocities.

We will bring the light of day on the activities of these companies, and we will make it very clear for any potential American investors what the nature of their investments would be buying in atrocities in the Sudan.

I truly believe that Congress acts never more nobly than when it rises to deal with human rights abuses anywhere on this planet. The Sudan Peace Act is one such example, and I strongly urge all of my colleagues to support this legislation.

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

Mr. ROYCE. Mr. Chairman, I yield 3 minutes to the gentleman from New Jersey (Mr. SMITH), the vice chairman of the Committee on International Relations.

Mr. SMITH of New Jersey. Mr. Chairman, I thank my good friend, the gentleman from California (Mr. ROYCE), the chairman of the African subcommittee, for yielding and commend him for his outstanding leadership on behalf of the suffering individuals, not just in Sudan, but in other countries, particularly in sub-Saharan Africa, who have been victimized by human rights abuse.

I want to especially thank on this bill, my good friend, the gentleman from Colorado (Mr. TANCREDO), and all of the bipartisan sponsors of this Sudanese Peace Act. It is clearly a step in the right direction. It is an outstanding bill. It tries to advance the ball so that there will be peace.

We have lost 2 million Sudanese people, many of them women and children who have been slaughtered. Food has been used as a weapon in Sudan by the Khartoum government. We know that with Operation Lifeline, very often efforts to feed those in the south have been vetoed by Khartoum because they wanted to deny access to food and medicines.

Back in 1996, Mr. Chairman, we had a series of hearings on what really was happening in Sudan, the first hearing of its kind on slavery. At that point, people objected and said what are you talking about? Shadow slavery, the buying and selling of people, not unlike what we had in the United States and in other western countries before the civil war. A horrific practice. Yet it was going on in modern day Sudan. Thankfully, there is an effort. At least there is exposure now. People understand that this has occurred.

The gentleman from California (Mr. ROYCE) mentioned this forced religious conversion. I have met people who have lost their children through forced Islamization, where their young men, their young boys, have been literally abducted out of their homes and brought to these camps where they are brainwashed, for want of a better word, day in and day out, to accept Islam. That is not what conversion is all about.

But this civil war is being financed, and it is not a civil war, it is a slaughter, increasingly by oil monies. I just bring to the attention of members that the gentleman from Alabama (Mr. BACHUS) will be offering an amendment

at the appropriate time that will deny the access of those companies to the capital markets of the United States, like Talisman.

Talisman is an oil company that, unfortunately, like some of the others coming out of China and elsewhere, that are building up the capability of the Sudanese government to get real dollars, hard currency, which is now funding this slaughter of women and children and men. They have doubled their military spending. For example, since 1998 much of the oil revenues have amounted to about $500 million, and that is going to grow as a direct result of their ability to get cash at the New York Stock Exchange and elsewhere to fund this slaughter of innocent people.

This war might have been over; it certainly would have been much reduced, had it not been for oil money. If we really want to be peacemakers, it seems to me we need to deny the access, turning off that spigot to the best of our ability to deny the killers, the murderers, the rapists, the ability to do business as usual.

Again I want to thank the gentleman from California (Mr. ROYCE), the gentleman from Colorado (Mr. TANCREDO), the gentleman from California (Mr. LANTOS), who has done great work on this, and the gentleman from Illinois (Mr. HYDE). Of course, the Bachus amendment, which will be coming up shortly, is deserving of my colleagues' support.

Mr. Chairman, I thank my good friend, the gentleman from California (Mr. ROYCE), the chairman of the African subcommittee, for yielding and commend him for his outstanding leadership on behalf of the suffering individuals, not just in Sudan, but in other countries, particularly in sub-Saharan Africa, who have been victimized by human rights abuse. I want to thank Chairman HYDE for his leadership in pushing this legislation.

And I want to especially thank my good friend, the gentleman from Colorado (Mr. TANCREDO) the prime sponsor of the bill and all of the bipartisan sponsors of the pending Sudanese Peace Act. It is clearly a step in the right direction. It is an outstanding bill. It tries to advance the ball so that there will be peace.

We have lost 2 million Sudanese people, many of them women and children who have been slaughtered. Food has been used as a weapon in Sudan by the Khartoum government. We know that Operation Lifeline has often been stymied in efforts to feed those in the south. Amazingly the dictatorship has veto power over both where and whom humanitarian relief and food disbursements can be made. Khartoum is guilty of denying access to food and medicines by untold numbers of starving and emaciated people.

Back in 1996, Mr. Chairman, I chaired a series of hearings on Sudan. We convened the first hearing of its kind on slavery in Sudan. At that point, some people objected, were in disbelief and denial and said what are you talking about? Chattel slavery—the buying and selling and ownership of people, not unlike what we had in the United States and in other western countries before the civil war was—is—thriving in Sudan.

The gentleman from California (Mr. ROYCE) mentioned forced religious conversion and at hearings I chaired we heard from victims of the egregious practice. I have met mothers who have lost their children through forced Islamization, where their young children were literally abducted out of their homes and brought to camps where they were brainwashed. That is not what conversion is all about. Now we know that the Sudanese genocide is being financed by oil—petrol dollars. I just bring to the attention of members that the gentleman from Alabama (Mr. BACHUS) will be offering an amendment at the appropriate time that will deny the access of oil companies to our capital markets of the United States, if they are doing business in Sudan.

Talisman of Canada is an oil company that, unfortunately, like some of the others based in China are building up the capability of the Sudanese government to get boatloads of money, hard currency, which is now funding the slaughter of women and children and men. As a direct result of oil revenue, Sudan has doubled its military spending. Since 1998 the oil revenues per year have amounted to about $500 million, and that is going to grow as a direct result of Sudan's oil revenue and its ability to procure funds from U.S. equity sources.

Had it not been for oil revenues, the Sudanese genocide might have been over. It almost certainly would have been less lethal had it not been for oil money. If we really want to be peacemakers, it seems to me we need to deny Sudanese access to cash. We must turn off that spigot. We must deny the killers, the murderers, the rapists, the ability to conduct the business of genocide.

Again I want to thank the gentleman from California (Mr. ROYCE), the gentleman from Colorado (Mr. TANCREDO). The Chairman of the Full Committee, Mr. HYDE, always a champion of human rights and the gentleman from California (Mr. LANTOS), who has also done great work on this vital cause.

Mr. LANTOS. Mr. Chairman, I am delighted to yield 5 minutes to the gentleman from New Jersey (Mr. PAYNE), one of our colleagues who has devoted years of his life to this issue and who has been a nationally recognized leader on the subject of Sudan.

Mr. PAYNE. Mr. Chairman, I thank the gentleman for that very kind introduction. I appreciate the support that the gentleman has given this issue.

Mr. Chairman, I rise today in support of the Sudan Peace Act, H.R. 2052. I certainly would like to thank my colleague, the gentleman from Colorado (Mr. TANCREDO), for introducing this legislation. He has traveled, as I mentioned, to Sudan with me a year or so ago, with Senator BROWNBACK, and saw firsthand the conditions and has been a strong advocate for change there.

As you know, it is a very sad situation in Sudan, and we have many people, the gentleman from Virginia (Mr. WOLF) and the gentleman from California (Mr. ROYCE) and the chairman, the gentleman from Illinois (Mr. HYDE). We have on our side, the gentlewoman from the District of Columbia (Ms. NORTON) and others who have fought.

But we also have people outside the anti-slavery organization, Charles Jacobs and Mrs. Nina Shay and others. But I also would like to commend the NAACP that at its last several conventions talked about this problem of slavery and has opposed the government of Sudan, and for the talk show host, Joe Madison, who has really given his listening audience an opportunity to hear about the Sudan and has gotten a great new constituency, and Reverend Fauntroy here in Washington, Reverend Jessie Jackson, who intends to go to Sudan soon, and Reverend Al Sharpton, who has been there.

□ 1330

We have seen more people become involved.

But this issue is not a simple issue of north versus the south. There are many very good Northerners who want to see the end of this war, also. We have many people in the Muslim faith who do not support the National Islamic Front government. The fact is that it is a bad government. They are really perpetrating misery on their people, and it is a strong, small group of people who have just been holding power against people of good will.

So the bombings continue, and aerial bombings were reintroduced just last week. The government made an official statement that they were going to end aerial bombings 2 weeks ago, and last week said they have rescinded that and they are starting bombing again.

They take these Antonovs, these Soviet-built planes, and it disrupts the community because the community hear the planes and they keep wondering, when are the planes coming, therefore making it difficult to have a normal life. The planes on occasions hit churches and schools and hospitals.

Another thing that is happening is many of the educated south Sudanese, many are lacking education now. The schools are not adequate. Therefore, the people of the south are losing out on education.

This is a horrible, horrible situation, beginning back in 1956 when it was the first African country to receive its independence; a proud country, a country that fought victoriously against Egypt and the British to retain its independence.

The people there are good people, but they are being treated horribly by a terrible government. Slavery still goes on. People are still being starved as a weapon. We need to have a strong reassertion that this government must be changed.

We must ask the Bush administration and Secretary Powell, who has spoken out against this, and he has

spoken out about Sudan more than any other area in Africa, we want him to continue to push. We want to see capital market access cut off from foreign countries trying to get funds from our capital markets to continue to use this blood money.

We would like to see the end to slavery, and youngsters like Ms. Vogel's class out in Colorado who raise funds and send them over with church groups to repatriate slaves with their families.

So we have a lot of work to do. We have heard the statistics: close to 2 million dead, and as a result, there have been over 4.3 million people displaced. We need to have a strong envoy to go there and to tell the Khartoum government that time has run out. We no longer will allow this to go on. It has gone on too long.

There is no reason in this new millennium, when we have supersonic transports and people going to outer space and living in outer space, that we would have on Earth a country that uses weapons of war against its own people, primarily women and children.

We must have a movement in this country to focus on Sudan. We must make this a number one priority. I would urge my colleagues to vote in favor of this peace act.

Mr. ROYCE. Mr. Chairman, I yield 2 minutes to the gentleman from Texas (Mr. PAUL), a member of the Committee on International Relations.

Mr. PAUL. Mr. Chairman, I rise in opposition to this bill, although I do not contest for 1 minute the sincerity and the good intentions of the many, many cosponsors. I do not question the problems that exist in Sudan. There is no doubt that it is probably one of the most horrible tales in human history.

But I do question a few things. First, I question whether this is a proper function for our government. I raised this question in the committee, suggesting that it could not be for national security reasons, and it more or less was conceded this has nothing to do with national security but it had to do with America's soul. I was fascinated that we are in the business of saving souls these days.

But I do have serious concerns about its effectiveness, because we have a history of having done these kinds of programs many times in the past, and even in Africa. It was not too many years ago that we were in Somalia and we lost men. Our soldiers were dragged in the streets. It was called nation-building. This is, in a way, very much nation-building, because we support one faction over the thugs that are in charge.

I certainly have all the sympathy and empathy for those individuals who are being abused, but the real question is whether or not this will work. It did not work in Somalia. We sent troops into Haiti. Haiti is not better off. How many men did we lose in Vietnam in an effort to make sure the people we want in power were in power?

So often these well-intended programs just do not work and frequently do the opposite by our aid ending up in the hands of the supposed enemy. I seriously question whether this one will, either. Maybe in a year or 2 from now we will realize that this is an effort that did not produce the results that we wanted. It is a $10 million appropriation, small for what we do around here, but we also know that this is only the beginning, and there will be many more tens of millions of dollars that will be sent in hopes that we will satisfy this problem.

Members can look for more problems to solve, because right now there are 800,000 children serving in the military in 41 countries of the world. That is another big job we would have to take upon ourselves to solve considering our justification to be involved in Sudan.

Mr. Chairman, with HR 2052, the Sudan Peace Act, we embark upon another episode of interventionism, in continuing our illegitimate and ill-advised mission to "police" the world. It seemingly matters little to this body that it proceeds neither with any constitutional authority nor with the blessings of such historical figures such as Jefferson who, in his first inaugural address, argued for "Peace, commerce and honest friendship with all nations—entangling alliances with none." Unfortunately, this is not the only bit of history which seemingly is lost on this Congress.

Apparently, it is also lost on this Congress that the Constitution was a grant of limited power to the federal government from the citizens or, in other words, the Constitution was not designed to allow the government to restrain the people, but to allow the people to restrain the government. Of course, the customary lip service is given to the Constitution insofar as the committee report for this bill follows the rule of citing Constitutional authority and cites Art. I, Section 8, which is where one might look to find a specific enumerated power. However, the report cites only Clause 18 which begs some further citation. While Clause 18 contains the "necessary and proper" clause, it limits Congress to enacting laws "necessary and proper" to some more specifically (i.e., foregoing) enumerated power. Naturally, no such "foregoing" authority is cited by the advocates of this bill.

Without Constitutional authority, this bill goes on to encourage the spending of $10 million of U.S. taxpayers hard-earned money in Sudan but for what purpose? From the text of the bill, we learn that "The United States should use all means of pressure available to facilitate a comprehensive solution to the war in Sudan, including (A) the multilateralization of economic and diplomatic tools to compel the Government of Sudan to enter into a good faith peace process; [note that it says "compel . . . good faith peace"] and (B) the support or creation of viable democratic civil authority and institutions in areas of Sudan outside of government control." I believe we used to call that nation-building before that term became impolitic. How self-righteous a government is ours which legally prohibits foreign campaign contributions yet assumes it knows best and, hence, supports dissident and insurgent groups in places like Cuba, Sudan and around the world. The practical problem here is that we have funded dissidents in such places as Somalia who ultimately turned out to be worse than the incumbent governments. Small wonder the U.S. is the prime target of citizen-terrorists from countries with no real ability to retaliate militarily for our illegitimate and immoral interventions.

The legislative "tools" to be used to "facilitate" this aforementioned "comprehensive solution" are as frightening as the nation-building tactics. For example, "It is the sense of the Congress that . . . the United Nations should be used as a tool to facilitate peace and recovery in Sudan."

One can only assume this is the same United Nations which booted the United States off its Human Rights Commission in favor of, as Canadian Sen. Jerahmiel S. Grafstein, called them recently, "those exemplars of human rights nations . . . Algeria, China, Saudi Arabia, Uganda, Armenia, Pakistan, Syria and Vietnam."

The bill does not stop there, however, in intervening in the civil war in Sudan. It appears that this Congress has found a new mission for the Securities and Exchange Commission who are now tasked with investigating "the nature and extent of . . . commercial activity in Sudan" as it relates to "any violations of religious freedom and human rights in Sudan." It seems we have finally found a way to spend those excessive fees the SEC has been collecting from mutual fund investors despite the fact we cannot seem to bring to the floor a bill to actually reduce those fees which have been collected in multiples above what is necessary to fund this agencies' previous (and again unconstitutional) mission.

There is more, however. Buried deep within the bill in Section 9 we find what may be the real motivation for the intervention—Oil. It seems the bill also tasks the Secretary of State with generating a report detailing "a description of the sources and current status of Sudan's financing and construction of infrastructure and pipelines for oil exploitation, the effects of such financing and construction on the inhabitants of the regions in which the oil fields are located." Talk about corporate welfare and the ability to socialize the costs of foreign competitive market research on the U.S. taxpayer!

Yes, Mr. Chairman, this bill truly has it all—an unconstitutional purpose, the morally bankrupt intervention in dealings between the affairs of foreign governments and their respective citizens in our attempt to police the world, more involvement by a United Nations proven inept at resolving civil conflicts abroad, the expansion of the SEC into State Department functions and a little corporate welfare for big oil, to boot. How can one not support these legislative efforts?

Mr. Chairman, I oppose this bill for each of the above-mentioned reasons and leave to the ingenuity, generosity, and conscience of each individual in this country to make their own private decision as to how best render help to citizens of Sudan and all countries where human rights violations run rampant.

Mr. LANTOS. Mr. Chairman, I am very pleased to yield 5 minutes to my

good friend and colleague, the gentlewoman from the District of Columbia (Ms. NORTON).

Ms. NORTON. Mr. Chairman, I very much appreciate the gentleman yielding time to me, and I am grateful to him and to the sponsor of the bill, the gentleman from Colorado (Mr. TANCREDO).

I thank the ranking member, and I must knowledge the gentleman from California (Mr. LANTOS) as a one-man watchdog for human rights in the world, for which this body and our country are both grateful.

Mr. Chairman, here we have in this bill the first forward movement to do more than condemn. The unspeakable litany of violations in Sudan leave out none. I do not, therefore, want to go down them.

I do want to take issue with the last speaker. I am not sure about our national security, but I do believe that doing something about Khartoum is vital to the strategic U.S. interests in the world. Oil is the engine that is driving the war in the north against the southern Sudanese. They are winning the war. This war is almost over, if we do not do something about it. The southern Sudanese have been so weakened that time is running out.

In Khartoum, we see a regime that will soon be a mid-sized oil exporter at a time when the U.S. and the world have escalated oil needs. It is very important to build on the Clinton sanctions that have been in place since 1997.

I support the amendment, but minimally it seems to me we have to begin to focus, to scrutinize access to our markets. One way to do that is if we say that if they want access to our markets, tell us about their business operations in Sudan. If they want to get access, at least tell us. If we can deny them access constitutionally and legally, I would be for that.

Investors need to be forewarned that indeed we are trying to have significant impact on investments, and since we have reached our own folks, we ought to reach the multinationals, if for no other reason than to level the playing field.

Let me speak to another strategic interest. When is terrorism in the world not a strategic interest of the United States of America? Here we have a major supporter and exporter of international terrorism in Sudan, and we have felt Sudan in our own country. The region has felt Sudan in multiple ways. Ask the President of Egypt, Mr. Mubarak, whose life was attempted on from the exporting of terrorism from this regime. We have very important strategic interests.

In fact, the last time the world gathered in this way, the last time we confronted a nation and tried to get worldwide support, was of course the sanctions against South Africa, which significantly weakened apartheid. Mr. Chairman, what is happening in Sudan is far more complicated, and if I may say so, far worse than the despotism we saw in South Africa.

When the gentleman from New Jersey (Mr. PAYNE) and I came to the floor just over a year ago, we were the only two on a special order trying to kind of wake up the consciousness not so much of this body, which had already passed a resolution of condemnation, but hoping that the world out there was looking at us somehow.

I want to simply praise the gentleman from New Jersey (Mr. PAYNE) for pioneering leadership when absolutely nobody was listening. Since then, since that special order, there have been hearings, press conferences involving the leadership on both sides of the aisle. There have been Sudanese, southern Sudanese ex-slaves who had come to the House of Representatives. We are getting somewhere if we take the leadership for which our Nation is known in the world.

Therefore, we must minimally pass this bill and go on to pass the amendment, if we possibly can. Let us make this start now. Let us signify by this bill that we have only begun to fight for southern Sudanese freedom.

Mr. ROYCE. Mr. Chairman, I yield 4 minutes to the gentleman from Colorado (Mr. TANCREDO), who authored this legislation and who, along with the gentleman from New Jersey (Mr. PAYNE), wrote the Sudan Peace Act.

Mr. TANCREDO. Mr. Chairman, I want to thank the gentleman for yielding time to me. I thank the committee chairman for bringing this bill forward. I thank the leadership for allowing this bill to come forward. I also want to thank the thousands and thousands of people that have communicated with Members of this body from all across this land in support of this piece of legislation.

It is amazing to me, as the gentlewoman just said a minute ago, how things have changed in such a short period of time; how hard it was a few years ago, and I know how hard it must have been for the gentleman from New Jersey (Mr. PAYNE) years before that, because of course he was involved with this before any of us were. But I know how hard it was just a short 2½ years ago to get anybody to pay the slightest bit of attention to the issues in Sudan.

It is undeniably true what many of my colleagues have said, that the problems there are incredibly difficult problems to deal with; very intricate, very interwoven, and many-many-faceted. It is not a simple solution by any stretch of the imagination, nor do I believe in all honesty, Mr. Chairman, that if we were to pass this bill today, which I certainly hope we do, that peace will break out tomorrow in Sudan.

What this bill is is simply another arrow in the quiver; our accumulation of power, if you will, resources, leverages, whatever we want to call it, to bring to bear in this country to force peace to occur. That is really what we have to do.

Many colleagues have come to me, not just colleagues here on the floor but certainly people in my own district, and asked the question, why now? What is the deal? What is the issue with Sudan? Why are we concerned about Sudan? Frankly, I do not have an awful lot of constituents who have Sudan on the top of their plate, so I do get questions about this.

I first of all try to explain the effect of going over there and the effect that trip had on me. When the gentleman from New Jersey (Mr. PAYNE) and Senator BROWNBACK and I landed in a little town called Yei and walked through this village, we had literally hundreds of people surrounding us and trying to get closer and closer to us because they thought, they hoped, they prayed, that if they stayed close enough to us, close to these American Congressmen who were there, that somehow perhaps the bombs would not fall on them, that the Antonovs would not come and bomb them at the time.

Of course, the look in their eyes, this look of desperation, of course that affected me, absolutely. I am a human being. My heart went out to them. I said then at that time to myself and to them, ''I will do everything I can. I will do what I can.''

This bill is I guess the end result. It will not be the end result, but it is a result of that promise I made. But beyond that, Mr. Chairman, when people ask, why Sudan, why now, I only refer them to the comment made to General Colin Powell. Secretary Powell, when I did ask him in the Committee on International Relations what the administration was prepared to do to bring peace to this troubled land, he responded that he did not have a plan at his disposal, since he had only been in his position a relatively short time.

□ 1345

He said, and I quote, I believe there to be no greater human tragedy being played out on the face of the Earth.

What more do we need to answer the question, why Sudan? Why now? The greatest human tragedy being played out on the face of the Earth.

There are many issues with which we can become involved in Sudan in a more technical way than even this bill lays out. I hope and I pray that, in fact, we can encourage the leadership in both the north and the south to earnestly begin discussions leading to peace, because I fear in my heart of hearts that the people, I know the people of Sudan both north and south want peace.

Mr. Chairman, I am not sure that the leadership in the north or the south want peace, because, in fact, you know,

a war that has gone on this long establishes the status quo and in it people begin to achieve positions of power.

It is difficult to conceive a world in which war is not going on and, therefore, the power they wield is not able to be wielded. So we must be fearful of this reticence on the part of both the north and the south to move toward peace.

We must force that. We must force that movement, and we can do so with this bill and with the appointment of a special envoy, which I believe is in the offering.

I sincerely hope that my colleagues will support this piece of legislation as just one more step in the road to peace, so we can all answer our constituents and others when they say to us, why Sudan, why now. Just tell me if not now, when? How many more dead before you act?

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

Mr. Chairman, I have no additional speakers, but I would like to say a few words before we close debate on this issue. I was profoundly disturbed by my colleague's remark who asked why do we deal with this issue? Well, we deal with this issue because, as so many other issues in this century, it is a fundamental issue of human rights.

I predict that the issue of human rights will be the dominant issue of the 21st century. Not long ago, we were dealing with hundreds of thousands of innocent civilians being pushed out of their ancestral homes in Kosovo, and there were people on the floor of this body who questioned the relevance of our involvement in trying to see to it that these people, little children, old women, young families, were just pushed out of their home, because of their ethnicity and because of their religion.

In that case, it was Muslims who were persecuted by Milosevic and his thugs. In this instance, it is principally Christians who are being persecuted, harassed, raped, killed on a large scale by fundamental lifts Muslims.

I cannot think of a more noble cause for the Congress of the United States than to debate these issues and perhaps to try to help in whatever way we can. Now, there are some who are particularly preoccupied with the minutiae and the complexities of our tax legislation. And that is an appropriate subject for us to discuss. But to question on the floor of the House of Representatives the appropriateness of dealing with a genocide, a genocide means the killing of whole peoples.

We are talking about the killing of 2 million black citizens of the Sudan, men, women and children, whose sole crime is that they are not Muslims. We are dealing with the displacement of 4 million black citizens of Sudan who are pushed out of their villages and are in many instances on the verge of starvation.

To ask whether it is appropriate for the Congress of the United States to deal with these issues boggles the mind. I suggest, Mr. Chairman, that this is an issue of very high priority for this body.

It would be high priority only if it would be a human rights issue, but as the gentlewoman from the District of Columbia (Ms. NORTON) so correctly pointed out, the Sudanese government is one of the prime sponsors of international terrorism.

Is there anybody in this body who does not feel, in the wake of the bombing of American embassies, that international terrorism is not a concern of this body? I want to again commend the people who have played a key role in this measure. I want to encourage all my colleagues to vote for this legislation.

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

Mr. ROYCE. Mr. Chairman, I yield 2 minutes to the gentleman from New York (Mr. GILMAN), chairman of the Subcommittee on Middle East and South Asia.

Mr. GILMAN. Mr. Chairman, I want to thank the gentleman from California (Mr. ROYCE) for yielding the time to me.

Mr. Chairman, I want to commend the gentleman from California (Mr. ROYCE), the chairman of the Subcommittee on Africa; the gentleman from Colorado (Mr. TANCREDO); and the gentleman from New Jersey (Mr. PAYNE) for their leadership; and the gentleman from California (Mr. LANTOS), the ranking member of the Committee on International Relations, for his poignant expressions in regard to this bill and for their persistent attention and energy, for bringing the deplorable situation in Sudan to our attention.

This bill makes funds available for humanitarian assistance to the Sudanese people, to facilitate our State Department and U.N. efforts to help the Sudanese government and opposition forces in reaching a settlement and in sanctioning belligerents who continue to engage in crimes against humanity.

The civil war in the Sudan continues to be a slow-motion genocide. Southern Sudanese are dying each and every day, while hundreds of thousands are at risk from famine and malnutrition.

There are no winners in the Sudan, north or south. If a young man from Sudan wishes to be admitted to a university, he must first join the army. And in the army, he has a good chance of being killed in an immoral, pointless war. And even if the young man survives, he may have to live with memories of atrocities that he has seen or in some cases even been involved in. Either way, this war in the Sudan is a cancer that is destroying the once vibrant culture of Arab Sudan at the same time that it wreaks havoc in the African south.

Accordingly, I urge our colleagues to support this measure. I want to commend Secretary Powell for his recent trip to Africa and for his intention to devote considerable more attention to the Sudan.

Mr. ROYCE. Mr. Chairman, I yield 2 minutes to the gentleman from Virginia (Mr. CANTOR), a member of the Committee on International Relations.

Mr. CANTOR. Mr. Chairman, I would like to again to salute the chairman of the Committee on International Relations (Mr. ROYCE) and the subcommittees, as well as the gentleman from Colorado (Mr. TANCREDO) and the gentleman from New Jersey (Mr. PAYNE) and, of course, the gentleman from California (Mr. LANTOS), the ranking member of the Committee on International Relations, for the fine work they have done in bringing this measure to the floor.

Mr. Chairman, I rise today also in support of the Sudan Peace Act. Sudan has been ravaged by civil war for over 30 years. And an estimated 2 million people have died; and as has been said before, millions more displaced due to war-related causes.

As my colleague, the gentleman from Colorado (Mr. TANCREDO), has said, there is no greater human tragedy being played out on the Earth today, and thus we turn our attention to Sudan. As if this is not bad enough, as if the famine, the slavery, and the death is not bad enough, there is a particularly troubling situation in the evidence of religious persecution that prevails in Sudan today.

Unfortunately, we know all too well the results of religious persecution just looking back to last century with Nazi Germany. The Sudanese government policies promote Islam as the state religion and make non-Muslims unwelcome.

According to a State Department report on International Religious Freedom for 2000, the status of respect for religious freedom has not changed fundamentally in recent years, and particularly in the South, the government continues to enforce numerous restrictions.

Authorities continue to restrict the activities of Christians, followers of traditional indigenous beliefs and other non-Muslims. Though the government says it respects all religions, the 1994 Societies Registration Act gives churches more freedom, Islam influences all laws and policies.

According to the State Department, the Government of Sudan denies permission to build churches, and there have been claims of harassment and arrest of citizens because of their religious beliefs and practices.

The law prevents the building of new churches or proselytizing by non-Muslims. Missionaries claim to be harassed continually and prevented from doing the work. The atrocities in Sudan cannot and should not be tolerated.

The individual freedoms familiar to us in America embodied in the Jeffersonian principles of religious freedom and individual dignity must be restored to the Sudanese people.

Mr. Chairman, I urge my colleagues to join me in voting for the Sudan Peace Act.

Mr. ROYCE. Mr. Chairman, I yield such time as he may consume to the gentleman from Texas (Mr. ARMEY), the majority leader.

Mr. ARMEY. Mr. Chairman, let me begin by thanking the committee for bringing this bill to the floor; thanking my colleagues that have risen to speak on this bill today.

Mr. Chairman, we are a great Nation. We are a Nation of people that have led the world in compassion and concern. We are a Nation of people that have always raised our voice for freedom, fair and decent treatment, safety and security for all the nations and all the people's of the world.

It comes as no surprise to anybody in this Chamber to be reminded of the times when we raised our voice on behalf of the people that were victimized in Bosnia, Kosovo, Rwanda, and Somalia, but the over 2 million people in Sudan who have been slaughtered represents more victims than all of those nations combined.

The horror, the torture, the terror, and the slavery is unspeakable. We are counseled too many times to not speak about them.

How do we draw a picture of this violence and its scope and its breadth? How do we tell a world that it must not tolerate the horrible petrifying insanity of it all?

I have selected one story of one victim. Mr. Chairman, this story is going to break your heart; but the story is true. It is true in the lives of millions of people in Sudan. It will illustrate to you why we must demand, intercede, and prevent this from continuing.

The young woman saw her baby's throat slit by an intruder. She then saw the baby's head severed completely from its body. After she was raped, she was forced to carry the baby's head on a march north and was eventually ordered to throw her child's head into a fire before she was forced into slavery.

□ 1400

She eventually escaped that bondage and found a way to freedom and safety. But can one know, can one imagine the horror of the memories, the fear in her heart for others that she left behind that she loved so much who she must know are going through these same experiences.

This cannot be tolerated. No nation on this Earth can fail to raise its voice. We must raise our voice today, and we do. Mr. Chairman, I am going to predict that every person in this Chamber today is going to cast a vote that is going to be a vote on behalf of these families, these babies, these mothers, and these people.

I pray, Mr. Chairman, with all my heart that we need never again be required to revisit this issue on behalf of these poor souls.

Mr. WATTS of Oklahoma. Mr. Chairman, I would first like to thank Chairmen HENRY HYDE and ED ROYCE, Congressmen TOM TANCREDO, TONY HALL and all of my colleagues on both sides of the aisle who have fought so hard to bring national and international attention to the heinous, on-going crisis in the Sudan.

Mr. Chairman, I rise today in strong support of H.R. 2052, the Sudan Peace Act. In America, our problems pale in significance to the war, slavery and famine in the largest country in Africa. Two million men, women and children have died in a war that has no end in sight. Millions more are displaced from their homes, often hungry and poor—searching for new homes and not knowing where their next meal will come from. They are refugees within their own country and surrounding nations. They cry for help. They beg for mercy. They look for any aid anyone can offer.

Secretary of State Colin Powell testified to Congress this past March, saying the Sudan is "the greatest tragedy on the face of the earth."

Can any one of us here in this chamber picture himself captured and forced into slavery, traded for pennies or food? We are so blessed in this great land of ours—it is impossible to envision ourselves as captive slaves. But slavery is a way of life for people in southern Sudan who must live every day in fear of government-sanctioned raiding parties.

Abraham Lincoln once said: "Whenever I hear anyone arguing for slavery, I feel a strong impulse to see it tried on him personally." President Lincoln knew the evils of slavery in America, and the hypocrisy connected with those who would argue in its favor. But the end of slavery within our borders has not transcended to the Sudan—where slavery plagues society.

The National Islamic Front government's unrelenting efforts to oppress and even eliminate the predominantly black, Christian and southern Sudanese people must be stopped. They have consistently interfered with the delivery of food and medicine into southern Sudan. Government troops have repeatedly bombed international relief sites, schools and other civilian areas in an attempt to disrupt distribution of desperately-needed humanitarian supplies. This is unconscionable. The Sudan Peace Act before us today encourages the development of alternative means to get food and medicine to the people of these regions. It also requires business disclosures so investors will be informed of exactly who and what they are supporting.

My colleagues, we must work to ensure that every effort is made to get humanitarian aid to an oppressed and starving populace. The peace process must be encouraged. Slavery must be condemned in no uncertain terms. The Sudan Peace Act does all of this—and more. I urge passage of this bill to help the men, women and children in the Sudan who cry unceasingly, day by day, for help.

Mr. HASTINGS of Florida. Mr. Chairman, I rise today in tremendous support of H.R. 2052, The Sudan Peace Act. This bill will decrease the suffering in which the terrible atrocities are inflicting on the people of The Sudan.

The Sudan Peace Act declares that Congress denounces any human right violations by all sides of the conflict in Sudan (including the Government of Sudan). It directs the U.S. representative to the United Nations to seek to end the veto power of the Sudanese government over the relief programs to Sudanese civilians. Further, it revises Operation Lifeline Sudan (OLS); provide additional support for internationally sanctioned peace process written by the secretary of state to support the peace process, and condemns the bombing of innocent civilian targets.

Mr. Chairman, this legislation requires all businesses that operate in Sudan and trade securities in the U.S. to file disclosure forms with the Securities and Exchange Commission. Thus if these businesses fail to file disclosure forms, the Securities and Exchange Commission will prohibit them from trading securities in U.S. markets. In addition, the State Department, is required within six months of enactment, to report to Congress on income generated by the development of Sudan's oil-producing sector. Finally, the act urges the use of $10 million provided in the FY 2001 Foreign Operations Appropriations Act.

The civil war in Sudan has raged for nearly twenty years, mainly between the National Islamic Front government in the north and Christians and animist rebels in the south, killing more than two million Sudanese directly or through malnutrition and starvation.

In particular, by regularly outlawing relief flights of the United Nations' Operation Lifeline Sudan, the Sudanese government has manipulated the receipt of food and use starvation as a weapon of war. The government also has been accused of supporting raiding and enslaving parties to disrupt areas of the country outside its direct control. As a result, millions have been rendered homeless thereby creating one of the world's largest refugee problems.

Mr. Chairman, I therefore strongly encourage my colleagues to support H.R. 2052, the Sudan Peace Act. With thousands of Sudanese people suffering due to starvation, lack of malnutrition, enslavement, and wide scale bombing of civilian targets, it is my sincere hope that through legislation we will establish peace in The Sudan.

Mr. RANGEL. Mr. Chairman, I rise today to speak out against the horrible atrocities taking place daily in the Sudan as a result of the eighteen-year civil war and in support of H.R. 2052, the Sudan Peace Act. I would like to commend my colleague, Mr. TANCREDO, and others for introducing this very important legislation.

Under the Sudan Peace Act, Congress condemns violations of human rights abuses on all sides of the conflict in Sudan, and calls on the President to make funds available for humanitarian assistance. This legislation expresses the sense of Congress that the United Nations should be used as a tool to facilitate peace and recovery in Sudan. It calls for an investigation into the practice of slavery, condemns the aerial bombardment of civilians, and prohibits business entities engaged in commercial activities in Sudan from trading

their securities in U.S. capital markets unless they make public disclosure of their activities in Sudan.

It is time for the United States to take a strong stand against this egregious situation in the Sudan and work together with the international community to bring peace to the region. Slavery, aerial bombardment of civilians, and other human rights abuses victimize the people of Sudan. I believe that the United States must use diplomatic means to bring an end to the civil war and these serious human rights abuses.

Since the current conflict erupted in 1983, Sudan has been at war intermittently from the time its independence was obtained in 1956. An estimated 2.2 million people have died as a result of war-related causes, such as, oil production and religious persecution. More than 4 million people, mostly southern Sudanese, have been displaced from their homes.

I commend President Bush on his appointment of Andrew Natsios, as special humanitarian coordinator for Sudan to facilitate U.S. assistance. But I again urge the President to appoint a Special Envoy to Sudan, who will be afforded the independence necessary to do the required job of facilitating the peace process. Mr. Natsios' appointment demonstrates that the United States is taking a leadership role in resolving the situation in the Sudan, however we as a nation must continue our efforts to bring an end to the atrocities in the Sudan.

Also, I applaud Secretary of State Powell for recognizing the tragedy that is underway in Sudan and for ordering a review of Administration policy. To begin with, the U.S. should use every means at its disposal to bring the military hostilities to an immediate end.

At the same time, we should apply every bit of moral persuasion and condemn in the loudest possible voice the unspeakable violations of human rights being perpetrated against the weakest members of that society.

No one has done more to express the outrage of Americans or worked harder to end the suffering in the Sudan than my dear friend Joe Madison who has worked endlessly to end the pain and suffering of slavery in Sudan. Joe along with others has diligently worked to inform the American public about the human rights abuses taking place in Sudan. He has traveled to the Sudan region many times on slave redemption missions freeing slaves and working to end slavery. Mr. Madison is truly a freedom fighter and I commend him on his efforts.

In the Sudan the world is faced with a human rights nightmare of the first order. We have the opportunity, indeed the responsibility, to use our international leadership to bring peace to the region by ending both the civil war and the heartbreaking enslavement of women and children which has intensified as a result of the hostilities.

As a nation with first-hand knowledge of the savagery of slavery, of the misery to its victims, and the suffering of future generations, we must recoil in horror at the practice of slavery in Sudan. Our ultimate goal must be to work with the international community to end the brutal civil war, which is the root cause of these atrocities and bring peace to the country of Sudan.

Mr. KNOLLENBERG. Mr. Chairman, I rise to offer support for H.R. 2052, the Sudan Peace Act, which will help facilitate solutions to the problems of famine and war in Sudan. First, let me say a special thanks to all the sponsors, especially TOM TANCREDO, and the Committee on International Relations as well as the Subcommittee on Africa, for their hard work and leadership in developing this bill. I would like to also commend House leadership for bringing this bill to the House floor.

The crisis in Sudan has resulted in two million casualties due to famine and the continuing war. The 18-year civil war in Sudan has fueled an on-going religious conflict between Muslins and Christians and has challenged our relations with Sudan due to its human rights violations and support of international terrorism. Despite this, I am hopeful this bill can help to address the problems and bring forth a peaceful resolution to the current situation. With that said, H.R. 2052 should be supported by the House and Senate chambers.

In fiscal year 2000, the United States provided a total of $93.7 million in assistance to Sudan. These funds go to help create a civil administration, assist in conflict resolution and provide support for non-governmental organizations. Our financial assistance has eased the hardship for those in need of food assistance.

Congress should adopt this legislation so we can help Sudan and improve our relationship with them as well.

Again, I want to express my thanks to TOM TANCREDO, and the Committee on International Relations, and the Subcommittee on Africa for their dedication and effort on this bill, and I encourage my colleagues to vote in support of H.R. 2052.

Mr. TIAHRT. Mr. Chairman, I rise today in strong support for H.R. 2052, the Sudan Peace Act. The atrocities in the Sudan deserve immediate attention and aid from the United States. It is our duty as the ''world's only superpower'' to stand up for those who cannot stand up for themselves.

Many articles have been written in recent months regarding the growing support for U.S. intervention in the Sudan. What struck me most about these articles was their emphasis on how this cause has attracted broad support across political lines. As Newsweek noted:

> The Muslim government's alleged persecution of southern Christians is the key issue for many of the rebels' fiercest U.S. supporters. For prominent African-Americans like Coretta Scott King, the hot button is Khartoum's toleration of slavery and the use of slave-raiding privateers as paramilitary forces in the war against the south. For other activists the overriding concern is the government's ethnic-cleansing campaign against southern peoples such as the Dinka. Late last year the United States Holocaust Memorial Museum joined the fight, declaring through its ''committee on conscience'' that Khartoum's atrocities against the southerners warranted an unprecedented ''genocide warning.''

It is not surprising that the fighting in Sudan has attracted attention from such divergent populations. All humans should be outraged by the 18 year war that has taken over 2 million lives and destroyed countless homes, crops, medical facilities, and churches. Equally appalling is the Khartoum's refusal to allow humanitarian aid. They have even gone so far as to directly target international humanitarian relief agencies such as the Red Cross and Doctors Without Borders by aerial bombings.

Christians have been persecuted, thousands of non-Muslims have been forced into slavery, the destruction of crops has caused thousands more to starve. Additionally, the areas north and south of the oil development center have been the site of the most heinous crimes. In order to clear the region to facilitate oil production and thus bring in money for their government, the military annihilates whole villages. According to one report the Sudanese military first attacks a village with bombs to scatter villagers. Then troops and helicopter gunships enter—torching homes and foodstuffs and killing all they come across. It is not uncommon for the elderly and young to burn alive in their homes.

I am ashamed that our wonderful, caring nation has not taken a large role in stopping this barbarism. Apparently former Secretary of State Madeline Albright's reasoning was that the cause was ''not marketable to the American people.'' Marketable or not, this does not excuse our relative indifference as a nation to our fellow men and women being tortured and slain in the Sudan. I am proud that today we are taking a stand—facilitating humanitarian aid, holding businesses accountable for their activities in the Sudan oil trade that funds the government's heinous behavior, and most importantly directing the State Department to take an active role in implementing peace in Sudan.

I am happy that so many of my colleagues and fellow Americans are in such strong support of this legislation, but even if they weren't it would still be the right thing to do. ''Marketable'' or not, the United States must work towards ending the atrocities in the Sudan.

Mr. FALEOMAVAEGA. Mr. Chairman, I rise in strong support of the legislation before us, H.R. 2052, which, among other things, condemns the National Islamic Front Government of Sudan; calls for increased diplomatic peace efforts including the appointment of a Special Envoy; supports the famine relief efforts of Operation Lifeline Sudan; and requires foreign companies doing business in Sudan to publicly disclose their activities if they seek access to U.S. capital markets.

Mr. Chairman, I congratulate the distinguished gentleman from Colorado, Mr. TANCREDO, for introducing this important measure. I also wish to recognize the distinguished gentleman from New Jersey, Mr. PAYNE, the Ranking Democrat of the House International Relations Africa Subcommittee, for his longtime leadership and extensive work to bring peace to Sudan, as well as other nations in the region. I further commend the Chairman and the Ranking Democratic Member of the House International Relations Committee, Mr. HYDE and Mr. LANTOS, for bringing this matter to the floor. I am honored to join my colleagues in support of this bi-partisan legislation.

Mr. Chairman, we must do all that we can to stop the senseless tragedy in Sudan. Although the civil war has gone on for four decades, since 1983 the conflict has heightened and resulted in a humanitarian disaster. The

Government of Sudan is responsible and must be condemned in the strongest terms of committing genocide against its own people.

By aerial bombardment of civilians, mass slavery, rape, unspeakable war crimes and obstruction of humanitarian relief efforts—over two million Sudanese have died at the hands of the government in Khartoum. These atrocities have been compounded by the displacement of four million other Sudanese, who have been driven from their homes.

Mr. Chairman, last month Secretary of State Colin Powell visited Sudan, committing the United States to make peace in that nation a priority.

The legislation before us will significantly assist those efforts by holding the Government of Sudan accountable for its humanitarian violations and calling for their immediate end; urging U.S. leadership of multilateral and bilateral peace processes in Sudan; and encouraging disinvestment in foreign firms doing business in Sudan, particularly those oil companies whose activities are directly contributing to the escalation of war in Sudan.

Mr. Chairman, I strongly urge our colleagues to adopt this important legislation.

Mr. HYDE. Mr. Chairman, three weeks ago, I received two conflicting messages regarding the situation in Sudan. One was a May 24 press release from the Sudanese embassy announcing, with great fanfare, that the Government of Sudan had taken ''a unilateral step toward peace'' by declaring an immediate halt to aerial bombing attacks in the south and the Nuba Mountains.

The other message, from Catholic clergy members, reported that the priests living in southern parts of the El Obeid Diocese had been driven into the bush by ''ferocious assaults by Sudanese government forces.''

As additional reports filtered out of this remote area of the Nuba Mountains from a variety of sources, it became clear that the Government of Sudan had launched a massive ground and air attack while it was simultaneously issuing press releases about its commitment to peace.

Government forces burned more than 2,000 homes during this attack. They apparently hope to starve the local population, still at large, into concentration camps called, in the best Orwellian tradition, ''Peace Villages.''

This contrast between word and deed underlines the importance of today's consideration of the Sudan Peace Act. I am grateful to Mr. TANCREDO for introducing it, and also to Mr. ROYCE and Mr. PAYNE for their excellent leadership of the Africa Subcommittee. The Committee on International Relations ordered the bill favorably reported on June 6, 2001.

I would also like to call attention to the tireless work of the Catholic Bishops Conference, the Commission on International Religious Freedom, the NAACP, and countless individuals and organizations across the country that have given this matter the profile and attention it deserves.

The measure before us is more than symbolic. It will give the President the discretion he needs to reprogram and reallocate quickly any portion of humanitarian resources the United States currently gives to Operation Lifeline Sudan. Despite efforts to carry out its humanitarian mission without interference, Operation Lifeline Sudan has frequently been manipulated by the government of Sudan. We should make no mistake: the denial of food is used as a weapon of war in Sudan. This provision suspends our government's standard but often time-consuming notification procedures if the President deems it necessary to deliver life-saving assistance by other means.

In addition, this measure will shed light on those international companies doing business in Sudan as well as how that business may support the government's war-fighting ability. This is not a sanction, but a beam of light directed at some of the hidden aspects of the global economy.

Given the nationwide, grassroots effort by Americans of all political parties and races to raise awareness about the suffering of the people of Sudan, it is only proper that investors should know whether a particular company is doing business in Sudan.

The Sudan Peace Act is important in what it does, but also in what it does not do. It does not in any way hinder the executive branch in its responsibility to conduct the foreign affairs of this nation.

In his first appearance before this Committee as Secretary of State, Secretary Powell stated that Sudan was a tragedy that would command his full attention. In characteristic fashion, the Secretary appears to be backing up what he said.

Against expectations from some in the media, Secretary Powell has taken an early trip to Africa and has focused to a considerable extent on the conflict in Sudan. He has indicated that the Administration will soon appoint an experienced and capable special envoy. He has been unequivocal in his remarks regarding the ongoing abuses in Sudan. He has committed $3 million to improve the capabilities of the rebel alliance to hold its own at the bargaining table.

In short, we are beginning to see the attention we have urged. This measure supports and encourages those efforts without being unduly prescriptive to Administration officials, some of whom already know a thing or two about dealing with rogue nations.

I urge my colleagues to support this measure.

Mr. Chairman, I submit for the RECORD an exchange of letters between Chairman OXLEY and myself concerning the bill under consideration, H.R. 2052, the Sudan Peace Act.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON FINANCIAL SERVICES,
Washington, DC, June 6, 2001.

Hon. HENRY J. HYDE,
Chairman, Committee on International Relations, Washington, DC.

DEAR HENRY: I understand that the Committee on International Relations today ordered H.R. 2052, the Sudan Peace Act, reported to the House. As you know, the Committee on Financial Services was granted an additional referral upon the resolution's introduction pursuant to the Committee's jurisdiction over securities and exchanges under Rule X of the Rules of the House of Representatives.

Because of the importance of this matter, I recognize your desire to bring this legislation before the House in an expeditious manner and will waive consideration of the resolution by the Financial Services Committee. By agreeing to waive its consideration of the resolution, the Financial Services Committee does not waive its jurisdiction over H.R. 2052. In addition, the Committee on Financial Services reserves its authority to seek conferees on any provisions of the resolution that are within the Financial Services Committee's jurisdiction during any House-Senate conference that may be convened on this legislation. I ask your commitment to support any request by the Committee on Financial Services for conferees on H.R. 2052 or related legislation.

I request that you include this letter and your response as part of the Congressional Record during consideration of the legislation on the House floor.

Thank you for your attention to these matters.

Sincerely,

MICHAEL G. OXLEY,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON INTERNATIONAL RELATIONS,
Washington, DC, June 6, 2001.

Hon. MICHAEL OXLEY,
Chairman, Committee on Financial Services, Washington, DC.

DEAR MIKE: I have received your letter concerning H.R. 2052, the Sudan Peace Act. It is our intention to take this bill to the floor in an expeditious manner. We understand that language in the bill, as ordered reported, falls within the Rule X jurisdiction of the Committee on Financial Services.

We recognize your jurisdiction over this subject matter, and appreciate your willingness to waive your right to consider this bill without waiving your jurisdiction over the general subject matter. I will support the Speaker's naming members of your committee as conferees on the matter should it proceed to conference.

As you have requested, I will include this exchange of letters in the Record during consideration of the bill.

I appreciate your assistance in getting this important bill to the floor.

Sincerely,

HENRY J. HYDE,
Chairman.

Ms. PELOSI. Mr. Chairman, I rise today in strong support of the Sudan Peace Act (H.R. 2052). I would like to thank Congressman TANCREDO for introducing this important legislation and Representatives DONALD PAYNE, TOM LANTOS, and FRANK WOLF for their active roles in pushing Sudan to the top of the foreign policy agenda. It is important for Members of Congress, on both sides of the aisle, to speak out in a collective voice against the suffering of the people of Sudan.

Sudan's civil war and the Sudanese Government's genocidal policies have taken a terrible toll on the civilians of that country. The horror that afflicts Sudan is staggering: over 2 million people have been killed and another 5 million driven from their homes. The situation in Sudan is rapidly getting worse and must be seriously addressed before the scale of death and destruction increases. Clearly, there must be international pressure to promote a just and lasting peace to this tragic conflict.

Sudan has one of the worst human rights records in the world. According to the U.S. State Department, the Government of Sudan continues to abuse human rights including the bombing of civilian and humanitarian targets, abduction and enslavement by government-sponsored militias, and manipulation of humanitarian assistance as a weapon of war.

The Sudan Peace Act offers the beginning of a framework for a solution to ending the crisis. The bill requires all businesses trading securities in the United States capital markets and operations in Sudan to disclose fully the extent and nature of their operations, particularly oil operations, which are fueling the constant attacks against the southern Sudanese. The legislation also strongly condemns the human rights abuses committed by the Government of Sudan, continues support for humanitarian assistance distribution through Operation Lifeline Sudan, and urges the President to use $10 million appropriated last year to assist the Sudanese opposition, the National Democratic Alliance (NDA).

I am encouraged by the Bush administration's recent statements that it will soon appoint a high-profile Special Envoy to Sudan to serve as a catalyst in the stalled peace talks. The appointment of an envoy could be the difference in bringing peace to Sudan.

I urge my colleagues to vote in favor of this bipartisan legislation to help end the campaign of violence against the people of Sudan.

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

The CHAIRMAN. All time for general debate has expired.

The bill shall be considered by section as an original bill for the purpose of amendment; and pursuant to the rule, each section is considered read.

During consideration of the bill for amendment, the Chair may accord priority in recognition to a Member offering an amendment that he has printed in the designated place in the CONGRESSIONAL RECORD. Those amendments will be considered read.

The Clerk will designate section 1.

The text of section 1 is as follows:

H.R. 2052

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 ''Sudan Peace Act''.

The CHAIRMAN. Are there any amendments to section 1?

Mr. ROYCE. Mr. Chairman, I ask unanimous consent that the remainder of the bill be printed in the RECORD and open to amendment at any point.

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

There was no objection.

The text of the remainder of the bill is as follows:

SEC. 2. FINDINGS.

The Congress makes the following findings:

(1) The Government of Sudan has intensified its prosecution of the war against areas outside of its control, which has already cost more than 2,000,000 lives and has displaced more than 4,000,000 people.

(2) A viable, comprehensive, and internationally sponsored peace process, protected from manipulation, presents the best chance for a permanent resolution of the war, protection of human rights, and a self-sustaining Sudan.

(3) Continued strengthening and reform of humanitarian relief operations in Sudan is an essential element in the effort to bring an end to the war.

(4) Continued leadership by the United States is critical.

(5) Regardless of the future political status of the areas of Sudan outside of the control of the Government of Sudan, the absence of credible civil authority and institutions is a major impediment to achieving self-sustenance by the Sudanese people and to meaningful progress toward a viable peace process.

(6) Through the manipulation of traditional rivalries among peoples in areas outside of its full control, the Government of Sudan has used divide-and-conquer techniques effectively to subjugate its population. However, internationally sponsored reconciliation efforts have played a critical role in reducing human suffering and the effectiveness of this tactic.

(7) The Government of Sudan utilizes and organizes militias, Popular Defense Forces, and other irregular units for raiding and enslaving parties in areas outside of the control of the Government of Sudan in an effort to disrupt severely the ability of the populations in those areas to sustain themselves. The tactic helps minimize the Government of Sudan's accountability internationally.

(8) The Government of Sudan has repeatedly stated that it intends to use the expected proceeds from future oil sales to increase the tempo and lethality of the war against the areas outside of its control.

(9) By regularly banning air transport relief flights by the United Nations relief operation, Operation Lifeline Sudan (OLS), the Government of Sudan has been able to manipulate the receipt of food aid by the Sudanese people from the United States and other donor countries as a devastating weapon of war in the ongoing effort by the Government of Sudan to starve targeted groups and subdue areas of Sudan outside of the Government's control.

(10) The acts of the Government of Sudan, including the acts described in this section, constitute genocide as defined by the Convention on the Prevention and Punishment of the Crime of Genocide (78 U.N.T.S. 277).

(11) The efforts of the United States and other donors in delivering relief and assistance through means outside of OLS have played a critical role in addressing the deficiencies in OLS and offset the Government of Sudan's manipulation of food donations to advantage in the civil war in Sudan.

(12) While the immediate needs of selected areas in Sudan facing starvation have been addressed in the near term, the population in areas of Sudan outside of the control of the Government of Sudan are still in danger of extreme disruption of their ability to sustain themselves.

(13) The Nuba Mountains and many areas in Bahr al Ghazal and the Upper Nile and the Blue Nile regions have been excluded completely from relief distribution by OLS, consequently placing their populations at increased risk of famine.

(14) At a cost which has sometimes exceeded $1,000,000 per day, and with a primary focus on providing only for the immediate food needs of the recipients, the current international relief operations are neither sustainable nor desirable in the long term.

(15) The ability of populations to defend themselves against attack in areas outside of the control of the Government of Sudan has been severely compromised by the disengagement of the front-line states of Ethiopia, Eritrea, and Uganda, fostering the belief among officials of the Government of Sudan that success on the battlefield can be achieved.

(16) The United States should use all means of pressure available to facilitate a comprehensive solution to the war in Sudan, including—

(A) the multilateralization of economic and diplomatic tools to compel the Government of Sudan to enter into a good faith peace process;

(B) the support or creation of viable democratic civil authority and institutions in areas of Sudan outside of government control;

(C) continued active support of people-to-people reconciliation mechanisms and efforts in areas outside of government control;

(D) the strengthening of the mechanisms to provide humanitarian relief to those areas; and

(E) cooperation among the trading partners of the United States and within multilateral institutions toward those ends.

SEC. 3. DEFINITIONS.

In this Act:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate.

(2) GOVERNMENT OF SUDAN.—The term ''Government of Sudan'' means the National Islamic Front government in Khartoum, Sudan.

(3) OLS.—The term ''OLS'' means the United Nations relief operation carried out by UNICEF, the World Food Program, and participating relief organizations known as ''Operation Lifeline Sudan''.

SEC. 4. CONDEMNATION OF SLAVERY, OTHER HUMAN RIGHTS ABUSES, AND TACTICS OF THE GOVERNMENT OF SUDAN.

The Congress hereby—

(1) condemns—

(A) violations of human rights on all sides of the conflict in Sudan;

(B) the Government of Sudan's overall human rights record, with regard to both the prosecution of the war and the denial of basic human and political rights to all Sudanese;

(C) the ongoing slave trade in Sudan and the role of the Government of Sudan in abetting and tolerating the practice;

(D) the Government of Sudan's use and organization of ''murahalliin'' or ''mujahadeen'', Popular Defense Forces (PDF), and regular Sudanese Army units into organized and coordinated raiding and slaving parties in Bahr al Ghazal, the Nuba Mountains, and the Upper Nile and the Blue Nile regions; and

(E) aerial bombardment of civilian targets that is sponsored by the Government of Sudan; and

(2) recognizes that, along with selective bans on air transport relief flights by the Government of Sudan, the use of raiding and slaving parties is a tool for creating food shortages and is used as a systematic means to destroy the societies, culture, and economies of the Dinka, Nuer, and Nuba peoples in a policy of low-intensity ethnic cleansing.

SEC. 5. USE OF APPROPRIATED FUNDS.

The Congress urges the President to promptly make available to the National Democratic Alliance the $10,000,000 in funds appropriated for assistance to such group under the heading ''OTHER BILATERAL ECONOMIC ASSISTANCE, ECONOMIC SUPPORT FUND'' in title I of H.R. 5526 of the 106th Congress, as enacted into law by section 101(a) of Public Law 106–429.

SEC. 6. SUPPORT FOR AN INTERNATIONALLY SANCTIONED PEACE PROCESS.

(a) FINDINGS.—The Congress hereby recognizes that—

(1) a single viable, internationally and regionally sanctioned peace process holds the greatest opportunity to promote a negotiated, peaceful settlement to the war in Sudan; and

(2) resolution of the conflict in Sudan is best made through a peace process based on the Declaration of Principles reached in Nairobi, Kenya, on July 20, 1994.

(b) UNITED STATES DIPLOMATIC SUPPORT.—The Secretary of State is authorized to utilize the personnel of the Department of State for the support of—

(1) the ongoing negotiations between the Government of Sudan and opposition forces;

(2) any necessary peace settlement planning or implementation; and

(3) other United States diplomatic efforts supporting a peace process in Sudan.

SEC. 7. MULTILATERAL PRESSURE ON COMBATANTS.

It is the sense of the Congress that—

(1) the United Nations should be used as a tool to facilitate peace and recovery in Sudan; and

(2) the President, acting through the United States Permanent Representative to the United Nations, should seek to—

(A) revise the terms of OLS to end the veto power of the Government of Sudan over the plans by OLS for air transport relief flights and, by doing so, to end the manipulation of the delivery of relief supplies to the advantage of the Government of Sudan on the battlefield;

(B) investigate the practice of slavery in Sudan and provide mechanisms for its elimination; and

(C) sponsor a condemnation of the Government of Sudan each time it subjects civilians to aerial bombardment.

SEC. 8. DISCLOSURE OF BUSINESS ACTIVITIES IN SUDAN.

(a) DISCLOSURE REQUIREMENTS.—No entity that is engaged in any commercial activity in Sudan may trade any of its securities (or depository receipts with respect to its securities) in any capital market in the United States unless that entity has disclosed, in such form as the Securities and Exchange Commission shall prescribe—

(1) the nature and extent of that commercial activity in Sudan, including any plans for expansion or diversification;

(2) the identity of all agencies of the Sudanese Government with which the entity is doing business;

(3) the relationship of the commercial activity to any violations of religious freedom and other human rights in Sudan; and

(4) the contribution that the proceeds raised in the capital markets in the United States will make to the entity's commercial activity in Sudan.

(b) DISCLOSURE TO THE PUBLIC.—The Securities and Exchange Commission shall take the necessary steps to ensure that disclosures under subsection (a) are published or otherwise made available to the public.

(c) ENFORCEMENT AUTHORITY.—The President may exercise the authorities he has under the International Emergency Economic Powers Act to assist the Securities and Exchange Commission in carrying out this section.

SEC. 9. REPORTING REQUIREMENT.

Not later than six months after the date of the enactment of this Act, and annually thereafter, the Secretary of State shall prepare and submit to the appropriate congressional committees a report regarding the conflict in Sudan. Such report shall include—

(1) a description of the sources and current status of Sudan's financing and construction of infrastructure and pipelines for oil exploitation, the effects of such financing and construction on the inhabitants of the regions in which the oil fields are located, and the ability of the Government of Sudan to finance the war in Sudan with the proceeds of the oil exploitation;

(2) a description of the extent to which that financing was secured in the United States or with involvement of United States citizens;

(3) the best estimates of the extent of aerial bombardment by the Government of Sudan, including targets, frequency, and best estimates of damage; and

(4) a description of the extent to which humanitarian relief has been obstructed or manipulated by the Government of Sudan or other forces.

SEC. 10. CONTINUED USE OF NON-OLS ORGANIZATIONS FOR RELIEF EFFORTS.

(a) SENSE OF CONGRESS.—It is the sense of the Congress that the President should continue to increase the use of non-OLS agencies in the distribution of relief supplies in southern Sudan.

(b) REPORT.—Not later than 90 days after the date of enactment of this Act, the President shall submit to the appropriate congressional committees a detailed report describing the progress made toward carrying out subsection (a).

SEC. 11. CONTINGENCY PLAN FOR ANY BAN ON AIR TRANSPORT RELIEF FLIGHTS.

(a) PLAN.—The President shall develop a contingency plan to provide, outside the auspices of the United Nations if necessary, the greatest possible amount of United States Government and privately donated relief to all affected areas in Sudan, including the Nuba Mountains and the Upper Nile and the Blue Nile regions, in the event that the Government of Sudan imposes a total, partial, or incremental ban on OLS air transport relief flights.

(b) REPROGRAMMING AUTHORITY.—Notwithstanding any other provision of law, in carrying out the plan developed under subsection (a), the President may reprogram up to 100 percent of the funds available for support of OLS operations (but for this subsection) for the purposes of the plan.

SEC. 12. INVESTIGATION OF WAR CRIMES.

(a) IN GENERAL.—The Secretary of State shall collect information about incidents which may constitute crimes against humanity, genocide, war crimes, and other violations of international humanitarian law by all parties to the conflict in Sudan, including slavery, rape, and aerial bombardment of civilian targets.

(b) REPORT.—Not later than six months after the date of the enactment of this Act and annually thereafter, the Secretary of State shall prepare and submit to the appropriate congressional committees a detailed report on the information that the Secretary of State has collected under subsection (a) and any findings or determinations made by the Secretary on the basis of that information. The report under this subsection may be submitted as part of the report required under section 9.

(c) CONSULTATIONS WITH OTHER DEPARTMENTS.—In preparing the report required by this section, the Secretary of State shall consult and coordinate with all other Government officials who have information necessary to complete the report. Nothing contained in this section shall require the disclosure, on a classified or unclassified basis, of information that would jeopardize sensitive sources and methods or other vital national security interests.

The CHAIRMAN. Are there amendments to other sections of the bill?

AMENDMENT NO. 1 OFFERED BY MR. BACHUS

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 1 offered by Mr. BACHUS:

Insert the following after section 8 and redesignate the succeeding sections, and references thereto, accordingly:

SEC. 9. PROHIBITION ON TRADING IN U.S. CAPITAL MARKETS.

(a) PROHIBITION.—The President shall exercise the authorities he has under the International Emergency Economic Powers Act to prohibit any entity engaged in the development of oil or gas in Sudan—

(1) from raising capital in the United States; or

(2) from trading its securities (or depository receipts with respect to its securities) in any capital market in the United States.

(b) DEFINITION.—For purposes of this section, an entity is ''engaged in the development of oil or gas in Sudan'' if that entity is directly engaged in the exploration, production, transportation (by pipeline or otherwise), or refining of petroleum, natural gas, or petroleum products in Sudan.

Mr. BACHUS. Mr. Chairman, there was an article on the front page of the Washington Post on Monday, and it says, ''Oil money is fueling Sudan's war''. It goes on to say that Arab is killing non-Arab or African and Muslims are killing Christians. But one thing is in common, and that is that, and it says, Nile Blend crude is fueling this entire war.

It talks about the four oil companies that are in Sudan drilling for oil, turning the proceeds of that development over to the government. The government is hiring guns and arms and airplanes and helicopter gunships, and they are bombing the people of Sudan.

The quote in that article is the fighting follows the oil. If you can stop the oil revenue, you have a chance at stopping the fighting. That is exactly what this amendment does.

In fact, I offered this amendment to the Foreign Relations Authorization Act, this amendment and a disclosure amendment, which the gentleman from New Jersey (Mr. PAYNE) offered; and he got the disclosure amendment included in this bill.

I will introduce at this time a report of the United States Commission on International Religious Freedom, a bipartisan commission. They recommended that this Congress do two things. One is require disclosure, and that is in the bill; and, number two, that we stop these five oil companies from raising funds in the United States to develop these oil fields. They said that both would be necessary. So with

this amendment, we will add the other half of what is a necessary action.

Mr. Chairman, I include for the RECORD pages 131 and 132 of that report, as follows:

REPORT OF THE UNITED STATES COMMISSION ON INTERNATIONAL RELIGIOUS FREEDOM

The U.S. government should strengthen economic sanctions against Sudan and should urge other countries to adopt similar policies. The United States should prohibit any foreign company from raising capital or listing its securities in U.S. markets as long as it is engaged in the development of oil and gas fields in Sudan. The U.S. government should not issue licenses permitting the import of gum arabic from Sudan to the United States.

U.S. economic sanctions against Sudan should be strengthened and not reduced. They should be strengthened by (a) prohibiting access to U.S. capital markets for those non-U.S. companies engaged in the development of the Sudanese oil and gas fields, and (b) not issuing further licenses for the import of gum arabic to the United States.

The Commission is aware of the current debate both internationally and in the United States on the effectiveness of economic sanctions generally. Unilateral economic sanctions by the United States have not prevented foreign investment in Sudan's oil business, which has, in turn, provided the Sudanese government with significant financial support for its egregious human rights and humanitarian abuses. However, it has not been established that U.S. sanctions have been completely ineffective. They can continue, for example, to slow the rate of increase of foreign investment in Sudan and oil revenues to the Sudanese government. One way to increase the potential effectiveness of the sanctions is to convince other economic powers to adopt similar policies. In this regard, the Commission urges the U.S. government to encourage economic pressure on the Sudanese government in its bilateral relations at all levels with countries that engage in substantial trade with or provide significant foreign investment in Sudan.

Current sanctions prohibit investment by U.S. companies in Sudan. They also prohibit transactions between U.S. companies and the Greater Nile Petroleum Operating Company (Sudan's oil consortium) or Sudapet (Sudan's petroleum company).

In the absence of multilateral economic sanctions, however, preventing access to U.S. capital markets by foreign companies engaged in the oil-development business in Sudan targets a specific weakness in the current U.S. sanctions regime. The Commission recommends that foreign corporations doing business with Sudan's petroleum industry be prohibited from issuing or listing its securities on U.S. capital markets.

The Commission does not lightly recommend these significant restrictions on U.S. capital markets access, but believes that the specific conditions in Sudan warrant them. The government of Sudan is committing genocidal humanitarian and human rights abuses. There is a direct connection between oil production and those abuses. Foreign investment is critical to the development of Sudan's oil fields and maintaining oil revenues. Expanding U.S. sanctions in the area of capital markets access specifically targets what is likely the most significant resource that the Sudanese government has to prosecute the war.

Moreover, the issue of continuing economic sanctions against Sudan is one of principle as well as effectiveness. Reducing sanctions against Sudan at this time—after the Sudanese government has made no concessions but rather has increased its civilian bombings and other atrocities—would be to reward it for worsening behavior. This will send the wrong message to the government of Sudan and the international community.

With respect to licenses granted in 1999 and 2000 to permit U.S. imports of gum Arabic, the purpose of granting those licenses was to allow U.S. importers time to identify alternative sources of supply. Because a reasonable amount of time has elapsed, no further licenses should be granted, and efforts should be continued to identify alternate suppliers of this product.

If the government of Sudan demonstrates substantial, sustained, and comprehensive improvement in the human rights conditions for people throughout the country, the U.S. government should seriously re-evaluate its sanctions regime.

Companies that are doing business in Sudan should be required to disclose the nature and extent of that business in connection with their access to U.S. capital markets.

There is a significant, undesirable gap in U.S. law regarding Sudan and other CPC countries: In many cases, foreign companies that are doing business in Sudan can sell securities on U.S. markets without having to disclose fully (1) the details of the particular business activities in Sudan, including plans for expansion or diversification; (2) the identity of all agencies of the Sudanese government with which the companies are doing business; (3) the relationship of the business activities to violations of religious freedom and other human rights in Sudan; or (4) the contribution that the proceeds raised in the U.S. debt and equity markets will make to these business activities and hence, potentially to those violations. Across-the-board full disclosure of these details would prompt corporate managers to work to prevent their companies from supporting or facilitating these violations. It also would aid (1) U.S. investors in deciding whether to purchase the securities; (2) shareholders in exercising their ownership rights (including proposing shareholder resolutions for annual meetings and proxy statements); (3) the Treasury Department's Office of Foreign Assets Control in enforcing existing sanctions; and (4) U.S. policymakers in formulating sound policy with resect to Sudan and U.S. capital markets. The Commission recommends that the United States require such disclosure.

Mr. Chairman, let me say this, the question was asked, should we get involved? I would like to remind my colleagues of a story in the book of Esther where Esther is asked by Mordecai, ''Do you think if you hold your peace at a time like this that you shall escape judgment?'' Let me tell, my colleagues, it is a time such as this. It is a time when millions of people are being slain, where genocide is going on.

Mordecai also reminded Esther that she had been placed in a position of leadership and just to make such decisions as this. I believe that. I believe that those who serve here have been placed in a position of trust and leadership, and I think that, if we do not act, and we do not act decisively, I do not think that we can expect to escape. We have been placed here for a reason. We ought to undertake that obligation. That trust has been placed in us.

People have said to me, well, what will this interfere with? What will this do? We deny U.S. oil companies the right, and we should, to go over to Sudan and drill. We say, if you go over there, we will put you in jail. If you go over there, we will fine you. You should not be engaged in that activity.

But the paradox is that a foreign oil company can go over there. They can develop these oil fields. What they do with helicopter gunships and jet planes, they clear the land of people. They burn down the houses on the oil concessions and kill the people that live there and develop the oil. We need to say to those five oil companies, if they are going to do that, they are not going to raise money in the United States capital markets.

This will be a meaningful, positive step. I commend the gentleman from Colorado (Mr. TANCREDO). I commend the gentleman from California (Mr. ROYCE). I commend the gentleman from California (Mr. LANTOS). Let me say that by putting this amendment in the bill, it will be another decisive case in drying up the flow of oil revenue, which is blood money, which is resulting in the death of millions of people.

Mr. LANTOS. Mr. Chairman, I move to strike the last word.

Mr. Chairman, first of all, I want to thank the gentleman from Alabama (Mr. BACHUS) for this very important amendment, which I strongly support and urge all of our colleagues to support.

This amendment deals with the operation of foreign oil companies in the Sudan. The complicity of the foreign oil industry in this human destruction is one of the most shameful factors in this 17-year-old slaughter.

Canadian-owned Talisman Oil Company has publicly admitted that, in the year 2000, its Greater Nile Petroleum Operating Company's airstrips were used for offensive military purposes by military aircraft of the government of Sudan against innocent men, women and children who live in the south of the country.

We should not allow oil companies that are helping to prolong this bloody slaughter to raise capital or trade securities in the United States.

The call for sanctions in this amendment, Mr. Chairman, is consistent with efforts by the American people to send a strong message to oil companies doing business in Sudan. Major public institutional investors, such as the City of New York or the Texas Teachers Pension Fund, have divested themselves from Talisman Oil in protest of its explicit dealings with the Sudanese government.

Recently, a European coalition on oil in Sudan was launched, indicating that the campaign has now reached Europe to end the role of oil companies in the ongoing destruction of the Sudanese people.

Mr. Chairman, I strongly urge all Members to support this amendment, because it would be shameful to allow foreign oil companies to raise funds which are ultimately used for the genocide of the Sudanese people.

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

Mr. Chairman, we are in a full committee markup, and I ran out because I wanted to be here when this bill came up. One, I rise in strong support of the bill. I want to thank the gentleman from Colorado (Mr. TANCREDO) and the gentleman from California (Mr. ROYCE) and the gentleman from New Jersey (Mr. PAYNE) and the gentleman from New Jersey (Mr. SMITH) and the gentleman from California (Mr. LANTOS) and also Senators BROWNBACK and FRIST and the others over in the Senate for their good work.

I also rise in strong support of the amendment because oil is basically fueling this, bringing about death. There have been 2.2 million people that died in Sudan in the last 15 to 16 years. Every major terrorist group operating in the Middle East has an operation, a training camp outside of Khartoum. Disease, the sleeping sickness and so many of the diseases are running rampant in Sudan, particularly in the southern Sudan.

So the passage of this bill will send a message that the American people and the Congress care deeply about stopping the fighting, stopping the death, stopping the oil and stopping slavery. This is one of two or three countries in the world today where there is actually organized slavery.

So I just want to thank the committee and both sides of the aisle for bringing this up and for the good work. When the people in Sudan find out tomorrow, through whatever sources that they find out, that this bill passed, hopefully by an overwhelming vote, hopefully with almost no ''no'' votes, it will send a message that the American Congress and the American Government cares, and we are committed to doing everything we can.

The Tancredo bill and this bill will do it, and the amendment, to bring about a just, and I stress the word ''just'', and a lasting peace.

Mr. Chairman, I want to thank my colleague from Colorado, Mr. TANCREDO, for his hard work on this legislation. We are considering this legislation today because of his leadership and persistence. He has been solid on Sudan issues and it is a pleasure to work with him to help bring a just peace to Sudan.

I also want to thank my colleague from New Jersey, Mr. PAYNE, the ranking member of the Africa subcommittee. I know he and Mr. TANCREDO worked together on this legislation and his commitment on Sudan throughout the years' has been outstanding.

I also want to thank Mr. ROYCE, the chairman of the Africa subcommittee, and Mr. HYDE, chairman of the International Relations Committee, for bringing the Sudan Peace Act to the floor for a vote today.

The Sudan Peace Act is good legislation and I believe that passing this legislation today will be a step forward in helping to end the suffering, death and destruction in Sudan.

I have been to Sudan four times since 1989, most recently visiting southern Sudan in January of this year. I have seen the conditions on the ground first-hand.

Since 1983, the government of Sudan has been waging a brutal war against factions in the south who are fighting for self-determination and religious freedom. More people have died in Sudan than in Kosovo, Bosnia, Somalia and Rwanda combined with the war resulting in over 2 million deaths and 4 million displaced people. Most of the dead are civilians—women and children—who die from starvation and disease caused by the war.

The U.S. Holocaust Memorial Museum has issued a genocide warning for Sudan. The Holocaust Museum's warning is a hallowed reminder of our very moral standing as human beings and compels us to never again be silent witnesses to the mass enslavement, mass starvation, mass murder of a people.

The Sudanese Government routinely attacks civilian targets, such as hospitals, churches, feeding centers, and uses aerial bombings to intimidate and kill the southern population. In the past several months, numerous hospitals, schools and feeding areas in the south have been bombed by the government, killing numerous innocent men, women and children.

By conservative estimates, the U.S. Committee on Refugees (USCR) confirms that the Government of Sudan bombed innocent civilians in southern Sudan over 167 times last year.

This year alone, the USCR confirms 20 bombings of civilians in southern Sudan, although this number now is certainly much higher. Recently, a Sudanese Government Antonov bomber dropped at least 16 bombs on the town of Narus, killing a 9-year-old child.

This year during the Easter holiday, the Government of Sudan bombed innocent civilians in the Nuba Mountains. The Roman Catholic Bishop of the area, Bishop Maccram Gassis, was on the ground and witnessed the attack. Bishop Gassis writes on the attack:

> It was Easter Monday, and I had just completed my Easter pastoral visit to my parishes in the Nuba Mountains—among the most important of my periodic visits during the year. At the airstrip, my personnel were loading our plane for departure when the Antonov bomber was spotted above the field. Everyone scattered and fell to the ground as four to six shells (by our calculations) fell some 500 feet from the end of the runway. . . .

And the bombing continues. According to the Associated Press, just a few days ago, the Khartoum regime reportedly killed 4 people in a bombing attack during a delivery of aid by the World Food Program. The bombing and killing of innocent civilians must stop and this legislation rightly condemns the Government of Sudan for its wanton bombardment of civilians.

Fueling Khartoum's ability to conduct its genocide against southern Sudan is oil. Today, major international oil companies are generating billions of dollars of annual revenue for the Khartoum regime. Khartoum has openly pledged to use this revenue for modern bombers, helicopter gun ships and other weapons in its war against the people of southern Sudan. Indeed, the June 11, 2001, Washington Post reports that because of its new oil revenue, the Government of Sudan has doubled its military spending since 1998 totaling $327 million in 2000.

In a recent speech I made at the U.S. Holocaust Museum, I said:

> The U.S. Commission on Religious Liberty has bravely called on the President to limit oil companies that finance the regime from access to U.S. capital markets. Here in this museum, in the literal shadow of exhibits of the slave labor practices of many German companies, in the face of what we know about the victimization of Jews at the hands of European banks, insurance companies, art galleries and other institutions, a clear message must be sent to the following oil companies: Talisman of Canada, the China National Petroleum Company, Petronas of Malaysia, Lundin of Sweden, Total/Fina/Elf of France, OMV of Austria—Enter into oil contracts with the genocidal regime in Sudan, and produce revenue for it, only at grave risk of losing—financially and otherwise—far more than you can possibly gain from those contracts.

This legislation takes a significant step in addressing the connection between oil and the Sudan Government's atrocities by stating that no company can list securities on U.S. exchanges unless a company fulfills comprehensive disclosure requirements about its business activities in Sudan.

While the acting chairman of the Securities and Exchange Commission (SEC), Laura Unger, has initiated several new disclosure requirements applying to companies invested in Sudan, the SEC requirements in this legislation go a long way toward ensuring the world knows what companies are aiding and abetting the regime in Khartoum.

Slavery exists today in the 21st century and this legislation rightly condemns the Government of Sudan's role in the ongoing slave trade. The Sudanese government has done nothing to stop the slavery. Slave traders from the north sweep down into southern villages and kidnap women and children who are then sold for use as domestic servants, concubines or other purposes. This is real life chattel slavery.

The Department of State 2000 Human Rights report describes slavery in Sudan, stating:

> . . . slavery persists, particularly affecting women and children. The taking of slaves, particularly in war zones, and their transport to parts of central and northern Sudan, continued. Credible reports persist of practices such as the sale and purchase of children, some in alleged slave markets . . . 10,000 to 12,000 slaves remain in captivity at year's end.

The Sudanese regime is also involved in the support of global terrorism. The National Commission on Terrorism reported in June 2000 that Sudan continues to support global terrorism by providing funding, refuge, training bases, and weapons to terrorists. The Sudan government was implicated in the 1995 assassination attempt on Egyptian President Hosni Mubarak. Nearly every major terrorist organization in the world is welcomed in Sudan.

Over the past decade, the U.S. has contributed over a billion dollars for relief and humanitarian aid for Sudan. I am glad that this legislation urges President Bush to promptly make available to the National Democratic Alliance $10 million in non-lethal, non-military aid previously authorized by Congress.

The Bush Administration is making the right moves on Sudan, appointing USAID Administrator Andrew Natsios as special coordinator for humanitarian assistance, approving more aid for the suffering in Sudan, and indicating a willingness to make bringing a just peace to Sudan a priority. As the appointment of a special envoy for Sudan by the Bush Administration is imminent, I am hopeful that the U.S. will play a more aggressive and assertive role in achieving a real and just peace. But we also need to bear down on the Khartoum government to stop its aggression against the south and reach a lasting peace.

The actions of the Sudanese government regarding human rights abuses and religious persecution toward its own people cannot be tolerated. Far too long and in too many circumstances the repressive and intolerable governments of the world have been allowed to engage—unopposed—in widespread human rights and religious freedom violations that strike at the core of being evil. We in Congress have an obligation not to let these governments or regimes go unopposed.

The Sudan Peace Act addresses one of the greatest humanitarian issues of our day—over 2 million have died—and yet it is tough on the regime in Khartoum. I strongly support this legislation and urge a unanimous vote.

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

Mr. Chairman, I rise, not only as a member of the Committee on International Relations, but as a member of the Committee on Financial Services.

Just a few weeks ago, I had a chance to tour both NASDAQ and the New York Stock Exchange. These exchanges are not only the center of American capitalism and the American securities market, they will soon be the unchallenged center for a world capital market. They are critical to the large international oil companies, not just those based in the United States, but those based in Europe and Japan as well. In fact, I think we will soon have a seamless market in which one invests through the two great exchanges of the United States in companies based anywhere in the world.

As others have said, it would simply be immoral if this great resource of the United States, our great securities markets, were to be used to raise capital, not just to do business from Sudan, but actually to support the Sudanese government. Because as others have pointed out, this is the source of money for this repressive regime. In fact, this is not just a repressive regime. This is the worst government in the world that benefits from substantial international investment. It is a country that practices a form of genocide and slavery, and that should not taint the American financial markets.

I will be back on this floor tomorrow to try to do everything I can to strengthen the American financial markets by reducing the fees that are imposed on each securities transaction. But as we strengthen these markets financially, we must also make them stronger morally and ethically. We can do that today by making sure that those companies that invest in the Sudanese oil sector do not take advantage of these increasingly important financial markets.

So I would hope that all of those who are concerned with the brutal mass murders and genocide in Sudan and all of those who are concerned with building the strongest possible financial markets in the United States would be here on this floor if a recorded vote is called to vote in favor of this amendment.

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

Mr. Chairman, I rise in opposition to this amendment, mainly because I do not think it is a good move to have the SEC internationalized to begin with, and to further internationalize it does not seem to make a whole lot of sense.

For one thing, cracking down more on foreign oil companies that are doing business in Sudan will not necessarily prohibit the benefits that may flow to the American oil companies if there is a change in government. We should not ignore that. We go to war over oil. We went to war over oil in the Persian Gulf, and certainly we had oil as an influence to send in many dollars and much equipment down into Colombia.

But just let me read from the bill. It says the Secretary of State will report back on a description of the sources and the current status of Sudan's financing and construction of infrastructure and pipelines for oil exploitation; the effects of such financing and construction of the inhabitants of the region. It goes on, which in a way does a lot of research and benefit for our oil companies that may benefit. So I think oil is involved, but in quite a different way than I think we should be involved in dealing with the foreign oil companies today. So I am not going to support this amendment.

I would like to take another moment to mention something which is considered an esoteric point, but I consider very important, and that has to do with the authority to do these kinds of things that we are doing today, no matter how well intended. The committee report explains the authority, and the supporters of the bill says the authority comes from article one, section 8, clause 18. And they look to the right place. Article one, section 8 gives us our 18 enumerated powers that we are permitted to do. The clause 18 is the necessary and proper clause: to make all laws which shall be necessary and proper for carrying into execution the foregoing powers.

The foregoing powers were those 18 issued. To use this in a generalized sense means there is no constitution left. That means any power we want, we can do whatever we want. That was specifically designed to pass laws to enforce those 18 enumerated powers. So this bill, in spite of all the good intentions that we hope it will do, really undermines the whole concept of the Doctrine of Enumerated Powers.

And we should not take that lightly, although this generally is not of much interest to so many people because we do so much and we have such great hopes that it will always do so much good. From just observing history, recent history, the last 20, 30, 40 years since World War II, so often when we get involved and we send money to help the good guys, it is not infrequent the good things that we send in, goods and services and weapons, end up in the hands of the opposition and the enemy. So that is always a possibility once again. These commodities and services and the things that we send and the money may well end up literally being used against the people we are trying to help.

The other thing that we tend to ignore here is we concentrate on the good things that we are going to accomplish. Miraculously, we are going to solve this problem by putting $10 million in today and $100 million in the next 5 years, and everything is going to be solved. We do not think about it failing, because that would be a negative, and we do not want to think about that. We do not think about the Constitution, and we do not think about who pays. Somebody always has to pay. This is token. Who cares about $10 million? When we take $10 million out of the economy, there is somebody who suffered; somebody did not get a house or somebody lost a job. But they are not identifiable. They do not have a lobbyist. They are lost. But they are penalized. There is always a cost.

And even if we assume we have a surplus and the money is already in the budget, we still should be concerned because we are making a choice. We are saying that we are going to take this money and take the risk of sending it over there. Maybe it will help. Maybe I am right, maybe it will not do quite as much good as we think, but we make a trade-off. We say today that we will send this money with the hope that it will do good at the expense of a domestic program. Do my colleagues think every poor person in this country has been taken care of, their medical care needs or housing? So we do make choices continuously, but we forget about that.

We never really think about the choices that we make, and there is always a trade-off. And we generally always forget about finding the point in

the Constitution that gives us authority. In this case, this is the wrong authority, and it is not a proper interpretation of the Constitution as described in the committee report.

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

Mr. Chairman, I stand in strong support of the Bachus amendment, the amendment to prohibit any foreign company from raising capital or listing its securities in the U.S. markets as long as the company is engaged in oil and gas development in Sudan. Currently, the China National Petroleum Company, through its PetroChina subsidy; Talisman Oil of Canada; Royal Dutch Shell, Netherlands; Lundin Oil, Sudan; and TOTAL NEL from France all list their stocks on the New York Stock Exchange or NASDAQ.

We have been talking about what more can we do. As we know, it is not the policy any longer to send U.S. troops abroad. If this were 50 years ago, 40 years ago, with the atrocities of this nature, we may have sent in an intervention group. We did it in Haiti, we did it in the Dominican Republic, we have done it around the world. But today is a different time, a different day, and we do not do that. So our resources are limited as to how we can force a dictatorial regime to change its ways.

I think we should cut off access to capital markets in this country. This country is the world's power economically, and the next war is going to be an economic war. We have moved ahead of the Euro, where it is 20 percent, 15 percent stronger than the Euro. This is where everyone is coming to get the money.

I wonder why some people serve in Congress. To hear a person talk about $10 million as too much to spend, when if it was not for the Marshall Plan the world would still be trying to come out of the degradation of World War II. We spent billions and billions and billions of dollars to do the right thing because it was the right thing to do. When someone questions $10 million that might go in to try to help a country build a social society or that a vehicle may be taken by the enemy, that is absolutely ludicrous, makes no sense; and I do not know why some people even spend time in this House, because they have absolutely nothing to offer.

So I just think that it is imperative upon us to try to use the weapons that we have. We do not have military weapons any longer to go into countries. People wonder, well, why should we do this. Well, because this is supposed to be the land of the free, the home of the brave. We have the Statute of Liberty still standing there. We have to stand for something. When I hear people say why should we be concerned about the new independent states in Central Europe, it is because there has to be someone who is the moral leader of the world. We are in the responsible position.

It is like a basketball player. When I speak to young men like Iverson, who plays for the 76ers or a Carter, who plays with the Toronto Raptors, I say whether you like it or not, you are a role model. Young people look up to you; therefore you have a responsibility to act right, to do the right thing. Whether you like it or not, you are looked upon as something that other people want to follow. And this country is the one country in the world that other countries want to follow. We have a moral responsibility whether we like it or not.

We cannot move back from the world. We are the world, and we have a responsibility to remain the world's leader. If we cannot do any more than to cut a couple of oil companies off from Wall Street, then what can we do? This is a small thing we are acting on. It will not even have an impact on that trillion dollar industry that trades hundreds of billions of dollars daily, but it will have a massive impact on those companies who come here with blood dripping off their hands to get more money so that more blood will come dripping as they continue to push people from their lands so that they can fill their pockets with dollars.

At some point we have a moral obligation and a responsibility. The time is now. I urge support of the Bachus amendment.

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

Mr. Chairman, I do want to stress that this legislation is not directed against Islam. This legislation is directed against religious persecution, and this includes the issue of forced conversion. Again, I think we need to be clear. Congress is saying nothing here against the religion of Islam, which is an increasingly important part of our national fabric.

I think we need to be clear that what we are saying here with this bill and with this amendment that we are adding to the bill is that we are bringing attention to Sudan, we are addressing shortcomings in the delivery of humanitarian relief, and we are providing tools to the administration and the American public to attempt to end the massive suffering of the Sudanese people.

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

Mr. ROYCE. I yield to the gentleman from Alabama.

Mr. BACHUS. Mr. Chairman, when someone stands in the well and questions the constitutionality of an amendment, then I think the Members ought to listen. I think they ought to take note, because that is a serious charge.

It would be a convincing argument if one was not familiar with the history of legislation in this body. If one was, they would know one of our first Congresses, which contained many men who signed the original constitution, that drafted it, imposed sanctions of a financial and capital nature against foreign fur trading companies. So the folks that drafted that and enumerated those powers then stood in this Congress and imposed such sanctions, and these sanctions have been imposed during several war periods.

It is particularly ironic that we would defend four foreign oil companies when we have in this body passed legislation, including fines and terms of imprisonment, if our oil companies go over there and drill. So it is quite ironic that we would impose these restrictions on our own oil companies for going overseas, and do that with a clear conscience, which I have, and yet allow their competition to go over there, kill innocent men, women and children, strafe hospitals, engage in all sorts of atrocities, and then not only look the other way when that happens, but we will allow them to raise the money to finance their operations in our capital markets, those same markets which restrict Americans from participating in and would not restrict the very bad actors who avoid the sanctions that we have now imposed. Truly an argument that I will never accept.

Mr. SMITH of New Jersey. Mr. Chairman, I move to strike the requisite number of words.

First of all, Mr. Chairman, let me again say that the underlying bill is a good bill. This is a strengthening amendment, and I rise in very strong support of it. This amendment is about stopping genocide, Mr. Chairman, the deliberate and systematic attempt to eliminate an entire people in southern Sudan, by cutting off the flow of U.S. dollars to entities that are making genocide possible.

The whole world knows, Mr. Chairman, that the Khartoum regime routinely bombs schools and hospitals, and uses enslavement, mass rape, and starvation as weapons of war against black Christians and animists in the south. The good news, until 1997, was that the south was likely to win its independence and an end to the bloodshed. However, then Khartoum got foreign companies from China, Malaysia, and even Canada to develop oil fields and build a pipeline.

□ 1430

The equation is simple: By selling oil to the west, Khartoum can buy an army that can destroy the south and is destroying the south. We all know that the devastation is absolutely numbing and frightful. Two million people have been killed. Millions more have been wounded, and over 4 million people have been displaced.

Oil revenues have enabled the government to double spending on its war machine since 1998. The government

has used roads and air strips built for oil projects to launch military attacks. As one Sudanese victim put it, ''Oil has done nothing but bring us death.''

Mr. Chairman, the gentleman from New Jersey (Mr. PAYNE) and I have worked very hard to get New Jersey out of the mix with Talisman, which is a Canadian company. We held over 60,000 equities in that Talisman company as part of our New Jersey commitment to our State employees. Thankfully they got out of it, at some point kicking and screaming; but they are only one of many. There are many individual shareholders who will never read the disclosure information sent to them and maybe will not even care.

Mr. Chairman, we need to act in a collective manner that will have a high utility to say we want out. We want no part of this killing machine going on in Sudan. It is worth pointing out that the speaker of the Sudanese parliament does not make any bones about it. He said that the oil revenues will be used to buy war weapons. They are taking this oil revenue and buying guns and planes, and all kinds of other implements of destruction that are used against innocent men, women, and children.

The Talisman chief executive said that 70 percent of the oil revenue from the partnership will be going to the government. We are talking about a massive amount of money, $500 million per year, being put into the coffers of this war machine.

Finally, let me say the Bachus-Hall-Smith amendment prohibits any foreign company from raising capital or listing its securities in U.S. markets as long as the company is engaged in oil development in Sudan. We have trade sanctions in place against Sudan, but foreign companies continue to invest in Sudan, and then they freely and openly raise money in the U.S. stock market and bond market to finance these activities.

Shame on us, Mr. Chairman, if we do not realize that we are facilitating the deaths of so many innocent children. The gentleman from Alabama (Mr. BACHUS) should be commended as should the gentleman from New Jersey (Mr. PAYNE) and all of us who are trying to make some difference here to stop this facilitation.

Mr. Chairman, we can make a difference; and hopefully our European and other allies will follow suit. We must lead by example. That is what this amendment does.

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

First of all, Mr. Chairman, let me again say that the underlying bill is a excellent piece of legislation. The Bachus-Hall-Smith strengthening amendment improves the Sudan Peace Act. This amendment is about stopping genocide, Mr. Chairman, the deliberate and systematic attempt to eliminate an entire people in southern Sudan, by cutting off the flow of U.S. dollars to entities that are making genocide possible.

The whole world knows, Mr. Chairman, that the Khartoum regime routinely bombs schools and hospitals, and uses enslavement, mass rape, and starvation as weapons of war against black Christians and animists in the south.

The good news, until 1997, was that the south was likely to win its independence and an end to the bloodshed. However, then Khartoum got foreign companies from China, Malaysia, and even Canada to develop oil fields and build a pipeline.

The equation is simple: By selling oil to the west, Khartoum can buy an army that can destroy the south and is indeed destroying the south. We all know that the devastation is absolutely numbing and frightful. Two million people have been killed. Millions more have been wounded, and over 4 million people have been displaced.

Oil revenues have enabled the government to double spending on its war machine since 1998. The government has used roads and air strips built for oil projects to launch military attacks. As one Sudanese victim put it, ''Oil has done nothing but bring us death.''

Mr. Chairman, the gentleman from New Jersey (Mr. PAYNE) and I worked very hard a couple of years ago to get New Jersey out of complicity with genocide. We worked—and succeeded—in convincing state officials to divest its stock holdings of Talisman, which is a Canadian oil company. Before divestiture, New Jersey owned over 600,000 shares of Talisman. Thankfully, New Jersey got out, but New Jersey is only one of many institutional holders of this stock. There are many individual shareholders who own Talisman oblivious to its facilitation of genocide. Some argue mere disclosure is adequate. I respectfully disagree. Disclosure information sent to shareholders or potential buyers of the stock may or may not make any difference.

Mr. Chairman, we need to act in a collective manner in unison, if we are to help end this horrific slaughter. We want no part of this killing machine. It is worth pointing out that the speaker of the Sudanese parliament does not make any bones how oil money equals a more lethal military force. He has said that the oil revenues will be used to buy war weapons. The Sudanese dictatorship is taking oil revenues and buying weapons of every stripe to be used against innocent men, women, and children. We are talking about a massive amount of money, $500 million per year, being put into the coffers of this war machine.

The bottom line is this I say to my distinguished colleagues. The Bachus-Hall-Smith amendment prohibits any foreign company from raising capital or listing its securities in U.S. markets as long as the company is engaged in oil development in Sudan. We have trade sanctions in place against Sudan, but foreign companies continue to invest in Sudan, and then they freely and openly raise money in the U.S. stock market and bond market to finance these activities.

Shame on us, Mr. Chairman, if we do not realize that we are facilitating the deaths of so many innocent children. The gentleman from Alabama (Mr. Bachus) should be commended for crafting this humanitarian amendment.

Mr. Chairman, we can make a difference; and hopefully our European and other allies will follow suit. We must lead by example. We must be serious about ending the nightmare endured by the Sudanese people.

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

Mr. Chairman, I rise today in support of the Bachus amendment and the underlying Sudan Peace Act. I come from Omaha, Nebraska, Mr. Chairman, and we have been blessed with new folks who have immigrated from Sudan. They have come to my office, and we have spent several hours together talking about the tragedies that these folks have lived through, escaped from and come to America, come to my hometown, and are now integral parts of our community of Omaha, Nebraska.

These stories, they are true. These people have suffered. Over the past 18 years, Sudan's Khartoum government has killed more than 2 million of its own citizens through this civilian war. This is more than the entire population of Nebraska. This is almost four times the population of this city that we stand in right now. Men, women, children, some of these folks that have come to my office that I have sat down with are young men, and to hear their stories of what they had to escape: starved, beaten, friends taken for slavery, executed because of their beliefs, whether they are Christian or a different sect of Islam. And the people they are escaping are those with the government-sponsored guns. The National Islamic Front has bombed civilian centers, camps, relief hospitals. They have blocked humanitarian aid such as food and medical supplies, tortured and killed those who refuse to convert to their brand of religion. These appalling attacks on human rights have created one of the greatest tragedies in the history of mankind.

Now this government is using profits from new oil development to accelerate this genocidal war. That is why I came here today to support the Bachus amendment. I stand up here in full support of it. This act, the Sudan Peace Act, will send a clear signal to the leaders of Sudan and those who wonder whether we care more about oil than people. It will tell the other civilized nations of the world that we also care about religious freedom, and to follow our example and stop financing this extremism.

It will open up those doing business with the Khartoum government to the crucible of public pressure and help ensure that humanitarian aid ends up in the hands of the people, not the government officials waging this war. I hope this legislation will help end the bloodshed and provide relief to those suffering Sudanese people.

Mr. Chairman, I urge my colleagues to vote in support of this amendment and support the Sudan Peace Act.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Alabama (Mr. BACHUS).

The amendment was agreed to.

The CHAIRMAN. If there are no further amendments, under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. SHAW) having assumed the chair, Mr. SIMPSON, 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. 2052) to facilitate famine relief efforts and a comprehensive solution to the war in Sudan, pursuant to House Resolution 162, 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.

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.

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. TANCREDO. 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 422, nays 2, not voting 8, as follows:

[Roll No. 160]

YEAS—422

Abercrombie
Ackerman
Aderholt
Akin
Andrews
Armey
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett
Bartlett
Barton
Bass
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop
Blagojevich
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Carson (IN)
Carson (OK)
Castle
Chabot
Chambliss
Clay
Clayton
Clement
Clyburn
Coble
Collins
Combest
Condit
Conyers
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crenshaw
Crowley
Cubin
Culberson
Cummings
Cunningham
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Jo Ann
Davis, Tom
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dicks
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Fletcher
Foley
Ford
Frank
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Grucci
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Harman
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Honda
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kerns
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kirk
Kleczka
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Langevin
Lantos
Largent
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Miller, George
Mink
Mollohan
Moore
Moran (KS)
Moran (VA)
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Ose
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Payne
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Platts
Pombo
Pomeroy
Portman
Price (NC)
Pryce (OH)
Putnam
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roukema
Roybal-Allard
Royce
Ryan (WI)
Ryun (KS)
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Scarborough
Schaffer
Schakowsky
Schiff
Schrock
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simmons
Simpson
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Spence
Spratt
Stark
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tiberi
Tierney
Toomey
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velázquez
Visclosky
Vitter
Walden
Walsh
Wamp
Waters
Watkins (OK)
Watson (CA)
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NAYS—2

Flake
Paul

NOT VOTING—8

Allen
Dingell
Ferguson
Filner
Fossella
Johnson, E. B.
Morella
Rush

□ 1502

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. FILNER. Mr. Speaker, on rollcall No. 160, I was unavoidably detained. Had I been present, I would have voted "yea."

CONDEMNING TALIBAN REGIME OF AFGHANISTAN REQUIRING HINDUS TO WEAR SYMBOLS IDENTIFYING THEM AS HINDU

Mr. GILMAN. Mr. Speaker, pursuant to the order of the House of Tuesday, June 12, 2001, I call up the concurrent resolution (H. Con. Res. 145) condemning the recent order by the Taliban regime of Afghanistan to require Hindus in Afghanistan to wear symbols identifying them as Hindu, and ask for its immediate consideration in the House.

The Clerk read the title of the concurrent resolution.

The text of House Concurrent Resolution 145 is as follows:

H. CON. RES. 145

Whereas the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights guarantee the freedom of religion;

Whereas on May 22, 2001, the Taliban regime of Afghanistan directed Hindus and other non-Muslims to wear a yellow identity symbol and for Hindu women to fully cover themselves in a veil;

Whereas this proposal is reminiscent of the yellow Star of David that Jews were forced to wear in Nazi Germany and Nazi-occupied areas;

Whereas Department of State spokesperson Richard Boucher condemned the Taliban action, stating that ''forcing social groups to wear distinctive clothing or identifying marks stigmatizes and isolates those groups and can never, never be justified'';

Whereas the Taliban regime recently offended the world by ordering the destruction of all pre-Islamic statues in Afghanistan, among them a pair of 1,600-year-old, 100-foot-tall statues of Buddha that were carved out of a mountainside;

Whereas the reprehensible policies of the Taliban are exacerbating the suffering of the

people of Afghanistan who are already besieged by a devastating drought and the continued fighting in the region; and

Whereas the American people feel a great deal of sympathy for the people of Afghanistan and continue to provide humanitarian assistance to alleviate the suffering of the Afghan people: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That Congress—

(1) strongly condemns the Taliban's use of Nazi tactics to force Hindus in Afghanistan to wear symbols identifying them as Hindu;

(2) joins with people of all faiths around the world in standing against the religious persecution by the Taliban regime;

(3) demands the Taliban regime immediately revoke its order stigmatizing Hindus and other non-Muslims in Afghanistan and conform its laws to all basic international civil and human rights standards; and

(4) calls on the Government of Pakistan to use its influence with the Taliban regime to demand that the Taliban revoke the reprehensible policy of forcing Afghan Hindus and other non-Muslims to wear a yellow identity symbol.

The SPEAKER pro tempore (Mr. SHAW). Pursuant to the order of the House of Tuesday, June 12, 2001, the gentleman from New York (Mr. GILMAN) and the gentleman from California (Mr. LANTOS) each will control 30 minutes.

The Chair recognizes the gentleman from New York (Mr. GILMAN).

Mr. GILMAN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I am pleased to rise in support of H. Con. Res. 145, introduced by the gentleman from New York (Mr. ENGEL). First, I would like to say that I appreciate the support of the chairman of our Committee on International Relations, the gentleman from Illinois (Mr. HYDE), and the ranking member of the committee, the gentleman from California (Mr. LANTOS), and the House leadership for making timely consideration of this resolution possible.

It was considered and ordered reported to the House by the full Committee on International Relations earlier this month.

This resolution we are considering condemns a recent order by the Taliban regime of Afghanistan to require Hindus in Afghanistan to wear symbols identifying them as Hindus, yellow symbols similar to the one I have on my lapel at this time.

Many of us are appalled and deeply concerned by this order. Our Nation and the rest of the world need to register the strongest possible condemnation of this outrageous regulation. As our resolution points out, the world has not been witness to anything like this since the Nazis required the Jews to wear a yellow Star of David.

The Taliban's repression of women and its intolerance of other minorities goes hand in hand with other reprehensible behavior. It is not surprising, therefore, that the Taliban provides Osama bin Laden, the terrorist kingpin, a safe haven, allowing him to reside in Afghanistan as its special guest. Bin Laden is responsible for much of the terrorist-related murder and mayhem that has shattered peace throughout the subcontinent. It is his thugs that killed our State Department employees and hundreds of other innocent people.

The Taliban and bin Laden appear to be made for one another. Moreover, the Taliban's involvement in taxing, stocking and the trafficking in opium make it responsible for much of the global misery related to drug addiction.

Finally, it is an open secret that Pakistan in many ways supports the Taliban. It is appropriate, therefore, that this resolution calls upon Pakistan to use its influence to demand that the Taliban revoke its edict that identifies Hindus and other non-Muslims.

Accordingly, Mr. Speaker, I fully support H. Con. Res. 145 and I ask our colleagues to join us in support.

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

Mr. LANTOS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in strong support of H. Con. Res. 145, which was introduced by my friend and colleague from New York (Mr. ENGEL). This resolution condemns the Taliban regime of Afghanistan for their offensive and inhumane policies towards Hindus and other non-Muslims in Afghanistan, and it demands that the Taliban regime immediately revoke its edict issued on May 23 requiring Afghan Hindus to wear yellow identification badges and for Hindu women to cover themselves in a yellow veil.

This latest despicable action of this despicable regime is only the most recent of a long list of horrific human rights and religious freedom abuses committed by the Taliban against their own people. They have shut down schools, restricted education and have systematically discriminated against all women in Afghanistan.

Earlier this year, Mr. Speaker, the Taliban sparked international outrage by destroying the ancient Buddhist statues of Bamian. It is no accident that the international terrorist kingpin Osama bin Laden has found welcome haven in the land of the Taliban.

If these barbaric actions were not enough, the Taliban has now decided to emulate the most heinous and reviled regime of the 20th century, Hitler's Germany, by forcing Hindus and other non-Muslims to wear yellow identity badges.

The edict issued by the Taliban, Mr. Speaker, is reprehensible, and it clearly echoes Nazi German policies stigmatizing Jews and others. We cannot allow the Taliban to systematically oppress Afghan Hindus in such an eerily similar manner.

Afghanistan, Mr. Speaker, sits at the crossroads of Europe and Asia. For centuries, it has been one of the marketplaces of the world where traders of all countries and races and religions came together. This rich history and tradition of tolerance is being dismantled by this dark and brutal regime. The Taliban's actions, Mr. Speaker, are beyond comprehension. At a time when millions of Afghan people are on the edge of starvation and thousands of Afghan children are dying every day of malnutrition, the Taliban are intent on driving away any international support through their offensive and inhumane policies.

Just last week, the Taliban expanded their restrictions on foreign aid workers, further limiting their movement and freedom and making it nearly impossible for its humanitarian workers to continue their efforts to bring relief to the people of Afghanistan. One must wonder if the Taliban are trying to commit genocide against their own people.

We cannot stand idly by and watch while the Taliban continued their reign of darkness and despair. We cannot countenance their deliberate attempt to undo centuries of civilization. We must find a way to stop this insane regime.

If there is one country left on Earth, Mr. Speaker, that seems to have any influence with the Taliban, it is the country of Pakistan. The government of Pakistan has been all too reluctant to use its influence with the Taliban and we are calling on the government of Pakistan to stand with the international community and call a halt to the reprehensible policies of the Taliban regime.

I want to commend the gentleman from New York (Mr. ENGEL) for introducing this resolution, and I urge all my colleagues to support it.

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

Mr. GILMAN. Mr. Speaker, I yield 5 minutes to the gentlewoman from Florida (Ms. ROS-LEHTINEN).

Ms. ROS-LEHTINEN. Mr. Speaker, I thank the gentleman from New York (Mr. GILMAN) for yielding the time.

Mr. Speaker, as an original cosponsor of this resolution and as chair of the Subcommittee on International Operations and Human Rights, I urge strong support for H. Con. Res. 145, and I want my colleagues to vote in favor of its passage.

□ 1515

This resolution was prompted by the Taliban's decree of May 22, forcing Hindus to wear identity labels such as this one on their clothing to brand and degrade this religious group even further.

Unfortunately, Mr. Speaker, this reprehensible policy is but a microcosm of the terrible actions taken by the Taliban against all minorities in Afghanistan. As the U.N. Special Rapporteur on the Elimination of all

Forms of Intolerance and Discrimination has stated, Afghanistan epitomizes the religious extremism, and it underscores that ''the Taliban uses religion as a political tool in the interests of power and has taken an entire society hostage.''

In January of this year, for example, the Taliban issued a decree to apply capital punishment to Afghans who converted from Islam to either Judaism or Christianity. Just a few months ago, in the aftermath of the Taliban's destruction of sacred statues, Amnesty International reported that the Taliban massacred hundreds of civilians with impunity. On May 14 of this year, it was revealed that the Taliban has an ethnic cleansing manual to eliminate entirely the presence of religious minority groups in areas which are not yet under Taliban control.

Women have also felt the brunt of the Taliban's intolerance and extremism. According to Afghan women interviewed by a non-governmental organization in France, ''women live like animals.'' Women are excluded from treatment by male doctors, who are the only ones allowed to practice medicine. Even when exceptions are made, because the woman is accompanied by her husband, doctors are still prohibited from actually touching the women, and this obviously limits the possibility of any meaningful medical treatment.

The Taliban's policy of treating women as subhuman is also reflected in decrees mandating that women must be accompanied by a male relative when leaving their homes and that they must be covered in the Taliban-approved dressing shown here. It says in Taliban-held areas of Afghanistan, women can rarely work outside the home, girls can attend only same-sex schools, and women can be beaten for not wearing this veil. It says, get up, stand up. Refusal to adhere to these rules will result in beatings.

The Taliban's intolerance and extremism has even spilled over to international humanitarian workers. Just a few weeks ago, the Taliban arrested U.N. aid workers in Afghanistan. Militants who fight for the Taliban and are loyal to terrorist Osama bin Laden have threatened to kidnap and even kill international aid humanitarian workers.

Mr. Speaker, if we do not render our unequivocal support for House Concurrent Resolution 145, we will be sending a message to the Taliban that it can continue to escalate the persecution and the repression that they are undergoing with impunity.

I ask Members to think of the Afghan women, such as this one pictured here, and vote with your conscience today. I ask you to think of the Hindus who are being required to wear yellow identification labels, such as this one. I ask Members to think about the plight of all minorities in Afghanistan and vote yes on this powerful resolution.

Mr. LANTOS. Mr. Speaker, I am delighted to yield 5½ minutes to the distinguished gentleman from New York (Mr. ENGEL), the author of this resolution.

Mr. ENGEL. Mr. Speaker, I thank my good friend, the gentleman from California (Mr. LANTOS), for yielding me time. I want to thank the gentleman, and the gentleman from Illinois (Chairman HYDE), and the gentleman from New York (Mr. GILMAN) as well, for working with me so quickly for bringing this resolution to the floor.

As was mentioned by my colleagues, I too am wearing a yellow ribbon. In fact, I have many yellow ribbons here, and I would like every Member of Congress to wear a yellow ribbon for today, since this resolution is on the floor today. I think if we all wore the yellow ribbons, it would be a very powerful symbolism of the fact that we stand with the oppressed people of Afghanistan, with the Hindus of Afghanistan, just the way during the terrible Nazi era, when the Jews were told that they had to wear the yellow star to identify them, to single them out from everyone else, all the Danes wore yellow stars of David and said that we are all Jews. I believe here in Congress, all of us should wear these yellow ribbons, and today we all should be Hindus and stand in solidarity with those oppressed people.

Mr. Speaker, just over 2 weeks ago, I heard the disturbing news that Afghanistan's Islamic Taliban regime had issued an edict requiring Afghan Hindus to wear yellow identification badges and Hindu women to fully cover themselves in a veil and for Hindu families to have curtains that are yellow or some such identification, clearly showing that they are different from everyone else.

This is absolutely an outrage. My colleagues have mentioned all the outrages of this Taliban regime, from Osama bin Laden getting cover there and planning his terrorist attacks all over the world from the safe confines of Afghanistan, being protected, by the Taliban's destruction of the Buddhist statutes that were thousands of years old, to making it impossible for aid workers to help the starving people of Afghanistan. Indeed our country, the United States, is the leading country in terms of providing humanitarian aid for those starving people.

So what we are attempting to do here today is saying that the United States can make a difference. We can make a difference in providing humanitarian aid, so that the people of Afghanistan are not suffering because of their regime. And they are suffering, but we can make the suffering a little bit better. Also what happens in this Congress is listened to around the world. I think it is so important for us to take a moral stand.

Now, what the Taliban are doing is just an outrage that cannot be ignored. The Taliban's edict accompanies the 1999 law forbidding non-Muslims from living in the same houses as Muslims, from criticizing Muslims, and from building places of worship. This resolution calls upon, demands, that the Taliban regime immediately revokes its order stigmatizing Hindus in Afghanistan and to conform its laws to all basic international civil and human rights standards, and, of course, condemns the recent order by the Taliban regime to require Hindus to wear these different identification symbols.

Now, combined, these edicts have the effect of stigmatizing, separating, and disadvantaging the Hindus because of their religious beliefs. It should be pointed out that when the Nazi edicts in Europe came against the Jews, initially it was just small edicts, and there were people that said, well, this is only a very minor thing, and it will pass.

I think we have learned from history that if we ignore these so-called minor things, they turn into catastrophes; and we do not want to ignore this because this is not minor, and it will get worse if the world just turns its back.

Now, to add insult to injury, according to the Taliban regime this action was taken, they say, to protect Hindus from the religious police, who often arrest Hindus for not following Muslim law or who beat Hindus for not conforming to Muslim law. This, of course, adds insult to injury, to claim they are putting in this oppressive law in order to protect the Hindu citizens. Obviously this is a bunch of nonsense.

This type of religious discrimination has no place in the world today. Forcing Hindus to wear distinctive clothing does nothing to protect Hindus from the religious police; rather it makes them more vulnerable to police and mob violence.

So, again, we cannot allow the Taliban to systematically oppress Afghan Hindus in such an eerily similar manner to the way the Nazis oppressed Jews, homosexuals, Romas, and others.

This is not the first time the Taliban has singled out Afghan Hindus. Prior to 1992, Afghanistan had a population of over 50,000 Hindus. Most fled due to anti-Hindu violence. There are now only 500 Hindus, approximately, left in Afghanistan, subject to the Taliban's edict.

The international community, including our friends and allies around the world have joined us in condemning the Taliban's edict; and Pakistan, one of only three countries recognizing the Taliban as a legitimate government, said that they deplore these discriminatory practices. That is why this resolution calls upon Pakistan to try to use its influence with Afghanistan.

Mr. Speaker, I am proud to stand with my colleagues in solidarity with

the Afghan Hindus; and again I would urge all of my colleagues to support this resolution, to come over, and we will give them ribbons so everyone can wear ribbons. Again, I thank the gentleman from California (Mr. LANTOS), who has been so gracious.

Mr. GILMAN. Mr. Speaker, I am pleased to yield 7 minutes to the gentleman from California (Mr. ROHRABACHER), a member of the Committee on International Relations.

Mr. ROHRABACHER. Mr. Speaker, I rise in strong support of this legislation. I would like to thank personally my colleague, the gentleman from New York (Mr. ENGEL), for the leadership that he has demonstrated, even though he does have a beard now, like I used to have. The gentleman from New York (Mr. ENGEL) and I have worked on many causes together, and I would like to just begin my remarks today by reminding people that the gentleman from New York (Mr. ENGEL) was a hero of the Muslim people in the Balkans who were finding themselves under torturous attack, and sometimes being murdered in great numbers, especially the people in Kosovo and other places in the Balkans. So today it is very fitting that the gentleman from New York (Mr. ENGEL) stands up and points out where another group of people are committing repression.

This time this is a Muslim group; but in the past, when Muslims have been attacked and their rights have been destroyed, he has been the first one to stand up and speak up for their rights. So this is not a religious determination. What we have today is a determination of principle, that we in this body stand together for human rights and are against the type of fanaticism that is demonstrated by the Taliban regime.

The same, of course, is true with the gentleman from California (Mr. LANTOS). We have worked on many human rights issues. The gentleman from New York (Mr. GILMAN) and I have, of course, worked on the China policy as well; and the gentleman is one of the most renowned and most respected leaders on human rights in this body. As chairman of the Committee on International Relations, he made his mark.

But today this resolution condemns the Taliban regime, not just for what it is doing against Hindus, which is today what we were using as our hook to draw attention, and I will be wearing one of those yellow badges, but this is symbolic of the repression that the Taliban and the fanaticism that the Taliban have brought to Afghanistan.

As someone who spent considerable time in Afghanistan, I would say that I am probably the only Member of this body who actually at one point fought alongside with Afghans against the Russian troops during their long war against Russian occupation, and I found the Afghans not to be fanatics.

The Afghans were very devout in their religion, but they were not the fanatics that the Taliban portray today. In fact, I would like to let my colleagues know that, by and large, the Taliban were not and are not the Mujahadeen, which is a mistake that many people make.

Most of the Taliban leadership, as well as most of the Taliban, sat out the war against Russia in Pakistan. The Taliban means students, and they were in what supposedly were schools, although many of them were illiterate, being financed by the Saudis and the Pakistanis. That is where they were during the war, while many of the people who opposed them today were out fighting the Russians.

Many of the people who I was with are now being repressed by Afghans who were not out there fighting the Russians, who now call themselves the Taliban, as if they have some corner on the understanding of God. What the Taliban are doing is using Islam as a weapon for their own power.

We have seen this in other faiths as well. We have seen the fanatics and the charlatans use their religion, whether they are Christians or Muslims or whoever, in order to gain their own power.

□ 1530

Well, that is what has happened in Afghanistan. It is getting worse and worse, because the Taliban, ever since they have been in power, have allied themselves with the worst elements in the world, people who the Afghan people would have nothing to do with if they had some choice in their government.

Of course, as we know, 60 percent of the world's heroin has been growing in Afghanistan all of these years that the Taliban have been in power. The Taliban now tell us this year they are no longer growing any poppies, and the heroin production is down in their country. Of course, how convenient. At a time when they have a massive drought that has been going on in Afghanistan that has killed all of the crops, now they voluntarily are not growing any more poppies. How convenient. We will wait and see what happens when the water comes back whether or not they enforce this supposed edict.

Unfortunately, when we are talking about American relations with Afghanistan, what we have found over the last 8 years with the last administration, every time we had a chance to overthrow the Taliban, and I was involved with several organizations whose efforts were in that direction, the last administration, the Clinton administration, rode to the rescue at the last minute every time. That is unfortunate.

During the last 8 years while we gave refugee relief supplies to Afghanistan, those supplies, our foreign aid, the foreign aid we have been giving to Afghanistan and those poor suffering people of Afghanistan, they needed some help; but yet, the last administration saw to it that those supplies were only distributed in Taliban-controlled areas.

I can tell the Members that I fought tooth and nail, I went time and time again to the State Department, to try to see that those supplies were distributed in non-Taliban areas. But instead, the Clinton administration insisted that those supplies go to Taliban-controlled areas.

Why is that? I believe, and I have said this before, the last administration and unfortunately the United States, thus, had a covert policy of supporting the Taliban for a while, perhaps as part of some situation with Pakistan and the Saudis. I do not know.

But I would hope that the United States policy has changed, and that indeed our goal be the elimination of the Taliban regime and support for those Afghanis who are struggling for their country and struggling to have a moderate and a decent government.

The Taliban had, by the way, rejected all elections as being inconsistent with Afghan tradition. There are a group of people today fighting against the Taliban whose goal and idea is to have an Afghanistan directed by the democratic process.

Commander Massoud and many others who fought against the Russians, Abdul Haq and his family who are fighting there, fought against the Russians, Pashtum as well as minority members, were fighting against the Taliban.

Our goal should be to be on the side of those people who want to replace that regime and to help those people. If we send supplies to Afghanistan, they should go to the people in need, whether they are with Taliban or not.

There is a group called the Knightsbridge organization headed by Ed Artis and Dr. James Law that have $2 million worth of humanitarian supplies ready to go now to the people of Afghanistan, but they do not have the money for the transport, and they have not been given help because it might go to some non-Taliban areas.

So I would hope that we do what is right in this country, that we condemn this repression as exemplified by repression against the Hindus, but we put ourselves on the line against the Taliban and their fanaticism and support for terrorism and drug dealing.

It is time the people of Afghanistan deserve a break after these last 20 years of struggling.

Mr. LANTOS. Mr. Speaker, I am delighted to yield 4 minutes to the gentleman from Maryland (Mr. HOYER), an indefatigable fighter across the globe.

Mr. HOYER. Mr. Speaker, I thank the gentleman from California (Mr. LANTOS), a strong voice for freedom

and human rights, and my colleague, the gentleman from New York (Mr. ENGEL), who, as the previous speaker, the gentleman from California (Mr. ROHRABACHER), pointed out, has been such a strong, strong courageous voice for human rights wherever they are undermined in the world.

Mr. Speaker, this week our Nation closed a chapter on the deadliest act of terrorism ever perpetrated on American soil. We were reminded again of the dangers of fanaticism, its assault on civil society, its attack on our values, its rejection of the rule of law. We were confronted again by the evil that works within the zealot's heart, where basic human decency is drowned in a sea of arrogance, ideology, and hatred.

As we attempt to heal the wounds caused by this madman at home, let us recognize that as the leader for democracy, freedom, and human rights throughout the world, we must fight fanaticism, bigotry, and hatred wherever it rears its head. That is why I urge my colleagues to support this critically important resolution introduced by the gentleman from New York (Mr. ENGEL).

Today the people of Afghanistan toil under the boot of the brutal Taliban regime, whose crimes, as have been catalogued earlier in this debate, are legion. Since seizing power in 1996, the Taliban has systematically denied Afghani women and girls their basic human rights. They are prohibited from attending school. They are prohibited from working outside the home. With few exceptions, they are prohibited from appearing in public with nonrelative males.

The Taliban's chokehold on the Afghani people has only tightened recently. It destroyed two ancient statues of Buddha, in spite of all the world's protests. It shut down a hospital opened by an Italian charity. It prohibited Afghani women from working with the international relief agencies, even as an estimated 4 million people are at risk of starvation this year in Afghanistan.

In an order reminiscent of Nazi Germany, the Taliban rulers decreed in May that all non-Muslims would have to wear an identifying label on their clothing to distinguish themselves.

Earlier in this debate, the experience of the Danes and the Jews was referenced. My father was born in Copenhagen. King Christian, when the edict came down from the Nazis, said ''I will wear the Jewish star,'' and all Danes wore the Jewish star to indicate their solidarity with their Danish brethren, not distinguished by other forms of discrimination.

Mr. Speaker, through this resolution today we join the world community in condemning the Taliban regime for their flagrant human rights violations. As the leading voice for freedom and human rights throughout the world, it is our responsibility, it is our duty, it is our opportunity and our cause. We must state unequivocally the savaging of human rights by misanthropic fanaticism has no place in a civilized world, and it must not stand.

This resolution, Mr. Speaker, is an important statement, and we must join with others to confront this evil perpetrated by the Taliban.

Mr. GILMAN. Mr. Speaker, I am pleased to yield 3 minutes to the gentleman from Texas (Mr. PAUL), a member of our Committee on International Relations.

Mr. PAUL. Mr. Speaker, I rise in support of this resolution. It gives us an opportunity to at least condemn the Taliban in forcing the wearing of these symbols.

Sometimes I think, though, that this type of legislation is more feel-good legislation, makes us feel better, but does not do a whole lot to solve our problems. I think it would be more important to take this opportunity to think about our policy of foreign interventionism.

We have been involved in Afghanistan now for more than two decades, and have spent over $1 billion. Last year we spent $114 million in humanitarian aid. This year it is already $124 million.

It is said that it is not sent to the Taliban, but the gentleman from California (Mr. ROHRABACHER), who is a bit of an expert on Afghanistan, just revealed to us earlier that indeed some of this money and some of this aid was designated to go to the Taliban-controlled areas.

I think more important is that regardless of the intention of where we send the aid, the aid is beneficial to the government in charge. The Taliban is in charge. They can get control of aid, of food and other commodities, and use it as weapons, and they do.

The point that I would like to make is after these many, many millions of dollars and over $1 billion have been spent, we have come to this. They are in worse shape than ever. Yes, we can condemn what they are doing, but we should question whether or not our policy in Afghanistan has really served us well, or served the people well. It may well be that when we send aid, that it literally helps the Taliban, because they do not have to then buy food. They can take their money and use it to enforce these rules and to be a more authoritarian society, to buy weapons.

We do know that when we sent weapons in the eighties, those weapons actually ended up in the hands of the violent Taliban, and they are still in their hands to some degree. Yes, our policy is well-intended. We would like to do good and save all the suffering that is happening in this country. But quite frankly, it has not worked very well.

We should question this. I believe we should assume some responsibility in the sense that our aid does not always do what it was supposed to do and actually ends up helping the very people that we detest. I think that is exactly what has happened here. It has been specifically pointed out that some of this aid has gone into the area where the Taliban has been helped and strengthened.

All I am suggesting is, why not question this a little bit? Why should we go on decade after decade after decade expanding aid and getting these kinds of results that we all detest?

Mr. LANTOS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, let me just respond to the gentleman from Texas (Mr. PAUL). While I am pleased he is supporting the resolution, he needs to gain some historical perspective. It was billions and billions of dollars of Marshall aid which resulted in the rebuilding of Western Europe and in creating our allies in NATO, and providing us with a prosperous Europe as our single most important trading partner.

So this melancholy call for isolationism is not supported by the historic evidence. The historic evidence shows clearly that in Republican and Democratic administrations, overwhelmingly United States participation in Europe and elsewhere contributed in a major way toward building democratic and prosperous societies.

I was present at the end of the Second World War, as my friend knows, when Europe was in ruins, and it was the farsightedness of a group of Republican and Democratic leaders in this country, from Harry Truman to Senator Vandenberg, who created a framework which allowed the countries of Europe to rebuild themselves to become our powerful NATO allies, our democratic friends, and our most significant trading partners.

There is no evidence for the statement that the previous administration directed aid to go to the Taliban. This is an unsubstantiated statement. What we voted for and what I think we will vote again is to provide humanitarian assistance to the destitute people of Afghanistan. It is most unfortunate that the bulk of Afghanistan today is in the hands of this despicable regime.

But I think it is important to realize and to be true to historic facts that the bulk of our economic aid since the end of the Second World War has succeeded in creating prosperous and democratic societies ranging from Taiwan to Denmark. These were destroyed societies, poor societies, destitute societies, and American aid was critical in building them up as democratic and prosperous allies.

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

Mr. LANTOS. I yield to the gentleman from Texas.

Mr. PAUL. I thank the gentleman for yielding.

Mr. Speaker, we do not have time to get into the Marshall Plan, but there is a pretty strong case to indicate that the major part of the rebuilding of Europe came from private capital and not specifically from the immigration plan.

But the point that I would like to answer to is the term ''isolationism.'' I am not a protectionist. I am not an isolationist. I am for openness, travel, trade. I vote consistently that way, so the term ''isolationist'' does not apply to the policies that I am talking about, because I am probably for more openness in trade and travel than most anybody in this body.

□ 1545

So the term is not isolationism.

Mr. LANTOS. Mr. Speaker, I yield 1 minute to the gentleman from New York (Mr. CROWLEY), a distinguished member of the Committee on International Relations, my friend.

Mr. CROWLEY. Mr. Speaker, I thank the gentleman from California (Mr. LANTOS) for yielding me the time.

Firstly, let me thank the gentleman from the Bronx, New York (Mr. ENGEL), my friend and colleague, for authoring this resolution.

Let me thank the leadership and the Committee on International Relations and the leadership of the House for bringing this timely resolution to the floor so quickly.

Mr. Speaker, I believe we must speak out quickly when tyranny raises its ugly head; and, once again, it has raised in Afghanistan. To require any minority to wear any symbol harkens back to another age of the subjection of religious minorities, the coddling of terrorism, the destruction of world treasures.

We simply cannot let this go on without stating our opposition to that. It is shear, shear fascism. This fanaticism though has the potential to spread, unfortunately.

Having talked to some friends in the Bangladeshi community, their concerns that this could possibly spread to other moderate Muslim countries in the region is also a concern of mine.

This is a very, very difficult part of the world to begin with and to have this taking place there now is only going to exacerbate that.

Mr. Speaker, I want to thank my colleagues for bringing this resolution to the floor, and I will also wear this ribbon in remembrance of the Hindus of Afghanistan.

Mr. GILMAN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I want to thank the gentleman from New York (Mr. CROWLEY) for his strong support for this and other issues of human rights. We have worked together on many issues in Ireland, Bangladesh, and elsewhere; and we thank him for his poignant remarks today.

Mr. Speaker, I yield 5 minutes to the gentlewoman from Maryland (Mrs. MORELLA).

Mrs. MORELLA. Mr. Speaker, I rise in strong support of H. Con. Res. 145 to condemn the treatment of Hindus in Afghanistan by the Taliban Government, and I wear my yellow badge.

It is a government that continues to commit blatant violations of human rights. I want to thank the gentleman from New York (Mr. ENGEL) for introducing this important resolution.

Mr. Speaker, I am proud to be one of the many original cosponsors. Since taking power over 90 percent of Afghanistan in the fall of 1996, the Taliban regime has restricted the freedoms of women by limiting their social participation, their work, and education. Not only do Hindu women have to wear the badge, they wear a veil. They are required to.

State Department and international human rights groups report that violence against women continues to be one of the regime's largest human rights violations. The Taliban regime has established a Ministry for the Promotion of Virtue and the Suppression of Vice to monitor how its moral laws are followed and to punish those who do not comply.

Individuals in violation have found their homes burned, livestock killed, irrigation systems destroyed. Over the past 2 years, more than a dozen politically active citizens have been arrested and killed by the Taliban regime.

Since its implementation, the protection and freedoms of women have been stripped, making women the property of their husbands, their fathers, or the state.

Reports site acts of violence that include rape, kidnapping, and forced marriages that were in many cases perpetrated by the Taliban.

Most recently, the Taliban leaders have imposed laws mandating the public identification of all Muslims and that is this required yellow identification symbol. It echoes the feelings associated with the yellow star of David that Jews were forced to wear in Nazi Germany.

As we take a firm stand against human rights violations, we encourage other nations to recognize the Taliban leadership continues to violate United Nations Security Council resolutions and international standards as identified by Amnesty International.

As we recognize and respect the sovereignty of independent nations, we cannot remain silent when women and children are brutally murdered for not following the moral stands of a barbaric regime. We have acted to economically and politically isolate Afghanistan in efforts to eliminate human rights violations, but the world must also follow suit.

Earlier this year, the gentleman from California (Mr. LANTOS) and I introduced H.R. 1152, the Human Rights Information Act, in an effort to expose human rights abusers outside the United States. As a world leader, the United States must condemn religious persecution and gender-based discrimination. I urge my colleagues to support H. Con. Res. 145. I want to thank the gentleman from Illinois (Mr. HYDE). I want to thank the gentleman from California (Mr. LANTOS). I want to thank the gentleman from New York (Mr. GILMAN) for floor managing the bill.

Mr. Speaker, I want to thank the gentleman from Illinois (Mr. HYDE) and the gentleman from California (Mr. LANTOS) for bringing this issue to the floor and indeed the gentleman from New York (Mr. ENGEL) for introducing this very important issue.

Let us all support H. Con. Res. 145.

Mr. GILMAN. Mr. Speaker, I want to thank the gentlewoman from Maryland (Mrs. MORELLA) for her strong supportive remarks and for always being there on human rights situations.

Mr. LANTOS. Mr. Speaker, I yield 2 minutes to the gentleman from Washington (Mr. MCDERMOTT), my friend and colleague.

Mr. MCDERMOTT. Mr. Speaker, I rise as the cochair of the India Caucus to support this initiative. Today we all wear the yellow in emulation of the Danish king who said we are all Danes. There are not Jews and Catholics and Protestants, we are all Danes. But what this means is not that we are Hindus, but that we are all human beings.

When we fail to keep that clearly in mind, when we mix religion and government and get it all mixed up, we wind up with some very terrible situations. We cannot just look out at the Taliban. We have to look at ourselves, because Martin Niemoller, who was a Lutheran minister who died in the camps in the 1940s said, When they came for the Communist, I was not a Communist, so I did not stand up. When they came for the homosexuals, I was not a homosexual, so I did not stand up.

When they came for the socialists, I was not a socialist, so I did not stand up. When they came for the trade unionists and the Catholics, I did not stand up and when they came for the Jews, I did not stand up.

Then they came for me, and there was no one to stand up.

What this is about is all of us standing up for the right of people to have their own religion and to live in peace in a country where they can raise their children as they want to and not force anybody to do anything.

We must look at that separation of church and state in our own country. We will consider out here soon the issue of faith-based initiatives and what that does to the separation of church and state.

All we have to do is look at Afghanistan to see what happens when we melt the two together. That is a frightening possibility, and it starts one at a time.

As it did in Germany. They did not go out and get the Jews first and grab them all. They started with a lot of other people that they did not like, and that is why this is so important that everyone wear this, not just today, but in their mind every day.

Mr. GILMAN. Mr. Speaker, I reserve the balance of my time.

Mr. LANTOS. Mr. Speaker, I yield 2 minutes to the gentlewoman from California (Ms. PELOSI), my neighbor, friend and colleague, an indefatigable fighter for human rights.

Ms. PELOSI. Mr. Speaker, I thank the gentleman from California (Mr. LANTOS) for yielding the time to me, and I want to commend him and the majority side of the Committee on International Relations for bringing this important piece of legislation to the floor.

This committee has challenged the conscience of this Congress and of our country on many occasions. Today I am sorry I missed the debate on Sudan but will be submitting a statement on the record for that.

But I also want to commend the gentleman from New York (Mr. ENGEL) for his leadership in introducing this resolution. I am proud to be an original sponsor of it.

In his dear colleague, the gentleman from New York (Mr. ENGEL) calls what is happening in Afghanistan a horror, a horror. That is a perfect word for it.

The Taliban in their activities that I will talk about a bit and that our Members have addressed over and over again today, their activities there have placed them outside the circle of civilized human behavior.

It is very important that people in the rest of the world speak out; the gentleman from New York (Mr. ENGEL) gives us that opportunity here today. I thank the gentleman from New York (Mr. ENGEL).

We have written, under the leadership of the gentlewoman from Illinois (Ms. SCHAKOWSKY), to the President of the United States because we were concerned about this yellow badge that the Hindus were obliged to wear in Afghanistan. We are appreciating his considering our request that our Nation lead in its opposition to this dangerous, dangerous plan.

Mr. Speaker, much has been stated on the floor of this House about our commitment to religion and the free expression of religion, and that is why it is so important that we all join the gentleman from New York (Mr. ENGEL) and the committee and join with people of all faiths around the world in standing against the religious persecution by the Taliban regime.

The gentleman's resolution strongly condemns the Taliban's use of Nazi tactics to force Hindus in Afghanistan to wear symbols identifying them as Hindus. These are strong words. But these are terrible actions, and this is how we can meet this challenge.

So I am pleased to be, as I said, an original cosponsor. I commend the maker of the motion, the gentleman from New York (Mr. Engel). I once again applaud the Committee on International Relations for challenging the conscience of this Congress. Hopefully our whole country will rise to that challenge.

Mr. GILMAN. Mr. Speaker, I would like to have the opportunity to have the last comments.

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

The SPEAKER pro tempore (Mr. SHIMKUS). The gentleman from New York (Mr. GILMAN) has the right to close.

Mr. LANTOS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I again want to commend the gentleman from New York (Mr. ENGEL) for bringing this important resolution to our attention. I trust that we will have a unanimous consent vote which would reflect the views not only of the Congress but of the American people that we do not stand for religious discrimination or persecution in any form. I urge all of my colleagues to support the resolution.

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

Mr. GILMAN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the Taliban regime is a threat to the stability not only of the Asian regime but the entire world. Our Nation needs to join with other nations that are seeking to reinstate that regime.

The former king of Afghanistan has suggested that all of the parties come together in Afghanistan for a grand assembly known as a Loya Jirga. This could be an appropriate way to bring peace to that Nation.

Another method could be to work with the Northern Alliance that has been opposing the Taliban. No matter what route our Nation takes, we must help to restore stability through the formation of a representative form of government in Afghanistan.

Mr. Speaker, I look forward to working with our colleagues on this issue, and I urge my colleagues to approve H. Con. Res. 145.

Mr. HOLT. Mr. Speaker, as a cosponsor of this legislation, I rise today to talk about an issue that concerns me greatly—the recent actions of the Taliban regime.

I visited Afghanistan nearly 25 years ago. I was impressed by the resilient independence of its people. I deeply lament the destruction of art and the censorship of literature.

The giant statues of Bamiyan, which I had the privilege of seeing and admiring long ago, have been demolished.

All of this is very lamentable, but the recent violations of human rights and religious freedom must be condemned as crimes of a higher order.

Last month, the Taliban Islamic militia imposed a rigid new social code requiring Hindus in Afghanistan to wear a distinctive yellow piece of cloth identifying them as Hindus. The similarities between this recent action and those of pre-war Nazi regimes are disturbing.

Even more disturbing are the other similarities between pre-war Nazi Germany and the Taliban militia.

From what we have seen, the government of Afghanistan is waging a war on its certain members of its populace—particularly women and religious minorities. Before the Taliban took power in 1996, the women of Afghanistan had relative freedom: they could work, even as professionals, dress generally as they wanted, and drive and appear in public alone. Under the Taliban, women have lost not only these "privileges" but also all their rights as persons.

Now, the women of Afghanistan must ensure that not even an inch of their flesh shows; they must screen the windows of their homes so they cannot be seen, or see.

Women can no longer work and are forbidden to go out in public without a male relative. Even in their own homes, they are not allowed to be heard; they must wear silent shoes and obey and serve silently.

The slightest violation of the Taliban law is punishable by beating and stoning, often to death.

And now the Taliban regime has turned its hatred toward religious minorities. Recently, the world watched in horror as the Taliban militia destroyed ancient Buddhist statues, simply because they were of another religion.

And now, we are witnessing the Taliban's policy to mark its religious minorities. I fear what this action will lead to.

We already know what it can lead to.

Calling the Taliban's actions a "human rights violation" is a gross understatement.

We must—the world must—condemn it.

I urge my colleagues to support this resolution which not only condemns the Taliban's use of Nazi tactics, but it also demands that the Taliban regime immediately revoke its order stigmatizing Hindus and other non-Muslims in Afghanistan and conform its laws to all basic international civil and human rights standards.

We must not be silent on these atrocities.

Mr. TOWNS. Mr. Speaker, I rise in support of House Concurrent Resolution 145. Recently, the Taliban in Afghanistan has issued a decree that all non-Muslims should wear a yellow identity symbol in addition to the requirement that women must fully cover themselves in a veil. This decree, although affecting all in Afghanistan, is directly targeted toward a minority Hindu population. It is unthinkable that we, here in America, would remain silent while religious persecution is actively promoted. Furthermore, this sort of action by the regime is reminiscent of previous leaders and governments that also set out a path of differentiation between people. In many of these cases, including the Nazis coercing Jews into wearing a yellow Star of David, a small action such as this, was only the precursor for larger, more violent forms of discrimination.

In addition, the Taliban has ordered the destruction of all pre-Islamic statues in Afghanistan, including a pair of 1600-year-old, 100-foot statues of Buddha that were carved out of a mountainside.

I find no other choice but to rise up with my colleagues to condemn these actions and to condemn the Taliban. I join with all people from around the world, people of all faiths and nationalities, to denounce this latest action of religious discrimination by the Taliban in Afghanistan.

Mr. PALLONE. Mr. Speaker, I would like to express my strong support for H. Con. Res. 145. I commend my colleague Mr. ENGEL, for introducing this important piece of legislation that condemns the Taliban for requiring Hindus and non-Muslims in Afghanistan to wear identifying symbols.

The Taliban regime's policies are inhuman, and clearly resonate Nazi tactics used to stigmatize Jews during the Holocaust. The Taliban policies are reprehensible, and not only should this Congress and the international community condemn the Taliban for their action against Hindus, I also call upon Pakistan to take a stand and use its influence with the Taliban to end these reprehensible policies.

The Taliban's record on human rights and support for terrorism have been documented in several reports, including the U.S. State Department's Patterns of Global Terrorism 2000 Report. The findings in these reports on the Taliban exemplify a clear pattern of basic human and civil rights to the Afghan people, especially women, minorities and children. The statistics of violence against women and girls is simply overwhelming.

Not only is the Taliban's record on human rights atrocious, the State Department's Patterns of Global Terrorism reports that ''The Taliban continued to provide a safehaven for international terrorists, particularly Osama bin Laden and his network, in the portions of Afghanistan it controlled.'' Not only does the Taliban house Osama bin Laden, the Taliban allows Afghanistan to be used for a base of operation for worldwide terrorist activities and training.

The people of Afghanistan are being held hostage in their own country under the terrorist regime of the Taliban. Their recent policy of requiring Hindus to wear identification badges, mandating Hindu women to fully cover themselves in veil, demanding Hindu homes to be identified, and prohibiting Muslims and Hindus to live together all further exacerbate the current situation and indicate that the Taliban is trying to implement a genocide against their own people.

I urge Pakistan to step up to the plate and use its influence to allow Afghan Hindus to continue to live their lives and practice their religious beliefs and I urge all of my colleagues to support this important resolution.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I am pleased to rise in support of House Concurrent Resolution 145, which condemns the Afghanistan Government for requiring non-Muslims to wear identifying symbols and other acts of human rights violations.

A recent order by the Taliban regime of Afghanistan to require Hindus and other non-Muslims in Afghanistan to wear symbols identifying them as non-Muslim is very disturbing.

It is inconceivable that after the experience of World War II, when Jewish members of European countries were forced to wear the Star of David as a means of identifying their religious beliefs that we should see this type of action again on the part of any government.

Women, minorities, and children suffer disproportionately. The U.S. State Department's Country Report on Human Rights Practices found that violence against women and girls in Afghanistan occurs frequently, including beatings, rapes, forced marriages, disappearances, kidnappings, and killings.

Amnesty International's Report 2001, covering events from January–December 2000 and issued May 30, 2001, states in its findings on Afghanistan that:

> Human rights abuses, including arbitrary detention and torture, continued to be reported in the context of the ongoing conflict between warring factions. The Taliban continued to impose harsh restrictions on personal conduct and behavior as a means of enforcing their particular interpretation of Islamic law. Fighting in the northern provinces intensified during the second half of the year as the Taleban and anti-Taleban forces fought for control of territory. Forced displacement of the civilian population was used by the Taleban to gain control of territory in areas north of Kabul, creating a severe humanitarian crisis.

The Taliban has repeatedly interfered with United Nations relief programs and workers, preventing the provision of much-needed food and emergency relief services to the people of Afghanistan.

There are more than 25 million internally displaced persons within Afghanistan, and more than 2 million refugees who have left the country.

The Taliban's Islamic Emirate of Afghanistan, headed by Mullah Mohammad Omar, is recognized as a government by only three countries, including Pakistan, the United Arab Emirates, and Saudi Arabia. Of the three, Pakistan's relations with the Taliban are the most extensive, including military and economic assistance. The anti-Taliban alliance's Islamic State of Afghanistan, headed by Burhanuddin Rabbani, is recognized as a government by other governments and the United Nations. According to the State Department's report Patterns of Global Terrorism 2000, issued in April 2001, ''The Government of Pakistan increased its support to the Taliban.''

According to the State Department's Patterns of Global Terrorism:

> The Taliban continued to provide safehaven for international terrorists, particularly Usama Bin Ladin and his network, in the portions of Afghanistan it controlled.

On May 29, 2001, a jury in Federal District Court in Manhattan convicted four bin Laden followers on all 302 counts they faced in connection with the August 7, 1998, bombings at the U.S. Embassies in Nairobi, Kenya, and in Dar es Salaam, Tanzania, which killed 224 people, including 12 Americans, and wounded thousands.

The State Department's Patterns of Global Terrorism 2000 report states:

> Islamic extremists from around the world including North America, Europe, Africa, the Middle East, and Central, South, and Southeast Asia continued to use Afghanistan as a training ground and base of operations for their worldwide terrorist activities in 2000. The Taliban, which controlled most Afghan territory, permitted the operation of training and indoctrination facilities for non-Afghans and provided logistics support to members of various terrorist organizations and mujahidin, including those waging jihads (holy wars) in Central Asia, Chechnya, and Kashmir.

On October 15, 1999, the U.N. Security Council unanimously adopted resolution 1267, in which it demanded that the Taliban in Afghanistan turn over Osama bin Laden, in order that he might be brought to justice, and required the Taliban to cease the provision of sanctuary and training for international terrorists and their organizations. The Taliban took no steps to comply with the Security Council's demands.

The willful act of segregating groups in any society based on their innate human differences is wrong, it was wrong in the southern United States before the civil rights movement forced a change in our Nation's policy regarding African-American, Hispanic, Native American, and Asian members of our society. It was wrong for South Africa to impose apartheid on the majority African and Indian population, and it is wrong for Afghanistan. The 56th session of the United Nation's Commission on Human Rights reported that a constitutional vacuum exists in Afghanistan. The Taliban government acknowledges the need for a constitution that would encompass an inclusive process, which would enable all segments of the Afghan population to participate in working out an acceptable constitutional framework and procedures for its acceptance and approval by the Afghan people.

There continues to be a denial to women of access to education, health and employment. The rights of women have been curtailed by limitation on their freedom of movement of women, with little access to employment or education. I have also heard about refugees stories concerning refugees and reports that chronicle the abduction of women, rape, infliction of the punishment of stoning, lashing, and other forms of inhuman punishment.

I would strongly encourage the Taliban government to rethink this decision along with their treatment of women in light of the strong negative connotations that are implied by their action. I do not reject the right of the Afghanistan people to self-determination, but I do reject any attempt to abuse women or to ostracize members of their diverse society.

The road that they are traveling on has been traveled on before with dire consequences for those who attempted to enforce laws and policies based on prejudice or fear. The intent of the government may not be to take action against these religious groups, but the end result could indeed lead to untold violence against others because they worship God in their own way.

America was willing to aid the Afghan people in their struggle for freedom from the former Soviet Union. Our Nation's support came from our shared interest in stopping the violence that was being committed against their people because of their deep faith in God expressed in their commitment to Islam.

I would ask that the Taliban not forget their history with those who were intolerant of them, and remember that a nation like the United States gains it strength from the diversity of the people who call her home.

I urge my colleagues to support this important resolution.

Mr. GILMAN. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to the order of the House of Tuesday, June 12, 2001, the previous question is ordered.

The question is on the concurrent resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. ENGEL. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 420, noes 0, not voting 12, as follows:

[Roll No. 161]

AYES—420

Abercrombie
Ackerman
Aderholt
Akin
Andrews
Armey
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett
Bartlett
Barton
Bass
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop
Blagojevich
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Brown (SC)
Bryant
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Carson (IN)
Carson (OK)
Castle
Chabot
Chambliss
Clay
Clayton
Clement
Clyburn
Coble
Collins
Combest
Condit
Conyers
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crenshaw
Crowley
Cubin
Culberson
Cummings
Cunningham
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Jo Ann
Davis, Tom
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dicks
Dingell
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Filner
Flake
Fletcher
Foley
Frank
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Grucci
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Harman
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Holden
Holt
Honda
Hooley
Horn
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kerns
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kirk
Kleczka
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Langevin
Lantos
Largent
Larsen (WA)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
McKinney
McNulty
Meehan
Meeks (NY)
Menendez
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Miller, George
Mink
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Ose
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Paul
Payne
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Platts
Pombo
Pomeroy
Portman
Price (NC)
Pryce (OH)
Putnam
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Scarborough
Schaffer
Schakowsky
Schiff
Schrock
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simmons
Simpson
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Spence
Spratt
Stark
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tiberi
Tierney
Toomey
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velázquez
Visclosky
Vitter
Walden
Walsh
Wamp
Waters
Watkins (OK)
Watson (CA)
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NOT VOTING—12

Allen
Burr
Ferguson
Ford
Fossella
Hill
Hoekstra
Hostettler
Johnson, E. B.
Larson (CT)
Lowey
Meek (FL)

□ 1622

So the concurrent resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. GILMAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and to include extraneous material on H. Con. Res. 145, the concurrent resolution just agreed to.

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

There was no objection.

CALIFORNIA'S ENERGY CRISIS

(Ms. ESHOO asked and was given permission to address the House for 1 minute and to revise and extend her remarks and include therein extraneous material.)

Ms. ESHOO. Mr. Speaker, yesterday afternoon, the California delegation, 52 strong, including our two United States Senators, Republicans and Democrats, met with the Vice President. The subject of the meeting was energy.

Californians are reeling from the sticker shock in the bills that they are receiving. We know that the Federal Energy Commission has said that there is gouging. We know that there is gaming. Californians are hurt and hurting badly by this.

I will place into the RECORD as part of what I am saying this morning a report that has come out from CNN. It is entitled ''Power of advertising fights electricity rate caps''.

Well, together with the White House and the GOP majority in the House, those gouged prices from Californians are now going to be put into an advertising campaign. The dollars that we are paying are going to be placed into an advertising campaign to try to defeat price relief in California.

This is an outrage, and it is an equivalent to what the tobacco companies did as they tried to wage their war on America and say that tobacco was good. This is an outrage, and we are going to fight this.

Mr. Speaker, I include the article that I referred to earlier as follows:

POWER OF ADVERTISING FIGHTS ELECTRICITY RATE CAPS

WORRIED GOP, WHITE HOUSE GIVE BLESSING TO UTILITIES' CALIFORNIA CAMPAIGN

(By Major Garrett)

WASHINGTON (CNN).—Major U.S. utility companies—at the behest of senior congressional Republicans and with White House approval—will launch a multimillion-dollar advertising campaign this week to fight federal caps on electricity prices in California, several sources tell CNN.

No exact dollar figure has been set for the television campaign, but congressional and administration sources said the first phase will cost less than $5 million and run only in California. Media buyers for the utilities will also purchase airtime on Spanish-language television.

''Every penny right now will be spent in the Golden State,'' said a source intimately involved in the ad campaign.

Over time, the utilities' ad campaign could easily cost more than $10 million. Leading

congressional Republicans have urged the entire energy industry to spend upwards of $50 million on the ads—or about as much as the tobacco industry spent to defeat comprehensive tobacco legislation in 1998.

Congressional GOP leaders have issued dire, albeit private, warnings to the energy industry that they may not be able to block legislation imposing caps on prices or other measures designed to give the federal government a greater role in setting rates for wholesale electricity, oil or natural gas.

The ad campaign reflects a deepening sense of dread among congressional Republicans that the Bush energy policy, while long on specifics, has failed to address short-term political pressure on Republicans.

Republicans inside and outside of Congress tell CNN they are terrified about confronting a summer of Democratic attacks on energy prices as they gear up for re-election campaigns. The concerns are all the more acute because of the GOP's narrow, five-seat House majority and fear among Senate Republicans that they could lose more ground to the Democrats in next year's elections.

The final straw for many House and Senate Republicans was Mr. Bush's trip to California, which, in effect, put the issue of price caps in the spotlight.

''It was a total disaster,'' said an adviser to the House Republican leadership. ''He came out there to let every Californian, including Republicans, know he was against price caps. Now everyone in California knows (Democratic Gov.) Gray Davis is for them and the president is not.''

What's worse, several senior Congressional Republican sources told CNN, the White House returned from the trip thinking the president had the upper hand.

''It's ludicrous,'' said another House Republican. ''Members have lost confidence in their ability to understand how this issue is affecting us.''

Congressional Republicans will not play any role in the content or overall strategy of the campaign. Neither is the White House involved. But House and Senate GOP leaders have shared their concerns with top White House officials, among them Mr. Bush's senior political adviser, Karl Rove.

''The White House is aware and approving of the effort,'' said a senior Senate Republican aide.

House Republican leaders, beset by complaints from rank-and-file Republicans about the beating they're taking on the energy price issue, have been demanding action from energy companies to make the public case against price caps or other controls on energy markets. Chief among the advocates has been House Majority Leader Tom DeLay of Texas.

DeLay and his wife, Christine, dined with President bush and the first lady on Wednesday. Sources close to the situation said the evening was mostly social, but they added that DeLay expressed concerns about the withering attacks the House GOP has been absorbing from Democrats on the energy issue.

From news conferences to special orders on the House floor, Democrats have blasted Republicans as allies of big energy conglomerates and as unwilling to question high energy prices.

The White House, sources inside and outside the administration tell CNN, has gotten the message. Senior advisers convened an emergency ''California energy message'' meeting Thursday to discuss future strategy. The meeting involved Rove, White House counselor Karen Hughes and senior advisers from the president's economic team and the Energy Department.

The political danger for Republicans has become so pronounced that House GOP leaders pulled an energy bill sponsored by Republicans Rep. Joe Barton, R-Texas, because they could not be sure they could kill a Democratic attempt to add energy price caps in California to the legislation.

Similarly, senior Senate Republicans aides said a push for electricity price caps in California could prove unstoppable if the issue comes to the floor. With Senate Democrats eager to push other matters first—such as HMO reform—the price cap issue will probably not make it to the Senate floor until congress returns from its Fourth of July recess.

At a recent gathering of Senate Republicans, one top senator said there ''wasn't five votes'' among Republicans to block price caps on electricity in California.

Last week, House Majority Leader Dick Armey, R-Texas, and Conference Chairman J.C. Watts, R-Oklahoma, sparred publicly over whether to hold hearings into energy prices. Armey said the exercise was ''nonsense.'' Watts said he wanted energy companies to at least explain price fluctuations so the public would see that Republicans were at least willing to hold them accountable to consumers.

''We're not fighting fire with fire,'' said one exasperated senior House Republican aide. ''This is a war and if the energy companies don't step up to the plate, we can't stop bad things from happening anymore. They have to be willing to fight and fight on the air.''

Before the emergency White House meeting California, top White House communications aides sent a memo to all congressional Republicans last week advising that they should no longer use the phrase ''price caps'' but ''price controls.''

The theory behind the semantics, Republicans say, is that price caps sound consumer-friendly and nonthreatening, while price controls sound bureaucratic and meddlesome. The White House has long argued that price caps in California—or anywhere else—would distort markets.

This distortion, the White House has argued, would artificially lower prices, encourage consumption and diminish the supply of energy that can be profitably brought to market.

Republican sources said several utilities will participate in the advertising and that the thrust of the pitch would be that government interference in energy markets would, in the case of California, bring more blackouts.

The campaign may, in later stages, remind viewers of the gas lines in the 1970s, which many energy economists say were brought on by price controls that drastically reduced the supply of gasoline and by consumers hoarding gasoline, frightened of never having enough.

''We've been carrying their water for a long time,'' one Republican said of the energy industry. ''And now they're going to have to provide some air cover.''

The one irony is that energy economists have of late forecast that gasoline prices—which were feared to be headed well above $2 per gallon—will likely drop later this summer and that the energy crisis in California may not be as acute as anticipated.

The main reason, these economists say, is that high prices for gasoline and electricity sparked widespread conservation that has boosted supplies of gasoline and taken pressure off California's electricity needs.

But that doesn't mean the political equation has changed.

''Members are scared to death,'' said another senior House Republican aide. ''They are going to be redistricted this year and they will have to sell themselves to some new voters next year. They need to be able to tell them what they did about energy.''

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.

SPEAKING OUT FOR RURAL AMERICA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Kansas (Mr. MORAN) is recognized for 5 minutes.

Mr. MORAN of Kansas. Mr. Speaker, tonight we would like to pay tribute to rural America and to particularly highlight the efforts of the 140-member Congressional Rural Caucus. We have pledged ourselves to having attempts to preserve rural America, and I commend my cochairman of this caucus, the gentlewoman from Missouri (Mrs. EMERSON), and the gentlewoman from North Carolina (Mrs. CLAYTON) for their leadership and dedication to the rural caucus on issues that matter to rural residents across this country.

Our job as members of the Congressional Rural Caucus is to promote economic and social policies that support the continued viability of our rural communities. In many instances throughout my State of Kansas our rural communities continue to struggle. We continue to see populations in once-thriving communities decline across the Great Plains. Of 105 Kansas counties, 61 have smaller populations today than in 1900; 82 Kansas counties have lost population since just 10 years ago; and 65 counties are predicted to lose population in the next 10 years.

Kansas communities are confronted with serious challenges of prosperity and survival. While working on the farm bill, Mr. Speaker, we hope there will be a strong component for rural development in that farm bill. And as parts of the rural caucus, I chair the task force on telecommunications. Seems awfully important for us to make certain that the provisions that are often available in more urban areas of our country are made available in rural communities as well. Our communities' survival depend upon access to increasing technology.

Mr. Speaker, by providing one voice for rural America, the Congressional Rural Caucus will ensure that rural communities will remain viable and competitive. Our job in Congress is to raise the awareness of rural issues and to preserve that way of life. As Congress debates important issues like

rural development in the farm bill, and access to telecommunication technologies, we must address the opportunities and challenges that we face in rural America.

Rural Americans across the country need us to demonstrate our commitment for a better quality of life, and I urge my colleagues to join us in this fight and to speak out for rural America.

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

Mr. MORAN of Kansas. I yield to the gentleman from Montana.

Mr. REHBERG. Mr. Speaker, agriculture is the number one industry in the State of Montana. That is why the two pieces of legislation I introduced, along with the gentleman from South Dakota (Mr. THUNE) and the gentlewoman from Missouri (Mrs. EMERSON) are so important to me and to rural America.

The heart of America is her rural communities. The Montana farmers and ranchers who work the soil understand that our State's motto, Oro Y Plato, gold and silver, is truly the gold of ripe wheat fields and the silver of water resources. The harvest of the farmer and rancher translate into the gold and silver of economic health in rural communities.

Families spanning generations have sustained themselves in agriculture, but it is no longer feasible. The past few years have brought disasters and record low prices to the ag economy. While safety nets are important to producers, especially in lean years, America's farmers and ranchers do not want to be dependent upon the government. So we must develop a long-term market-oriented approach to Federal farm policy to give producers the tools to help themselves and at the same time to bring much-needed economic growth to their communities. Short-term financial aid is helpful; but long-term planning, along with creative, innovative opportunities, are vital lest America's rural families lose their farms and small towns die with them.

We need to encourage producers to add value to their product. Value-added ventures will enable producers to reach up the marketing chain and capture profits generated from processing their raw commodities. Two barriers prevent producers from pooling together and adding value to their products: first, though farmers are experts in their own fields, often they do not have the technical expertise needed to launch complex value-added business ventures; second, producers are strapped for cash. Even if they had enough capital to initiate development of value-added processing, many of the combined players in the market could squeeze producer-owned entities out before they become profitable. Something needs to be done to level the field for producers.

Developing value-added agricultural industries will bring increased economic development along with the spirit of hope to Montana and other rural States. And that is good for our pocketbooks, it is good for our communities, and it is good for our quality of life.

□ 1630

SOLVING PROBLEMS OF RURAL AMERICA

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from North Carolina (Mrs. CLAYTON) is recognized for 5 minutes.

Mrs. CLAYTON. Madam Speaker, in 1908, President Roosevelt charged the Country Life Commission with the task of solving the rural problem. He identified this problem as the fact that the social and economic institutions of this country are not keeping pace with the Nation as a whole almost 100 years ago, and that would just as easily describe our situation in America today.

Many people are aware that there is a farm crisis plaguing rural America. However, fewer people are aware that this crisis does not stop at the farm but extends to the whole of rural America. Crumbling infrastructure, lack of educational and employment opportunities, outmigration of youth, inadequate health care facilities, and a growing digital divide are just a few of the struggles that our rural communities must overcome. We must take steps to close that gap and to recognize the vital contributions of rural communities to American economic, cultural, and civic life.

Just over a year ago, I joined with my friend and colleague, the gentlewoman from Missouri (Mrs. EMERSON), in resurrecting the Congressional Rural Caucus. The Rural Caucus is grounded in the belief that the needs of rural America are diverse and unique. We stand united in the belief that it is past time for Congress to stand up for rural America. We must do all we can to ensure that our rural communities are not just to survive, but they may thrive as well. Only when we tailor policies which address the unique needs of rural America will we see that day.

The 107th Congress will provide numerous opportunities to speak up for rural America, but I would like to mention two in particular.

The first is the upcoming farm bill. This Congress will be updating our farm policy for the first time since 1996. We must seize this opportunity not just to rethink our commodity policies, but to pause and to reflect upon the needs of all rural citizens. An important component of the farm bill certainly is our commodity policy, but the needs of rural America go far beyond commodities. The question that we must ask with the farm bill is not how do we fix our commodity programs, although this is clearly an important question and requires our attention. Rather, we must ask ourselves: What is our social contract with rural America; and what actions do we need to take to reinforce that contract?

Our obligation and debt to our rural communities is greater than ever. We must fulfill that debt by pledging to work harder than ever to assist rural America.

I am not alone in this belief. On May 23, I joined 120 of my colleagues in sending a letter to the leadership of the House Committee on Agriculture urging them to make rural development an integral part of the upcoming farm bill.

However, the farm bill is just the beginning. The second opportunity lies in strengthening our partnership with the White House. The Rural Caucus is committed to moving forward with the White House as full partners. Together we can make great steps in strengthening our rural communities, but the White House must do their part.

We have programs that assist rural America, but they are scattered throughout departments and agencies with little coordination between them. We must recognize that decades of incremental and piecemeal efforts have resulted in policy which no longer address the realities of life in these rural communities.

Before stepping forward with a comprehensive new blueprint for rural America, we must step back to survey the landscape of rural America and our patchwork set of policies that are directed towards it. It is time to follow the lead of other industrialized countries in the world in crafting an integrated and comprehensive rural policy. They have done it. We can do it as well.

The time has come to address the entire rich fabric of our farming and rural communities across the country and not just the single threads that bind it together. At stake is not just the continued existence of our rural communities. At stake is the very soul of this great country. If rural America dwindles away, all of America is deprived of a great asset. If rural communities turn to ghost towns, the spectre will haunt us all.

Madam Speaker, I urge Congress to support our rural communities.

APPROPRIATORS SHOULD FULLY FUND FIRE AND EMS DEPARTMENTS

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. Madam Speaker, the numbers are in, and the results are overwhelming. This Congress for the first time in the history of America last year authorized and appropriated $100 million for the

American fire and emergency services community to meet their local needs. It was an historic action.

Within a 30-day time period, from April 1 until May 2, the 32,000 fire and EMS departments across this country had the opportunity of applying for matching funds to meet their local needs and to meet the national responsibilities being placed on them in our effort to prepare for an incident involving a weapon of mass destruction.

Within that 30-day time period, there were 30,000 requests for funds from over 20,000 departments, from the smallest rural department in rural America, to the largest department in our largest city. They requested funds for breathing apparatus, for training, for new technology, for communication systems, for fire apparatus. The resultant 20,000 requests totaling 30,000 specific applications asked for $3 billion of assistance. We only appropriated $100 million.

Madam Speaker, there will be a lot of very unhappy and disappointed fire and emergency services departments. But we have made an historic beginning, and I would encourage our colleagues to join together and request that we increase the funding for that grant program to $300 million in this year's appropriation process so that we can continue to meet the need of our domestic defenders.

Some would say this is too much money. Madam Speaker, local law enforcement officials across this country receive $4 billion a year from the Federal Government. While I support our local law enforcement, our fire and EMS personnel should certainly receive no less. $100 million is a long way from $4 billion.

So I say to our colleagues today as we understand the need that has now been documented for the first time, $3 billion in requests from every congressional district in this country. I would ask our colleagues in the House and the other body to join together and request the appropriators to exceed the President's request of $100 million and fully fund the authorized amount which this fiscal year is $300 million.

Madam Speaker, I urge my colleagues to contact the appropriators and make the request to our good chairman, the gentleman from Florida (Mr. YOUNG), who was a tireless advocate last session, and the gentleman from New York (Mr. WALSH), the subcommittee chair, to include the fully authorized amount in the appropriation process.

PROTECTING AND PROMOTING THE RIGHT TO ORGANIZE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. GEORGE MILLER) is recognized for 5 minutes.

Mr. GEORGE MILLER of California. Madam Speaker, I thank my colleague, the gentleman from Michigan (Mr. BONIOR), who organized some of us to come to the floor and discuss the importance of protecting and promoting the rights of workers to organize.

Every year our government spends tens of millions of dollars of our tax money to support efforts around the globe to promote democracy. One of the ways that we measure society's success in establishing a democratic system of government and an open society is how well its laws protect the rights of the poor, the rights of workers, and the rights of its citizens to speak, to organize, and to act collectively on their own behalf.

This is a message that we send every day from the floor of this Congress. We condemn, as we did today, those governments that oppress workers, that shield unscrupulous employers and empower the elites of society. Democracy is not measured by how well you guard the affluent and the powerful, but by how well you protect the rights of the weakest and the most vulnerable.

Thirty-six years ago, in 1935, Congress enacted the National Labor Relations Act to address the inequality of bargaining power between the employees who do not possess the freedoms of association or liberty of contract and the employers. In the depth of the Great Depression, our government understood that working men and women could not challenge employers who, through their wealth and power and associations, could exploit labor if workers themselves were not protected in their efforts to organize. That was a decision born of decades of brutal, bloody, and crippling warfare in the mines, the factories, the wharves, and the workshops of America.

But today, as the men and women born, along with the NLRA retire, 65 years later that promise to America's working people remains unfulfilled despite many achievements by organized labor on behalf of America's working families.

Unions have made tremendous improvements in the quality of life and standard of living of their members and their families. Union workers earn 28 percent more than nonunion workers, and union women earn 31 percent more than nonunion women workers. Unions have made dramatic improvements in the economic status of minority Americans: African American union members earn 37 percent more than nonunionists, and Hispanic workers increase their earnings about 55 percent through union membership.

Ninety percent of union workers have pension benefits compared to only 76 percent of nonunion workers, and 86 percent have health care benefits compared to 74 percent of nonunion workers. Only 50 percent of the nonunion have short-term disability benefits, compared to 73 percent of union workers. And the union workers, on an average, enjoy twice the job stability of their nonunion counterparts.

American workers and their families, whether union or not, enjoy a higher quality of life, greater freedoms, greater opportunities, greater political influence and greater health because of the union movement in the United States. Because of the many hard-fought battles over the last century and a quarter, most Americans can take a weekend off. Most Americans only work 8 hours a day rather than 10 or 12. In their later years, most Americans have pension plans, health insurance, as well as Social Security and Medicare that union support made possible and protects today.

Given this great heritage, many question why the number of workers who are members of unions has decreased. Perhaps unions are victims of their own success at times. They have raised the quality of life for millions who never carried a union card. But there is another explanation and the Congress needs to pay it closer attention and address the shortcomings of current labor law.

Congress sends millions of dollars to build democratic institutions in other countries, and one of the measurements of success is the creation of a free trade movement with the right to strike and engage in collective bargaining and political activity. That is a measure of political health. But it is often not the case in the United States.

Unions and the men and women who would form and join them are the victims of grossly unfair bias under the current labor laws. The decks are stacked against those seeking to create a union. The law grants numerous advantages to employers that facilitate their efforts to prevent fair elections and successful collective bargaining.

Let me give you a few examples. The Wagner Act says a laborer may not be fired for trying to form or join a union. However, the only remedy for an unlawful discharge is to grant the worker back pay and reinstatement. As anyone familiar with labor law knows, it can easily take a year or more to litigate the unlawful discharge case. While that may be fine for an employers' association, few workers can afford to go several years without a job. Nor does the back pay of money that should have been earned to compensate a worker for the damages suffered as a result of having no income for 6 months. The worker receives no compensation to account for the new clothes that the worker could not provide for his child. The worker receives no compensation for the car or home that was repossessed. These are just the beginning of some of the unfair labor practices that exist in current law in this country. We will continue this discussion.

□ 1645

LABOR RIGHTS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. DAVIS) is recognized for 5 minutes.

Mr. DAVIS of Illinois. Madam Speaker, I am pleased to take this opportunity to salute first of all organized labor and to talk briefly about the role that it has played and continues to play in the lives of average citizens, ordinary Americans, the role that it has played in helping to create what we call the middle class.

Every day when I pick up the paper, the first thing that I generally see is where the rights of workers are being eroded. We are continuing to downsize, outsource, privatize. There is a tremendous amount of anti-union organizing activity. We see the diminution of workers' rights and the elimination of fringe benefits. More and more people are forced into having to work part time, with not a real job where they have benefits, where they know that if they should become ill, they can go to the doctor or go to the hospital.

In a world that is increasingly connected by international trade and investment, the need for enforceable rules in the global economy to protect workers' rights and prevent a devastating drive to the bottom in labor standards has never been more critical than what it is today. Working together, countries must take steps to establish minimum international labor standards so that increasing trade competition between nations does not continue to spiral downward.

The fact is that since NAFTA was enacted in 1993, the United States has lost more than 600,000 jobs. U.S. companies have less stringent labor and environmental standards. In fact, more than 150 U.S. companies have left the U.S. for Mexico since NAFTA and are now relishing in the fact that they have avoided compliance with important worker safety and health standards. And, of course, they are getting away with paying their employees as little as $7 a day. How can a Teamster, for example, who might make an average of $19 an hour compete with this? The fact of the matter is that he or she cannot. And each and every time we go to the bargaining table to negotiate a good, fair contract, we are berated with threats of companies relocating. In the end, American jobs are eliminated, our wages are suppressed, and benefits cut. Unfortunately, the World Trade Organization does not seem to be concerned with this problem.

I was pleased not long ago to listen to my colleague from North Carolina talk about reauthorization of the agricultural bill and the fact that rural America must have a real place in it. I was thinking that when we reauthorize that bill, we need to make sure that we look at some of the subsidies that we are giving to agribusiness, that we look, for example, at the tremendous subsidy that the sugar growers are getting which is keeping the cost of sugar so high in places like where I live that candy companies are going out of business, or they are talking about moving to Mexico or Argentina or someplace other than in the United States.

And so I think it is a call to arms for the workers of America to unite, to keep coming together, to keep organizing, to make sure that there is protection for the average person, the workers of this country.

WORKERS' RIGHTS

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms. SOLIS) is recognized for 5 minutes.

Ms. SOLIS. Madam Speaker, today I rise to talk about the importance of workers' rights. I want to tell my colleagues a little bit about my own personal history. My parents came as immigrants to this country. Because they became a part of working America, they were also involved in the union movement. Because of that, we had protections for our family, seven brothers and sisters. Because of that protection, my father lives a better life. He lives on a fixed income with a retirement, a pension plan. My mother is well. But the fact remains that before the union came into their place of work, they suffered quite a bit. My father, in fact, was exposed to very hazardous and toxic materials and as a result became involved with the union to provide protection so that other employees there, immigrant employees who could not speak English could have clothing, appropriate clothing and even an oxygen mask that would help prevent them from being exposed to harmful chemicals.

My mother worked for many years, 20 years exactly, on her feet almost 10 hours a day and now suffers from arthritic problems and severe varicose veins. She was lucky, though, that she had the union to fall back on, to provide her protections, medical coverage not only for herself but for her seven children and I as one of those. It has not been an easy road for them, and I thank the unions for providing that safety mechanism for them and my brothers and sisters.

But the movement of the union effort needs to go on. In fact, I was very privileged as a member of the State Senate to run the industrial relations committee where I was very much involved in helping to raise the minimum wage. I am sad to report that in the Federal Government, our minimum wage is much lower than the State of California. In fact, it is at $5.15 an hour. In California, it is $5.75. It is still below the poverty level. In fact, if we were to raise it up a bit, we would still have to give a boost of $1.24. We still have a long way to go. Working America needs a break.

In my opinion, we have much to do to protect women, particularly many of those that are forced to work two and three jobs at minimum wage to raise their families. Many of them have children. Many of them sorely need insurance, health coverage and many other protections that are provided to union people. Many of those individuals are seeking to organize and have not been successful because many anti-union companies or businesses are trying to erode any support so that they can collectively bargain for their rights.

I want to put my support behind efforts that I was recently involved in in California in the city of Vernon with a particular organization there that was trying to organize women and immigrants that were working to sew mattresses and blankets. Some had worked there for 30 years at the Hollander Home Fashion in Vernon and were not given any kind of retirement benefits or any kind of pension plan. Thirty years at minimum wage and not one increment. I went out there and met some of those workers. Thank God that the employer there came to his senses and they were able to work out an agreement. They now have a collective bargaining agreement that will provide protections for the some 200 or 300 workers that I saw there in Vernon.

I cannot say that about an ongoing effort right now with Pictsweet Mushrooms in California where farm workers are trying to get also a better medical plan, a pension plan, and the one that is being offered right now by the employer is much too small and it would require a much greater premium on the part of the worker. The California Agricultural Relations Board has upheld an unfair labor practice charged against Pictsweet by the United Farm Workers. The United Farm Workers won that, but we still need to do more. I stand here now in support of what the Pictsweet Mushroom employees are working on.

We have a long way to go for working families, especially those that are new immigrants, that are coming to this country with the realization that they want to share in the American dream. I would ask this House and body to put forward a minimum wage bill to provide protections for all workers and to work to provide more sufficient coverage in terms of OSHA, because we know that there are many, many thousands of workers that lose their lives, that go to work thinking that they are going to have some protections in place and find out that they cannot even go home because something happened at work.

I would ask this Congress, this body, to please take note of these issues.

THE IMPORTANCE OF COLLECTIVE BARGAINING FROM A HIGH TECH PERSPECTIVE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Washington (Mr. INSLEE) is recognized for 5 minutes.

Mr. INSLEE. Madam Speaker, I come to the well of the House today to speak in favor of and to recognize the importance of collective bargaining. I would like to do it from the perspective of my particular district. I represent a high tech district in the State of Washington just north of Seattle that includes Redmond where Microsoft is located as well as many software firms. It includes a biotech corridor where some of the new medicines are being developed with our new genetic technology, Immunex and others. From that perspective, a lot of folks have thought in the new economy where we have high tech jobs and software and biotech that the importance of collective bargaining or organized labor would fade away. I just want to say today that from the perspective of the high tech economy represented by my district, the importance of collective bargaining to people remains just as large and fundamental as it always has been in this country.

I want to tell just a couple of stories as to why that is true. First the story of Northwest Hospital in my district where a large group of employees desired to be represented by the SCIU, the service employees union, from a variety of professions at the hospital. Something interesting happened when those workers decided they wanted to be represented by SCIU. What was interesting that happened is that the hospital management, unlike a lot of places, decided not to try to intimidate workers, not to try to browbeat workers, not to interfere in the decision by the workers who are really the people who ought to have the decision whether to be represented or not represented. As a result of that, the workers freely voted and indeed in this case voted to be represented by that bargaining unit. To date there has been peace and harmony and increased productivity at that hospital I think because of that peaceful relationship. It was one example about how where management took a progressive attitude to allow workers to freely voice whether or not to be represented, things worked well.

Now I want to talk about the current situation at the University of Washington where the teachers assistants have expressed a desire to be represented by a bargaining unit of the UAW. Despite, I think, their clear manifestation of a desire, the administration of the UW has felt constrained, they believe they do not have the legal authority under the Washington State legislative structure to enter into a bargaining unit at the University of Washington. Many people, myself included, believe that is a misinterpretation of Washington law.

Nonetheless, that has created a lot of tension and the lack of the ability to move forward between the management, essentially the administration of the University of Washington and the teachers assistants. It is a situation where collective bargaining has not been able to move forward at least due to the perceived belief of the University of Washington management that we have not been able to move forward in a collective bargaining agreement, much I think to the detriment of the institution as a whole.

I think it has been instructive as to why collective bargaining needs to be recognized. We have been hopeful that the administration would take another look at the interpretation of Washington law. Failing that, we have also been hopeful that the Washington legislature would do some house cleaning and simply grant very specifically to the University of Washington administration the ability to collectively bargain. I am told that our friends in the other party have blocked efforts of that in the Washington legislature. I think that is very, very shortsighted. To simply give the University of Washington management the same authority that other management anywhere in America has to enter into collective bargaining units.

I want to say today from a high tech corridor, there is good news in a bargaining situation in a hospital. There is bad news in another high tech corridor, the University of Washington. We are hopeful that that gets resolved so that the parties can move forward in this very important right of collective bargaining to organize. That is the story from the high tech world.

INTRODUCTION OF BIPARTISAN SOFTWOOD LUMBER FAIR COMPETITION ACT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Oregon (Mr. DEFAZIO) is recognized for 5 minutes.

Mr. DEFAZIO. Madam Speaker, I would certainly echo the comments of those that preceded me in the well about the contributions of organized labor to all working people in the United States and join them in supporting their efforts. But I come to talk about a specific sector of the economy and specific workers, that is, people who work in the lumber and wood products industry.

Back in the 1980s, the United States Department of Commerce found that Canadian lumber is heavily subsidized.

□ 1700

The Reagan, Bush I and the Clinton administrations have all found the Canadian lumber is subsidized. Numerous Canadian sources, including the BC Forest Resources Commission, Canadian Private Wood Owners Association, Maritime Lumber Bureau have also found those subsidies. That is not in question.

The subsidies come in three primary forms. The provincial government owns 95 percent of the timberland in Canada and administratively sets the price of timber one-quarter to one-third of its market value.

Agreements allow Canadian mills long-term access to timberland in exchange for cutting to subsidize the timber. No matter what the market conditions are, they are required to harvest and process the lumber, and they lose their licenses if they do not do that.

Finally, they are really back 50 years ago or more in terms of their environmental practices. They regularly violate principles set by the Canadian national government in terms of streamside buffers; drag logs through the streams and destroy precious salmon habitat. The results of that are being reflected in crashing salmon runs off of Canada and Alaska.

In response, in 1996, the United States and Canada negotiated a softwood lumber agreement. Unfortunately, that has expired and negotiations to extend or revise the agreement have not occurred despite the fact that many of us have contacted the current administration and asked them to make this a high priority.

We have seen statistics that say a mere 5 percent increase in lumber imports, subsidized lumber imports, from Canada could cost 8,000 jobs in the Pacific Northwest. So we feel this is of the utmost priority.

I am introducing legislation tomorrow with the gentleman from Georgia (Mr. NORWOOD), bipartisan legislation, the Softwood Lumber Fair Competition Act, and I really appreciate the fact that the gentleman from Georgia (Mr. NORWOOD) has joined me as the chief Republican sponsor. It also will have support and introduction of a number of other Democrats and Republicans from various parts of the United States.

If Canada will not do the right thing and come back to the negotiating table and the Bush administration will not take the initiative, then Congress must force the issues through enactment of such measures as the Softwood Lumber Fair Competition Act.

Our legislation is based on the import relief provisions of the Steel Revitalization Act, which has 212 bipartisan cosponsors. The legislation requires that the President take necessary steps by imposing quotas, tariff surcharges, negotiate voluntary export restraint agreements or other measures when softwood lumber imports from Canada exceed the average volume imported monthly during the 24-month period preceding December 1995.

This will help ensure that the U.S. industry and workers are not harmed

by unfair dumping of subsidized Canadian lumber.

The job losses and mill closures will accelerate if the United States does not stand up for our working families and demand that Canada trade fairly.

With the sluggish U.S. economy, we simply cannot afford to sacrifice more U.S. jobs and U.S. industries to unfair trade by the Canadians.

The President has repeatedly assured Congress that his administration will vigorously enforce U.S. trade laws. I was pleased with his recent decision to pursue a Section 201 case on steel dumping. Now it is time for the President to do more on softwood lumber issues. It has been nearly 3 months since the agreement expired, and 3 months since a number of us contacted the administration to tell them how urgent it was that they pursue these negotiations. He needs to bring the Canadians back to the negotiating table and work out an agreement which both sides can live with similar to the 1996 agreement.

The choice is clear. Canada needs to come back to the negotiating table with a good faith effort or Congress must take action.

ORGANIZED LABOR

The SPEAKER pro tempore (Ms. HART). Under a previous order of the House, the gentleman from Texas (Mr. GREEN) is recognized for 5 minutes.

Mr. GREEN of Texas. Madam Speaker, I rise to join my colleagues in praising the men and women of organized labor. Organized labor has been a key proponent in the battle for fair wages and better working conditions and safer working conditions throughout the history of our Nation. Just like my colleague from California, let me say a little background because I know people all over the country do not know that most of us represent individual districts.

I started out in high school, as we call it, a fly boy at a newspaper, and worked in my apprenticeship, graduating from college; at the same time also getting my journeyman card as a union printer, and finding out in 1971 I made more as a union printer than I did as a college graduate with an undergraduate degree in business. So I stayed in the printing business and worked there and ended up helping manage a small business.

In that time, I got involved in politics, elected to the legislature, went back to law school at night but still worked in the printing business for 23 years and still kept my card in the union. With the merging now of the Typographical Union with the Communications Workers Union, I can proudly say that I am not working at the trade but a member of the Communications Workers Union.

I tell people do not ask me to fix their phone. I cannot even run a press any more. I have been ruined by serving in Congress.

I believe that the right to bargain collectively is a basic civil right and that unions are an avenue of that fair treatment and economic stability for working people.

The right for people to bargain collectively and independently is not only important in our country but around the world because of the litmus test on the freedom that a society has.

We have seen the impact that employee groups can have in establishing more Democratic governments in institutions worldwide, with one example of the success being the Solidarity Union in Poland. In other countries that are still autocratic regimes, such as China and Vietnam, the rights of workers to organize into unions or employee groups and push for improved pay and working conditions will be the key to showing that that country is ready for real governmental and economic reforms and establishing a free society and the rule of law.

So freedom to organize is a basic civil right that free societies enjoy.

Back here in America, last year 475,000 people joined unions in 2000. Despite the fact that oftentimes this is a basic right of workers, they face intimidation from employers who break the law and try to prevent workers from organizing.

Let me read just a few statistics about what workers have to go through to exercise their rights. Twenty-five percent of employers fire workers that try to organize unions. Over 90 percent of the employers, upon hearing that their workers want to organize, force employees to attend closed-door meetings and listen to the anti-union propaganda. Whether it is true or not, no one really knows since they are closed door.

Thirty-three percent of employers illegally fire workers who tried to form unions and 50 percent of employers, half of the employers, threatened to shut down if their employees organize.

If workers in America are subject to this kind of discrimination, then we can only imagine what workers in the rest of the world have to go through when they want to join together to bargain collectively.

Before I get too far along, I have a particular piece of legislation that came out of an experience in Houston that I want to speak to. This is the second session I have introduced what is now H.R. 652, the Labor Relations First Contract Negotiation Act. This bill was introduced to enhance the rights of employees to organize and bargain collectively for improved living standards. It will require mediation and ultimately arbitration if an employer and newly-elected representative had not reached a collective bargaining agreement within 60 days.

Time after time, valid elections are held where workers choose to be represented by a union, but months and sometimes years later will go by and these workers still have no contract even though they voted for union representation.

This bill is important because what we see with the NLRB is that the delay is often justice denied, and what we would like to see is that bill come to a vote so we can debate real labor law reform on both sides of the issue. I believe passage of that bill will help with short-circuiting the delay that we have with the NLRB and actually have workers go back to work and prevent workers and employers being locked in sometimes a stalemate.

America has a great history of recognizing workers and their right to organize, but we still have a long way to go.

I want to thank the gentleman from Michigan (Mr. BONIOR) for his effort today and will work with him to continue to fight for the rights of workers not only here in America but throughout the world. I know the bumper sticker I see in Houston often says, ''If you like weekends, it is brought to you by unions.'' I think that says more than any of us can say, Madam Speaker.

SALUTE TO ORGANIZED LABOR IN OUR COUNTRY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey (Mr. ANDREWS) is recognized for 5 minutes.

Mr. ANDREWS. Madam Speaker, I am pleased to join with my friend and colleague, the gentleman from Michigan (Mr. BONIOR), in the salute to organized labor in our country.

The enduring value of organized labor's contribution is best measured by what labor has done for those who are not members of labor unions. Labor unions have done much for their members: Higher wages, broader and more valuable benefits, safer and more fair working conditions. It is the collective lifting of all workers and all industries and all persons across the country that has been the lasting legacy of organized labor.

With that in mind, I think it is important that we examine what labor has achieved, how our lives would be different if labor had not been organized; what we must do in this Congress to continue the strong tradition of collectively bargaining in America, and then to consider the issues that affect each of us that labor is taking a lead in fighting and working for.

Members of the generation that has been described as America's greatest generation were born in a very different world than the one in which we live today. A person 75 years of age today was born in 1926. In 1926, when they stopped working they stopped having an income unless they were someone very affluent and very privileged. Most people worked until the

day that they died. Then labor helped to take the lead in enacting the Social Security legislation in the mid-1930s.

If one was born in 1926, they lived in a world where the day they stopped working, they stopped getting any kind of health care coverage or access to medical services if they had it at all before then.

The mid-1960s again was in the vanguard as Congress passed and President Johnson signed the Medicare legislation, which has assured generations of Americans, labor union families and nonlabor union families, the security of first class health care from the day they retire until the day that they die.

If one was born in 1926, they lived in a world where it was legal to require someone to work more than 40 hours a week without paying them overtime. It was legal to press into service children. It was legal to send them to work for long hours in dark places that were unfit for human work or human habitation. Labor was in the vanguard of changing that as well.

The strides that labor has made are based upon the ability to bargain collectively, and it is this right of collective bargaining that needs protection and support in the Congress of the United States. There are two actions that I think are important for us to consider. One we should take and one we should not take.

We should, as the gentleman from Texas (Mr. GREEN), has suggested and others have suggested, enact legislation that says to an employer that when the employer in bad faith refuses to bargain collectively with a duly recognized collective bargaining union, that that employer should be held responsible for the consequential damages and attorney's fees which flow from such a failure to bargain in good faith.

The way it works today is that when a union fights and wins a representation election and an employer chooses to keep on fighting rather than to start bargaining, that lost wages and lost value of benefits and expenses incurred as a result of continuing to litigate and to fight are not recoverable by the workers who won that representation election.

It is a unique anomaly in American law. In virtually every other area of contract law in America, if one has a contract and it is breached by the other side, they are made whole for the consequences of that breach. That is not true in collective bargaining legislation and it ought to be. That is the aim of legislation that I have introduced in the House of Representatives in this Congress.

□ 1715

What we should not do is pass so-called paycheck protection legislation that is designed to require of unions what we do not require of any other institution in American life, and that is that if the union wishes to become involved in political activity, to express itself through education or voter registration, they have to get unanimous consent. I believe that is the wrong way to go. We should not do so. I think we should do the other legislation.

COMPACT IMPACT AID TO GUAM NOT SUFFICIENT

The SPEAKER pro tempore (Ms. HART). Under a previous order of the House, the gentleman from Guam (Mr. UNDERWOOD) is recognized for 5 minutes.

Mr. UNDERWOOD. Madam Speaker, today I want to draw the attention of Members to the financial and economic conditions in Guam by discussing two policy and legislative items with dramatic consequences for Guam.

First of all, I want to talk about the Interior appropriations bill which was marked up today by the full Committee on Appropriations. Guam was given $5.38 million for Compact Impact Aid. Compact Impact assistance is money that is given to the Government of Guam as a form of reimbursement for educational and social services given to migrants from the Freely Associated States, primarily the FSM, the Federated States of Micronesia, some impact from the Republic of the Marshall Islands and the Republic of Palau.

These three states, that are independent nations, are in free association with the United States; and these compacts of free association have allowed these three nations to be the only independent nations on the face of the Earth to have unmonitored and unregulated migration into the United States.

Because of the geographic and developmental conditions in the Micronesian region, Guam is impacted more than any other state or territory by the unmonitored migration by the Freely Associated States in Micronesia, which continues to have dramatic impact for a number of services provided by the Government of Guam.

Since the Compacts of Free Association were first established in 1986, Guam only started to receive Compact Impact aid in fiscal year 1996, and during that time period until 1999 Guam annually received $4.58 million from the Department of Interior's Office of Insular Affairs budget. However, the Government of Guam continues to maintain that it expends anywhere between $15 million to $25 million annually to provide educational and social services for migrants.

Although there continues to be differences between how the Government of Guam and how the Department of the Interior calculate these actual impact costs, the Department of Interior in a letter accompanying a report by the new Secretary of the Interior, Gale Norton, acknowledges the Department of the Interior's own best estimates of $12.8 million annually for Compact Impact costs for Guam. This is acknowledged in a letter by the new Secretary of the Interior.

It has been noted by the Governor of Guam, Carl T. Gutierrez, that Guam has spent over $150 million for these migrants who have come to Guam since 1986, while Federal reimbursement has totalled roughly $40 million for the same period.

Funding authority for Compact Impact assistance stems from Public Law 99–239. This is the law which governs the relationship between the United States and these three independent countries. Basically, the law states that there are hereby authorized to be appropriated for fiscal years beginning after 1985 such sums as may be necessary to cover the costs, if any, incurred by the State of Hawaii, the Territories of Guam, American Samoa and the Northern Mariana Islands, resulting from any increased demands placed on educational and social services by immigrants from the Marshall Islands and the Federated States of Micronesia.

The impact has been direct, the impact has been dramatic, right on Guam. The need for Compact Impact Aid has been documented. It is doable to fix this problem.

This situation for the Government of Guam is further aggravated by the recent passage of the President's tax cut plan. Guam and the Virgin Islands are two territories that operate under a mirror Tax Code. That is, any changes that are made in the Federal Tax Code are immediately reflected in the local tax codes, which also collect income tax. So this means that, particularly in the case of Guam, we are probably likely to experience cuts over the next year of anywhere between $20 million and $30 million in local revenues as a result of these tax cuts that have been introduced by President Bush and have now passed into law.

These tax cuts were conceived here for the Federal Government because of a surplus. In Guam, the Government of Guam is operating on a deficit, we are experiencing some 15 percent unemployment, and we are in the middle of an economic downturn as a result of the Japanese economic downturn and recent reductions in military spending.

So, basically, we need the Compact Impact Aid. It can be done, it is doable, it is the right thing to do, and I urge Members to consider this as the Interior appropriations works its way through.

IN SUPPORT OF UNIONS

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Nevada (Ms. BERKLEY) is recognized for 5 minutes.

Ms. BERKLEY. Madam Speaker, I rise today to pay tribute to all of our Nation's hardworking men and women. I come from a working family. I come from a union family. I know what it is like to work for every penny and live from paycheck to paycheck.

Thirty-nine years ago my father put my sister and me and the family dog in the back seat of our car. My parents were in the front seat. Everything we owned was packed in a U-Haul that was connected to the back bumper of our car. We drove across country in the middle of the summer in an un-air conditioned car from upstate New York to California for my dad to get a job.

Before we got to California, we decided we would stop in Las Vegas for the night. We never left. The reason we never left is the day after we arrived in Las Vegas my dad joined the culinary union and the following day he got a job. He got a job as a waiter, which he kept for the next 33 years until he retired.

On a waiter's salary, on a union waiter's salary, my father made enough money to put a roof over our head, food on the table, clothes on our backs, and two daughters through college and law school; and the reason that he was able to do that is because of the fine wages that the unions had negotiated and fought for.

Because of the efforts of organized labor, so many doors of opportunity were opened to my family. No one has to convince me of the importance of unions in our country and the positive impact that they have on workers and business. I have had firsthand experience, and many of my fellow Nevadans have had the same experience.

Unions have had a significant impact on the city that my parents and my children and I call home. This is evident in the fact that Nevada has the highest percentage of workers that are union members in the country and our Nation's strongest economy. The culinary union Local 226 alone has more than 50,000 members and is the backbone of our community's service-oriented economy.

Las Vegas is the fastest growing metropolitan area in the country. Because of this incredible growth, the construction industry has exploded, and the building trades union members are helping to build our community. It is an oasis in the middle of the desert, thanks to them. Employers in southern Nevada recognize the importance of fostering partnerships with the unions. When workers make good wages, have good benefits and have good working conditions, productivity increases.

Southern Nevada's economy is booming and hardworking union men and women helped create this prosperity. I am proud of this strong organized labor movement in Nevada and the improvements that the unions have made for all workers.

Unions are the voice of working men and women in this country. Over the years, unions have worked to ensure that employees make liveable wages, work a 5-day workweek so they can spend time with their families, and receive overtime pay. Unions have fought and continue to fight to make sure that workers receive quality health care for themselves and their families. Unions fight for families. Family-leave provisions allow parents to attend parent-teacher conferences, attend to sick family members or spend time with a newborn without the threat of losing their job. Through collective bargaining, unions have secured all of these benefits.

I am committed to protecting the right of our workers to both join unions and to collectively bargain, and I will fight against any attempt to erode these rights.

This country is far better off and a far better place to live and raise our families because of our unions and our right to organize. I commend the efforts of this Nation's hardworking men and women, and I pay tribute to them and organized labor today.

THE CITY OF HOUSTON IN RECOVERY AFTER TROPICAL STORM ALLISON

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Texas (Ms. JACKSON-LEE) is recognized for 5 minutes.

Ms. JACKSON-LEE of Texas. Madam Speaker, on June 5, 2001, the storm of a lifetime, Tropical Storm Allison, hit the city of Houston and the surrounding areas. I rise today to pay tribute and to acknowledge the terrible loss that our community has suffered, the loss of some 21 individuals in our community; and whether or not the count is complete, we offer and I offer my deepest sympathy to all of those who have lost loved ones.

We know now that close to 17,000 residents of the city of Houston and surrounding areas have been impacted and have to be in shelters. But what we do know is that Houston has a can-do attitude, and we have drawn together as a community.

I am delighted that my colleagues from Texas will join me in a resolution congratulating all of those individuals who sacrificed and suffered, the ones who sacrificed to help with the rescue, the U.S. Coast Guard, the Houston Fire Department, the Houston Police Department, the various Red Cross workers and volunteers, and so many others who were just passing by and became a Good Samaritan.

It was a storm of a lifetime, because those who have lived in Houston all of their life have never seen such a storm, starting first on June 5, 2001, subsiding for a while, and then starting up with all of its fury in a couple of days. The downtown was under water, the Medical Center was under water, residential areas were under water, and people everywhere were impacted. Freeways were shut down.

But that did not stop the mighty might of those who live in the greater Houston area. Mayor Lee P. Brown did an outstanding job of gathering the troops around and encouraging us to be able to accept our fate, but yet begin to recover.

Just this past Tuesday there was a Day of Prayer. As this hit, I was in the city and was able to engage with both the Mayor and the county judge as we surveyed the area. We are grateful for the Mayor's leadership in his letter to the Governor and the Governor's leadership, Governor Perry, in immediately contacting the White House, as we worked together in making contact with the White House and the President exercising his authority and declaring this a disaster area and in an expeditious time. We thank him.

At the same time, we thank those who withstood the storm. As I traveled throughout the district on Sunday, Monday, and Tuesday, as I traveled with the U.S. Coast Guard by helicopter and as well with the FEMA director, Joe Allbaugh, we all had one intent in mind, to immediately rescue and help those who were so devastated. There was a great deal of bravery, a great deal of heroism. The community did come together.

The recovery will be long. There are enormous challenges to overcome, and that is with the energy concern, the electricity concern, the telephone concern, the housing concern, the health concern, the school concern. Yes, the city has been impacted in so many ways, upwards of $1 billion in damage. But what I can be gratified for is that there have been many efforts, corporate donations, FEMA on the ground, and the persistence of those of us who believe in helping, that we will press the point that these individuals will be able to overcome bureaucratic red tape and be declared recipients of funds that they truly need.

Let me thank my colleagues for their very kind remarks, and let me also acknowledge the various agencies like the IRS and other agencies that have noted the predicament of our community. I look forward to working with FEMA, ensuring that the reimbursement comes about.

I want to thank the Red Cross centers, the volunteer centers, Lakewood Church, Fondren Seventh Day Adventist Church, Kirby Middle School, all started by volunteers. The Sweet Home Baptist Church, the Sunnyside Multiservice, many of them initially manned by volunteers, and the Red Cross that

came in subsequently. Although I know that they are not listening because they are focused on so many other important issues, let me thank them again.

□ 1730

To the arts community of Houston, they are a viable part of your community. We will work with them. To the downtown business community that has a number of the small business entrepreneurs who made our business community vibrant, we will work with them. To the media, we will thank and work with them continuously as they provide information throughout all of the community.

Likewise, I am delighted to be able to recognize the donation of Mr. George Foreman, a native Houstonian, of $250,000, and of course a number of the corporations, as well. We will offer a resolution of appreciation, as well as assisting the community with any other support and legislative initiatives that may be brought about.

I want to thank the Harris County delegation for their leadership in this effort, and I hope that we will be able to recover together as a community united as one.

Madam Speaker, I rise to recognize the work by thousands of Houstonians to recover in the wake of the disastrous flooding that inundated Southeast Texas and to remember those lives lost over the last several days due to this tragedy.

There has not been a complete accounting of all of those who have been reported missing in the Houston area, but there are already 21 deaths, which have been attributed directly to the flooding that occurred in the city. The death toll could have been much higher had it not been for the bravery and dedication of our city's fire fighters, law enforcement officers, public works crews, and emergency management personnel. I would like to also extend thanks and appreciation to those private citizens who rushed to the aid of fellow citizens who were in danger of succumbing to the floodwaters. These heroic individuals may not all be known, but the evidence of their caring and humanity is evident in the number of those who are reported to have been lost. These Houstonians used their personal boats and watercraft to rescue neighbors, friend, family and strangers from the rising floodwaters.

My appreciation also extends to those surrounding counties that provided assistance to residents of Houston, when the city was not able to respond due to the overwhelming numbers of request.

The catastrophic flooding has left 17,000 resident of the City of Houston and surrounding area in desperate need of emergency shelter, this is in addition to the sizable Houston homeless population. Across Harris County Texas it is estimated that as many as 21,000 homes are thought to be without power, phones, and water, with about 5,000 homes having been flooded.

Reliant Energy/HL&P reported that 34,000 of their customers, who included hospitals, were without power during the flooding.

The medical personal of Memorial Herman Hospital are to be commended for their quick action to move patients to safer ground when the hospital was threatened by floodwaters. Memorial Herman Hospital is a level 1-trauma center and transplant center with multiple levels of adult, pediatric and neonatal intensive-care capabilities. The flood forced the hospital to suspend service on Saturday, and move all of its patients to safety.

I would like to thank our fellow Americans for rushing to the aid of the residents of the City of Houston. I would like to remind us all how important it is to offer assistance to those in distress due to natural or man made disasters. Therefore, I thank President Bush for acting quickly to declare Southeast Texas a federal disaster area. The City of Houston is estimated to have a billion dollars in damage as a result of the flood.

The Internal Revenue Service (IRS) has also recognized the enormity of the flood in our area by providing an automatic extension from the June 15 deadline for filling or paying taxes to August 15 of this year. I thank the Director of the IRS for allowing this additional time for Houston area residents.

The flood and its severity were exacerbated by the fact that land in and around the Houston area has been subsidence of land. Many report that the area around the Medical Center area had subsided about 2 feet from 1973 to 1995. New data on subsidence in the Houston area is due to come out at the end of this month, according to the National Geodetic Survey office.

The floods economic impact to the area may be difficult to assess. There are an estimated 76,000 ATM bank machines that were effected by the flood, which may have implications for 22 states. The Pulse ATM network reported that the flood disrupted transactions when the primary and secondary power supplies was flooded in Houston. This led to the forced closing of the Bush Intercontinental Airport, suspension of Metro bus service, the flooding of major highways into and out of the city, such as I–10, Highway 59, I–45, parts of the 610 Loop, have all had a tremendous impact on the city's business community.

Houston is in recovery due to the efforts of thousands of public servants, businesses, and individual efforts. I would like to commend and thank the Houston Chronicle and KHOU–TV (Channel 11) for leading an effort which has raised almost $6 million to aid the Red Cross' massive relief effort. Those stations that also joined in this effort are KPRC–TV (Channel 2), KRIV–TV (Channel 26), KTMD–TV (Channel 48), KLN–TV (Channel 45), and KRBE–FM (104.1).

Clear Channel Communications reported more than $30,000 in donations and 50 to 60 truckloads of supplies, and businesses and organizations contributed $353,000, with $100,000 of this amount coming from Calpine Corporation.

Former heavyweight boxing champion Mr. George Foreman, a native Houstonian, donated $250,000 to this effort.

Furthermore, I will work with local, state, and federal governments to ensure that Houston has the resources necessary to make a full recovery from the floods. I will investigate the severity of this flood and evaluate methods that can be put into place to prevent another tragedy of the magnitude from happening again.

I thank my colleagues for their support during this difficult time.

NORTH ATLANTIC TREATY ORGANIZATION

The SPEAKER pro tempore (Ms. HART). Under the Speaker's announced policy of January 3, 2001, the gentleman from Nebraska (Mr. BEREUTER) is recognized for 60 minutes as the designee of the majority leader.

Mr. BEREUTER. Madam Speaker, I have taken this hour under the leadership's prerogatives this evening in order to address three related subjects. I will be joined, I am sure, by some of my colleagues who also have something to say about these subjects because of their recent involvement in a meeting.

First of all, I would like to spend some time talking about the NATO Parliamentary Assembly; second, relatedly, about the subject of NATO expansion, the North Atlantic Treaty Organization expansion; and third, about two of nine applicant countries, Lithuania and Bulgaria.

It has been my privilege to participate in the NATO Parliamentary Assembly, formerly known as the North Atlantic Assembly, since 1984 on a rather regular basis. Since 1995, I have had the opportunity to chair the House delegation to the NATO Parliamentary Assembly.

This organization, the NATO Parliamentary Assembly, has now been in existence and operating efficiently and I think quite effectively for more than 40 years, first for the 12 countries of the NATO Alliance, later expanded to 16, and now 19 members.

Congress participates as a result of a statutory decision which provides for participation for both the House and Senate and bipartisan delegations that meet with our European and Canadian allies in NATO, their parliamentarians semi-annually, and in fact a third meeting that involves part of the assembly which takes place in Brussels in February, where we meet not only with our colleagues from the NATO countries but also with officials of NATO, the North Atlantic Council, the Secretary General of NATO, and more recently, with the European Union and some of its components, like the European Commission and the European Parliament.

Without a doubt, the NATO organization, NATO, has been the most effective collective defense alliance in the history of the world. It has provided the collective security to those nations of Western Europe, and it is no surprise that many countries of the former Warsaw Pact now aspire to membership not only to the European Union but to NATO itself.

The NATO Parliamentary Assembly has provided a forum for discussion, for dialogue, for research by the parliamentarians of the 16, now 19, NATO countries. It is by, all accounts, the most substantive of all of the interparliamentary efforts in which the House and Senate are involved.

The members of the delegation from the House and from the Senate are chosen by the leadership on both sides of the aisle to participate in this assembly, and we have always proceeded in a bipartisan fashion.

Our comments tonight are prompted by the fact that we have recently returned from one of our semiannual meetings. This one was in Vilnius, Lithuania.

Lithuania is not a member of NATO, but as the Soviet Union collapsed, as the Iron Curtain came down, as Yugoslavia began to disintegrate, we had a substantial concern and interest in assuring that these nations of the former Warsaw Pact and indeed parts of the Soviet Union were given an opportunity to benefit from participation in the NATO Parliamentary Assembly as associate members, because it was our view that if we could help them, particularly in their parliamentary bodies, move towards democratic institutions and practices, this would be a major service to those countries.

In fact, we had a very successful and very organized effort to reach out to these countries' parliamentarians and to the parliaments themselves. We called it the Rose-Ross Seminar. They were financed in significant part by the United States, through the U.S. Agency for International Development funds, but now they are supported by the assembly itself, with contributions from other countries.

The U.S. no longer has a predominant role in financing these seminars, but they were meant to help these parliamentarians and the leaders of those governments, civilian, military, to understand what it was like to participate and work in a democracy; to build democratic institutions; and, in fact, to try to provide transparency in budgeting, civilian control of the military, and eventually, of course, interoperability with NATO forces, if that is the course they chose.

Nine of those countries have chosen to aspire to and formally request membership in NATO. They range across the face of Central and Eastern Europe from the three Baltic states of Estonia, Latvia, Lithuania down to Bulgaria in southeastern Europe. They are known today as the Vilnius Nine, from a meeting of the nine that recently took place in Vilnius.

I notice that we are joined by one of my colleagues, who is the vice-chairman of the Political Committee of the NATO Parliamentary Assembly here in the House. My colleagues know him as the chairman of the House Permanent Select Committee on Intelligence. It is the gentleman from Florida (Mr. GOSS).

I think as my colleagues appear, since they have busy schedules, we will just let them speak to any of the three subjects that are related that we wish to discuss tonight. We will talk about the assembly itself and how it operates, about the fact that we visited two of the aspiring members, and about the subject of NATO expansion.

Madam Speaker, I yield to the gentleman from Sanibel, Florida (Mr. GOSS).

Mr. GOSS. I thank the gentleman from Nebraska for his consideration in yielding to me, Madam Speaker, and I congratulate him for his leadership of the NATO parliamentarian group.

I am not sure that all Members understand, and certainly most people in America do not understand, the extraordinary efforts we go to to reach out to parliamentarians in other countries in order to ensure that our form of democracy is well understood, and to make sure that we understand, as perhaps the only world's leading superpower now, some of the problems other countries are facing and how their legislative branches are dealing with those.

That is particularly true with our allies in NATO, the member nations, because we are dealing with a very critical subject here, and that is the national security, and in the case of NATO, the collective security of those who have signed on to NATO.

It is no secret, of course, that now that we have a number of countries that aspire to membership in NATO because of concerns about their national security that we have decisions facing us which are somewhat timely, in fact, as soon as a year from now, and in a few months in Prague next November, where decisions are going to have to be made about the enlargement, and many nations are following specific plans to try and make sure that they are eligible and in fact will be included in NATO membership and the responsibilities that that implies; in fact, not only implies but demands, because there are considerable demands in order to meet the standards of NATO.

For example, a percentage of the gross domestic product of each country has to be used for defense, collective defense. There has to be some type of interoperability. That means speaking a common language. Those types of things are very important.

I believe that it is fair to say that we have a window of opportunity right now that is not going to stay there forever. The gentleman from Nebraska (Mr. BEREUTER), the chairman, has just led a delegation to Vilnius, Lithuania, and to Bulgaria. These are two of the nine states that are aspirant applicants for the next round of enlargement.

We saw there a tremendous commitment among the people, among the leadership, because of the desirability to look west and join the freedom-loving democracies in that form of government, and they are willing to make sacrifices in those countries to meet the standards of operability and the standards necessary for membership to accept all responsibilities.

Some have said that the enlargement issue is a bad issue because, oh, there are cost problems, or it will upset the Russians, or a whole bunch of other arguments that we heard when the previous three countries were brought into NATO, Hungary and the Czech Republic and Poland, all of whom have been very supportive, valued additions to the NATO arrangement since their membership and coming in.

I believe that we are going to see the same thing with the other countries that are ready for enlargement. If we miss the opportunity to capture the enthusiasm that they have for the sacrifices they are willing to make to join NATO now, I am not sure where they go or how it will come out.

So I think the enlargement question is a critical question that needs to be boosted forth, brought to the attention of our colleagues, and made clear that it should be a critical point of the foreign policy matters of the Bush administration. I hope that is going to happen.

It is, I suppose, not coincidental that President Bush is at this very time in Europe discussing some of the other issues that are involved. Obviously, we have the missile defense questions that are of interest to our allies, and the whole question of the European security defense, what that is going to look like, because that could color our presence in the Balkans, and many other issues that are of great interest to us.

But when it comes down to the fabric, the atmosphere, the willingness, the commitment, the spirit of NATO, I think the enlargement question is the most important.

I must congratulate the gentleman from Nebraska (Chairman BEREUTER) for constantly through the years being a champion of this, leading the way, taking delegation after delegation over to meet with our colleagues in various places, and receiving those colleagues, those parliamentarians who have come back from those places to get more information from Washington.

It has been a real labor of love. It has shown great results. I think the gentleman's wisdom and vision has preceded him with the three who have already been enrolled as the enlarged members, and with the other nine aspirants out there. I believe we have now visited virtually all of them. It seems to me we are at the threshold of opportunity, and if we fail to take it, I think it is a ''shame on us'' situation. I thank the gentleman for the time to say that.

Mr. BEREUTER. Madam Speaker, I thank the gentleman for his kind remarks.

At the Lithuania meeting, I think the controversial elements on our agenda included the Albanian ethnic conflict in Macedonia or the former Yugoslavia, the Republic of Macedonia.

We always talk about burden-sharing. We are concerned and interested as constructive critics over what the European Union will be doing on creating a European security and defense policy, or ESDI, some would say.

They wanted to know our views on missile defense, a limited missile defense that the President is addressing now at various points in Europe.

But I think ultimately it always comes back to, as one element in our discussion, the subject of NATO enlargement. I think it is appropriate for the gentleman and for this delegation to talk to our colleagues in the House and to the Congress in front of the American people about the U.S. role in enlargement and the advantages that brings to the Alliance, and the responsibilities we have to assure that worthy applicants, countries that have met some of the criteria that the gentleman mentioned, have an opportunity to bring the NATO umbrella over them and to make a contribution to the collective security.

The first enlargement of NATO was an easy one when the Federal Republic of Germany took into its arms the German Democratic Republic, East Germany. As a result of the disintegration of the Warsaw Pact and the collapse of the Iron Curtain, that was an easy addition.

But then we may remember, and I am sure the gentleman does because he was involved in it, along with this Member, that it was the House of Representatives that really took the lead in pushing for the enlargement of NATO. The Senate followed us, and then the Clinton administration, in recognizing and supporting the Congress of the United States, took the leadership role within the North Atlantic Council in the meeting of our Secretary of State with their foreign ministers and our Ministers of Defense, and pushed for NATO enlargement.

□ 1745

For us, we have always said the doors are open, as long as these countries are willing to move towards democratic institutions and to assure civilian control of their military and to have no aspirations for the territory of their neighbors, to make the kind of commitments necessary for providing an adequate defense, to contribute to the NATO alliance, they ought to be eligible for membership.

So we have as a result of that, the Czech Republic, Hungary, and Poland as the first round of members by a decision in 1999. I think the only disappointment in the Congress is that one other country, Slovenia, which most of us had considered to be quite worthy of membership at that time and, indeed, that was the expression of the Congress, was not taken in. But they are certainly a leading candidate for the next round.

The gentleman from Florida (Mr. GOSS) mentioned that this decision will come before us again as a group of 19 NATO countries in Prague in 2002. My estimate is that unless the United States takes the leadership, expansion will not proceed at that time. And I think we have that responsibility. We have, within the U.S. government, I think, a leading role.

I only regret that votes on the tax cut bill kept us from visiting one other country, because Slovakia, among the first four considered for membership that took a different turn in its politics, now has made dramatic advances; and we were planning to visit Slovakia, as well as Lithuania and Bulgaria.

I might explain to my colleagues that we solicit advice from a number of sources, our State Department, people outside government, the supreme commander of Europe, General Joseph Ralston, as to the countries we might visit now as being among the front runners for NATO membership and countries that needed to have recognition for the advances that they have taken. That is how we selected our visitation as a result of the trip to Vilnius.

I wonder if the gentleman has any reaction to the demonstrations that we saw in Vilnius, Lithuania.

Madam Speaker, I yield to the gentleman from Florida.

Mr. GOSS. Madam Speaker, I think it was extremely heartening. I cannot speak with enough admiration for the respect I have for the Baltic nations and what they endured under the past years of tyranny before they were freed, and that has been freedom that has been very precious only for a decade.

Their enthusiasm is somewhat, therefore, more understandable when you are there; but the very strong ardent feeling, passion about being free and democratic and leaning West and wanting to be associated with the things we stand for and willing to shoulder the responsibility and, as I say, make the sacrifice, because there is some sacrifice, that is not one of the wealthiest Nations in the world by any means. And there is some sacrifice involved.

There was very strong support for NATO, very clear friendship, very clear understanding of what they were getting into, how much they wanted to be involved in this, and how far they were willing to go.

I have spent some time, and I congratulate our speaker for his outreach to parliamentarians in other countries as well, including the former Soviet Union, Russia.

The Speaker has reached out to the Duma and to the leadership of the Duma and has made a recent trip there. And one of the conversations that we, of course, had with our fellow colleagues in the Duma as legislators is the concern that they have that NATO is getting too close somehow to Russia.

We point out always to the parliamentarians, to the Duma, that NATO is a defense organization. It is not a defensive organization, and one of the cases we use is how well in Vilnius they have dealt with problems that were serious problems previously in the relationships with Russia.

In fact, Vilnius, has, I think, responded very, very favorably in the dealings with Belarus. I do not think anybody can say they have been anything except good neighbors and gone the extra mile to work out appropriate sovereign questions with the Belarus. In terms of the Russian interest in Lithuania itself, the concern has always been the Kaliningrad Corridor, how do you get to Kaliningrad Corridor, another part of Russia, which is on the other side, as it turns out, of Lithuania on the Baltic.

The problem of the responsibility of that has been worked out extremely proficiently, very well, and to the Russian satisfaction and to the Lithuanian satisfaction under Lithuanian leadership.

So if there is some danger to the Russians by Lithuania somehow acting responsibly and democratically and freely and joining with counterpart organizations and NATO, I fail to see what it is.

If anything, the Russians should argue that the Lithuanian neighborhood has become much more friendly to Russia since they have been aspirant to NATO because they understand the responsibilities of that.

I am not sure that the Russians are ready to accept that argument yet, but I certainly congratulate the Lithuanians.

Mr. BEREUTER. Madam Speaker, I thank the gentleman for those comments. They are exactly right. It should bring some additional stability to the region, and the Russians really should have nothing really to fear. Let me go back briefly to give a history of what has happened to the Baltic Nations.

Back in the late 1930s, we had the infamous Molotov-Ribbentrop which ceded those three Baltic nations to the Soviet Union, and then they were forcibly annexed, and thousands of people were killed or sent to Siberia and then we had the Nazi invasion of the region, and they come under Nazi control before they fell back under the control of the Soviet Union.

Now, to the resounding credit and resounding yet today, the United States never recognized the annexation of these three nations into the Soviet Union. In fact, you could go up 16th Street and see some of the embassies,

free Lithuania and free Estonia and free Latvia operating, and the diplomats actually got to be old men and women here waiting for freedom which finally came their way with great difficulty.

One of our colleagues who has taken a very special interest in the NATO parliamentary assembly, participating only since the February meeting, but an even greater and longer term interest in the Baltic Nations is our colleague from Illinois (Mr. SHIMKUS).

Madam Speaker, I yield to the gentleman from Illinois for any comments he would like to make about NATO enlargement or Lithuania or whatever subject he would like to discuss.

Mr. SHIMKUS. Madam Speaker, I thank the gentleman for yielding to me and I thank the gentleman from Florida (Mr. GOSS) and I really am honored to have been able to travel with you and deal with issues regarding NATO.

I have learned a lot and grown a lot, and I appreciate the wise council and expertise.

Madam Speaker, I would like to submit the following op-ed for the RECORD:

SHOULD THE NORTH ATLANTIC TREATY ORGANIZATION EXPAND?

(By Congressman John Shimkus)

As I fly 31,000 feet above Bosnia and Herzogovina, I think of its present strife. I see the steep slopes and terraced farmland. It is quiet and serene at this height, hiding national tensions that have made the Balkans the powder keg of Europe.

My return flight originated from Sofia, Bulgaria, as an official member of the U.S. delegation to the NATO Parliamentary Assembly. Our short trip was designed to compliment the Bulgarian people on their movement to a constitutional democracy, with rule of law and respect for human rights. We also assessed their potential as a friend and possible future ally.

Bulgaria is not only an example to the Balkans but a very stabilizing force. And in addition to being a stabilizing force for the Balkans, Bulgaria is a constructive link between occasionally feuding current NATO allies Greece and Turkey.

From the Bulgarian President to the Prime Minister, the Chairman of the Parliament to the Defense Minister, all were on message as to the importance of NATO and their hope to be included in the next round of enlargement. Our meeting occurred weeks before a competitive upcoming national election. As a politician myself, I understand the value of time. Their availability reinforced the importance they place on their Western contacts, the continuing importance of the United States in European affairs, and their appreciation of NATO membership.

Prior to Sofia, I attended the NATO Parliamentary Assembly spring session in Vilnius, Lithuania. Another strong applicant for enlargement, Lithuania is an associate member of NATO and a member of several demanding programs for NATO aspirants. They did not miss their opportunity to impress the NATO Parliamentary Assembly. (Which made this fourth generation Lithuanian very proud.)

Lithuania has also developed a constitutional democracy, the rule of law, and a respect for human rights. Lithuania has attempted to be an additive element to NATO. Immediately upon the breakout of hostilities in Bosnia and Herzogovina and Kosovo, Lithuania deployed troops in support of both NATO missions. Not constrained by the old Soviet force structure, Lithuania is moving to light infantry for deployability and forest defense. Lithuania's rapid ascent to a functioning democracy, tolerance for its Russian minority, and a willingness to put a painful 20th Century history behind it make the country a serious candidate for alliance membership.

The Lithuanian president fought against the Soviet army as a member of Lithuania's Homeland Defense. He eventually fled for freedom and gained success in the United States. His election marked a westward look by Lithuania. Lithuania's leadership is young and motivated. At the Ministerial level, the Chairman of Parliament, and the Prime Minister . . . the ages run from 38 to 53 years old.

But one of my poignant memories of the trip was the jeweler from the open air historical museum of Rumsiskes. Above the door of his shop were these words in English, ''I want to be in NATO, because my family died in Siberia.'' Lithuania has been run over numerous times and has suffered great destruction. Most recently, Germany and the Soviet Union in World War II. No Lithuanian was untouched by those events. Yet the current government has energetically sought good relations with all of its neighbors, including Russia.

Why would Bulgaria, Lithuania, or any other country want to join NATO? Why is this important to the United States and the 20th District of Illinois?

For many years the Statue of Liberty has been a symbol of freedom, security, and economic opportunity for many immigrant families. The Statue faces east, welcoming immigrants to our shores. Now I think as she faces east, she also looks east toward Europe at these former captive nations who struggle as newly emerged democracies.

Many of us multi-generational immigrants, after years of security and freedom, take our liberties for granted. Many of us are too young to have experienced the fresh air of newly found freedom. This trip revived my senses. Not only could I smell the sweet air of freedom; I could see it, touch it, and taste it. I am a better father, citizen, and representative for it.

This will be true for NATO. For NATO to be relevant, it must expand its current protective umbrella over these new emerging democracies. By expanding, NATO will experience heightened senses—seeing, feeling, touching, and tasting freedom. We will also have a better chance that our young men and women will be spared the horrors of war. The taxpayers also may be spared the great expense of war with a little preparation and prevention.

As President Clinton said, the goal of NATO is to ''expand the frontier of freedom.'' Hopefully President Bush will say the same with this addition: ''from the Baltic Sea to the Black Sea, a Europe whole, free, and secure.''

Mr. Speaker, the last paragraph says as President Clinton said, the goal of NATO is to expand the frontier of freedom. Hopefully President Bush will say the same, with this addition, from the Baltic Sea to the Black Sea a Europe whole, free, and secure.

Mr. Speaker, I appreciate this special order tonight because this is occurring at the time when the President is overseas, and there are a lot of anxious people going to be hanging on every word that he says, like the chairman of the Federal Reserve Board. They are going to be dissecting it, because it means so much.

I have done a couple of things in preparation for tonight, and the gentleman mentioned the rallies, and I brought some small photos from the rallies.

Mr. BEREUTER. Those rallies in support of NATO membership?

Mr. SHIMKUS. Rallies in support of NATO membership. First, I want to show some photos of times that I remember. My involvement with NATO goes back as a young second lieutenant on the German border with Czechoslovakia serving in defense of freedom under NATO auspices which I did for 3 years.

These are the photos I remember. Here is an East German border guard looking across at the people who would recognize this who remember the old pillars. And on the other side, here is the actual fence with an East German guard and the dog trailing behind as there is a patrol, as we did so often, is keep checking on each other.

These stand in stark contrast to our most recent trip, where we have photos from the rally that happened right outside the meeting arena. I wanted to make sure I had that.

There were some signs up of the people who were present. One says here, it says NATO Lithuania, good, okay. This other one, the small one says, the victims of Gulag are calling for justice.

In our trips and in my op-ed, I am not sure if there was a single family that was not touched by the occupation of all of these forces.

Mr. BEREUTER. Mr. Speaker, I just wanted to relate the experience I saw, at a little booth there with the jeweler working and displaying his ware, and he had NATO, yes. My family was sent to Siberia.

His entire family never came back from Siberia, so he wanted to make sure that does not reoccur in some fashion in the future.

There was this artisan who has a very strong commitment to NATO membership for Lithuania.

Mr. SHIMKUS. Mr. Speaker, I thank the gentleman for his comments. Mr. Speaker, another photo is what we touched on earlier, and it actually represents the Molotov-Ribbentrop Pact. And it says, the Pact of Molotov-Ribbentrop is our past; NATO is our future.

I think what I have enjoyed about this brief experience into the NATO parliamentary assembly is, as I say in my op-ed piece, is really breathing the fresh air of freedom. I tried to make this point to a lot of my parliamentary colleagues from some of the other countries in that for NATO to be the NATO that I know, it has to expand. It

has to have a protective umbrella over these emerging democracies.

In one of my closing statements in Vilnius, I said if not here, meaning in Vilnius, my question was where? If not now, my question is when? There is a lot of debate about the where and the when.

I will just say that we, as a Nation, have had a lot of people sacrifice for freedom. Some have actually had to fight and die, and we just celebrated Memorial Day. They understand the value of a free society and the sacrifices.

The folks who are considered the old captive nations, they have this exuberance of freedom that helps create optimism and faith in democratic ways of life, the rule of law, equal treatment, human rights. They are struggling to form a more perfect union. They are not all perfect, but one way we can definitely help is to provide that protective umbrella through a defense alliance, such as NATO, to give them some foundational support as they pursue becoming a more perfect union themselves.

Mr. BEREUTER. Mr. Speaker, I thank the gentleman for his comments, and I hope he will make contributions any time he feels the urge to do that.

Mr. Speaker, I yield to the gentleman from Florida.

Mr. GOSS. Mr. Speaker, I appreciate the gentleman yielding further, because our colleague who was a wonderful addition to the group of parliamentarians in Vilnius because he is so familiar with the territory and the experience there made it more value-added than it normally is for a visit for those countries.

I congratulate him for his expertise and his patience in educating the rest of us on some of the issues, and food not the least of which, the gentleman is an expert on many things.

I was struck by something the gentleman said. It so happens that in Vilnius, Lithuania as in somewhat similar situations elsewhere in the Baltic nations, Latvia and Estonia, there is a KGB museum. And it was, in fact, a show place of terror and torture and inhumanity and all of the history, that painfully recent history that the gentleman has referred to and it is shown off as an example of what should not happen in a free and humanitarian civilized society.

Clearly, there were barbaric acts of torture, treachery, horrible suffering, heartbreak, all of these pieces brought to the surface and even the photographs that were lining the meeting halls, which were reminders to us of the atrocities that took place in such recent history during the Cold War under the whole very cold harsh hands, unsympathetic leadership from a foreign country.

□ 1800

The curious part of that is that, in my view, the Baltic nations have gotten over it and on their way so well and are willing to go forward and positively in the future. I think that is terrific. But I think the fact that they have that KGB museum is a reminder of why they are so anxious to be in NATO, so this can never happen again, is a perfectly rational straightforward approach.

It so happens the juxtaposition of two other countries that happened to be in on this recent trip, with the chairman's leadership, and also splitting my time partly with the Speaker in Russia, is in Russia the KGB is looked on very differently.

The KGB has undergone a name change and some cosmetic surgery and is now called the SVR and is becoming more fashionable. It is true that the present leader of Russia is a former KGBer. Mr. Putin is, in fact, a KGBer, and he has many of the KGB folks around him. There is sort of a rehabilitation of being a KGBer involved.

So if one goes from the Baltic nations in one day and goes to Russia, one gets a very different approach if one goes to the KGB museum in Moscow. It is great that the Baltic nations have gotten over it. They remember it. They are not happy about it, but they are willing to go forward in a constructive way.

It appeared to me that the juxtaposition with the Russians are, no, they are still trying to justify it, they are resurrecting it, and they are not being realistic at all about their future. To me, it is a striking problem, and it is a problem that we have to deal with with Russia. I think that we are committed to do that.

But I think it is a question of understanding rather than threat. I do not believe the Baltic nations propose in any way a threat to Russia, nor I think does the United States of America seek to propose a threat to Russia.

That is not what the enlargement of NATO is about. It is a defense organization. I say that because, also, we were under the leadership of the gentleman from Nebraska (Mr. BEREUTER) in Bulgaria. Bulgaria has a very different arrangement with Russia, a very different type of situation as a former part of the Soviet bloc and has kept a different approach to dealing with Russia today, which is not as decisive a feeling as has existed in the past in the Baltic nations for all the understandable reasons.

So we have many different views and many different points of view. But the people who are looking positively into the future for their own security, whether they be the Baltic nations or the Bulgarians or the Romanians or the Slovenians or Slovakians, are looking for the guarantee of security, the stability, the idea to participate in civilized Western society and go forward with all that opportunity and pay the price of doing that in terms of the sacrifice they have to make.

That is the difference. That is our job, not only to honor the fact that we have opportunity in the open window for the aspirant nations who wish to come into NATO, but also to assure the Russians that that is not a threat to Russia.

I honestly believe our friend Jerry Solomon, who used to be our leader in these endeavors, used to joke and say the day is going to come, and we are going to be able to invite Russia into NATO. I hope that day comes to pass. If we do our job right, it may very well come to pass.

The only other point I would want to make, if the gentleman from Nebraska would indulge me for a minute more, is that I sometimes hear from others who do not entirely understand NATO today and the NATO concept, that NATO is engaged in other adventures like the Balkans, where we have basically a peacekeeping operation going on that is very delicate and somewhat dangerous and actually doing quite a good job under extraordinary difficult circumstances by NATO member countries, in fact other countries as well, Partnership for Peace countries and others.

Mr. BEREUTER. Including the Baltic Brigade, and elements of Lithuania and Poland are there, Madam Speaker.

Mr. GOSS. Indeed. Madam Speaker, in fact, one can say that the Baltic, think of that, the Lithuanian-Polish Brigade helping out, two folks that were having troubles before now working together, this shows that things are possible. But when you get through, the argument always in Russia is, but you see, you go off and do different things.

I think it is interesting that the Petersburg tasks are now being more and more assigned to the U.S., the new ESDI, the European pillar, whatever that is going to emerge as, and that that would be the place that those get parked, and that there will be a reaffirmation that the NATO is, in fact, a defense treaty organization. I think that we have work to do to stress that point.

The point to the Russians is that, if they are concerned about the European security defense initiative, they need to talk to the European Union about that because those are the folks that are about that. That is not our main issue.

Mr. BEREUTER. Madam Speaker, I want to come back to Bulgaria in a minute. But I want to comment briefly again on the Baltics because those three countries have not had it easy. There has been a significant Russian population from some of them, particularly Latvia, not so much in Lithuania. So the tensions have been there as they have moved to an independent status. The language issues. But I think they have done an admirable job of addressing those and trying to permit full participation of Russian and other non-

Baltic nation ethnics into their society.

I also think it is interesting how much they look to the United States as a role model and how much we have to live up to to meet their expectations. Well, for example, there is a big American connection in so many ways and in the government of those three Baltic states. One finds U.S. citizens who have dual citizenships in the parliaments of all three countries. The President of Lithuania is a former resident of Chicago, I believe was the EPA Regional Administrator.

The very impressive President of Latvia, indeed, spent much of her career as a scientist and as a teacher in Canada and had many connections with the United States.

I know as I have gone in the past to the Baltic States, first in 1996, I think, as a part of our outreach to their parliaments with the gentleman from Texas (Mr. FROST) and our former colleague Congressman Solomon, the Omaha Lithuanian community was very interested in discussing my upcoming trip and then having to report back because they have a sister city relationship with one of the communities in Lithuania. Indeed, I have a large Latvian active community in my own major city of Lincoln.

So we have had this American association. The Scandinavian countries have provided some assistance, particularly Denmark. It has been an effort to bring them along through the Partnership for Peace Program and to participate, as the gentleman says, in peacekeeping activities in the Balkan region.

I visited Bulgaria for the first time, I think, in about 1983, and what a different place that was compared to today. They had a very different and more positive relationship with Russia, the Soviet Union, than with any other of the so-called satellite countries in the Warsaw Pact, probably because they shared more closely a religion, language, and they had no common border with the Soviet Union, perhaps the important distinction. In fact, the czar had been in there twice to in their view rescue them from the Ottoman Empire.

But in any case, I think what has happened in Bulgaria has also been equally impressive because they have embraced democracy. They have taken an interesting turn or two in the process. But their elections have been free and fair by international observers' unanimous view. They are facing another one on June 17.

So the American delegation to the NATO Parliamentary Assembly will perhaps pay more attention to that than most Americans. But it is every expectation it is going to be a free and fair election. Perhaps the government party will have to share power.

But when they went through that election in 1997, they took a different course even more emphatically, and they became very concerned about embracing ethnic differences in their own country, about being a good neighbor to Macedonia. They have a positive relationship with two of our NATO allies, Greece and Turkey, that sometimes have their differences.

Bulgaria, in fact, has become an element of peace and stability in that region. We watched their changes there, their suffering difficulties. Their people are impatient for more economic progress. They have the problems of the mafia from other countries that plague them. But I think they are striving in a very direct fashion, and it is going to give them the kind of results that those citizens of Bulgaria want, if they have enough patience, if we help them and give them every opportunity to justify their applicant status in NATO.

Madam Speaker, I yield again to the gentleman from Illinois (Mr. SHIMKUS).

Mr. SHIMKUS. Madam Speaker, I, too, was impressed by our subsequent visit to Bulgaria for the reasons that the gentleman from Nebraska mentioned. Their ability to help unite our allies and work with both Greece and Turkey and the stabilizing force that they do establish in the Balkans and the ethnic diversity was very striking. Just walking down the main streets, to see the different places of worship really standing right next to each other in that part of the world, that is not happening as much as it should.

I was struck with one of our luncheons when it was asked, well, how come, Congressman SHIMKUS, House Concurrent Resolution 116 specifically talks to the Baltic nations and not all the rest of the applicants? It was a fair question. My response was there is a different attitude of Russia to the other applicants for admission than to the Baltic area. This is not to exclude the other applicants or to place them in competition with each other, but this is to say to our friends in Russia that they are treating them differently. We do not want them to be treated differently. They have no veto authority.

Our appeal is that the President, in the next day or so, continues to make the case of the open door policy, which the whole parliamentary association reconfirmed that no one has a veto, and that geography is not going to be a determining factor.

I was also struck with the gentleman mentioning a lot of the new elected officials, especially, well, Lithuania and Latvia. He was talking about all the U.S. citizens that have gone back to be involved in the private and the public sector.

The people who have endured years under domination actually made a conscious decision in their elections to look west. In their electing of these expatriates or dual citizenship individuals, they made a conscious decision to look west. That is the critical aspect of this whole debate.

When they are looking west, we should not take the time to close the door on them. We should welcome them as they look west to democratic institutions, ethnic pluralism, human rights, and all the benefits of that.

They are making a tremendous sacrifice to meet the requirements for NATO admission by trying to get the 2 percent of their GDP. For new emerging democracies that are coming out of a centralized economic command and control economy, for them to put so many resources into getting up to NATO standards should be applauded, should be welcomed, and should be rewarded.

The last thing that I want to mention in this little section is that some of these same debates about the Baltics occurred with Poland, that it would be destabilizing, that our friends in Russia would not like it. But I think history proves that the relationship between Poland and Russia is even better today than it was before their entrance into NATO. I will stake my name on it right now that the relationship with the Baltic nations will be better with Russia after their admittances to NATO than if we prolong this over a period of years.

Mr. BEREUTER. Madam Speaker, in fact, the Russians have benefited economically from Poland's emergence as a market-oriented economy and as a part of the West. I have every expectation that this would happen with the Baltic nations as well. Russia uses those ports. The Baltic people are very entrepreneurial in their outlook. There is no doubt that there would be benefits to their next-door neighbor Russia as well in my judgment.

Mr. SHIMKUS. Madam Speaker, if I may just add, the relationship has only been strengthened in Lithuania, especially with the Kaliningrad area in that there is normal everyday discussions of transportation of goods and material to the enclave there in Kaliningrad, and there has been zero incidences.

Mr. BEREUTER. Madam Speaker, one of the surprises to me has been the reluctance in the past, and I think today, of some of our European NATO allies to embrace expansion. They have been very slow to expand the European Union east when that is an important element of bringing economic prosperity and stability to Europe, to make Europe, as we say, one, whole in one, and safe for democracy and for people to pursue their dreams and their aspirations.

We have, I suppose, some reluctance on the part of some of the European countries because they see their economic relationship, perhaps the debt that they have with Russia as a point of concern. I should say their creditors

have debt, that the Russian government owes those banks.

□ 1815

I think it will take American leadership once more. Perhaps that leadership will come from this House when we insist that the door remains open. It is not a matter of whether or not NATO is going to expand, it is when, and when the countries make the necessary steps.

The GNP contributions of Bulgaria, for example, are 3 percent. We are pushing hard for some of our existing NATO membership to reach 2 percent because the quality of the forces has deteriorated in some of our NATO member countries. And we look at this in sort of amazement and concern when they are actually creating an ESDP, another entity, a rapid reaction force within the European Union.

I know the President is going to be pushed hard to be explicit about what direction, which countries should be brought in, and in my judgment at least that is not appropriate for him to make that kind of explicit statement at this point. But we want to encourage all of those members to meet the requirements, the criteria listed or otherwise, that will qualify them for membership. So I hope that, in fact, the President gets an opportunity in Warsaw, where he is expected to make comments about this, to give every encouragement to the nine aspirant countries.

Mr. GOSS. May I ask the gentleman to yield for just one moment.

Mr. BEREUTER. I yield to the gentleman from Florida.

Mr. GOSS. I notice that there happen to be four of us here because of the chairman's leadership I think on this side, but this is strictly a bipartisan effort. We have colleagues on the other side of the aisle too, and they are equal players and very valuable to putting this whole message out. So I do not want anybody to think that this is a one-party initiative. This is an effort of the House, and the gentleman leads it very well.

Mr. BEREUTER. I thank the gentleman and appreciate his bringing that up. It has always been bipartisan. In fact, we have had presidents of the assembly itself that are Democratic colleagues on the House side; and more recently, our former senior Senator from Delaware, Senator Roth, was the president.

Madam Speaker, I now yield to the gentleman from New York (Mr. REYNOLDS), who made his first visit to a NATO parliamentary assembly meeting in Vilnius, and we welcome him to the delegation. I am interested in what a newcomer's attitudes and outlook would be about what he saw in Vilnius.

Mr. REYNOLDS. Well, I thank the gentleman, and he made the trip a highly successful one for this newest member of this bipartisan delegation that was in Lithuania and then in Bulgaria.

I somewhat shared with my staff that I felt it was like taking a three-credit hour, 1-week class to learn a little on NATO, a little on Europe and its politics, the European Union interaction and European history to understand all that.

Mr. BEREUTER. Surprisingly, I have been accused of working the delegation too hard. I cannot understand that, but I yield back.

Mr. REYNOLDS. From that new knowledge, and as I understand the presentation now, I have gained an appreciation of some of the general direction of NATO and our role in that important body, as well as the subject of NATO expansion and Lithuania, which was our host. I might add that our colleague, the gentleman from Illinois (Mr. SHIMKUS), of Lithuanian descent, was immediately a recognized hero not only for his basketball skills but by his presence and his caring for his homeland. He also had the unique opportunity of sharing some of that with his family, which I know was very, very important to him.

When we look at the picture of not only that meeting in Lithuania but the opportunity to go to Bulgaria, it was a new enlightening experience for me to see a country that many had considered the 16th part of the Soviet Union but who have now shown not only stability for themselves but been a tremendous partner in the region of stabilization. Particularly as we arrived there, we saw the meeting with the President, the Prime Minister, the chairman of the parliament, as well as a number of ministers, and recognized the relationships they had built with their neighbors, both Greece and Turkey, and the interaction and confidence both those countries had with Bulgaria.

It was interesting looking at the democracy underway; that they have chosen to look at the Western Hemisphere as a model of where they want to pursue trade and opportunities of partnering, and also with Europe and the opportunity of trying to be successful in the admission to the European Union and to NATO. This showed me a country that is very important to the United States and, more importantly, to the world's interest with regard to the stability of the region.

I think as a candidate for both NATO and the European Union membership we have an important role in Congress in the debate over that NATO enlargement. The first measures urging enlargement during the last round came from the House in 1994, and it is time again for the Chamber to enter the debate. Certainly Bulgaria, in the visit and the extensive conversations and meetings we had with its government, shows that they are doing everything in their power to prepare themselves to be ready to be a candidate for both the European Union but, more importantly for our mission, to NATO. And I look forward to their progress in the coming year as that is measured.

Mr. BEREUTER. I thank my colleague from New York for his outstanding statement. It is obvious he has gained a lot and made a major contribution by his comments here tonight. But I am also impressed by the fact that both the gentleman from Illinois (Mr. SHIMKUS) and the gentleman from New York (Mr. REYNOLDS) made major contributions to the defense committee in one case and the political committee in the other case during our meetings in Vilnius.

I think maybe as we look ahead as to what our role is as a Congress, as the United States, we ought to recognize and I think emphasize to our colleagues that leadership from the United States is going to be required to expand NATO, appropriately expand it, to countries that meet the criteria.

President Bush is in Europe at this moment. He is about to make an address in Warsaw. It will be, as I understand it, a major address on NATO. It is my strong desire and hope that the President will clearly indicate that there are no new barriers or any old barriers to NATO membership and that no part of Europe would be excluded because of history or geography. In short, there is no veto. We are going to look appropriately at the northern part of eastern and central Europe, the Baltic region, and countries like Slovenia and Slovakia in the center. And I would hope there will be one or more countries in southeastern Europe, in the Balkan region, that will qualify in our judgment and the judgment of the other 18 members of NATO for membership.

It seems to me if one or more of those countries in the Balkans meets the criteria and can be brought in, it is an outstanding example to the other countries and ethnic groups in that troubled part of Europe that there is an opportunity for them to have a higher degree of security through NATO membership and perhaps to successfully aspire to membership in the European Union as well.

I do want to say to the gentleman from Illinois (Mr. SHIMKUS) that I recognize the contribution he has made by resolution that he has introduced before the Congress. It calls for the admission of new members to NATO, including the Baltic states, when the criteria for membership is fulfilled. And that is what it should come down to. So I heartily endorse and am pleased to be a cosponsor of the gentleman's legislation. It is the kind of initiative we had some time ago when we moved the country, moved the NATO alliance, towards expansion to the Czech Republic, Hungary, and Poland.

I look to my colleagues for any concluding comments they might make in the last 5 minutes or so. I will yield to the gentleman from Florida, and then I will go to the gentleman from Illinois and the gentleman from New York. The gentleman from Florida.

Mr. GOSS. Madam Speaker, I thank very much the chairman for leading this and for all he does on this subject. I honestly believe that the world has changed in a great many ways. It is not just the technology, it is not just the evolution, it is not just the alignment of countries and the sovereignty questions and borders. It is all those things and more we are confronted with. And we are confronted with them in an extraordinary way of great privilege and honor but great responsibility and duty as members of the United States Congress when we talk to parliamentarians elsewhere, because people do look to the United States of America for help and guidance in so many ways.

The point I would make is that I honestly believe that this window is open on enlargement. We have enthusiastic, spirit-filled activity going on in these countries. This is real commitment that we are seeing. And the good-news part of it, beyond all the good news that is inherent in that message, is that if these countries are able to qualify and come in in a steady way under the NATO defense umbrella, it seems to me that that removes uncertainty; and removing uncertainty removes playing fields for mischief makers. I think that is the nature of the security threat we have today, is too many mischief makers taking advantage of areas of uncertainty.

So I think that stability factor we talk about is very important, and I think this is a critical time for leadership. I congratulate the gentleman for his leadership, and I hope we can get other leadership to list as well. I know the Speaker of the House is very interested in this and has been a great ally, and I am sure he will continue to be.

Mr. BEREUTER. I thank the gentleman for his comments. And on a practical side, of course foreign investors, which are so important in that region, look to NATO membership as something that will bring security to their investments. We heard that in Bulgaria.

I yield to the gentleman from Illinois.

Mr. SHIMKUS. I just want to highlight the bipartisan aspect of the resolution: 25 Republicans, 15 Democrats. I want to also mention the gentleman from Ohio (Mr. KUCINICH), who is the co-chair of the House Baltic Caucus highlighting that point.

And just a statement to our European allies. We have been there for them year after year after year. They need to be there for these emerging democracies.

Mr. BEREUTER. If the gentleman from New York has any concluding remarks, I yield to him.

Mr. REYNOLDS. I thank the chairman, and I just want to say that I support the Shimkus resolution as a cosponsor. As he advances that debate in the House, I look forward to participating with him and assisting him in the endeavor of that resolution.

I also want to say this is an important time, while our President is overseas in that part of the world that NATO's whole universe is about, the aspect of defense of our allies. So this is a tremendous time to launch the further debate on NATO enlargement and reminding not only ourselves but the world of the criteria that NATO has established and that these countries are working diligently to meet that strong criteria so that they can be partnering in a NATO alliance in the future.

I believe enlargement is a subject that, while we only discussed it today, should hopefully bring a result in Prague in 2002.

Mr. BEREUTER. I thank the gentleman very much for his remarks. I thank all my colleagues. And I want to say that I appreciate the written remarks submitted by our colleague, the gentleman from California (Mr. LANTOS), our Democratic senior member of the Committee on International Relations, who is very supportive for NATO expansion. His views are very consistent with those I think we expressed here tonight.

Mr. LANTOS. Madam Speaker, I want to commend the distinguished gentleman from Nebraska (Mr. BEREUTER) for calling this special order on the recent meeting in Vilnius of the NATO Parliamentary Assembly. We in the House are indeed well served to by DOUG BEREUTER's outstanding leadership of the House delegation to the NATO parliamentarian exchanges. He is serious and thoughtful in his leadership, and he has served our nation well through his commitment to the NATO Parliamentary Assembly.

Madam Speaker, in NATO and in the growing European Union we have a powerful group of friends and allies who basically share our values and objectives. We have said during the Cold War—and I personally passionately believe it—that NATO was a defensive military alliance. I believe that today NATO is a defensive alliance.

I am completely supportive of NATO enlargement, once the countries which are candidates for membership meet the economic and political criteria that qualify them for membership. The three Baltic countries—Lithuania, Lativa, and Estonia—are moving rapidly in this direction, and I strongly favor their admission into NATO. Whether it takes place in 2002, 2004, 2005 or 2006 is very secondary.

Madam Speaker, I want to make clear my strong belief that Baltic membership in NATO—or the membership of any other country in NATO—is not contrary to Russian interests. In fact, it is in Russia's interest to have the arena of stability and prosperity in Europe expanded to Russia's borders. It is clear that as democratic forces gain strength within Russia, these democratic forces will welcome the enlargement of NATO and the growth of stable democracies in adjacent countries. It is not in Russia's interest to have countries such as Belorus run by a dictator on their border. It is in Russia's interest to have a country such as democratic Estonia—prosperous, free, and a member of NATO—to be near Russia.

I never accepted during the Cold War—and I do not accept now—the notion that NATO threatens Russia. There is no NATO leader that has the slightest ambition to invade or act in a way that is contrary to Russia's long-term interests. The NATO leadership hopes for the evolution of a democratic and prosperous and stable Russia. The leadership and the members of NATO want nothing more for the Russian people but an improvement in their economic conditions and the improvement of their political and civil liberties.

Madam Speaker, I disagree most strongly with the notion that we have to pay off the Russians in order to win their agreement to modify the ABM treaty in order to move ahead with our own system of missile defense. We should not truncate the natural growth of NATO in order to win concessions on missile defense, and we should definitely not allow Russian efforts at intimidation or blackmail to dissuade us from accepting the Baltic countries as members of NATO.

Madam Speaker, these were our goals with respect to Czech Republic, Hungary, and Poland when they were accepted for NATO membership four years ago. These will be our objectives with Slovenia, Slovakia and all other countries that seek membership and are granted membership in NATO in the future.

COMMUNICATION FROM FORMER STAFF ASSISTANT OF HON. JIM MCCRERY, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from Jennifer Lawrence, former staff assistant of the Honorable JIM MCCRERY, Member of Congress.

JUNE 7, 2001.

Hon. J. DENNIS HASTERT,
Speaker, U.S. House of Representatives, Washington, DC.

DEAR MR. SPEAKER: This is to formally notify you, pursuant to Rule VIII of the Rules of the House of Representatives, that I have been served with a criminal subpoena for trial testimony issued by the United States District Court for the Western District of Louisiana in a criminal case pending there.

After consultation with the Office of General Counsel, I have determined that it is consistent with the precedents and privileges of the House to comply with the subpoena.

Sincerely,

JENNIFER LAWRENCE,
Former Staff Assistant to Congressman Jim McCrery of Louisiana.

COMMUNICATION FROM THE HONORABLE JOHN CONYERS, JR., MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from the Honorable JOHN CONYERS, Jr., Member of Congress.

HOUSE OF REPRESENTATIVES,
Washington, DC, June 11, 2001.

Hon. J. DENNIS HASTERT,
Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: This is to notify you formally, pursuant to Rule VIII of the Rules of the House of Representatives, that I have been served with a subpoena for production of documents issued by the U.S. District Court for the Eastern District of Michigan.

After consultation with the Office of General Counsel, I will make the determinations required by Rule VIII.

Sincerely,

JOHN CONYERS, Jr.,
Member of Congress.

□ 1830

AMERICA HAS URGENT NEEDS FOR SCHOOL CONSTRUCTION

The SPEAKER pro tempore (Ms. HART). Under the Speaker's announced policy of January 3, 2001, the gentleman from North Carolina (Mr. ETHERIDGE) is recognized for 60 minutes as the designee of the minority leader.

Mr. ETHERIDGE. Madam Speaker, I rise this evening to direct the attention of my colleagues to a task that I think is paramount in our Nation and our ability to be able to compete in the 21st century, and that is the task of improving the public schools in this country.

As the hour goes on, a number of my colleagues on the Democratic side have indicated they will join me as we offer a perspective on this critical issue facing our Nation, our States, our communities, and certainly the parents, teachers, and students of this country.

As communities throughout my district and really across this country celebrated the graduation season in the past few weeks, I believe it is an opportune time to look at what Congress needs to do to provide our schools the support they need to succeed in the 21st century.

It does not seem like it, but in just a matter of less than 2 months, school will be convening again all across America. Over 53–54 million students will head back to school, the largest number of public school students in the history of this country. At a time when the classrooms are going to be overcrowded, space will be at a premium and staffs will be challenged. Today my colleagues, Democratic colleagues who will join me, together we joined all of the members of the Democratic Caucus in signing a discharge petition on the bipartisan Johnson-Rangel-Etheridge school construction bill. American people understandably do not follow legislative process close enough to know what a discharge petition is or why it is important.

I regret that we even have to use it, but when there comes a time when the majority estoppels an issue as important as school construction for the children of this country, it is time for drastic action. A discharge petition is the only vehicle we have as ranking minority members to force the leadership to act, such as when they have blocked us from bringing up needed legislation. That is the only way that the Members have an opportunity to get it done. I would remind my colleagues and others that every Member of this body is elected by the same number of people, except at the end before a census when you may have more or less people in a district than usual.

This is so important because we know that we have a bipartisan majority in this body of the membership who will vote for this school construction bill that will provide $25 billion to help build and fix schools in communities all across America. But the only way we can get a vote on this bill is if we get 218 signatures on the discharge petition. That means that we have to get a majority of the Members of the House to sign the discharge petition to get it to the floor, and we have more signatures than that as cosponsor of the bill when it came up before. If we get a chance to vote on it, it will pass by a large majority, in my opinion.

As my colleagues know, I am the only former State school chief serving in Congress. I had the privilege of being elected to lead my State of North Carolina's public schools for 8 years, through a time of tremendous growth and change and opportunity. I am pleased to be serving in Congress. I have been working since I got here now 4½ years ago to pass this innovative legislation to provide national leadership for better schools.

But the Republican leadership refuses to allow us a vote on this critical bill, for whatever reason. Some say partisanship; some say unyielding ideology. It makes no sense not to have a vote on it. It does not do anything to dictate to anyone. The only thing it does is provide tax free bonds to the local units of government, to sell those bonds and build school buildings to get children out of trailers, off stages, and out of hallways to where they have decent lighting and new technology, all of those things that we think about that is important for education.

It is difficult for me to understand why we cannot get a vote on it. When Members stand on the floor of the House and say education is important, the President of the United States says it is one of his top priorities, if he makes one telephone call, we might get a breakthrough, if he would just call the Speaker.

We have urgent needs for school construction, and they are going worse every day. We must work to help meet these needs.

Throughout my district in North Carolina, schools are bursting at the seams. As I said, school will open in just a few short months, less than 2 now. And somewhere between 53 and 54 million children are going to show up. We know that school enrollment is going to increase the following year, and the year after that, and projections are for the next 10 years. Too many students are being condemned to less-than-the-best facilities and stuffed in overcrowded classrooms and rundown facilities. We need a modernization act to help fix this problem.

It bothers me that we talk about how important education is and we turn a blind eye to doing the needed things we need on facilities. Is it the most important thing? Probably not. But it is among the list of important things. Why? Because a well-trained teacher in front of that classroom, in my opinion, is the most critical piece. But then again you ask the question: Why not have a good place for the teacher to teach and the child to learn? If we say education is important and children ride in buses passing nice new prisons to go to a rundown school, what kind of message are we sending to our children. Do they really believe that we believe that education is that important? And yet the Republican leadership refuses to act on our modest bipartisan legislation that begins to supply some measure of help in this critical crisis.

Yes, we need more teachers. We need to reduce class sizes, but we need the space to put students in. Every year, the Federal Government spends billions of dollars to build State prisons. We spend money for local roads, bridges, waterways, and countless other projects that are needed and are important. But why do they get priority over school construction? Do you reckon it is because of powerful constituents and influential patrons here in Washington. I would dare not think it was because school children do not vote.

My friends, I am here to fight for the citizens who cannot vote, the children. They may only be 20 percent of our population, but I can assure you tonight that they are 100 percent of the future.

I am here to represent the children who do not have lobbyists to get the leadership to cut them a deal. I am here to speak for the children whose voices will not be heard by themselves to say we need school construction. We need books. We need air conditioned classrooms. We need technology in those classrooms. We need bathrooms that work and water fountains that put out cool water on a hot day.

I urge my colleagues to join me in signing the discharge petition on the Johnson-Rangel-Etheridge School Construction Act and to pass this critical bill without delay, and we can do it. It seems to me a tax cut was important to this body and to the President, and we got it through here in record time, before Memorial Day. School starts in less than 2 months. We cannot build

buildings that quick, but we can start; and it is important.

I have spoken many times on this floor about the need for school construction, and I will continue to speak out because the need is growing every day, every month, and every year. The last number I saw about the need for modernization in this country is approaching $300 billion. That is a lot of money. Historically we have said that is a local and State responsibility, and we do not say that with a lot of other things.

We have people come to the floor and say education is the most important thing we have to do in this country beyond our national defense, and when it comes time to make the hard decisions to help make a difference, it becomes a big slip between the lip and the hip. It takes resources to get the job done. As more children come, the need will continue to grow.

You know, the other side of that coin, as I mentioned earlier, is the need for good teachers, to reduce class size, decent facilities, adequate class sizes, and well-trained teachers are a critical piece in the challenge to improve education. We cannot do it in a stop-start, a piece here and a piece there. We would not dare, no businessman would dare try to do that on a production line building an automobile or tractor or any other product; and yet we ask our teachers to operate in conditions that we would not operate a factory for business people. It says something about our priorities. It bothers me greatly at a time when we have more resources available to us in this Congress than we have had in over 20 years. I trust we will not squander that opportunity.

Last year, the Democratic staff of the Committee on Government Reform Special Investigation Division prepared for me a study entitled K–3 Class Sizes in North Carolina's Research Triangle Region, and the numbers in this report are startling. I am talking about an area of the country that I think is fairly progressive. It does a good job with education. We have outstanding teachers. Children do well. It is one of those regions when you talk about high tech, you have to talk about Research Triangle Park as one of the top five or six places in the country. No matter how much talk or rhetoric there is in this town about education, I believe we should stick to the facts. Let me share with you some of the facts from my district. I think they would be the same from other districts and could very well be more telling.

Fact number one, last year in Wake County, the largest county in my congressional district and the second fastest growing county in the State of North Carolina, over 95 percent of young children were taught in classrooms that exceeded the national goal of 18 students per classroom. That is kindergarten through third grade.

Anyone who has done any kind of longitudinal study, which is a study that is done over years that has a statistical base, says if one wants to really improve education, improve the quality of opportunity for every child, then reduce class sizes, put a good teacher in front of that classroom, and exciting things will happen.

Why? Because teachers do not have time when they have 26 or 30 students in a class. It is very difficult. I like to remind people when they raise the issue, Faye and I have three wonderful children. We love all three of them. They have done well, and we are proud of them. One is a teacher, one started as a teacher and is now in law school, and the other finished school and is farming.

But when they were growing up, I would hate to think that we had 28 or 30 in a room. They were great youngsters, but I think that would have been tough. That is what we ask our teachers to do every day. We ask them to be surrogate parents, counselors, moral leaders. We ask them to be teachers. We ask them to do everything for our children. And to give students the kind of care and direction they need, and yet we put them in overcrowded classrooms.

□ 1845

We stuff more in than the teacher has time to work with and it makes it very difficult. In the Research Triangle region as we talked about those class sizes, 95 percent of the young children are taught in classrooms that exceed the national average. Across the 13-county Triangle region, 91 percent of our children in kindergarten through the third grade are taught in classrooms that exceed 18 students. That is a significant number when you look at all the challenges you have as a kindergartner. For those of us who are adults, it is kind of hard to remember when we were kindergartners. Sometimes it is difficult to remember that when you only have one at home. Just think what it would be if you had 18 and you were trying to teach them their numbers, their colors and their ranges are so great, from some who come to school knowing their colors, others who come to school knowing how to use the bathroom and go do other things and others who do not. Teachers have to do all that. When you are in classrooms over 18, the job is exceedingly difficult.

More troubling is the fact that a whopping 42.5 percent of kindergarten students in Wake County are in huge classrooms of 25 or more.

When we talk about improving the quality of education across this country as we compete in a global economy, then we understand the tremendous challenge and responsibility we are placing on teachers. No wonder it is difficult to recruit teachers and more difficult to keep them in the classroom. They are looking for other jobs. Besides that, we do not pay them like we ought to pay them. The last time I checked, if a teacher bought a car it cost just as much as it does for the president of a bank or a large corporation. They do not give them a discount. We have got teachers leaving education at an alarming rate now. Why? In the first 5 years, roughly 25 percent are leaving the profession, because they cannot make a living, buy a home and look after their children. There is something wrong when we are not doing that. Besides that, we are not even building the kind of facilities they need. We have to change that.

The report I am talking from also documented that reducing class size improves order. Surprise. Improves discipline. It cuts down as much as 30 percent on the time a teacher must divert from instruction to dealing with disruption. It seems to me that means students are learning more if you have time to instruct and they have time to learn. Not surprisingly, small class sizes lead to greater academic achievement, as I have just said. That is what we all want.

The report demonstrates that class size reduction in the early grades is one of the most direct and effective ways to improve education performance. Why is it, then, if we know that, that this body wants to turn a blind eye to putting more teachers out there to help reduce class sizes? It is beyond me. I do not understand it. Maybe someone will explain it to me. No teacher can be expected to reach young minds effectively in a classroom that is overcrowded with so many youngsters. It is very difficult. The task is challenging enough to begin with without handicapping our teachers who care so much for their children.

Madam Speaker, I have been in a lot of classrooms, probably more than any other Member in this body. I have seen how teachers can take milk cartons and turn them into turkeys for young children. I have seen how they can take throwaway things and turn them into usable items in the classroom. They take all the used equipment we give them, and I often marvel at how grateful they are that we will give them anything they can use. I remember when I was superintendent, we got the business community to give us their used computers because some schools had no computers. Then I go to meetings and I hear people say, ''What we need to do is turn out young people who can compute, who can communicate and when they come out of school, they ought to be able to go in business and run all this equipment.'' I say, ''That's right.'' But they do not have the equipment to learn on. Yet we criticize the public schools and we are not willing to give them the tools to do the job. It is wrong. It is unfair to

hardworking teachers and bright young people who want to achieve to not give them a chance.

Let me talk about now some of the good things that Congress is doing to help improve our Nation's schools, because I do not think you always ought to talk about the things we are not doing. I think it is important to remind ourselves that we are doing some things. As a member of the Committee on Science, I have been working with my colleagues on both sides of the aisle to help strengthen math and science and engineering education in this country, because I firmly believe as most of my colleagues do and I think a majority of the people in this country, if we are going to be a major competitor in the 21st century, we are going to have to do better and better educationally and academically because we truly are competing with the world. The days are gone when we just compete with the neighbors next door. We still are the world's largest market, but the truth is that 95 percent of the people of this world live outside the borders of the United States, so that is our developing market and our future market and we have got to be able to compete with it. There are absolutely critical fields in math, science and engineering for our Nation's economy to prosper. Military dominance and supremacy. Domestic quality of life in the 21st century. It is absolutely imperative that we improve our technological skills if we want to remain and continue to grow. Otherwise, we will be passed.

The Rand Institute recently issued a report on the changes technology will bring in the coming years, over the next 25 years. Let me share some of this with Members. Hopefully it will help folks understand where we need to get to and be a little bit more focused on why we need to be spending dollars today on education to help our young people who will come out in 2015, will really be the next graduating class that starts this coming year.

It dramatically lays out how high the stakes really are, and they are very high. Let me read from the report summary. If that is not a wakeup call, then maybe we have got people ready for a slap.

''Life in 2015 will be revolutionized by the growing effects of multidisciplinary technology across all dimensions of life: social, economic, political and personal. The results could be astonishing. Effects may include significant improvements in human quality of life and lifespan; high rates of industrial turnover; lifetime worker training; continuing globalization; reshuffling of wealth; cultural amalgamation or invasion with potential for increased tension and conflict; shifts in power from nation states to nongovernmental organizations and individuals; mixed environmental effect; improvements in quality of life with accompanying prosperity and reduced tension; and the possibility of human eugenics and cloning.''

We need to read that a couple of times, because that is really heavy stuff. That is available within most all of our lifetimes unless something happens to suddenly end it. Those are major changes. They will all come about as a result of the opportunities in technology and others.

Madam Speaker, the impact of this coming revolution is mind-boggling, but one point is abundantly clear. There is no question about it in my mind: America must have the leaders and workers to harness the potential of this coming revolution and continue to exert our global leadership role to secure our economic leadership position. Congress must provide support today through innovative efforts to improve science education to promote the success of America tomorrow. We cannot wait 5 to 10 years to start. Other countries are already investing today.

I am pleased to report that we have begun to make some progress in this effort. Today, the House Committee on Science unanimously adopted H.R. 1858, the National Mathematics and Science Partnership Act, to improve our Nation's standing in math, science, engineering and technological education and the instruction of it. This bill includes a major initiative that I started out with last year to enhance math and science education and teacher preparation through the National Science Foundation. This measure authorizes $200 million for NSF to establish partnerships between institutions of higher education and local and State school systems to improve the instruction of elementary and secondary science education. That is an important component. Having been a State superintendent and working at the State level with local school systems, I can tell Members that is a critically needed piece and those dollars can be used wisely. It will provide a variety of other activities to include: recruiting and preparing pre-service students for careers in mathematics education, a shortage in this country right now; offering in-service professional development initiatives, including summer or academic year institutes or workshops to strengthen the capabilities of existing mathematics and science teachers.

For too many years, we employed teachers, depending on the school systems, 9 months; in North Carolina it is 10 months and we wonder what they ought to do the next 2 months. Go out and find a part-time job? That is fine when you are young, but as you get older, you really need to have full-time work because you have full-time bills. We are beyond where that can continue to happen. Especially in the area of science and mathematics, if we can provide them with resources, they can get training, they will come back and even be far better teachers the following year.

Innovative initiatives that instruct teachers on using technology more effectively. This is a critical piece, because technology is moving so fast. When you are in that classroom every day and you are instructing every day, you do not have time in a lot of cases to do all those things you would like to do to keep up to speed with all the new pieces coming down. I guess education is the only place I know where we ask a teacher to teach all day, go home at night and do a lesson plan, grade papers until sometimes 8, 9, 10 o'clock at night, especially if you are a teacher of literature and grading compositions, and come back and start all over the next day. That is why it is getting more and more difficult.

It also will help in the development of distant learning programs for teachers and students, an opportunity to cut down on travel, especially now when gas prices are getting to be prohibitive for people to travel.

Teacher transition efforts for professional mathematicians, scientists and engineers who wish to begin a career in teaching. There are those who have put in a full career in a professional field and really have got their years in to retire and feel a calling. They would like to go back to the public schools and get reinvigorated with a group of young people, and start teaching all over again, something they have wanted to do but could not do because of finances. There will be resources here to help make that transition, especially at a time when teachers are so critical and the shortage is so great.

Madam Speaker, my district is, as I said, in the Research Triangle region of North Carolina, where we know that technology fueled the remarkable economic growth we have experienced in the 1990s, land that was turned from pine trees and cotton fields to high tech, computer chips, and a revolution that employs over 100,000 people. It has changed the landscape forever and added wealth to a lot of people. This partnership bill, this initiative that we are talking about, will help foster and provide a solid foundation on which to build better math and science education, not only in places like Research Triangle Park, but all over America and help those people who are looking for a better opportunity in life to realize it.

□ 1900

We cannot turn back. I grew up on a farm in eastern North Carolina. The county where I grew up, we grew normal crops you would have in eastern North Carolina, tobacco, corn, cotton, soybeans. Then we had hogs and all the other stuff. I think now how busy we thought we were then, but reflecting back we really did not have anywhere near as much to do as I thought we did,

because today the pace seems to be much faster. I only say that to say that the things we are talking about tonight of education and opportunities have helped a young farm boy have the opportunity to get a college degree and the educational opportunities I have had, and served as a State legislator, State superintendent, now a Member of the most distinguished body, in my opinion, in the world, in the United States Congress. Yet, with all that we still have much to do.

Let me take just a moment now in this special order to talk about and celebrate a bipartisan accomplishment that passed this House just a few weeks ago. I think it is so important. It really is a bipartisan accomplishment that I think will help improve the schools in this country and certainly has had a significant impact on schools in my State and in those areas across the country that we have put it in, and that is called character education.

Last month, during the consideration of H.R. 1, this House unanimously voted to add a character education amendment that was offered by myself and my Republican colleague, the gentleman from Tennessee (Mr. WAMP). This important measure will provide $50 million per year for the U.S. Department of Education to provide grants to State and local school systems to launch education initiatives for our children.

When I served as State superintendent, we pioneered character education. After a comprehensive survey I did in 1989, surveying about 25,000 across the State, some alarming data came back that things we really needed to do and pay attention to and after a year and a half study and work with a whole host of principals, teachers, academicians, judges and others, we recommended to the State board and they adopted a character education program that we really initiated and integrated into the curriculum across the State.

The survey showed that discipline, safety, good order and respect were really major problems or were perceived to be major problems, I should say, in the public schools of North Carolina. We planted a seed of character education, and I happen to believe they have produced a bumper crop of good things for the children of our State. This bill, I trust, will begin the process of doing that across America.

Character education works, I believe, because it teaches students to view the world through a moral lens and to learn that actions really do have consequences. I think character education works best because it is integrated in the curriculum but probably equally or more important it integrates those basic values that all of us can agree on: Honesty, integrity, respect, responsibility, kindness, compassion, perseverance throughout the academic curriculum.

I do not know of anyone who can disagree with those. It works, character education works, because it teaches children how to grow up to become not only good students but good citizens and decent human beings as well.

I am pleased and proud that the House has passed the $50 million Etheridge-Wamp character education amendment and I call on my colleagues in this body and the White House to support it.

Mr. Speaker, let me return back to where I started and then I will prepare to wind down shortly. This issue of school construction, I have talked about several issues after having started with that but I think it is important to remember Congress is called upon from time to time to do many things. If we have a disaster, we try to respond. If we have a problem in the world, America is the last safe haven as a democracy for people around the world, and we normally go and try to help, as we should.

The time has come to do our own homework, to take care of our own children, to meet their needs, and we can do it. We have the resources, but the question is do we have the will. Do we have the commitment? I have often believed that it is one thing to talk. It is another thing to do. It is easy to say I care; I have compassion. It is another thing to show it in acts. It is one thing to tell a person, I am concerned you do not have food and then walk off and leave them with their stomach grumbling. It is another thing to help.

I do not know that building schools is exactly like that, but I truly believe that if we do the things for children, we have quality facilities, good teachers, a good environment for them to learn, reach out to their parents and invite them to be part of the educational establishment, schools will be better, educational attainment will increase and America will be a better place in the future, and our democracy will stand for a long, long time.

If we do not, as our Founding Fathers challenged us long ago, we have a democracy but we are the only ones who can determine whether it will last. I really believe that we have it within our destiny.

Finally, Mr. Speaker, I want to offer my views on reform of Federal support for kindergarten through 12th grade education. As I said at the outset, I spent a number of years, and as I told my colleagues when I came here, as the only chief in this body, former chief. I do not know that I have all the answers but I know some of the things we ought not be doing and sometimes we do some things on this floor that I know we should not be doing. I believe I have a little different perspective as we look at it than others in this town about what it takes to improve schools for our children, and my State has repeatedly been cited as a model for reform by everyone from the Bush White House to Democratic leaders in the Congress, to the nonpartisan Rand Corporation that has done a number of studies in education across America.

H.R. 1 as passed by this House may prove to be a decent education reform. I sure hope it does. There are some things in it that I would not have put in it, I would have written differently, but I voted for this bipartisan bill because I support the concept of greater accountability with greater resources to get the job done.

Let me say again so no one misunderstands, one cannot, one will not, improve schools and education on the cheap. In the 1980s, we decided we were going to rearm the military and the last time I checked we spent hundreds of billions of dollars and we won the Cold War. We did not win it on the cheap. It will not even take that kind of money to turn education around.

I get amused when people talk about how much we are spending, and we do spend quite a bit, but the truth is at the Federal level in most cases it is less than 7 percent of all the money going to education. If one goes back to the 1960s, when we really increased in science and math education, when Sputnik went up we were spending closer to 12, 15 percent, depending on which system you were in.

So we have gone backwards. Our schools today face daunting challenges, among them record enrollments, rundown facilities, incredible diverse bodies with special needs. And, yes, we have higher expectations, to name a few. We have more children showing up at the schoolhouse door today who do not speak the language of the school system than ever in history, but if we will do a few things we can help those children. They will be capable. They will be prosperous. They will be our next generation of doctors, lawyers and teachers. We have to give them an opportunity. Education is the key to opportunity. Education is the door through which all of us walk into the middle class. We do not get there without it.

The days are gone when you can be a dropout and become a millionaire, but you can do it with education. That is still the American dream.

Before we put new requirements on our schools and on our children, the schools are not going to be able to meet those strident new standards if we fail to provide the resources that they are going to need to achieve those goals. It is one thing to say jump and then you put a millstone around their feet. It is another thing to give them wings. I am very concerned that we may not put the resources behind it.

Congress may fail to do that. If we do, we will pay a heavy price. The resources that we are going to need to invest in better schools can only come from the budget we have. The Bush

budget request provides the smallest educational increase in percentage terms in 6 years, in 6 years. In fact, the final budget that we passed eliminates all the education funding that the Senate Democrats added and cuts education funding even below what the President's budget had requested, $1 billion less than the President's budget this year, and $20 billion less over the next 10 years.

Now, that does not sound like folks who are really committed to improving education in this country. I cannot imagine this body saying we are going to improve our military and scale up to meet the needs of the 21st century and the challenges around the world but we are going to give you $20 billion less money. That is not going to happen.

To do it to our teachers and to our children is akin to being sinful. If we are to realize our potential as a country, we absolutely must reverse this course and rededicate ourselves to real education reform. We must provide the tools to get the job done. If you are going to dig a hole, you give somebody either a shovel or you give them a tool to dig a hole with. If you are going to dig a big enough one, you may want a piece of power equipment. But if we are going to raise the bar on every child in America, and I happen to believe we can and should, we need to make sure that they are strong enough to jump over that bar.

It reminds me of something one of my farmer friends told me one time. He said, if all you do to a pig is weigh him every day and you do not feed him he is not likely to get much bigger. Well, if all we do to young people is we test them every day and we do not give them the resources to help those that have the greatest need, they are not likely to improve a whole lot. We need to be able to put the resources there to get the job done. Tough reform without real resources will be nothing but a cruel hoax on our children. Reform without resources will condemn an entire generation of American children to failure at a critical time in our Nation's history by frittering away an unprecedented budget surplus.

□ 1915

In North Carolina, when we started doing our assessment program, we put resources in to help those children who were not up to scale. We put in summer school so they can go back and catch up so they do not get failed, because once a child fails and he fails to pass a grade, the likelihood of that youngster dropping out increases dramatically. It is important that we do the things that need to be done.

We know what needs to be done. We may not know everything that works, but we can find the best ideas and put them in there.

Madam Speaker, we have a chance before this Congress adjourns this year to get this discharge petition before this body, to vote on it, send it to the Senate, let them vote on it, and I have every belief that they will pass it, and send it to the President for his signature. It will make a difference in the quality of schools in America and the modernization and the technology that is needed; but more importantly, it will make a difference in the lives of children in America.

REASONABLE SOLUTIONS BY REASONABLE PEOPLE REGARDING THE UNITED STATES ENERGY SITUATION

The SPEAKER pro tempore (Ms. HART). Under the Speaker's announced policy of January 3, 2001, the gentleman from Colorado (Mr. MCINNIS) is recognized for 60 minutes.

Mr. MCINNIS. Madam Speaker, this evening I want to talk about the energy situation that we have in the United States. Really, the theory of my discussion this evening is about reasonable solutions by reasonable people.

We have heard on this floor for any number of weeks now constant attacks against the administration, constant attacks against the U.S. Congress, constant attacks on why this energy crisis has come about, but we are real short on hearing much about solutions.

This evening I want to talk a little about, number one, just how widespread especially the electrical shortage is in this country. I want to give my own predictions on where I think we are going to be in a year or two in regard to the electrical generation shortage we have in this country; and I will visit a little about California, which seems to be the State, frankly, that did the least amount of planning and is in the most amount of trouble. There is a correlation between not much planning and lots of trouble. We will discuss a little of that this evening.

We will talk shortly about New York State and the other 48 States and what the other 48 States have done and what kind of a situation we are in.

I want to start at the very beginning of my remarks by saying that I do not have an anti-California bias. I know some of my colleagues are upset, and I think that there is some justification to these people being upset, with the situation in the State of California. But there are a lot of us on the Republican side, and I am sure on the Democratic side, outside of the State of California, who live outside the State of California, who happen to believe that we need to help California; that California, while it primarily got itself into this mess on its own, it cannot get itself out of this mess entirely on its own, although, frankly, California is going to have to put its boots on by pulling itself up by its own bootstraps. So there is a lot of responsibility that falls on California.

But we have got to remember that California is the sixth most powerful economic factor in the world. Not in the United States; it is not the sixth most powerful economic State in the United States. If it were a country of its own, it would be the sixth most powerful country in the world from an economic point of view.

Frankly, what is bad for California is bad for the United States when it comes to economies. California produces a tremendous amount of our agricultural products, the foods that you buy at the grocery store. So we are dependent on California, and California is dependent on us. This is a union, you know, the United States of America, so when one State generally gets in trouble, the other States feel the impact; and in my opinion, the other States have an obligation to step up to the plate to help their colleague.

But that does not mean that as you step up to the plate to help a fellow State you ignore how you got there in the first place, or that you take some of the more radical positions, or that you accept some of the radical ideals of how to approach this. It all comes back, in my opinion, to a reasonable approach by reasonable people.

Let me talk just very briefly here about the California energy crisis. I have a number of charts this evening. I think, colleagues, they will help me walk through my points with you.

Let us take a look at the State of California. First of all, remember that in California, this is a State where predominantly you saw, and I know this may ruffle some feathers, but the fact is you predominantly saw in that State an attitude of "do not build it in my backyard." We predominantly saw an attitude in the State of California where the political leaders seemed to believe that anything that California needed in the way of a new power source, that they could either get it from renewables, alternatives, or conservation.

Now, most of my discussion this evening is going to be about conservation. Conservation is a very, very, very important factor in helping California and helping the entire Nation. One, use our energy more efficiently; and, two, make sure that the other 40 States avert an energy crisis.

But we have to be realistic, and I am afraid that some of this realism never really existed or it was ignored in California, the realism that you cannot get yourself out of this energy shortage by conservation alone.

I note that the Vice President has been criticized on numerous occasions because the Vice President stood up and said exactly that; that, look, no matter how hard we believe in conservation, no matter how much we exercise, we still need to come up with

additional power generation. We still need to take into consideration that this Nation is becoming more and more and more dependent on foreign nations for our oil resources.

So as the Vice President agrees and as I strongly advocate, as do most reasonable people, it is some kind of combination of answers that will help the State of California out of its energy crisis; that that combination would contain conservation; that that combination would contain other types of alternative energy; that that combination would contain exploration of further oil resources; that that combination would contain additional electrical generation. That is how we are going to get an answer for our colleagues, for our fellow State, the State of California.

Now, remember, in the last 8 years there has not been the approval for a natural gas transmission line. I am not talking about the natural gas line that goes from Main Street into your House. I am talking about a major transmission line, to move the natural gas from one location to another location.

I can tell you that it seems to me that every time there was an effort at putting in some type of project, whether it was natural gas transmission lines, whether it was electrical generation, all you continued to see was that nothing would work; no generation plant in California would satisfy the people near it; no gas transmission line through California would work. In fact, every single project, to the best of my knowledge, in the last 8 or 10 years in California involving nuclear energy, involving electrical generation, involving natural gas transmission, every one of them was aggressively opposed, as if it would bring an end to society as we know it if we dared build that type of project. That is one of the reasons that our fellow colleagues in California are in this kind of shape.

Let us look at the second point, place price caps on the rate that electrical providers could charge to consumers while doing nothing to discourage demand.

You know, this is a misconception that deregulation, true deregulation, actually took place in California. True, they called it deregulation, they gave it the label of deregulation, but what California did was not true deregulation. What California did in their State was they allowed the electrical utility companies to sell their generation facilities to an outside party, and then, retaining oversight on the utility companies, the State of California prohibited the utility companies from raising their prices on the consumer in the State of California.

By not raising your prices to the consumer, it is very similar to renting. If you are a landlord renting an apartment to a tenant and you pay for the utilities, what happens in that kind of case? What will happen is you will go see the people that are renting from you, if you are paying their utilities, in the summer their air conditioner will be at 50, and in the winter they will have the windows of the apartment open trying to get rid of all the heat they are generating in the house because they have the thermostat turned up to 80 or 90 degrees.

It does not work. Economically it does not work. Allowing a price freeze for consumers instead of a price that reflects what the markets demand, you create an artificial floor. You do not have to walk very far on that artificial floor if you do not have supports for it before somewhere you are going to fall through. That is what happened, because California did not have true deregulation.

Let us go on. No new coal-fired power permits in the last 10 years. I am a little discouraged to see that just in the last few days, number one, the State of California has panicked and is now proceeding through their Governor Davis, who has attacked almost everyone else, the blame game, blame it on them, blame it on them, blame it on them, but never point a finger at the political leaders in California, the State political leaders, never point a finger at the Governor of California. Point them at everybody else.

The difficulty is that now in the last few days we have seen some pretty rash reactions by the political leaders within the State of California. The first thing, the Governor apparently, and this is what I read from the media, I obviously have not had a conversation with the Governor, but the Governor apparently has now agreed to sign long-term contracts for electrical generation. Long-term contracts.

You know where that electrical price is today, folks? Do you know where that price is? You are at the top of the market. You are at the top of the market in what you are paying for electricity. Now is not the time to sign long-term contracts to buy that power, but the Governor of California has decided that it is.

I will point out here just exactly how many power generation facilities we have coming online in this next year. In this next year we will have three generation plants a week coming online throughout the rest of the Nation. Believe it or not, it is my prediction that in the next year to year and a half, maybe 2 years at the outmost, we are going to have an electrical glut. We are going to have more electricity in this country than we know what to do with.

We may have trouble with transmission, and, again, looking at the State of California, ask California when is the last time they allowed a major transmission line to go through their state. You can generate all the electricity you want, but if you cannot move it from point A to point B, and sometimes that point from A to B is a long distance, the electricity does not do you much good, because, you see, once you generate electricity, as we all know, you cannot put it in a little bottle; or, like a bag of potato chips, eat half the bag and wrap it up and eat the rest of the bag the next day. You cannot do that with electricity, and time you do not generate is time lost. So I actually think that we are going to have an electrical surplus.

But California's responsibility is to help itself, and we have a responsibility to help California. I do not think we should continued to heap on California, continue to bash California, but I think we should be willing enough, all of us, to say where are the shortfalls? What do we need to do to help our colleagues?

Let us go on.

□ 1930

Now let me say that on the coal-fired, as I started to say, the coal-fired plant permits, another thing that has discouraged me in the last few days, which is caused by panic and by poor planning, I understand now in California the Governor has lifted restrictions on some of the dirtiest or most polluting electrical generation plants in the State for special hours when they run short of electricity.

What brought that about? A shortage. But what brought about the shortage? The fact that it now has California reducing or diluting their tight standards for pollution, it is because they have refused to approve anything. Nothing satisfied the regulators out there in California. Nothing satisfied the people that opposed electrical generation plants or electrical transmission lines or natural gas transmission lines.

Now, as a result, when they get in a crisis in the State, they see the environment in my opinion kind of taking second seat because they have to have that energy. What is going to come first, the environment, or having electricity to the local hospital? The environment, or being able to power the refineries so they can continue to produce gas?

There is give and take in everything we do. We cannot possibly live on this Earth without taking something from the environment. We have to eat, sleep, et cetera.

The same thing in California, but now the give and take is kind of out of proportion because, in California, they did not plan. They did not say, all right, we may not like electrical generation plants, we may not like coal-burning plants, we may not like transmission lines, those big towers with those big wires that are kind of ugly. We may not like to even begin a discussion on nuclear energy, but the fact is, we have to do some planning.

That is what is missing from the California solution, from the California deregulation effort. Now we see not a discussion, a good, thorough discussion by reasonable people about, what do we do on deregulation so it does not repeat itself. Instead, what we are seeing primarily from the elected State officials there in California, primarily the Governor of California, we are seeing the blame game: ''It is your fault. It is your fault. It is your fault.''

Come on. We have to come up with a solution here. Let us look at a couple of other things.

One is, no inland refineries have been built in 26 years. California's power capacity is down 2 percent since 1990, while demand is up 11 percent in that same time period. That is a collision. That is a collision waiting to happen. They drop capacity down at the same time they bring demand up and they are going to have a collision. That is what has occurred in California.

Let me say that the Governor of California speaks as if all of the States in the Union are in this kind of problem. I have to tell the Members, there is a reason that California stands alone in this energy crisis. There is a reason that California is in worse shape than everybody else. It is not because they got the bad draw out of the hat. It is not because they happened to be in the wrong place at the wrong time. It is because they put themselves there.

There are a lot of States in this Union who have said, we may not like it in our backyard, we may not like electrical transmission lines, we may not want to see a generation facility, but the fact is for our citizens in this particular State we need to plan for our future energy needs. Now, that includes, by the way, conservation.

I must say here, Madam Speaker, California has demonstrated a solid move and solid progress towards conservation. In the last month alone, the State of California has dropped their energy demands in the electrical market as I understand it by 10 percent, not because they brought additional production on, although, as I said, they are going to have to, but because they have begun to conserve.

We are going to go over some conservation ideas tonight that I think will be an easy sell to my colleagues, because my ideas and ideas that I have gathered of other people's for conservation are conservation without pain.

Does it sound too good to be true? It is not. It is just some simple, commonsense ideas about conservation that will reduce the demand, which, by the way, in the long run will also reduce the price, and also, it is good policy not to waste energy.

Let us go on. I just mentioned how ironic it is that the State of California really has its biggest problem. The dark days are ahead in California. Now, remember that California is an importer. They are bringing in electricity because they cannot, under the regular course of events, under a regular course of events, generate enough electricity to supply their State.

The same thing, by the way, in the United States. Under a regular course of events, this Nation has become more and more dependent on foreign countries across the oceans to answer our needs because, in large part, we have not had exploration.

Let us take a look at the United States. We are going to find out that the Governor of California, by the way, has taken great delight in criticizing Texas simply because, in my opinion, he wants to run for President in 2 years, and the President happens to be from Texas.

But if we put the political biases aside, the problem that Texas has is Texas frankly has done good planning. It has plenty of power for its State. The difficulty is Texas, which really has surplus power, they, in other words, are on the another end of California, and they have power they can export out of their State, but they do not have the transmission lines, for example, to take much power into the eastern grid or into the western grid. I think that is going to be resolved pretty soon, because then Texas can help other States.

New York City has been unable to generate enough energy for its demand. They had blackouts, as we remember, in 1965 and in 1977. But they are in the process of allowing facilities to be built in New York. They are not a State that has refused to allow electrical generation to be built in their State for 10 years. They are trying to keep up with demand, and they are being more aggressive about it as we speak.

New York, my guess is this summer New York blackouts will be at a minimum because New York is racing to come up with a solution, understanding that conservation alone will not give them the answer, although conservation is going to be a critical part of the solution.

Now, in the Pacific Northwest we have heard about possible power shortages up in Washington and Oregon. These are not because Washington and Oregon have refused to allow generation facilities. These shortages are not because they are naysayers, because they have that NIMBY attitude, not-in-my-back-yard attitude. Their problem up there in the Northwest is they have a drought.

In fact, that contributes to the problem in California, because California is dependent upon the hydro power, which of course means water, which of course, when we have a drought, we do not have, out of the Pacific Northwest.

The Pacific Northwest, primarily the Columbia River, which has dried up fairly dramatically, that is nature, that is an act of nature. We have to do what we can do to help these States, but I think that will resolve itself. Our droughts usually come to an end. I think we will see some resolution.

Now let us look at California. There could be as many as 34 or more blackouts in the State of California, although, again to the credit of California, because of the conservation methods they are now exercising, California may drop that fairly dramatically. California may have less of an energy crisis. They will not eliminate it until they accept the fact they have to have additional generation, but I think they are going to have less of an energy crisis than we thought even just 2 weeks ago because of the fact that the people in California are seriously accepting conservation methods.

So in California, the primarily problem with California is lack of planning and lots of pretending, lack of planning and lots of pretending. That is what has happened in California. They pretended that they really had deregulation. They pretended that they could say to their citizens, you will never have a price increase. We are going to cap it. They pretended that while demand for power went up, there was no need to provide additional generation to answer that. They pretended that conservation and alternative energy standing alone could meet the additional demands of the citizens of California.

That is what has happened. That pretending has created the problem in California. But I think we can get it resolved. I am going to show the Members some other ideas I have.

This cartoon I just saw today in the paper. I wanted it made up. The fact is, as I have said repeatedly throughout my comments this evening, reasonable people can reach reasonable solutions, but we have to have people who are not hypocritical. We have to have people who do not say one thing on one end and do something else on the other.

I think this editorial cartoon out of the Grand Junction Daily Sentinel pretty well depicts exactly some of what has gone on.

Here we are in a Volkswagen van. It has solar power on the roof. It says, ''Make love, not power plants. Save the Earth. No nukes.'' On the back, it has a California license plate, racing right by the ''last chance'' energy gas station. Then the cartoon down there shows the Volkswagen bug running out of gas. Now it shows the driver of the bug with a gasoline can in his hand walking back saying, ''It is all Bush's fault.''

That is exactly what we are seeing a lot of out there, people who oppose generation: ''Not in my backyard. No more exploration. No electrical generation plants, no transmission lines.'' But then the minute they run out of power, they go and blame everyone else.

We need to avoid that, because we can come up with solutions, all of us

working together. We have to face the fact that no matter how good a solution we come up with, we are always going to have 10 percent over here on this extreme that might, for example, say, ''Drill at any expense.'' That is crazy. We all cherish our environment too much to have that, to buy into that. We have 10 percent or 15 percent over here who say, ''Do not drill at all. We do not need additional power,'' et cetera, et cetera.

But in the middle there is a large segment of people who believe, one, in conservation, and believe in exercising responsibility in their own lifestyles for conservation, while at the same time acknowledging that we have to become less dependent, not more dependent, on foreign countries, and that we have to have generation facilities sometimes within view of our homes, sometimes within view of our communities. Sometimes we have to sacrifice a little of that so we can have the supply, the energy supply, that we need.

Let us talk about our homes. As we all know, the electricity in a home travels through the house in wires. These wires lead to light switches and outlets which power the televisions, computers, lights, and most everything else in our homes.

Think about how dependent we are on energy. Our heat is dependent on energy. No matter whether we use natural gas or propane, we have to use electricity. The air cooling, whether it is refrigerated air or a humidifier type of air or just simply fans, is dependent on electricity. Obviously, the lights, the security system, is dependent. When we take a look at our houses, just how dependent are, it is incredible just how much we depend on electricity. Electricity makes our homes comfortable to live in.

It is not free. Electricity is not free. We cannot have electricity brought to our homes without some type of sacrifice. We cannot have electricity in our homes without some type of impact to the environment.

The key on the impact is that as we look at the impact, is it a reasonable impact? Is it a balanced impact? Is it an impact that is sustainable as far as mitigation to the environment?

Let us go on. Before electricity gets to our homes, some type of fuel must be used. It can be coal, it can be nuclear, 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.

For example, if we leave the light on in the room after we leave it, we are using electricity we do not need. To conserve electricity, shut off lights in rooms we are not using.

Now, that sounds pretty simple. Gee, here is the gentleman from Colorado (Mr. MCINNIS) telling us to turn off our lights. We know that, it is common sense, turn off the lights on the way out of the room.

I will make a little confession here: Up to about 3 months ago when I went to my office the first thing in the morning, I turned on every light in the office. I put on the coffee, turned on the lights. I went to the sink, ran the hot water until the water got hot, started to put it in the coffee pot.

We do it differently now in my office. Now I do not turn on lights in the office, all the lights. I turn on the light that I need to read by, but I do not turn all the lights on until the office personnel shows up, until we actually need the lights.

If we as a Nation would only turn on that light switch when we actually needed the lights, that would help. Light we use for security purposes, for example, we may have a timer that turns on a bedroom light, especially while we are away on vacation, or a garage light that a timer turns on at 2 or 3 in the morning. Just go up to that light and replace it with a lower wattage light and we are helping save energy. These are simple ideas that cause no pain.

The fact that I go into my office and do not turn on all the lights does not cause any pain. It helps the situation. The fact that we use a lower wattage bulb does not impact the security at all.

Shut off the TV when nobody is watching it. Keep the computer in sleep mode if we are not using it. Shut off the monitor. Unplug appliances like curling irons and clothing irons right away. Letting them sit while turning off wastes electricity, and on top of that, it is unsafe.

I know the Members are saying, well, this is all pretty basic stuff. We have heard this before. The whole reason, the whole reason that I am visiting with the Members this evening is we have all heard it before, but we have not all used it before. We have not exercised our responsibilities to help with conservation. If we are going to get to the bottom of this problem, we have all got to pitch in on conservation.

□ 1945

Let us continue. Here are a few steps you can take to immediately, this is immediately, help this Nation conserve on fuel, on energy. Do not let the hot water run while you are washing your hands, brushing your teeth, or shaving.

I have done that before. I get ready to shave. I turn on the hot water, I walk over, I get the shaving cream or something, water is running, and I casually look in the mirror. You can save a lot of hot water, plus you can save the water.

Water is a little more complicated, because it is a renewable resource. But the electricity to heat is not renewable, and we can conserve on that. Use smaller appliances such as microwaves, toaster ovens, and crock pots. Use cold water to operate your garbage disposal, this saves energy. And, frankly, it helps the unit to dispose of grease more efficiently.

Wash your clothes in cold water. If you use ceiling fans, blades should rotate clockwise, keep that in mind, that in the summer, your ceiling fans have to turn clockwise. Make sure it is turning clockwise, otherwise it is defeating the purpose.

If it is turning counterclockwise, it works to help heat the home. If it turns clockwise, it lifts the cool air up, and it helps cool the home, very simple, no pain. It does not cost you any more money. It does not require you to sacrifice the lifestyle that you have.

All it requires you to do is reach up and pull the chain, that is all it requires, and you can help our Nation conserve.

Keep doors closed as much as possible, especially on refrigerators. Do not circle a parking lot over and over instead, take the first spot available. How many of us do go to Wal-Mart, we go down to the grocery store and go through the parking lot three times or four times and see if we can find a parking spot that is 15 feet closer to the front door?

Take the first available parking spot you saw, number one, walk into the store. It actually helps you get a little more exercise, takes off a few calories and you are wasting less energy. For somebody that goes down where there is parking, having a tough time finding parking in shopping centers, over a year period of time, you actually would be surprised how much consumption of gasoline you would save by simply taking the first parking spot available.

Again, back to conservation. Here are some others. Now, this is one that is really a pet peeve for me. If you take a look, and I am asking all of my colleagues to pay special attention to this, because this is a significant conservation move that we can take that is totally and completely painless.

What am I talking about? Tonight when you go home, colleagues take a look at your owner's manual in your car. Go into the glove compartment and pull out the owner's manual.

Before you look at the owner's manual, remember a couple of basic things. Number one, that people who drafted it, who put that owner's manual together are the people who designed the car, the people who tested the car, the people who sell the car. If you look in there, go in there and see how often the people who know the most about your car how often they tell you to change the oil.

My guess is that most of you will see in your owner's manual that your personal car oil only needs to be changed every 5,000 miles to 7,000 miles.

Now, take a look at the campaign that has gone on over the last several years. There are a lot of people out there that want you to believe that if

you do not change your oil every 3,000 miles, your car motor is going to be ruined.

It is a very clever marketing ploy, and it has worked very successfully. There are hundreds of thousands of people in this country who religiously change their oil every 3,000 miles even though the owner's manual says change it every 5,000 or every 6,000.

Let us say that if half of those people that change their oil every 3,000 miles now do what the owner's manual tells them to do and change it every 6,000, look what kind of savings you have. Look what you do to demand. Over a year period of time, you are talking about, you are talking about millions of barrels of oil, millions of barrels of oil.

Yet, if we do this, there is no pain. Your car is not going to run any less efficient. You are not going to be restricted from driving anywhere. Life goes on just as it went on before, except now you are helping us reach some kind of solution. You are a reasonable person coming to a reasonable solution. You are a contributor to the solution.

Let us go on. Make a grocery list and take fewer trips to the store; use public transportation or ride your bike or walk when you can; turn down cooling levels for your refrigerator or freezer; keep all exterior doors tightly shut and avoid frequent in and out traffic; lower the temperature of your hot water heater to 120 degrees.

This is a pretty interesting one, because a lot of people do not know about this. Colleagues, tonight when you go home, take a look at your hot water heater, take a look at the hot water tank.

On the bottom of the tank you are actually going to see a thermometer and you might find, to your surprise, that your thermometer is on high. I can tell you if you think, put your thermometer on low at about 120 degrees, that water is still too hot for you to stand in; 120 degrees is still too hot.

You actually save energy, there is no reason to heat the water to 190 or higher. Heat it to 120. Move that little gauge to lower. And guess what? You are one of those reasonable people who help with a reasonable solution that has not impacted your life-style one iota. It has not impacted your life-style one bit. Very important you are part of the team.

Take shorter showers. Now I know I have that on there. I can tell you it was snowing in my district. By the way, colleagues, as you know, my district is the Rocky Mountains of Colorado. We are at the highest elevation in the country. And after it snows in the middle of June, you like to go home and have a long hot shower.

So I do not know, maybe that impacts life-style a little too much, but if it does not impact your life-style, go ahead and cut down your hot water showers.

Let me tell you just the conservation elements that we have gone through to this point. We have not had to use millions of dollars of taxpayers' dollars to research whether these work or not. We have not had to put taxpayer credits out there, so that you have the money and you get credits to use against your taxes to see whether these work or to make them work.

I can tell you, in my opinion, if the American people would follow the recommendations I have made this evening, we will have made more progress towards conservation, in my opinion, than any of these solar tax credits or other tax credits, we have spent hundreds and hundreds of millions of dollars at the Federal level trying to find a Federal solution which generally does not work.

Let us go on. Conservation. This is pretty interesting. I did not know this until about 3 weeks ago when I was researching it. Preheat your oven only when it is necessary to preheat it. Do my colleagues know that foods that take over an hour to cook do not require a preheated oven?

In other words, if you have a roast and it is going to take more than an hour to cook it, do not preheat your oven, it does not do you any good. And not only does it not do you any good, if you do not preheat your oven, guess what happens? You save money. Because preheating an oven takes a lot of energy.

You actually cut your own electrical bill. You improve your life-style, because you bring home more money at the end of the month.

If your water heater, and this is important, was purchased about 1992, use a blanket around it. You can buy that blanket at a local convenience store. It probably pays for itself over a 6-month period of time. After 1992, there is some question as to whether or not the blanket is really going to help you with your hot water heater.

A full refrigerator uses less energy to cool. If you have a refrigerator, and you just have a couple of cartons of milk and cheese and maybe 120th of your refrigerator has food in it, put some water bottles in there, occupy the space. It actually saves energy, and you have cold water to drink.

Some of this stuff may sound mundane. Some of it he just keeps talking about conservation. He just keeps talking about conservation. Every item I have told you tonight is something that each and every one of us can utilize. This chart does not belong to one class. This chart does not belong that only one in one State can use it. This chart is for another.

Every chart I have showed you on conservation hints or conservation suggestions work no matter where you use it. It works in California. It works in New York. It works in Florida. It works in Montana.

Conservation, paint and decorate in light colors. Dark colors absorb light. Light colors reflect light. The lighter colors you use the less artificial lighting is required. You think we would all know that. But if you have a room with white walls, you are going to use a whole lot less electricity to light that room up than if you paint it with dark walls.

Defrost food in the refrigerator instead of defrosting it in a microwave where you use a lot of extra energy. Place it in the refrigerator 24 hours before you need it. So tomorrow if you know that you are going to have, you have some frozen burritos in the freezer, instead of 5 minutes after you come home from work and 10 minutes before you have dinner stick it in the microwave to thaw it out, simply the night before, place it in the refrigerator. By the time you come back the next day, they would have thawed out on their own and ready to go right in the oven.

It is a very simple step. Imagine if we had 200 million people going home from work and they were not defrosting in the microwave, you want to know something? That would help conserve electricity? Good idea.

Every time your iron heats up, you burn more electricity than leaving your lights on for 4 consecutive hours. Try ironing all of your clothes at one time. This simple practice can make a surprising difference in your water and power bill. Clean the lint filter after every load. It says that on your dryer, clean that lint filter.

Every time you turn that iron up, it is like lighting for 4 hours. That iron uses a lot of electricity. I am not saying do not use the iron. I am not saying that at all. What I am saying is, hey, let us do all of your clothes at once so you do not have to continually heat it up.

Mr. Speaker, let us talk about a couple other simple things. Replace 60-watt bulbs that are left out overnight with two 15-watt bulbs. We talked about that. We talked about the use of the lights that use compact fluorescent bulbs. You have probably heard that.

Here is another conservation, replace 150-watt bulb operating 5 hours a night with a 35-watt compact fluorescent bulb. Same lighting impact, no impact on life-style, but yet you are helping conserve in this country.

Let us look at this one, here are some other easy steps, unplug or get rid of that refrigerator in the garage. Do you know how many people have an extra refrigerator in the garage? Millions. Do you know how many people have a freezer in the garage that does not have much in it? A lot of people.

You probably do not really need it and if you figure it out, the average refrigerator, the extra refrigerator you

have plugged in your garage uses about $16 a month in electricity.

You figure out what kind of foods you have in that refrigerator you may have a couple six packs of beer and figure out at $16 dollars a, you figure how much, what that, about $192 dollars a year, just to be able to refrigerate it in the garage. Make a little more room in the refrigerator, put your beer in there. You are going to save a lot of electricity, and you are going to save yourself a lot of money.

Use your dishwasher only when you have it full, the same thing with your clothes washer. If you have to cook a hot meal, wait until later in the evening until it is cool. That one is maybe kind of a little impractical, but it is not impractical for you to take a look and see if you really need that refrigerator in the garage.

Let us look here. While on vacation, there are a lots of us colleagues that are going to be taking vacations this year. Here is some ideas, completely painless. It will not affect vacation. Set your air conditioner at 35 degrees at 85 degrees, excuse me, not 35 degrees, you get the opposite result, 85 degrees when you leave the home.

My wife and I left this last weekend, and we have refrigerated air. Every air conditioner in our house we have three separate thermometers, three separate air conditioning units, one system, but three units and each of those units, that thermometer was at 90 degrees on all three of them.

When we came home, it only inconvenienced us for about 15 minutes. The house was hot for about 15 minutes before that refrigerated air began to cool that home, and within half an hour, we were at the exact temperature we wanted to be.

But in the meantime for 48 hours instead of those air conditioners running about every 20 minutes, they didn't run at all. That probably saved my wife and I $20 or $30 for the weekend. So you save money, you help conserve.

We have talked about several basic things that we can do for conservation. Let me reiterate a few of my points and with my last 17 minutes, let me just kind of recap what I have said this evening.

First of all, take a look. Cleaner air. We are making progress. Do not become distressed about the entire picture. There are certain areas that we really need to do something or we are going to have a lot of problems.

□ 2000

One of them is our dependency on foreign oil. Our second one is to ignore conservation. We cannot ignore conservation, and we cannot continue to build our dependency on foreign oil.

But some of the good things that are happening is, one, people in this country are willing to conserve. If we can help give ideas, tell your neighbor, talk about it at coffee.

In California, they are in a crisis. Now they did not conserve because the Governor of California told them to conserve. They did not conserve because, all of a sudden, they felt like good citizens overnight. They conserve because they had a crisis. They conserve because they got their monthly utility bill. But none the less, their conservation cut electricity demand by 10 percent in the State of California last month alone. That is pretty good. That is positive.

I want my colleagues to know that if one takes a look, cleaner air, energy consumption has risen while emissions have declined. We can make better cars. We can make cars with cleaner emissions.

Now, the answer for our automobiles, for example, in my opinion, is not to eliminate the automobile, we would never do it on a practical aspect, and not to make such outrageous demands on the automobile manufacturers that the automobile they produce cannot go more than 30 miles an hour, cannot go up a hill.

I live in the highest mountains of the United States. We have got to have cars that have power. We have to have SUVs up there. We need those kind of automobiles. But we do not need automobiles that get four miles to the gallon.

Frankly, the automobile manufacturers had been responsive, not because they are all of a sudden good citizens, but because we the citizens are demanding more efficient automobiles. We are demanding better gasoline mileage; and after this energy crisis, we are going to demand more.

But take a look. As I said earlier, mark my word, I think in a year and a half, at the outmost 2 years, we are going to have an electrical generation glut in this country.

Let me give my colleagues some statistics. Right now, the power plant industry is in the midst of an unprecedented, unprecedented in our entire history, power building boom and adding more new power than the plant a week that was recently called for. Last year, 158 new generation plants were completed nationwide or three plants a week. The new units had an average capacity of 150 megawatts. That means about 150 homes.

Let me just go on here. The electricity industry expects to build 1,453 new power units in the next 3 years. Taking time off for weekends, that amounts to one plant a day for 5 years running. Now, maybe all of these will not get built, but right now the electrical generation capacity plants designs in this country call for a new plant every day coming on-line for the next, as I said, for the next 5 years.

So I think we are going to have an electrical generation glut. But that does not mean we have solved the problem. Number one, we have to have transmission lines. We have to move the electricity from point A to point B. Number two, we have got to continue a very aggressive educational campaign on conservation, points like I gave my colleagues, very harmless ways to help all of us, reasonable people bring about a solution for our energy crisis.

But probably what is most important this evening, I can tell my colleagues, is it cannot be conservation alone. I am a big believer in conservation. I just spent the last hour going through with my colleagues where I think we can all conserve. The numbers that result from these conservation ideas that I gave are not insignificant numbers. These are not small numbers. These numbers make a difference.

But while I say this, while I say that conservation will be of substantial benefit to our energy situation, I must also say that we have got to continue to look for, explore for natural resources, that we have got to continue to allow transmission lines, that we are going to have to have some refineries in this country.

We cannot typically say that everything that is being built is a disaster, that everything being built means the end of our life as we know it, that everything being built is going to be a complete and ultimate decimation to our environment. There are a lot of reasonable proposals out there that can be made to work.

Now, no project, no project should be approved without mitigation, in fact even higher than mitigation, and that is supplementation to the environment. On the other hand, when the environmental impacts have been mitigated, when the environment has been enhanced in some cases or may be enhanced to a degree in all cases, when we meet that standard, do not continue to say no. Do not continue to say it cannot happen in my backyard.

When those standards are met, we as a Nation have a responsibility to the next generation. We have to have enough foresight for future generations to say yes to reasonable projects, yes to reasonable conservation. We have also got to have enough guts, frankly, to stand up here. We have tax credits that are not working, not only in Washington, but Washington is unique. There have been hundreds of millions of dollars wasted in tax credits for so-called alternative energy.

Well, what are the results. Do not let people divert us from looking at the bottom line. Are we getting the results that we want simply because of what they call their project: ''My project is the solar project, so do not dare ask me any questions about what is the bottom result.'' Are we really coming out with a product that is efficient for our environment? Are we really conserving energy for the hundreds of millions of dollars we are spending?

It was amazing to me how many people criticize the President in his budget

when he says this program has not produced. This program sounds good. It has got a great name, especially in an energy crisis. It has got lots of special interest groups in Washington who benefit from those tax credits, pushing, how dare you say no to this alternative or that alternative.

But the reality of it is, one, we have to conserve; two, we have to explore and find new resources for our energy; and, three, the money that we are currently spending, the taxpayer dollars, my colleagues' dollars, their constituents' dollars, we have to justify, we have got to treat those dollars as if they were our own.

We have an incumbent responsibility, an inherent responsibility to manage those dollars. No matter how nice sounding or how progressively sounding a program is, if it is not giving us results, we have got to have enough guts to stand up and cut it off.

In summary, Madam Speaker, I think this energy crisis is limited. Over the long-term, obviously we have issues. We cannot continue to grow in dependency on foreign oil. But California is unique. California is more the exception than the rule. California, a large part, brought this on itself. But California is a large part of the United States. We all want to help California despite the criticisms we have; and some of the whipping that California gets they have got coming. But a lot of it, they do not. Californians I think are exercising responsibility by practicing conservation.

But the reality is this, reasonable people can come together and have reasonable solutions that, one, protect our environment; two, conserve for future generations; three, lower dependency on foreign oil; and, four, do not have a negative impact on the life-style to which we have all become accustomed. If we can meet those four, five standards, we have done pretty well. I think reasonable people can do that.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. LARSON of Connecticut (at the request of Mr. GEPHARDT) for today after 3:00 p.m. on account of attending a funeral in Connecticut.

Mr. FOSSELLA (at the request of Mr. ARMEY) for today on account of attending the graduation of his son.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. MCNULTY) to revise and extend their remarks and include extraneous material:)

Mr. BONIOR, for 5 minutes, today.

Mr. POMEROY, for 5 minutes, today.

Mrs. CLAYTON, for 5 minutes, today.

Mr. SCHIFF, for 5 minutes, today.

Mr. BERRY, for 5 minutes, today.

Mr. GEORGE MILLER of California, for 5 minutes, today.

Mr. WEINER, for 5 minutes, today.

Mr. THOMPSON of Mississippi, for 5 minutes, today.

Mr. DAVIS of Illinois, for 5 minutes, today.

Ms. SOLIS, for 5 minutes, today.

Mr. PALLONE, for 5 minutes, today.

Mr. INSLEE, for 5 minutes, today.

Mr. SANDERS, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Mr. GREEN of Texas, for 5 minutes, today.

Mr. ANDREWS, for 5 minutes, today.

Mr. KUCINICH, for 5 minutes, today.

Mr. UNDERWOOD, for 5 minutes, today.

Ms. BERKLEY, for 5 minutes, today.

Ms. CARSON of Indiana, for 5 minutes, today.

Ms. JACKSON-LEE of Texas, for 5 minutes, today.

(The following Members (at the request of Mr. REHBERG) to revise and extend their remarks and include extraneous material:)

Mr. GUTKNECHT, for 5 minutes, today and June 14.

Mr. SOUDER, for 5 minutes, today.

Mr. ENGLISH, for 5 minutes, June 14.

Mr. HUNTER, for 5 minutes, today.

(The following Member (at his own request) to revise and extend his remarks and include extraneous material:)

Mr. WELDON of Pennsylvania, for 5 minutes, today.

OMISSION FROM THE CONGRESSIONAL RECORD OF FRIDAY, JUNE 8, 2001

SENATE BILLS REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 487. An act to amend chapter 1 of title 17, United States Code, relating to the exemption of certain performances or displays for educational uses from copyright infringement provisions, to provide that the making of copies or phonorecords of such performances or displays is not an infringement under certain circumstances, and for other purposes; to the Committee on the Judiciary.

ENROLLED BILL SIGNED

Mr. Trandahl, Clerk of the House, reported and found truly enrolled a bill of the House of the following title, which were thereupon signed by the Speaker:

H.R. 1914. An act to extend for 4 additional months the period for which chapter 12 of title 11 of the United States Code is reenacted.

ADJOURNMENT

Mr. MCINNIS. Madam Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 8 o'clock and 8 minutes p.m.), the House adjourned until tomorrow, Thursday, June 14, 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:

2458. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting the Department's final rule—Noxious Weeds; Permits and Interstate Movement [Docket No. 98–091–2] received June 11, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2459. A letter from the Chief, Programs and Legislation Division, Office of Legislative Liaison, Department of Defense, transmitting notification that the Commander of Air Force Space Command is initiating a single-function cost comparison of the Communications activity at Peterson Air Force Base (AFB), Colorado, pursuant to 10 U.S.C. 2461; to the Committee on Armed Services.

2460. A letter from the Army Federal Register Liaison Officer, Department of Defense, transmitting the Department's final rule—Report On Use of Employees of Non-Federal Entities to Provide Services to the Department of the Army—received June 7, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

2461. A letter from the Legislative and Regulatory Activities Division, Comptroller of the Currency, Department of the Treasury, transmitting the Department's final rule—Community Bank-Focused Regulation Review: Lending Limits Pilot Program [Docket No. 01–12] (RIN: 1557–AB82) received June 8, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

2462. A letter from the General Counsel, National Credit Union Administration, transmitting the Administration's final rule—Community Development Revolving Loan Program for Credit Unions—received June 11, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

2463. A letter from the General Counsel, National Credit Union Administration, transmitting the Administration's final rule—Central Liquidity Facility—received June 11, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

2464. A letter from the Trial Attorney, NHTSA, Department of Transportation, transmitting the Department's final rule—List of Nonconforming Vehicles Decided To Be Eligible for Importation [Docket No. NHTSA 2000–7882] (RIN: 2127–AI17) received June 7, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2465. A letter from the Trial Attorney, NHTSA, Department of Transportation, transmitting the Department's final rule—Schedule of Fees Authorized by 49 U.S.C. 30141 [Docket No. NHTSA 2000–7629; Notice 2] (RIN: 2127–AI11) received June 7, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2466. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans; Delaware; Conversion of the Conditional Approval of the NOx RACT Regulation to a Full

Approval and Approval of NOx RACT Determinations for Three Sources [DE053–1029a; FRL–6996–5] received June 8, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2467. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Underground Storage Tank Program: Approved State Program for North Carolina [FRL–6976–5] received June 8, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2468. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—North Carolina; Final Approval of State Underground Storage Tank Program [FRL–6976–4] received June 8, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2469. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's ''Major'' final rule—Revision of Fee Schedules; Fee Recovery for FY 2001 (RIN: 3150–AG73) received June 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2470. A letter from the Secretary, Department of Education, transmitting the semiannual report of the activities of the Inspector General during the six-month period ending March 31, 2001, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

2471. A letter from the Director, Office of Personnel Policy, Department of the Interior, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

2472. A letter from the Director, Office of Personnel Policy, Department of the Interior, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

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2482. A letter from the Director, Office of Personnel Policy, Department of the Interior, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

2483. A letter from the Director, Office of Personnel Policy, Department of the Interior, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

2484. 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.

2485. A letter from the Senior Management Analyst, Division of Policy and Directives Management, Fish and Wildlife Service, Department of the Interior, transmitting the Department's final rule—Subsistence Management Regulations for Public Lands in Alaska, Subparts A, B, and C (RIN: 1018–AH85) received June 8, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

2486. A letter from the Acting Administrator for Ocean Services and Coastal Zone Management, National Oceanic and Atmospheric Administration, transmitting the Administration's ''Major'' final rule—Thunder Bay National Marine Sanctuary and Underwater Preserve Regulations [Docket No. 970404078–0176–02] (RIN: 0648–AE41) received June 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

2487. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting the Department's final rule—Documentation Of Nonimmigrants Under The Immigration And Nationality Act, As Amended: Aliens Ineligible To Transit Without VISAS (TWOV)—Russia—received June 11, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

2488. A letter from the Chief Financial Officer, Paralyzed Veterans of America, transmitting a copy of the annual audit report of the Paralyzed Veterans of America for the fiscal year 2000, pursuant to 36 U.S.C. 1166; to the Committee on the Judiciary.

2489. A letter from the Attorney, Research and Special Programs Administration, Department of Transportation, transmitting the Department's final rule—Pipeline Safety: Incorporation of Standard NFPA 59A in the Liquefied Natural Gas Regulations [Docket No. RSPA–97–3002; Amdt. 193–17] (RIN: 2137–AD11) received June 7, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2490. A letter from the Regulations Officer, FHA, Department of Transportation, transmitting the Department's final rule—National Standards for Traffic Control Devices; the Manual on Uniform Traffic Control Devices for Streets and Highways; Standards for Center Line and Edge Line Markings [FHWA Docket Nos. 97–2295(96–47), 97–2335 (96–15), and 97–3032] (RIN: 2125–AD68) received June 7, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2491. A letter from the Acting Deputy General Counsel, Small Business Administration, transmitting the Administration's final rule—Size Eligibility Requirements for SBA Financial Assistance and Size Standards for Agriculture—received June 11, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Small Business.

2492. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Frivolous filing position based on section 861 [Notice 2001–40] received June 7, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

2493. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Determination of Interest Rate [Rev. Rul. 2001–32] received June 8, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. YOUNG of Florida: Committee on Appropriations. Report on the Suballocation of Budget Allocations for Fiscal Year 2002 (Rept. 107–100). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mrs. JONES of Ohio (for herself, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. DELAURO, Mr. HOBSON, Ms. KAPTUR, Mr. WAXMAN, Mr. GRUCCI, Mr. BOEHLERT, and Mr. WELDON of Pennsylvania):

H.R. 2145. A bill to provide for fire sprinkler systems, or other fire suppression or prevention technologies, in public and private college and university housing and dormitories, including fraternity and sorority housing and dormitories; to the Committee on Education and the Workforce.

By Mr. GREEN of Wisconsin (for himself, Mr. SHIMKUS, Mr. SHOWS, Mr. FROST, Mr. DUNCAN, Mr. LIPINSKI, Mr. CRAMER, Mr. SMITH of New Jersey, Mr. TERRY, Mr. CALVERT, Ms. HART, Mr. OXLEY, Mr. HAYWORTH, Mr. SESSIONS, Mr. NETHERCUTT, Mr. GILCHREST, Mrs. KELLY, Mr. PITTS, Mr. NEY, Mr. GARY G. MILLER of California, Mr. PETRI, Mr. ENGLISH, Mr. JONES of North Carolina, Mr. ROYCE, Mr. WATKINS, and Mr. SWEENEY):

H.R. 2146. A bill to amend title 18 of the United States Code to provide life imprisonment for repeat offenders who commit sex offenses against children; to the Committee on the Judiciary.

By Mr. WELLER (for himself, Mr. JOHNSON of Illinois, Mr. CARDIN, Mr. ENGLISH, Mr. RAMSTAD, and Mr. KERNS):

H.R. 2147. A bill to amend the Internal Revenue Code of 1986 to provide tax credits for making energy efficiency improvements to existing homes and for constructing new energy efficient homes; to the Committee on Ways and Means.

By Mr. HOLT (for himself, Mr. BOEHLERT, Mr. HOUGHTON, Mr. GILCHREST, Mr. MORAN of Virginia, Mr. OLVER, Mr. SHAYS, Mr. CAPUANO, Mr. ENGEL, Mr. SMITH of Washington, Mr. PRICE of North Carolina, Mr. MCDERMOTT,

Ms. MCCARTHY of Missouri, Mr. BLUMENAUER, Ms. SOLIS, Mr. HONDA, Mr. KILDEE, Mr. HOEFFEL, Mr. NEAL of Massachusetts, Mr. LEWIS of Georgia, Mr. GREENWOOD, Mrs. MORELLA, Mr. ALLEN, Mr. DINGELL, Mr. DOGGETT, Ms. BALDWIN, Mr. SAWYER, Mr. HOYER, Mrs. BIGGERT, Mr. WU, Mr. MARKEY, Mr. NADLER, and Mr. PASCRELL):

H.R. 2148. A bill to reestablish the Office of Technology Assessment; to the Committee on Science.

By Mr. CRANE (for himself, Mr. THOMAS, Mr. DREIER, Mr. HASTERT, Mr. ARMEY, Mr. DELAY, Mr. COMBEST, Mr. KOLBE, Mr. SHAW, Mrs. JOHNSON of Connecticut, Mr. HOUGHTON, Mr. HERGER, Mr. MCCRERY, Mr. CAMP, Mr. RAMSTAD, Mr. NUSSLE, Mr. SAM JOHNSON of Texas, Ms. DUNN, Mr. COLLINS, Mr. PORTMAN, Mr. WATKINS, Mr. HAYWORTH, Mr. WELLER, Mr. HULSHOF, Mr. LEWIS of Kentucky, Mr. BRADY of Texas, Mr. RYAN of Wisconsin, Mr. BASS, Mr. BEREUTER, Mrs. BIGGERT, Mr. BLUNT, Mr. CANTOR, Mr. CALVERT, Mr. COX, Mr. CUNNINGHAM, Mr. DICKS, Mr. FLAKE, Mr. FRELINGHUYSEN, Mr. GOSS, Mr. HASTINGS of Washington, Mr. HYDE, Mr. ISSA, Mr. JOHNSON of Illinois, Mr. KELLER, Mr. KIRK, Mr. KNOLLENBERG, Mr. LAHOOD, Mr. LINDER, Mr. MCINNIS, Mr. MANZULLO, Mr. OSBORNE, Mr. OTTER, Mr. OXLEY, Mr. PENCE, Ms. PRYCE of Ohio, Mr. REYNOLDS, Mr. SCHROCK, Mr. SESSIONS, Mr. SHAYS, Mr. SIMPSON, Mr. TOOMEY, Mr. WATTS of Oklahoma, and Mrs. WILSON):

H.R. 2149. A bill to extend trade authorities procedures with respect to reciprocal trade agreements; to the Committee on Ways and Means, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BALDACCI:

H.R. 2150. A bill to modify the land conveyance authority with respect to the Naval Computer and Telecommunications Station, Cutler, Maine; to the Committee on Armed Services.

By Mr. BALDACCI (for himself and Mr. ALLEN):

H.R. 2151. A bill to direct the Secretary of Transportation to establish a commercial truck safety pilot program in the State of Maine, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. CARSON of Oklahoma:

H.R. 2152. A bill to provide for the issuance of bonds to construct and modernize Indian schools and to provide a credit against Federal income tax for holders of such bonds; to the Committee on Ways and Means, and in addition to the Committees on Education and the Workforce, and Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CRANE (for himself, Mr. MATSUI, Mrs. THURMAN, Mr. MCGOVERN, Mr. HOLT, and Mr. CUNNINGHAM):

H.R. 2153. A bill to provide for an election to exchange research-related tax benefits for a refundable tax credit, for the recapture of refunds in certain circumstances, and for other purposes; to the Committee on Ways and Means.

By Mr. FILNER (for himself, Ms. MCKINNEY, Ms. PELOSI, Ms. DEGETTE, and Mr. LEWIS of Georgia):

H.R. 2154. A bill to amend title 10, United States Code, to require the Department of Defense and all other defense-related agencies of the United States to fully comply with Federal and State environmental laws, including certain laws relating to public health and worker safety, that are designed to protect the environment and the health and safety of the public, particularly those persons most vulnerable to the hazards incident to military operations and installations, such as children, members of the Armed Forces, civilian employees, and persons living in the vicinity of military operations and installations; to the Committee on Armed Services, and in addition to the Committees on Energy and Commerce, Transportation and Infrastructure, Resources, Education and the Workforce, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FLAKE (for himself, Mr. SMITH of Texas, and Mr. STUPAK):

H.R. 2155. A bill to amend title 18, United States Code, to make it illegal to operate a motor vehicle with a drug or alcohol in the body of the driver at a land border port of entry, and for other purposes; to the Committee on the Judiciary.

By Ms. HOOLEY of Oregon (for herself and Mrs. JOHNSON of Connecticut):

H.R. 2156. A bill amend the Public Health Service Act to provide for a public response to the public health crisis of pain, and for other purposes; to the Committee on Energy and Commerce, 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. MORAN of Kansas (for himself, Mr. MCINTYRE, Mr. BEREUTER, Mr. STENHOLM, Mr. BRADY of Texas, Mr. TANNER, Mr. NUSSLE, Mr. HILLIARD, Mr. POMEROY, Mr. STUPAK, Mrs. THURMAN, Mr. BASS, Mr. NETHERCUTT, Mr. WICKER, Mrs. EMERSON, Mr. KIND, Mr. PETERSON of Pennsylvania, Mr. SANDLIN, Mr. THUNE, Mr. SWEENEY, Mr. CARSON of Oklahoma, Mr. OBERSTAR, Mr. RAHALL, Mr. SKELTON, Mr. WATKINS, Mr. GORDON, Mr. CRAMER, Mr. EHLERS, Mr. HOLDEN, Mr. LEWIS of Kentucky, Mr. MCHUGH, Mr. FOLEY, Mr. HILLEARY, Mr. JONES of North Carolina, Mr. BOSWELL, Mr. GOODE, Ms. HOOLEY of Oregon, Mr. PICKERING, Mr. SHIMKUS, Mr. BAIRD, Mr. HAYES, Mr. PHELPS, Mr. TERRY, Mr. KENNEDY of Minnesota, Mr. PUTNAM, and Mr. ROSS):

H.R. 2157. A bill to address health care disparities in rural areas by amending title XVIII of the Social Security Act, the Public Health Service Act, and the Internal Revenue Code of 1986, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. NADLER:

H.R. 2158. A bill to provide for monitoring of aircraft air quality, to require air carriers to produce certain mechanical and maintenance records, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. PALLONE:

H.R. 2159. A bill to provide for grants to States for enacting statewide laws regulating public playgrounds consistent with playground safety guidelines established by the Consumer Product Safety Commission; to the Committee on Energy and Commerce.

By Mr. PITTS (for himself, Mr. STENHOLM, Mr. WATTS of Oklahoma, Mr. HALL of Ohio, Mr. ENGLISH, Ms. DELAURO, Mr. SOUDER, Mr. DAVIS of Illinois, Mr. RAMSTAD, Mr. FILNER, Mr. WATKINS, Ms. NORTON, Mr. BRADY of Texas, Ms. MCCARTHY of Missouri, Mr. SCHAFFER, Mr. DOYLE, Ms. HART, Mr. ABERCROMBIE, Mr. EHLERS, Mr. GONZALEZ, Mr. UPTON, Mr. CLAY, Mr. MCHUGH, Ms. BALDWIN, Mr. BURR of North Carolina, Mrs. CLAYTON, Mr. JONES of North Carolina, Ms. SLAUGHTER, Mr. HAYES, Mr. KILDEE, Mrs. MYRICK, Mr. DELAHUNT, Mr. CALVERT, Mr. ROSS, Mrs. EMERSON, and Mr. HORN):

H.R. 2160. A bill to provide for the establishment of individual development accounts; to the Committee on Ways and Means.

By Mr. RAHALL (for himself, Mr. BLUNT, Mr. MOLLOHAN, Mr. NEY, Mr. PETERSON of Minnesota, Mr. STRICKLAND, Mr. LIPINSKI, and Ms. BROWN of Florida):

H.R. 2161. A bill to amend title 49, United States Code, to provide a mandatory fuel surcharge for transportation provided by certain motor carriers, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. REYES:

H.R. 2162. A bill to authorize a national museum, including a research center and related visitor facilities, in the city of El Paso, Texas, to commemorate migration at the United States southern border; to the Committee on Education and the Workforce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RODRIGUEZ (for himself, Mrs. MORELLA, Mrs. CAPPS, Mrs. JO ANN DAVIS of Virginia, and Mr. KENNEDY of Rhode Island):

H.R. 2163. A bill to amend title 5, United States Code, to create a presumption that disability of a Federal employee in fire protection activities caused by certain conditions is presumed to result from the performance of such employee's duty; to the Committee on Education and the Workforce.

By Mr. SHAYS (for himself, Mr. KANJORSKI, Mr. KOLBE, Mr. TOOMEY, Mr. ENGLISH, Mr. MILLER of Florida, Mr. BASS, Mr. BARRETT, Mr. SUNUNU, Mr. BORSKI, Mr. SMITH of New Jersey, Mr. SENSENBRENNER, Mr. LIPINSKI, Mr. KIRK, Mr. UPTON, Mr. SOUDER, Mr. GEKAS, Mr. FRELINGHUYSEN, Mr. BRADY of Pennsylvania, Mr. PALLONE, Mrs. ROUKEMA, Mr. BLUMENAUER, Mr. HUTCHINSON, Mrs. KELLY, Mr. ROHRABACHER, Mr. CRANE, Mr. WAMP, Mr. RYAN of Wisconsin, Mr. CAPUANO, Mrs. MALONEY of New York, Mrs. MORELLA, Mr. PITTS, Mr. GOSS, Mr. LUTHER, Mr. FRANK, Mr. ALLEN, Mr. KELLER, Mrs. BIGGERT, Mr. LOBIONDO, Mr. ROYCE, Mr. GUTIERREZ, and Mr. GEORGE MILLER of California):

H.R. 2164. A bill to amend the Agricultural Market Transition Act to gradually reduce

the loan rate for peanuts, to repeal peanut quotas for the 2004 and subsequent crops, and to require the Secretary of Agriculture to purchase peanuts and peanut products for nutrition programs only at the world market price, and for other purposes; to the Committee on Agriculture, 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. SPENCE:

H.R. 2165. A bill to amend title 10, United States Code, to authorize the award of a Cold War service medal to members of the Armed Forces who served honorably during the Cold War era; to the Committee on Armed Services.

By Mr. STARK (for himself, Mr. BROWN of Ohio, Mr. GONZALEZ, Mrs. MINK of Hawaii, Ms. NORTON, Mr. WAXMAN, Ms. JACKSON-LEE of Texas, Mr. COYNE, Mr. KUCINICH, Ms. KAPTUR, Mr. HALL of Ohio, Mr. MEEKS of New York, Mr. OWENS, Mr. GEORGE MILLER of California, Ms. MCCARTHY of Missouri, and Mr. LAFALCE):

H.R. 2166. A bill to expand the purposes of the program of block grants to States for temporary assistance for needy families to include poverty reduction, and to make grants available under the program for that purpose; to the Committee on Ways and Means.

By Mr. STUPAK (for himself, Mr. BONIOR, Ms. KAPTUR, Mr. BARRETT, Mr. KILDEE, Mr. KIRK, Mr. HINCHEY, Ms. MCCOLLUM, Ms. BALDWIN, Mr. DINGELL, Mr. BARCIA, Mr. KUCINICH, Mr. LEVIN, Mrs. THURMAN, Ms. SCHAKOWSKY, Mr. BROWN of Ohio, Mr. LUTHER, Mr. LATOURETTE, Ms. RIVERS, Mr. OBEY, Mr. KLECZKA, Mrs. JONES of Ohio, Mr. CONYERS, Mr. STRICKLAND, Mr. JACKSON of Illinois, Mr. KIND, Mr. BLAGOJEVICH, Mr. OBERSTAR, Mr. ROEMER, Mr. TOWNS, Mr. EVANS, and Mr. RUSH):

H.R. 2167. A bill to amend the Federal Water Pollution Control Act to protect ⅕ of the world's fresh water supply by directing the Administrator of the Environmental Protection Agency to conduct a study on the known and potential environmental effects of oil and gas drilling on land beneath the water in the Great Lakes, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committees on Energy and Commerce, and Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SUNUNU:

H.R. 2168. A bill to suspend temporarily the duty on bitolylene diisocyanate (TODI); to the Committee on Ways and Means.

By Mr. WYNN:

H.R. 2169. A bill to extend the deadline under Part I of the Federal Power Act for commencement of construction of a hydroelectric project in the State of Nevada; to the Committee on Energy and Commerce.

By Mr. MURTHA:

H.J. Res. 52. A joint resolution proposing an amendment to the Constitution of the United States relating to school prayer; to the Committee on the Judiciary.

By Ms. BROWN of Florida (for herself, Mr. HOYER, Ms. LEE, Mr. CONYERS, Ms. MCKINNEY, Mr. HASTINGS of Florida, Mrs. THURMAN, Mr. GONZALEZ, Mrs. MEEK of Florida, Mr. CLAY, Mr. JACKSON of Illinois, Mrs. CHRISTENSEN, Ms. NORTON, Mr. RUSH, Mr. DAVIS of Illinois, Ms. CARSON of Indiana, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. SCOTT, Ms. KILPATRICK, Mr. SNYDER, and Mr. STARK):

H. Con. Res. 159. Concurrent resolution expressing the sense of Congress with respect to rights each registered voter in the United States should have; to the Committee on the Judiciary.

By Mr. STEARNS (for himself, Mr. HANSEN, Mr. GIBBONS, Mr. HALL of Ohio, Mr. MCKEON, Ms. HART, Mr. LINDER, Mr. SAM JOHNSON of Texas, Mr. HOSTETTLER, Mr. BILIRAKIS, and Mr. KLECZKA):

H. Con. Res. 160. Concurrent resolution expressing the sense of Congress that the United States should continue to honor its commitment to the United States aviators who lost their lives flying for France during World War I by appropriating sufficient funds to restore the Lafayette Escadrille Memorial; to the Committee on International Relations.

By Mr. CONDIT (for himself, Mr. GEPHARDT, Mr. BACA, Mr. BAIRD, Mr. BERMAN, Mrs. CAPPS, Mrs. DAVIS of California, Mr. DEFAZIO, Ms. ESHOO, Mr. FARR of California, Mr. FILNER, Ms. HARMAN, Ms. HOOLEY of Oregon, Mr. INSLEE, Mr. KUCINICH, Mr. LARSEN of Washington, Mr. LANTOS, Ms. LEE, Mr. MATSUI, Mr. GEORGE MILLER of California, Mrs. NAPOLITANO, Ms. ROYBAL-ALLARD, Ms. PELOSI, Mr. SHERMAN, Mr. SMITH of Washington, Ms. SOLIS, Mr. STARK, Mrs. TAUSCHER, Mr. THOMPSON of California, Ms. WATERS, Mr. WAXMAN, Ms. WOOLSEY, and Ms. WATSON):

H. Res. 165. A resolution providing for the consideration of the bill (H.R. 1468) to stabilize the dysfunctional wholesale power market in the Western United States, and for other purposes; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII,

Ms. JACKSON-LEE of Texas introduced a bill (H.R. 2170) for the relief of Steven Joseph Sweeney; which was referred to the Committee on the Judiciary.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 31: Mr. CANTOR.
H.R. 64: Mr. BAIRD.
H.R. 65: Mr. PLATTS.
H.R. 91: Ms. RIVERS.
H.R. 94: Mrs. THURMAN.
H.R. 123: Mr. CARSON of Oklahoma, Mr. BARCIA, Mr. RAHALL, Mr. HOSTETTLER, Mr. STUMP, Mr. ROSS, and Mr. KERNS.
H.R. 162: Mr. PAYNE, Ms. SANCHEZ, Mr. PLATTS, Mr. FOLEY, Mr. POMEROY, Mr. LARSEN of Washington, and Ms. NORTON.
H.R. 239: Mr. LIPINSKI.
H.R. 260: Ms. MCKINNEY and Mr. PAYNE.
H.R. 303: Mr. GILMAN.
H.R. 326: Mrs. JO ANN DAVIS of Virgina.
H.R. 425: Ms. SOLIS and Mr. ANDREWS.
H.R. 510: Mr. KENNEDY of Minnesota, Mr. ENGEL, and Mr. HASTINGS of Florida.
H.R. 519: Mr. RUSH.
H.R. 572: Mrs. MALONEY of New York.
H.R. 600: Mr. ANDREWS, Ms. MCCARTHY of Missouri, Mr. SOUDER, Mr. LANTOS, and Mr. LATHAM.
H.R. 606: Mr. MALONEY of Connecticut.
H.R. 612: Mrs. ROUKEMA, Mrs. WILSON, Mr. NORWOOD, Mr. RANGEL, Mr. SPRATT, Mr. MATHESON, Mr. DREIER, Mr. CAMP, Mr. DEMINT, and Mr. MALONEY of Connecticut.
H.R. 641: Mrs. MINK of Hawaii.
H.R. 687: Mrs. DAVIS of California, Mr. MEEKS of New York, and Mr. DOYLE.
H.R. 699: Mr. SIMPSON.
H.R. 702: Mr. PAYNE.
H.R. 703: Mr. ETHERIDGE.
H.R. 721: Mr. ROEMER, Mrs. NAPOLITANO, Mr. SHERMAN, Mr. EVANS, Ms. HARMAN, Mr. BECERRA, Ms. SLAUGHTER, Mr. ISRAEL, Mr. MEEHAN, Mr. SMITH of New Jersey, Mrs. MEEK of Florida, and Ms. SANCHEZ.
H.R. 757: Ms. MCKINNEY.
H.R. 774: Mr. BURR of North Carolina.
H.R. 781: Mr. NADLER.
H.R. 794: Mr. MASCARA.
H.R. 804: Mrs. JOHNSON of Connecticut and Mr. SIMMONS.
H.R. 808: Mr. HALL of Texas, Mr. JEFFERSON, Mr. KING, Mrs. KELLY, Ms. ROS-LEHTINEN, and Mr. GRUCCI.
H.R. 817: Mr. TOWNS.
H.R. 823: Mr. RUSH.
H.R. 898: Ms. JACKSON-LEE of Texas and Mrs. CLAYTON.
H.R. 912: Mr. BOEHNER, Mr. HALL of Ohio, Mr. LARSEN of Washington, Mr. TOOMEY, and Mr. GRUCCI.
H.R. 940: Mr. LUCAS of Kentucky.
H.R. 968: Ms. LEE, Mr. ROGERS of Kentucky, Mr. SNYDER, and Mr. WOLF.
H.R. 978: Mr. RUSH.
H.R. 981: Mr. CAMP, Mr. HORN, and Mr. SIMMONS.
H.R. 1017: Mr. SESSIONS.
H.R. 1035: Ms. WOOLSEY.
H.R. 1109: Mr. BURTON of Indiana, Mr. PITTS, Mr. HAYES, Mr. GIBBONS, Mr. LARGENT, Mr. RADANOVICH, and Mr. HANSEN.
H.R. 1110: Mr. RILEY.
H.R. 1120: Mr. BOUCHER and Mr. CANTOR.
H.R. 1129: Mr. DEFAZIO.
H.R. 1130: Mr. DEFAZIO.
H.R. 1134: Mr. STUMP and Mr. TIBERI.
H.R. 1170: Mr. GEPHARDT.
H.R. 1171: Mr. HAYWORTH, Mr. OSBORNE, and Mr. MCHUGH.
H.R. 1187: Mr. RUSH and Mr. HONDA.
H.R. 1192: Mr. BALDACCI and Mr. MCDERMOTT.
H.R. 1194: Mr. WAMP.
H.R. 1252: Mr. MORAN of Virginia.
H.R. 1254: Mr. OWENS.
H.R. 1262: Mr. FROST and Mr. EVANS.
H.R. 1291: Mr. GIBBONS.
H.R. 1339: Mr. POMEROY.
H.R. 1340: Mr. SIMMONS.
H.R. 1353: Mr. RAMSTAD, Ms. PRYCE of Ohio, and Mr. HUTCHINSON.
H.R. 1364: Mr. FLAKE.
H.R. 1382: Ms. SANCHEZ.
H.R. 1401: Mr. GILLMOR, Mr. HASTINGS of Washington, Mr. KUCINICH, Mr. SOUDER, Mr. DOYLE, and Ms. JACKSON-LEE of Texas.
H.R. 1411: Mr. GIBBONS and Ms. BERKLEY.
H.R. 1452: Mr. BONIOR and Ms. VELAZQUEZ.
H.R. 1459: Mr. TERRY, Mr. GONZALEZ, and Mr. MCINNIS.
H.R. 1483: Ms. ESHOO.
H.R. 1507: Mr. HAYWORTH, Ms. MCCOLLUM, Mr. KOLBE, Mr. DOOLITTLE, and Mr. MCGOVERN.
H.R. 1509: Ms. WOOLSEY and Mr. CALLAHAN.
H.R. 1510: Mr. CAMP.
H.R. 1543: Mr. BAKER, Mr. BERMAN, Mrs. KELLY, Mr. PAUL, Mr. FILNER, Mr. HYDE, and Mr. MCGOVERN.

H.R. 1553: Mr. DOOLITTLE, Mr. JEFFERSON, Mr. CROWLEY, and Mr. GOODLATTE.

H.R. 1615: Mr. CONYERS and Mr. DAVIS of Florida.

H.R. 1624: Mr. PALLONE, Ms. DUNN, Mr. DEUTSCH, Mr. WOLF, Mr. SOUDER, Mr. TIERNEY, Ms. SANCHEZ, Mr. GONZALEZ, Mr. SCHROCK, Mr. MORAN of Virginia, Mr. MEEHAN, Mr. JONES of North Carolina, Mr. PETERSON of Pennsylvania, Mr. MICA, Mr. RANGEL, Mr. DOOLITTLE, and Mr. CRENSHAW.

H.R. 1632: Mr. CRANE.

H.R. 1645: Mr. POMEROY and Mr. ABERCROMBIE.

H.R. 1648: Mr. ENGLISH and Mr. HINCHEY.

H.R. 1650: Mr. WU.

H.R. 1668: Mr. WAMP, Mr. SMITH of Texas, and Mr. KINGSTON.

H.R. 1672: Ms. ROYBAL-ALLARD, Mr. DEFAZIO, Ms. MILLENDER-MCDONALD, and Mr. CONDIT.

H.R. 1673: Mr. SIMMONS.

H.R. 1707: Mr. MANZULLO.

H.R. 1711: Mr. PAYNE.

H.R. 1739: Mr. DEFAZIO, Mr. PALLONE, and Mr. CROWLEY.

H.R. 1760: Mr. SOUDER and Ms. JACKSON-LEE of Texas.

H.R. 1764: Mr. KLECZKA, Mr. BALDACCI, Mr. BONIOR, Mr. BERMAN, Mr. MCHUGH, Mr. INSLEE, Ms. RIVERS, Mrs. THURMAN, Mr. FILNER, Mr. BLUMENAUER, Mr. ROTHMAN, Ms. SANCHEZ, Mr. PASTOR, Ms. ROYBAL-ALLARD, and Mr. PHELPS.

H.R. 1782: Mr. EVANS.

H.R. 1805: Mr. FLETCHER.

H.R. 1825: Ms. LEE, Mr. MCHUGH, Mr. WAXMAN, Mr. CLEMENT, Ms. CARSON of Indiana, Mr. CLAY, Mr. HOUGHTON, and Mr. BALDACCI.

H.R. 1839: Mr. HINCHEY and Mr. MCDERMOTT.

H.R. 1842: Mr. JEFFERSON.

H.R. 1873: Mr. BACA, Mr. ABERCROMBIE, Mr. PALLONE, Ms. MCKINNEY, Mr. FRANK, and Mrs. BONO.

H.R. 1882: Mr. BLUMENAUER.

H.R. 1911: Mr. GILCHREST.

H.R. 1923: Mr. SOUDER.

H.R. 1935: Mr. HILLIARD, Mr. KENNEDY of Rhode Island, Mr. JONES of North Carolina, Mr. MATHESON, Mr. COYNE, and Mr. RILEY.

H.R. 1941: Mr. ISSA.

H.R. 1948: Mr. RUSH and Mr. RANGEL.

H.R. 1961: Mr. STRICKLAND and Mr. PALLONE.

H.R. 1975: Mr. STUMP.

H.R. 1984: Mrs. ROUKEMA.

H.R. 2001: Mr. POMBO.

H.R. 2009: Mr. BLUMENAUER, Mr. CONDIT, Mr. FORD, Mr. OSE, Ms. VELAZQUEZ, and Mr. WAXMAN.

H.R. 2017: Mr. RUSH.

H.R. 2037: Mr. STUMP, Mr. HAYWORTH, Mr. COBLE, Mr. WATKINS, Mr. BRADY of Texas, Mr. GUTKNECHT, Mr. WELDON of Florida, Mr. HASTINGS of Washington, Mr. AKIN, Mr. MCINNIS, Mr. NETHERCUTT, and Mr. PETERSON of Minnesota.

H.R. 2063: Mr. CARSON of Oklahoma, Mr. BALDACCI, Mr. ALLEN, Ms. MCCARTHY of Missouri, and Ms. HARMAN.

H.R. 2074: Mr. FRANK and Mr. BONIOR.

H.R. 2076: Mr. INSLEE.

H.R. 2082: Mr. BACA.

H.R. 2101: Mr. BARTLETT of Maryland.

H.R. 2117: Mr. RUSH and Mr. HALL of Ohio.

H.R. 2125: Mr. MORAN of Virginia.

H.R. 2134: Mr. RUSH and Mr. BONIOR.

H.J. Res. 36: Mr. MCGOVERN and Mr. REHBERG.

H.J. Res. 45: Mr. FLAKE.

H. Con. Res. 20: Mr. STRICKLAND, Ms. BROWN of Florida, Mr. MATHESON, and Mr. OWENS.

H. Con. Res. 42: Mr. FATTAH and Mr. LAHOOD.

H. Con. Res. 67: Mr. HILLEARY.

H. Con. Res. 97: Mr. SCHIFF, Mr. VISCLOSKY, Ms. SOLIS, and Mr. OSE.

H. Con. Res. 116: Mr. UPTON.

H. Con. Res. 137: Mr. LANGEVIN, Mr. EHRLICH, Mr. SCHROCK, and Mr. SIMMONS.

H. Con. Res. 151: Mr. PALLONE, Mr. RANGEL, Mr. BLAGOJEVICH, Mr. RAHALL, Mr. HONDA, and Mr. HOYER.

H. Res. 160: Mr. ROHRABACHER, Mr. FALEOMAVAEGA, and Mr. WOLF.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

H.R. 877: Mr. CLEMENT.

SENATE—*Wednesday, June 13, 2001*

The Senate met at 9 a.m. and was called to order by the President pro tempore [Mr. BYRD].

PRAYER

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

Lord God of hope, this is a day for optimism and courage. Set us free of any negative thinking or attitude. There is enough time today to accomplish what You have planned. We affirm that You are here and that we are here by Your divine appointment. We also know from experience that it is possible to limit Your best for our Nation. Without Your help we can hit wide of the mark, but with Your guidance and power we cannot fail. You have brought our Nation to this place of prosperity and blessing. You are able to bless us if we will trust You and work together as fellow patriots. Fill this Chamber with Your Presence, invade the mind and heart of each Senator, and give this Senate a day of efficiency and excellence for Your glory. We thank You in advance for a truly great day. You are our Lord and Saviour. Amen.

PLEDGE OF ALLEGIANCE

The Honorable ROBERT C. BYRD led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RESERVATION OF LEADER TIME

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

BETTER EDUCATION FOR STUDENTS AND TEACHERS ACT

The PRESIDENT pro tempore. Under the previous order, the Senate will now resume consideration of S. 1, which the clerk will report.

The 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.

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.

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.

Feinstein modified amendment No. 369 (to amendment No. 358), to specify the purposes for which funds provided under subpart 1 of part A of title I may be used.

Reed amendment No. 431 (to amendment No. 358), to provide for greater parental involvement.

Clinton modified amendment No. 516 (to amendment No. 358), to provide for the conduct of a study concerning the health and learning impacts of sick and dilapidated public school buildings on children and to establish the Healthy and High Performance Schools Program.

Cantwell modified amendment No. 630 (to amendment No. 358), to provide for additional requirements with regard to the integration of education technology resources.

Hollings amendment No. 798 (to amendment No. 358), to permit States to waive certain testing requirements.

Gregg (for Santorum) amendment No. 799 (to amendment No. 358), to express the sense of the Senate regarding science education.

The PRESIDENT pro tempore. Under the previous order, there will now be 40 minutes for closing debate on the Santorum amendment No. 799 and the Hollings amendment numbered 798.

Mr. KENNEDY. Mr. President, as we resume consideration of the education authorization bill, we have 40 minutes of debate on the Santorum and Hollings amendments concurrently, with two rollcall votes at approximately 9:40 this morning, and votes throughout the day, as well into the evening, as the Senate works to complete action on the education bill this week. If the bill is completed on Thursday, there will be no rollcall votes on Friday.

The PRESIDENT pro tempore. The Senator from Pennsylvania, Mr. SANTORUM.

AMENDMENTS NOS. 798 AND 799

Mr. SANTORUM. Mr. President, I rise to talk about my amendment which will be voted on in roughly 40 minutes. This is an amendment that is a sense of the Senate. It is a sense of the Senate that deals with the subject of intellectual freedom with respect to the teaching of science in the classroom, in primary and secondary education. It is a sense of the Senate that does not try to dictate curriculum to anybody; quite the contrary, it says there should be freedom to discuss and air good scientific debate within the classroom. In fact, students will do better and will learn more if there is this intellectual freedom to discuss.

I will read this sense of the Senate. It is simply two sentences—frankly, two rather innocuous sentences—that hopefully this Senate will embrace:

''It is the sense of the Senate that—

''(1) good science education should prepare students to distinguish the data or testable theories of science from philosophical or religious claims that are made in the name of science; and

''(2) where biological evolution is taught, the curriculum should help students to understand why this subject generates so much continuing controversy, and should prepare the students to be informed participants in public discussions regarding the subject.

It simply says there are disagreements in scientific theories out there that are continually tested. Our knowledge of science is not absolute, obviously. We continue to test theories. Over the centuries, there were theories that were once assumed to be true and have been proven, through further revelation of scientific investigation and testing, to be not true.

One of the things I thought was important in putting this forward was to make sure the Senate of this country, obviously one of the greatest, if not the greatest, deliberative bodies on the face of the Earth, was on record saying we are for this kind of intellectual freedom; we are for this kind of discussion going on; it will enhance the quality of science education for our students.

I will read three points made by one of the advocates of this thought, a man named David DeWolf, as to the advantages of teaching this controversy that exists. He says:

Several benefits will accrue from a more open discussion of biological origins in the science classroom. First, this approach will do a better job of teaching the issue itself, both because it presents more accurate information about the state of scientific thinking and evidence, and because it presents the subject in a more lively and less dogmatic way. Second, this approach gives students greater appreciation for how science is actually practiced. Science necessarily involves the interpretation of data; yet scientists often disagree about how to interpret their

data. By presenting this scientific controversy realistically, students will learn how to evaluate competing interpretations in light of evidence—a skill they will need as citizens, whether they choose careers in science or other fields. Third, this approach will model for students how to address differences of opinion through reasoned discussion within the context of a pluralistic society.

I think there are many benefits to this discussion that we hope to encourage in science classrooms across this country. I frankly don't see any down side to this discussion—that we are standing here as the Senate in favor of intellectual freedom and open and fair discussion of using science—not philosophy and religion within the context, within the context of science but science—as the basis for this determination.

I will reserve the remainder of my time. I have a couple of other speakers I anticipate will come down and talk about this amendment, and I want to leave adequate time. I yield the floor.

The PRESIDING OFFICER. Who yields time?

The PRESIDENT pro tempore. Who yields time?

Mr. WELLSTONE addressed the Chair.

The PRESIDENT pro tempore. The Senator from Minnesota.

Mr. WELLSTONE. I thank the Chair.

The PRESIDENT pro tempore. Who yields time?

Mr. KENNEDY. Mr. President, do I understand correctly the Senator from Minnesota has the time from Senator HOLLINGS?

Mr. WELLSTONE. That is correct.

Mr. KENNEDY. So Senator HOLLINGS has the 10 minutes. In his absence, the control of the time should be with the Senator from Minnesota.

The PRESIDENT pro tempore. Without objection, it is so ordered. The Senator from Minnesota is recognized.

Mr. WELLSTONE. Mr. President, I ask the Chair whether or not we have 10 minutes altogether on our side or 10 minutes for each of us. What is the understanding from last night?

The PRESIDENT pro tempore. The Senator from Massachusetts controls 10 minutes, and the Senator from South Carolina controls 10 minutes, which has now been——

Mr. KENNEDY. I will be glad to yield 5 minutes of my time if the Senator wants it.

The PRESIDING OFFICER. The Senator from Minnesota has been tendered 10 minutes from the time allotted to Mr. HOLLINGS.

AMENDMENT NO. 798

Mr. WELLSTONE. Mr. President, my hope is the Senator from South Carolina will be able to be here. He spoke last night on his amendment, and he can do it with more eloquence and more persuasively than can I. But I told him, since I support his amendment, I would be pleased to try to be a fill-in for him.

I see my colleague is now here. I say to the Senator from South Carolina that I will be delighted to follow him, if he is ready to speak.

Mr. President, I yield to the Senator from South Carolina. I will follow my colleague.

The PRESIDENT pro tempore. Does the Senator from South Carolina seek recognition?

The Senator from South Carolina.

Mr. HOLLINGS. I thank the distinguished Chair.

Mr. President, this Senate, and I say it advisedly and respectfully, in a sense, we are the best off-Broadway show. We engage in these charades, set up these straw men and then knock them down, taking the credit for being so effective politically.

We say we have a surplus; we don't have a surplus. The CBO projected in March a $23 billion surplus for this fiscal year. Mark it down, it will be between a $50 billion and $70 billion deficit. We haven't even passed an appropriations bill. We have not passed any kind of supplemental and already we can foresee, less than a week after the signing of the so-called tax cut—where we had no taxes to cut—a deficit of $50 billion to $70 billion.

Now here is what we set up. We say: Wait a minute. In education there is no accountability; there is no testing. The people back home do not know what they need. If we can get some accountability and testing, we will learn what they need.

Such fanciful nonsense. We have testing coming out of our ears. You mention the State, and I will give you the millions they are spending.

Mr. President, I ask unanimous consent to have this schedule printed in the RECORD.

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

State	Amount spent on testing (in thous)	Grade 3	Grade 4	Grade 5	Grade 6	Grade 7	Grade 8	Number of 3–8 tests	New tests required	Revenue sharing proceeds
Alabama	$4,000	B	B	B	B	B	B	12	0	$24,915,437
Alaska	3,500	B	B		B	B	B	10	2	8,629,291
Arizona	4,800	B	B	B	B	B	B	12	0	28,129,355
Arkansas	3,200		B	B	B	B	B	10	2	16,983,311
California	44,000	B	B	B	B	B	B	12	0	161,769,009
Colorado	10,700	R	R	B	B	B	B	10	2	23,798,968
Connecticut	2,000		B		B		B	6	6	19,875,848
Delaware	3,800	B		B			B	6	6	8,016,860
Florida	22,400	B	B	B	B	B	B	12	0	68,848,688
Georgia	14,000	B	B	B	B		B	10	2	43,139,333
Hawaii	1,400	B		B			B	6	6	9,961,299
Idaho	700	B	B	B	B	B	B	12	0	11,393,934
Illinois	16,500	B		B			B	6	6	57,731,557
Indiana	19,000	B			B		B	6	6	31,207,328
Iowa	0		B				B	4	8	17,424,763
Kansas	1,100		M	R		M	R	4	8	17,179,348
Kentucky	8,100	B	R	M	B	R	M	8	4	21,605,599
Louisiana	9,000	B	B	B	B	B	B	12	0	24,579,091
Maine	3,300		B				B	4	8	10,704,063
Maryland	17,100	B	B	B	B	B	B	12	0	27,457,342
Massachusetts	20,000	R	B		M	B	R	7	5	31,006,359
Michigan	16,000		B	R		R	R	5	7	48,296,329
Minnesota	5,200	B		B			B	6	6	27,066,118
Mississippi	7,600	B	B	B	B	B	B	12	0	18,198,252
Missouri	13,400	R	M			R	M	4	8	28,736,967
Montana	282	B					B	4	8	9,161,562
Nebraska	1,650		R				R	2	10	12,374,005
Nevada	3,300	B	B	B			B	8	4	13,876,879
New Hampshire	2,500	B			B			4	8	10,802,081
New Jersey	17,000		B				B	4	8	37,746,447
New Mexico	650	B	B	B	B	B	B	12	0	13,633,052
New York	13,000		B				B	4	8	77,283,719
North Carolina	11,300	B	B	B	B	B	B	12	0	39,659,706
North Dakota	208		B		B		B	6	6	7,883,693
Ohio	12,300		B		B			4	8	53,078,486
Oklahoma	2,500	B		B			B	6	6	20,932,225
Oregon	7,000	B		B			B	6	6	19,516,428
Pennsylvania	15,000			B	R		B	5	7	52,955,297
Rhode Island	2,300	R	B			R	B	6	6	9,150,790
South Carolina	7,800	B	B	B	B	B	B	12	0	22,849,169
South Dakota	720		B	R			B	5	7	8,412,279
Tennessee	15,600	B	B	B	B	B	B	12	0	28,600,739
Texas	26,600	B	B	B	B	B	B	12	0	108,915,567
Uutah	1,400	B	B	B	B	B	B	12	0	17,026,566

State	Amount spent on testing (in thous)	Grade 3	Grade 4	Grade 5	Grade 6	Grade 7	Grade 8	Number of 3–8 tests	New tests required	Revenue sharing proceeds
Vermont	460		B				B	4	8	7,730,061
Virginia	17,900	B	B	B	B		B	10	2	34,846,313
Washington	7,700	B	B		B	B		8	4	31,448,887
West Virginia	400	B	B	B	B	B	B	12	0	12,494,530
Wisconsin	2,000	R	B				B	5	7	27,306,317
Wyoming	1,700		B				B	4	8	7,415,370
Total	422,070							387	213	

Mr. HOLLINGS. Mr. President, we are spending $422 million this present year in testing back home. We have been testing since you were a little boy and I was a little boy. The folks back home know what is really needed. But here we come and say they don't know what they need and they never have had any accountability. We want to discover for them what schools are flunking and close those schools down, and in the meantime hurt the students who have never even had the course, so to speak.

If you did not benefit, as a poor child, from the Women Infants and Children Program, you don't have a strong mind coming into this world. If your school did not receive Title I funding, if you didn't have access to a Head Start program, if you didn't get a good teacher, if your class was so big that you were unable to listen and learn, you are unprepared. All these programs figure into giving students the course and they are less than 50-percent funded. Now we are going to test students because we know from the debate they have not had the course. We haven't really gotten to the crux of the matter. Congress has decided what is needed. So we have had testing.

Right to the point, if you really believe in harming students, as my distinguished colleague from Minnesota points out so vividly and forcefully, and you are merely trying to give yourself political credit, then vote against the amendment. That crowd that has been trying to abolish the Department of Education now comes in saying they are going to get responsibility in education, accountability, and set up a straw man and knock it over with a 7-year bureaucracy of $2.7 billion to $7 billion. That is what it costs.

Mr. President, yesterday I had printed in the RECORD this particular survey by the National Association of State Boards Of Education.

If you believe in bureaucracy at the cost of some $7 billion, if you believe that Washington knows best, that the people back home don't know what they need—while we have heard on the floor about needs ranging from libraries to curricula to teachers to reducing class sizes to school construction to after-school programs—then don't vote for this amendment. Every Senator over the 7 weeks has put out the needs. But what we need to do is take that money, like revenue sharing, send it back to the local folks, and say: If you want to have testing, test. If you want to have further testing, do that. If you really think you need to increase the teachers' pay, if you need to hire more teachers, those kinds of things, then do it. But that is really assisting; not spending extra money.

This is not an increase, this is giving flexibility to the money under the bill to address the needs back home. It is playing as if, fast forward 3 or 4 years, we have had the testing, we know what is needed, and we know what schools are flunking. I could flunk 30 or 40 in South Carolina this afternoon with this so-called quality test, and students do not have another school to go to and you cannot close their school down. So we spend billions, and we are in the same place as we are this minute.

If you believe in that bureaucracy, if you believe in unfunded mandates, if you believe in one size fits all, if you believe in harming the children just to get political credit on the floor of the Senate, then vote against this amendment.

But if you want to help the children back home and help the local school boards, if you want to help America advance education, then take this same program money and send it back on a revenue-sharing basis so that schools can address their needs, whether those needs be testing or otherwise.

I yield the floor.

Mr. WELLSTONE. Mr. President, how much time do I have left?

The PRESIDENT pro tempore. The Senator has 2½ minutes.

Mr. WELLSTONE. Mr. President, I rise to support the Hollings amendment. Hearing the Senator from South Carolina makes me think that, our motto should be, perhaps: We should invest before we test.

I think of what the American people said about Dr. King when he left the pulpit and went out into the community: He went out and walked his talk. I don't think we are walking our talk. If we were walking our talk, we would not only be demanding our tests, but we would be demanding that every child have an opportunity to do well on the tests. We have not done that, and I think Senator HOLLINGS raises what I think is the most important question.

I believe I am one of the few Senators who is troubled by this and agonizing over the question of whether or not the Federal Government should be telling the school board, the school district, which epitomizes the grassroots political culture of America: 'You do not get to decide what is best.' We are telling them, every school district in America: You are going to test every child, grades 3, 4, 5, 6, 7, and 8 every year, with consequences for your school and your school district depending on how these children do in these tests.

What this amendment says is we should maybe have a little more faith in people at the school board level.

We should have maybe a little more faith in people back in our States to decide what they think is best, and they should have the option on whether they want to do the testing or use the resources to help children. That is what this amendment says.

I am all for national community standards for civil rights and human rights and for the first amendment and in making sure there is a floor for a educational commitment below which no poor child falls. I think that is what we are about as a nation. But I think when it comes to this kind of decision, is it right for the Federal Government literally to tell every school district what to do to test every child? I think we might rue the day we have voted for this. I struggle over the question right now. That is why I think this is such an important amendment. I fully support it.

I yield the floor.

The PRESIDENT pro tempore. Who yields time?

The Senator from Massachusetts.

Mr. KENNEDY. Mr. President, I yield such time as I might use.

The PRESIDENT pro tempore. The Senator is recognized.

Mr. KENNEDY. Mr. President, first of all, on the Santorum amendment, I hope all of our colleagues will vote in support of it. It talks about using good science to consider the teaching of biological evolution. I think the way the Senator described it, as well as the language itself, is completely consistent with what represents the central values of this body. We want children to be able to speak and examine various scientific theories on the basis of all of the information that is available to them so they can talk about different concepts and do it intelligently with the best information that is before them.

I think the Senator has expressed his views in support of the amendment and the reasons for it. I think they make eminently good sense. I intend to support that proposal.

On the Hollings-Wellstone amendment, I listened, as I always try to do,

to my friend and colleague from South Carolina. There is so much he says that makes very good sense, but I have to oppose the amendment.

When he talks about the preparation of children, he makes a great deal of sense. In fact, if the children are denied the Women's, Infants', and Children's Program—the WIC Program—if they are denied the early nutrition, which is so important for the development of the mind, if they are denied the early learning experiences, which are absolutely instrumental in developing and shaping the mind, they lose opportunities.

If we are only funding the Head Start Program at 40 percent, we are leaving 60 percent out. The Early Head Start Program is only funded at about 10 or 12 percent.

If we take children who are denied all of those kinds of opportunities, unless they are enormously fortunate to have other kinds of sustained enforcement of educational experience and stimulating experience in terms of their home life, or other circumstances, we can ask whether children are arriving in school ready to learn. Some may be but many others may not.

One of the most important developments over the period of the last 10 years has been the knowledge of what happens in the development of the brain. We had ''The Year of The Brain.'' It was on the front pages of magazines and newspapers and on television programs. We found that the early development aspects of the brain are absolutely essential where the neurons connect with the synapses and we have the development of the mind.

One of the key aspects, that at least many of us have believed, is that not only is it important to leave no child behind in terms of the support of this bill to reach all 10 million children who will be eligible but also the investment in children at the early age, to which Senator HOLLINGS spoke. But if we are going to continue to make that battle and struggle, we are going to have to, on the floor in the Senate and in appropriations, try to invest for the children so they are ready to learn.

A number of States responded to the requirements of the title I program in 1994. We require testing in the elementary schools, middle schools, and in the high schools. Fifteen States are meeting that requirement at the present time. But most of the tests which exist in the States are more attuned to national standards rather than State standards. Forty-nine States have established their own standards.

The purpose of this legislation is to try to develop a curriculum that will reflect those standards and have well-trained teachers who will use that curriculum and then examination of the students with well thought out tests that are really going to test not only what the child learns but the ability of the child to use concepts. That is why the average test that is being used at the State level is $6 or $7. The test we are trying to develop here, the provisions which are strengthened with the Wellstone amendment and the other requirements, averages $68 a test versus $6.

Money doesn't answer everything in terms of being sure you are going to get a quality test, but part of the requirements we have for the use of the test is to be able to disaggregate it. At the current time, there are only three States that use disaggregated information. So you know in the class that there are various groups of students who aren't making it rather than just the test that uses the whole classroom.

It is also important to disaggregate information so that you know more completely where the challenges are in terms of the students themselves in order to make progress and tie the curriculum into these types of features, and also to make sure we are going to have the development of the test developed by the States, in the States, for the States' standards.

That is our purpose—not that they take off-the-shelf tests. Most of the States using the tests now are using the off-shelf-tests that are focused on national standards rather than State standards. That happens to be the reality.

I don't question that in a number of States there are superintendents and school boards who think they are getting adequate information. But this is a much more comprehensive way of finding out what the children know and then hopefully developing the kinds of methodologies to equip the children to move ahead. That is really our purpose. We may not get it right, but that is certainly the purpose we intend.

Finally, if the States are developing their own tests, and if they meet the standards which are included in this legislation and they conform with them, then they obviously meet those requirements. Then there is nothing further they have to do.

Three States, as I said, disaggregate information and have a number of the items that are included in this bill. But by and large they are not in existence in other areas.

If that is the case, and we believe assessments are a key aspect of all of the efforts we are trying to develop in this legislation—I know there are those who don't agree with that as a concept—we know that children are tested frequently.

I can give you some cases in Lancaster, PA, where they test actually every 9 weeks in terms of what the children are learning during that period of time; and they alter and change the curriculum to try to give focus and attention to groups of students in those classes who are not making measurable progress. They have seen the absolutely extraordinary progress the schools have made in Lancaster as a result of it.

If it is done right, done well, done effectively, it is a very important, positive instrument in terms of children's development. If it is not, then it can have the kind of unfortunate results that have been mentioned in this Chamber. It is our intention to try to do it right. We have built in enough legislation to do it. I think this is the way to go.

I think we have a good bill. We have had good authorization. We are going to have the difficulty and challenge of getting the funding. That is an essential aspect of the continuing process as we move through the legislative process. We want to make sure that we are going to do it right.

But I do not believe the Hollings-Wellstone amendment is consistent with the whole central thrust of this legislation. I, regretfully, oppose the amendment.

Mr. President, how much time remains?

The PRESIDING OFFICER (Mr. EDWARDS). The Senator's time has expired.

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

Mr. KENNEDY. Mr. President, I ask unanimous consent it be in order to now ask for the yeas and nays. And then I will ask for the yeas and nays.

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

Mr. KENNEDY. 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. How much time remains on the amendments?

The PRESIDING OFFICER. The minority controls the remaining time, 15½ minutes.

Mr. SANTORUM. Mr. President, I ask unanimous consent that it be in order for me to ask for the yeas and nays on my amendment.

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

Mr. SANTORUM. 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. If there is no one who wants to address the Senate, I suggest the absence of a quorum—I am sorry.

Mr. THOMAS addressed the Chair.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. THOMAS. Mr. President, I want to use some of the time that is available for our side to talk a little about the bill. I have not said much in relation to this bill, but it certainly is one

of the most important issues that we will talk about.

We have a great opportunity to help make education stronger in our country. That is, of course, what we ought to be seeking to do. This discussion has gone on for a very long time. I hope we are nearing the end of the debate. I think we have spent nearly 4 weeks, off and on, on this proposition. It is time to bring it to a close.

In my view, we have had an excessive amount of amendments; nevertheless, that is where we are. But now if we are really going to do our part, and if we are really going to be able to cause this to be something that is effective, then we need to focus a little bit, as we evaluate where we are, on what our goals are, what it is we are really seeking to do.

I guess too often I get the notion that we get wrapped up around here in all the details, little items that mean something to someone, and we lose track of where it is we really want to go.

What we ought to do is have a vision—hopefully, a fairly common vision—of what our goals are in terms of education, in terms of the role of the Federal Government in education, and to be able to measure what we are doing each day in terms of how we meet those goals.

I think one of them that is quite important is, what is the role of the Federal Government in education? It has been my view, and continues to be my view, that the major responsibility for elementary and secondary education lies at the local level, lies with the community, lies with the school boards, and lies with the States.

One of the reasons I think that is so important is there are very different needs in very different places because what you need in Chugwater, WY, is quite different than what you need in Pittsburgh, PA. They ought to be able to make those kinds of unique decisions locally.

What is really needed to bring about change? We are all in favor of change, although I am not as pessimistic about schools as many people are. I think most of our schools do a pretty good job. One of the reasons I think that—and I realize this is not a broad sampling—is because of the young people who come to the Senate. They are evidence, it seems to me, that our schools are doing a pretty darn good job.

We need to do better, and there are some schools that do better than others, but that ought to be part of our goal, to establish what is really needed to bring about change. Then we ought to measure it. I think too often when we get into these issues, much of our conversation begins to border on political rhetoric: Boy, if you are for education, then that's a great thing. But you have to kind of decide what it is that you are for. Everybody is for education.

We have to talk a little bit about spending. This bill authorizes spending far beyond anything that we have ever thought about. Obviously, most of us would agree dollars alone don't bring about quality education. You can't have it without the dollars, but dollars alone don't do that. So I think there has to be some limit.

With that, inevitably, goes a certain amount of direction and control from Washington. How much of that do you want? I think there are some things that we ought to think and talk about.

As I understand it, the real purpose, as we started out with this S. 1, was to increase accountability for student performance. We do that some by testing. There has to be some accountability. We have to put out there funding, funding that really works and is not wasted, is not used up in bureaucracies. We have to have increased flexibility and local control if we really want to be able to deal with the problems that exist in our school systems.

We need to empower parents to have a role in schools. We need there to be opportunities for students such as in charter schools. We need some changes in that respect. We need to provide options for students who are consistently failing or who are in danger at schools. We need to do something about that.

But the responsibility really lies at the local level. That is why we elect school boards. That is why we have legislatures. We need to help, but there needs to be local flexibility. I think it is pretty clear from the debate that the bureaucracy and redtape have been real problems.

My wife happens to be a special ed teacher. I can tell you, she spends more time with reports than is really necessary. When she ought to be working with the kids, she is having to fill out all these reports that come in and are required. There ought to be a limit to that.

We ought to try to reduce the duplicative educational programs that are out there. Now over 50 percent of the Federal education dollars are spent on bureaucracy and overhead. That is unacceptable. The money needs to be there to help the kids.

Burdensome regulations, unfunded mandates—talk to anybody who is an administrator at a school and see what they think about unfunded mandates and the burdens of regulation. We do not talk about that very much. We have had 150 amendments that bring about more regulations. We ought to make sure we avoid that.

I think, again, we have to work to give the States and the locals unprecedented flexibility. The Federal Government has provided only about 6 or 7 percent of the funding for elementary and secondary education. We ought to do better than that. But keep in mind, the basic thrust is in the local community with the local dollars, the local decisions, the local leaders. That is where it belongs.

We talk about schools failing. We ought to put a little responsibility on those who are responsible for those schools that are failing. Help them, yes, of course. But the idea that we are suddenly going to take over this whole educational system and change it, I don't think that is consistent with our notions of Government.

So I just think we have a great opportunity. I think there are some very good things in this bill. I hope that we conclude it soon so we can get it moving and so we can get on to some other issues as well. But I hope we evaluate, as we go: What do we think the role of the Federal Government is? How should money be used that is sent to the local and State governments? How do we have accountability? And how, indeed, do we make sure this effort of ours is one that produces the best dividends and moves us towards our vision of what education in this country ought to be.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. SANTORUM. Mr. President, first, I thank the Senator from Massachusetts for his support of my amendment. I hope the Senate will overwhelmingly vote for and support the amendment that I have offered.

The Senator from Wyoming was just talking about the role of the Federal Government in education. I was just thinking about the many visits I have made to school districts around my State. I have been to about 160 or 170 school districts in my State. We have about 500 school districts. I talked about education in many of those visits.

Maybe other Senators have experienced the same thing, but when I talk about education in schools, when I talk about educational reform, superintendents and teachers tend to get a little stiff in front of me, tend to get a little tense, because they are living it. And here we are, on the outside, trying to tell them how to do it better. One of the reasons I go to those schools is to listen to the schoolteachers and to principals and superintendents, parents, and students.

One of the things I hear more and more from people and parents and teachers in particular is, yes, we need to improve education, but we also need to look at what is coming into the educational system, the children coming into our system, particularly in our lowest performing schools, where children are coming in with many more profound problems than they did 20, 30, 40, even 50 years ago, when we thought we had a pretty good educational system in the country.

To sit here and say all the problems in our society, all the problems with our children are because they don't

have a good education or there is not a good school, whatever the case may be, sort of laying all the blame on the schools for not producing educated children, in some respects, I believe, misses the mark or certainly doesn't tell the whole story of the problems that we are confronting as a culture and as a nation.

We have a couple minutes before the vote, and I wanted to put my two cents in. For those teachers and administrators, people who work very hard in the school system, particularly the poor schools and schools that are in difficult neighborhoods, you are right; the schools are not the sole source of blame for having children who can't read coming out of them. I even argue in many cases they aren't the principal sources of blame or even a particularly big share of the blame.

When we talk about educational reform, particularly leaving no child behind—and I support that—we need to look not just within the school system; we have to look outside the school system. We have to look at our culture. We have to look at the American family, our neighborhoods, at our popular culture, and the message being sent to the young children. We have to look at neighborhoods. And whether it is crime or the breakdown of the family or the breakdown of the community, the lack of economic opportunities, whatever the case may be—in most cases, it is all of those things—we need to recognize that education is just a piece of solving this puzzle for a child growing up in these very poor neighborhoods.

I hope we don't walk away from here flexing our muscles, raising our hands, saying: We have now solved the problem; We have fixed the educational system and that alone is going to solve the problems we face in our poor and downtrodden communities. It will not, no matter how good our schools are.

I always share this story of going to a high school in north Philadelphia, a very poor high school, a very poor neighborhood, a crime ridden neighborhood. I walked through that school. First I walked through the metal detectors. And I finally got to a classroom where, of the students going to the school, less than 5 percent were going to go on to some education beyond high school. I went into the classroom where those 5 percent were, and they were being talked to about their opportunities. They were all from public housing, poor neighborhoods. They could get a free ride to any school they wanted to go to.

I remember talking to them about the opportunities they had and sort of seeing somewhat blank stares back at me. We got into a discussion. I said: What is your biggest fear? What is your biggest concern about the school you go to and your education? And the consensus developed was this: Getting to school alive every day. When you are an achiever in a group of people who do not achieve academically, you are a target. You can throw more money at that school, you can improve the quality of the teachers, you can have smaller class size, but if your concern is getting to school alive, we are missing the boat somewhere.

I want to step back, as we hopefully will celebrate passage of this bill and say that we have done great things to help children. If we don't get to the issues outside of the school, throwing more money into the school is whistling through the graveyard at night. It isn't going to solve the problem.

I yield the floor.

Mr. BYRD. Mr. President, I have been interested in the debate surrounding the teaching of evolution in our schools. I think that Senator SANTORUM's amendment will lead to a more thoughtful treatment of this topic in the classroom. It is important that students be exposed not only to the theory of evolution, but also to the context in which it is viewed by many in our society.

I think, too often, we limit the best of our educators by directing them to avoid controversy and to try to remain politically correct. If students cannot learn to debate different viewpoints and to explore a range of theories in the classroom, what hope have we for civil discourse beyond the schoolhouse doors?

Scientists today have numerous theories about our world and its beginnings. I, personally, have been greatly impressed by the many scientists who have probed and dissected scientific theory and concluded that some Divine force had to have played a role in the birth of our magnificent universe. These ideas align with my way of thinking. But I understand that they might not align with someone else's. That is the very point of this amendment—to support an airing of varying opinions, ideas, concepts, and theories. If education is truly a vehicle to broaden horizons and enhance thinking, varying viewpoints should be welcome as part of the school experience.

Mr. BROWNBACK. Mr. President, as my friend from Pennsylvania, and perhaps every one in the free world, knows the issue he brings up with regard to how to teach scientific theory and philosophy was recently an issue in my home State of Kansas. For this reason, many of my constituents are particularly sensitive to this issue.

I would like to take the opportunity of this amendment to clear the record about the controversy in Kansas.

In August of 1999 the Kansas State School Board fired a shot heard 'round the world. Press reports began to surface that evolution would no longer be taught. The specter of a theocratic school board entering the class to ensure that no student would be taught the prevailing wisdom of biology was envisioned. Political cartoons and editorials were drafted by the hundreds. To hear the furor, one might think that the teachers would be charged with sorting through their student's texts with an Exacto knife carving out pictures of Darwin.

However, the prevailing impression, as is often the case was not quite accurate. Here are the facts about what happened in Kansas. The school board did not ban the teaching of evolution. They did not forbid the mention of Darwin in the classroom. They didn't even remove all mention of evolution from the State assessment test. Rather, the school board voted against including questions on macro-evolution—the theory that new species can evolve from existing species over time—from the State assessment. The assessment did include questions on micro-evolution—the observed change over time within an existing species.

Why did they do this? Why go so far as to decipher between micro and macro-evolution on the State exam? How would that serve the theocratic school board's purpose that we read so much about? Well, the truth is . . . their was no theocratic end to the actions of the school board. In fact, their vote was cast based on the most basic scientific principal that science is about what we observe, not what we assume. The great and bold statement that the Kansas School Board made was that simply that we observe micro-evolution and therefore it is scientific fact; and that it is impossible to observe macro-evolution, it is scientific assumption.

The response to this relatively minor and eminently scientific move by the Kansas school board was shocking. The actions and intentions of the school board were routinely misrepresented in the global press. Many in the global scientific community, who presumably knew the facts, spread misinformation as to what happened in Kansas. College admissions boards, who most certainly knew the facts, threatened Kansas students. The State Chamber of Commerce and Industry, and the State universities were threatened based on the actions of school board. All of these effects caused by a school board trying to decipher between scientific fact and scientific assumption. The response to the actions of the board, appeared to many as a response to the commission of heresy.

For this reason, I am very pleased that my friend from Pennsylvania offered this amendment. He clarifies the opinion of the Senate that the debate of scientific fact versus scientific assumption is an important debate to embrace. I plan to support the amendment and urge my colleagues to join me.

Mr. REID. Mr. President, I ask unanimous consent that between the two votes, prior to the second vote in order,

there be 2 minutes on each side for debate.

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

Does the Senator from Pennsylvania yield back the remainder of his time?

Mr. SANTORUM. I do.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 799. The yeas and nays have been ordered. The clerk will call the roll.

The senior assistant bill clerk proceeded to call the roll.

Mr. REID. I announce that the Senator from Connecticut (Mr. DODD) is necessarily absent.

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

The result was announced—yeas 91, nays 8, as follows:

[Rollcall Vote No. 182 Leg.]

YEAS—91

Akaka	Ensign	McConnell
Allard	Feingold	Mikulski
Allen	Feinstein	Miller
Baucus	Fitzgerald	Murkowski
Bayh	Frist	Murray
Bennett	Graham	Nelson (FL)
Biden	Gramm	Nelson (NE)
Bingaman	Grassley	Nickles
Bond	Gregg	Reed
Boxer	Harkin	Reid
Breaux	Hatch	Roberts
Brownback	Helms	Rockefeller
Bunning	Hollings	Santorum
Burns	Hutchinson	Sarbanes
Byrd	Hutchison	Schumer
Campbell	Inhofe	Sessions
Cantwell	Inouye	Shelby
Carnahan	Jeffords	Smith (NH)
Carper	Johnson	Smith (OR)
Cleland	Kennedy	Snowe
Clinton	Kerry	Specter
Conrad	Kohl	Stabenow
Corzine	Kyl	Thomas
Craig	Landrieu	Thurmond
Crapo	Leahy	Torricelli
Daschle	Levin	Voinovich
Dayton	Lieberman	Warner
Domenici	Lincoln	Wellstone
Dorgan	Lott	Wyden
Durbin	Lugar	
Edwards	McCain	

NAYS—8

Chafee	DeWine	Stevens
Cochran	Enzi	Thompson
Collins	Hagel	

NOT VOTING—1

Dodd

The amendment (No. 799) was agreed to.

Mr. KENNEDY. I move to reconsider the vote by which the amendment was agreed to.

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

The motion to lay on the table was agreed to.

AMENDMENT NO. 798

Mr. KENNEDY. As I understand, we have 2 minutes on each side. There will be 2 minutes for the Senator from South Carolina and 2 minutes for the Senator from Connecticut.

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. HOLLINGS. Madam President, dear colleagues, the fundamental flaw is the approach that we do not, at the local level, have accountability, that we do not have testing. The truth is, and I have previously printed it in the RECORD, we have testing coming out of our ears: $422 million this year. We know what works.

I say, rather than go through a 7-year exercise at $7 billion, along with the bureaucracy from Washington, to develop what Washington thinks is the standard, what Washington thinks is quality, use that money to address local concerns, whether they be further testing or additional needs. We know what the needs are. Senators have stated them over 7 weeks: Curriculum, better teachers, more teachers, smaller class size, and on down the line.

This is, in a sense, revenue sharing with the same amount of money.

If Members believe in one size fits all, that Washington—and not the local folks—has the answers, if Members believe in unfunded mandates, if Members believe students should be tested on courses that they have yet to receive—Title I, Head Start, and the others—if Members believe we ought to institute this 7-year bureaucracy at a cost of $7 billion, vote against the amendment.

If Members believe in local control, and if Members believe they know what is best, and what schools in their states need is help for curriculum, for class size, and everything else, then vote with us. I don't see my distinguished colleague, Senator WELLSTONE, but I have his support, and I think I might be able to get the support of Senator KENNEDY.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. LIEBERMAN. Madam President, with all respect to my friend and colleague from South Carolina, I rise to oppose the amendment. This amendment, if passed, will cut out the heart of the bipartisan agreement on educational reform in this underlying bill. The heart of it is that we are going to demand results; we are going to ask for evidence that we can present to educators, to parents, indeed to students and public officials, that the vast amounts of money that we at the Federal level and those at the State and local level are investing in the education of our children is actually working. The important thing to say is that in the requirement that the underlying bipartisan agreement makes for testing of schoolchildren from grades 3–8, we set the rules, but we leave it to the States to determine the standards. It is the States that will decide each year what is adequate yearly progress. It is the States that will determine how well their students are doing. So this is a national set of rules, but it is the States that will decide how each of them goes forward in implementing the rules.

Second, we require an arcane term, but it means a lot, disaggregation of data, so that people in the State, in the local area, parents, can see how each group of children is doing so we will be sure in that evidence that we will not overlook the educational needs of the neediest of our children.

I ask my colleagues to oppose this amendment and thereby stand by the bipartisan agreement for educational reform.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 798. The yeas and nays have been ordered. The clerk will call the roll.

The assistant bill clerk called the roll.

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

The result was announced—yeas 22, nays 78, as follows:

[Rollcall Vote No. 183 Leg.]

YEAS—22

Akaka	Durbin	Nelson (NE)
Boxer	Feingold	Reed
Cantwell	Harkin	Reid
Conrad	Hollings	Sarbanes
Corzine	Inouye	Stevens
Daschle	Leahy	Wellstone
Dayton	Levin	
Dodd	Murray	

NAYS—78

Allard	Edwards	Lugar
Allen	Ensign	McCain
Baucus	Enzi	McConnell
Bayh	Feinstein	Mikulski
Bennett	Fitzgerald	Miller
Biden	Frist	Murkowski
Bingaman	Graham	Nelson (FL)
Bond	Gramm	Nickles
Breaux	Grassley	Roberts
Brownback	Gregg	Rockefeller
Bunning	Hagel	Santorum
Burns	Hatch	Schumer
Byrd	Helms	Sessions
Campbell	Hutchinson	Shelby
Carnahan	Hutchison	Smith (NH)
Carper	Inhofe	Smith (OR)
Chafee	Jeffords	Snowe
Cleland	Johnson	Specter
Clinton	Kennedy	Stabenow
Cochran	Kerry	Thomas
Collins	Kohl	Thompson
Craig	Kyl	Thurmond
Crapo	Landrieu	Torricelli
DeWine	Lieberman	Voinovich
Domenici	Lincoln	Warner
Dorgan	Lott	Wyden

The amendment (No. 798) was rejected.

The PRESIDING OFFICER. The Senator from Pennsylvania.

AMENDMENT NO. 420 TO AMENDMENT NO. 358

Mr. SPECTER. Madam President, I call up amendment No. 420.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Pennsylvania [Mr. SPECTER] proposes an amendment numbered 420.

The amendment is as follows:

(Purpose: To amend the Fair Labor Standards Act of 1938 to permit certain youth to perform certain work with wood products)

On page 893, after line 14, add the following:

SEC. ___. EXEMPTION.

Section 13(c) of the Fair Labor Standards Act of 1938 (29 U.S.C. 213(c)) is amended by adding at the end the following:

''(6)(A) Subject to subparagraph (B), in the administration and enforcement of the child labor provisions of this Act, it shall not be considered oppressive child labor for an individual who—

''(i) is under the age of 18 and over the age of 14, and

''(ii) by statute or judicial order is exempt from compulsory school attendance beyond the eighth grade,

to be employed inside or outside places of business where machinery is used to process wood products.

''(B) The employment of an individual under subparagraph (A) shall be permitted—

''(i) if the individual is supervised by an adult relative of the individual or is supervised by an adult member of the same religious sect or division as the individual;

''(ii) if the individual does not operate or assist in the operation of power-driven woodworking machines;

''(iii) if the individual is protected from wood particles or other flying debris within the workplace by a barrier appropriate to the potential hazard of such wood particles or flying debris or by maintaining a sufficient distance from machinery in operation; and

''(iv) if the individual is required to use personal protective equipment to prevent exposure to excessive levels of noise and saw dust.''.

Mr. SPECTER. Madam President, I seek recognition to discuss my amendment, which briefly stated, would simply permit Amish youths, aged 14 to 18, to be able to work in sawmills. The issue has arisen as to the safety of these sawmills. The Appropriations subcommittee which has jurisdiction over the Department of Labor which I had chaired held a hearing on this subject. It is appropriate and necessary that the full Committee on Health, Education, Labor, and Pensions have a hearing.

We have consulted with experts who have given us a formula to provide for what we think is the requisite safety. I have had a brief discussion with the Senator from Massachusetts about my withdrawing this amendment and having a hearing so that due consideration could be given to this issue by his committee.

This amendment is designed to permit certain youths—those exempt from attending school—between the ages of 14 and 18 to work in sawmills under special safety conditions and close adult supervision. I introduced identical measures in the 105th and 106th Congresses. Similar legislation introduced by my distinguished colleague, Representative JOSEPH R. PITTS, has already passed in the House twice before. I am hopeful the Senate will also seriously consider this important issue.

As chairman of the Labor, Health and Human Services and Education Appropriations Subcommittee, I have strongly supported increased funding for the enforcement of the important child safety protections contained in the Fair Labor Standards Act. I also believe, however, that accommodation must be made for youths who are exempt from compulsory school-attendance laws after the eighth grade. It is extremely important that youths who are exempt from attending school be provided with access to jobs and apprenticeships in areas that offer employment where they live.

The need for access to popular trades is demonstrated by the Amish community. In 1998, I toured an Amish sawmill in Lancaster County, PA, and had the opportunity to meet with some of my Amish constituency. In December 2000, Representative PITTS and I held a meeting in Gap, PA, with over 20 members of the Amish community to hear their concerns on this issue. Most recently, I chaired a hearing of the Labor, Health and Human Services and Education Appropriations Subcommittee to examine these issues.

At the hearing the Amish explained that while they once made their living almost entirely by farming, they have increasingly had to expand into other occupations as farmland has disappeared in many areas due to pressure from development. As a result, many of the Amish have come to rely more and more on work in sawmills to make their living. The Amish culture expects youth, upon the completion of their education at the age of 14, to begin to learn a trade that will enable them to become productive members of society. In many areas, work in sawmills is one of the major occupations available for the Amish, whose belief system limits the types of jobs they may hold. Unfortunately, these youths are currently prohibited by law from employment in this industry until they reach the age of 18. This prohibition threatens both the religion and lifestyle of the Amish.

Under my amendment, youths would not be allowed to operate power machinery, but would be restricted to performing activities such as sweeping, stacking wood, and writing orders. My amendment requires that the youths must be protected from wood particles or flying debris and wear protective equipment, all while under strict adult supervision. The Department of Labor must monitor these safeguards to insure that they are enforced.

The Department of Justice has raised serious concerns under the establishment clause with the House legislation. The House measure conferred benefits only to a youth who is a ''member of a religious sect or division thereof whose established teachings do not permit formal education beyond the eighth grade.'' By conferring the ''benefit'' of working in a sawmill only the adherents of certain religions, the Department argues that the bill appears to impermissibly favor religion to ''irreligion.'' In drafting my amendment, I attempted to overcome such an objection by conferring permission to work in sawmills to all youths who ''are exempted from compulsory education laws after the eighth grade.'' Indeed, I think a broader focus is necessary to create a sufficient range of vocational opportunities for all youth who are legally out of school and in need of vocational opportunities.

I also believe that the logic of the Supreme Court's 1972 decision in Wisconsin versus Yoder supports my bill. In Yoder, the Court held that Wisconsin's compulsory school attendance law requiring children to attend school until the age of 16 violated the free exercise clause. The Court found that the Wisconsin law imposed a substantial burden on the free exercise of religion by the Amish since attending school beyond the eighth grade ''contravenes the basic religious tenets and practices of the Amish faith.'' I believe a similar argument can be made with respect to Amish youth working in sawmills. As their population grows and their subsistence through an agricultural way of life decreases, trades such as sawmills become more and more crucial to the continuation of their lifestyle. Barring youths from the sawmills denies these youths the very vocational training and path to self-reliance that was central to the Yoder Court's holding that the Amish do not need the final two years of public education.

This is a matter of great importance and I urge my colleagues to work with me to provide relief for the Amish community.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KENNEDY. Madam President, the Senator is correct. The Senator has spoken to me about this issue. It is a very important issue because it does involve children and involves a dangerous industry. But there are other factors to be considered.

The Senator has given us some recommendations from very noteworthy OSHA experts who believe a way can be found to ensure the safety of these children and also achieve the objective. I think it would be valuable to have that in an open hearing, and we will do so in our Labor Committee and give due notice to the Senator when that hearing will be held, and welcome any of the people from whom he thinks it would be useful for us to hear.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. SPECTER. Madam President, I thank my colleague from Massachusetts.

I just add one note. There are very serious issues of religious freedom involved here with the Amish having the right under the Constitution not to have education beyond the age of 14, and those will be considered in due course.

Let me thank my distinguished colleague from Louisiana for yielding so that we could have this brief colloquy.

I thank my colleagues and yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KENNEDY. We will have a very brief quorum call. 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. SPECTER. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

AMENDMENT NO. 420 WITHDRAWN

Mr. SPECTER. Madam President, in the last colloquy I stated my intention to withdraw the amendment. I did not use the magic words, which I now use. I withdraw my amendment.

The PRESIDING OFFICER. The amendment is withdrawn.

Mr. SPECTER. I thank the Chair 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. Madam 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. Madam President, I ask unanimous consent that upon the disposition of the Dodd amendment No. 382, the Senator from Nebraska, Mr. NELSON, be recognized to call up amendment No. 533; that there be 5 minutes for debate on the amendment equally divided in the usual form; that upon the use of the time, the amendment be agreed to and the motion to reconsider be laid upon the table with no second-degree amendment in order thereto.

Further, that upon the disposition of amendment No. 533, Senator KERRY be recognized to call up amendments Nos. 423 and 455, that there be 40 minutes total for debate on the two amendments with time divided as follows: 10 minutes each, Senators KERRY, SMITH of Oregon, KENNEDY, and GREGG, with no second-degree amendments; that upon the use or yielding back of time, the amendments be agreed to and the motions to reconsider be laid upon the table.

Provided further that, upon the disposition of the Kerry/Smith amendments, the Senate resume consideration of the Cantwell amendment No. 630, as modified, with a total of 15 minutes for debate divided as follows: 5 minutes each, Senators CANTWELL, KENNEDY, and GREGG; that upon the use or yielding back of time, the Senate proceed to a vote in relation to the Cantwell amendment, with no second-degree amendment in order thereto, with no intervening action.

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

Under the previous order, the Senator from Louisiana is recognized to call up amendment No. 474 on which there will be 30 minutes equally divided in the usual form.

AMENDMENT NO. 474 TO AMENDMENT NO. 358

Ms. LANDRIEU. Madam President, I call up amendment No. 474.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Louisiana [Ms. LANDRIEU] proposes amendment numbered 474.

Ms. LANDRIEU. Madam 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 improve the formulas for teacher quality grants)

Beginning on page 312, strike line 18 and all that follows through page 313, line 4, and insert the following:

''(I) an amount that bears the same relationship to 35 percent of the excess amount as the number of individuals age 5 through 17 in the State, as determined by the Secretary on the basis of the most recent satisfactory data, bears to the number of those individuals in all such States, as so determined; and

''(II) an amount that bears the same relationship to 65 percent of the

On page 320, strike lines 16 through 26 and insert the following:

''(1) an amount that bears the same relationship to 20 percent of the total amount as the number of individuals age 5 through 17 in the geographic area served by the agency, as determined by the Secretary on the basis of the most recent satisfactory data, bears to the number of those individuals in the geographic areas served by all the local educational agencies in the State, as so determined; and

''(2) an amount that bears the same relationship to 80 percent of the total amount as the num-''.

Ms. LANDRIEU. Madam President, the amendment that I offer today is similar in some ways to the amendment I offered and we adopted 2 days ago. With an overwhelming and bipartisan show of support, we again made a commitment to better target the somewhat scarce education resources offered by the Federal Government under this bill—I use the word scarce judiciously; to some it is an awful lot of money, but to others, relative to what we need, it is not enough towards the communities with the greatest need.

Whatever moneys we are able to place, I believe, and many of my colleagues on the Republican and Democratic side and, to his credit, President Bush must be targeted toward helping the children and the schools that need the most help. Particularly when, as Senator KENNEDY has so eloquently expressed many times on the floor, this is really a new day for education from the Federal Government. We are initiating sweeping reforms, not mandating local governments but supporting them in their efforts to reform their schools, to increase standards, to implement accountability. We must work with the states and locals in partnership, to help fulfill our promise to leave no child behind.

This amendment would target more tightly title II dollars. On Monday, 57 Members of this body helped us to target the title I dollars, the largest title of the elementary and secondary education bill. There are seven general titles in the BEST bill. Title I has always been the largest Federal title. Some would argue the most important. Yet, when you are talking about providing an quality education, it is hard to argue that a Title which is focused on quality teachers is any less important. In my mind and in the minds of many in the Senate, there really is no more important element of an education than a good, qualified teacher.

William Arthur Ward once said: The mediocre teacher tells; the good teacher explains. The superior teacher demonstrates; the great teacher inspires.

We need a lot more great teachers in America. We have many, but we need more. No doubt there is a crisis in our Nation today. From the East Coast to the West Coast, from the North to the South, from California, to Louisiana, to New Hampshire, to Illinois, communities are faced with a struggle to find qualified people to teach their children.

Every major newspaper and magazine in our Nation has covered this story—not on the back page, not on the middle page, but on the cover page. Here is an excerpt from Newsweek published earlier this fall. ''Who Will Teach Our Kids?'' That is the question parents are asking. ''What Schools And Parents Can Do. Half Of All Teachers Will Retire By The Year 2010.''

The picture is of a child waiting for a teacher and these subtitles only scratch the surface of the real crisis facing us today. Let me read briefly from a story that says ''Teachers Wanted.'' I noticed this because Frank, my husband, and I have our 9-year-old Connor in school here. He finished third grade this year. One of the joys of my day is to know every day that Connor is in a school with a wonderful teacher—Holly Garland, and that he is being well educated in a school that is safe. I can come to work in the Senate and do my job. My husband can go do his job because we have that security.

But that is not the case of a family from Georgia. Their names are Jill and Larry Jackson of Conyers, GA. The article says:

It should have been a season of hopeful beginnings, but for Jill and Larry Jackson of Conyers, Ga., the opening of school this fall has meant only anger and frustration. Their 11-year-old son, Nicholas—

Only 2 years older than Connor—

is in a sixth-grade special-ed class taught by an assistant and a substitute. The regular teacher quit after three weeks of school, and the class of 13 is out of control. ''We can move Nicholas to a special-ed class in another school that has just five kids,'' says

Jill, ''but the teacher is leaving in December. I phoned the district, and they told me that they have five special-ed positions to fill. And I asked them if they think they'll have a certified special-ed teacher in that class by December, and they said: 'That's the least of our problems right now.' ''

Jill, the mother, much as I am with my children, said: ''Well, it's the biggest problem in my life right now.''

To millions of parents, from Massachusetts to New Hampshire to Louisiana to Mississippi, the biggest problem in their lives is their kids, 90 percent of whom are in the public schools of this Nation. They send them to schools and classrooms without certified teachers, without any teachers, with substitute teachers, teachers who come in and out of the classroom every few weeks. How is it possible for a child to begin to learn when the teacher doesn't even know a child's name? This is a parent's worst nightmare.

My amendment does not attempt to fix this terrible situation because I am not certain any amendment could actually deal with a problem this large. It is so large and so tough. What my amendment does is say, we know we have a problem; we need to set goals and strategies for fixing that problem; and most importantly, we must provide the resources to address the problem.

In short, my amendment attempts to move what money we have into the areas and to the schools that need the most help. This bill requires that all schools with 50% or more of their children in poverty must have all highly qualified teachers by 2005. What would that mean to states?

Let me cite some statistics that were actually shocking to me, and hopefully they will be to the Members of the Senate. Let me start with some examples of some States right now that are in pretty good shape. I will cite three or four.

Connecticut has a total of 1,069 schools. Yet only 189 of those schools are 50 percent poverty. So out of over 1,000 schools, they have fewer than 200 schools in the whole State that have 50 percent of poverty or more. To meet the requirements under this bill, 6,670 in Connecticut's poorest schools would have to be highly qualified by 2005. That is a manageable amount. Connecticut is in pretty good shape because under the bill, it is going to have to make sure that these 189 schools have the resources to meet this requirement. Based on what I know about the resources in Connecticut and the great work of Senator DODD and Senator LIEBERMAN and other elected officials in that State, I have no doubt that with the extra muscle they can probably manage to find 6,000 highly qualified teachers in 3 years.

Let me share the good news about another State, New Hampshire. It has 516 schools. Only 7 in the whole State of New Hampshire—it is a small State—have a poverty rate of 50 percent. That means that they have three years to make sure that the 103 teachers who currently teach in those schools are highly qualified. Again, I am confident that with the good work of the Senators here from New Hampshire and their Governor, Jean Shaheen, and their elected officials , they can find the 103 teachers qualified, get them in those classrooms, and meet the goals of this bill.

Let me give you one other example of a State in pretty good shape. It is a larger State, and people might not expect that a large State such as New Jersey would be in good shape, but they are. They have 2,317 schools. Only 400 of those schools have 50 percent poverty rates or greater. They must ensure that 16,000 teachers are highly qualified. Sixteen thousand is a lot, but New Jersey is a big State with a lot of resources. There is substantial wealth in New Jersey. Lots of corporations are there. Their property taxes are pretty high. If they would distribute them a little more evenly, which they are probably in the process of doing, they can perhaps find 16,000 teachers in 3 years.

Let me tell you a sad story. Let me talk to you about 3 States. As you may expect, one of them is Louisiana. One of them is Mississippi. And the third is Texas. Let me talk about Louisiana for just a minute. We have—Senator BREAUX and I—in our State 1,500 schools. Of the 1,500 schools, 1,013 have more than 50 percent of the children in those schools in poverty. Let me repeat that. We have 1,500 schools in Louisiana. Out of that number, we have 1,013 schools that have 50 percent of poverty, or higher. That means we would have to find 30,000 highly qualified teachers for these classrooms. There are only 49,000 full time teachers in the whole state, so we would have 3 years to make sure that 3 out of every 5 teachers meet the qualification requirements outlined in this bill. I don't know how, if we worked 24 hours a day, 7 days a week, between now and the deadline which is in this bill, with the limited resources we have, if we could meet that deadline.

Let me go into a little bit more detail about Louisiana. I want to show you what the challenge is. I think Senator KENNEDY and Senator GREGG, who are very knowledgeable about this, must certainly understand this challenge.

In Louisiana, every year we have 8,000 students enrolled in colleges and universities. The students who graduate are 1,600 every year. We will lose 160 in the test because the tests for teachers will weed out some who are not ready and qualified. That is most important. So we will graduate with degrees 1,440. These are last year's statistics. And 33 percent of these, which the taxpayers in Louisiana paid taxes—income taxes, sales taxes, fees, license taxes—to educate will leave our State. For the most part, they will leave Louisiana because almost every State around us has higher salaries. So we will lose 33 percent of those teachers who come out, leaving us basically with 964 teachers. These teachers will start, and in 5 years 30 percent of them will leave the system, leaving us—out of this graduating class of 1,600—675.

This is not right. This is not efficient. This is a waste of taxpayer dollars. Most important, it is what is contributing to the crisis of us trying to get good teachers in our classrooms.

Now a lot of things can be done.

The PRESIDING OFFICER (Mr. CARPER). The time of the Senator from Louisiana has expired.

Ms. LANDRIEU. Mr. President, I yield myself 10 minutes to complete. I ask unanimous consent that I may do that.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Ms. LANDRIEU. I appreciate the extra time.

What's more, 66% of the teachers in Louisiana have bachelors degrees. Only 13 of our teachers were Nationally Board Certified in the year 2000. And over 15% of those teaching in our state have not successfully completed their certification.

This is true of Louisiana, but it is going to be true in almost every State you look at. The numbers of people choosing to teach are just not there to meet the requirements. So lots of things can be done. This bill encourages alternative certification, being creative, getting retirees who have had a successful first career into the schools. For instance, a great program Troops to Teachers, which uses our military to fill these slots. We can no longer rely on 18-, 19-, 20-year-olds. We must broaden our thinking.

There are positive things that can be done, and there are success stories, but they are not free. I contend today, and I will continue to fight in this debate, that there are simply not enough resources at the local and Federal levels to meet the new demands of this bill and to give a promise to our parents and students that they will be taught by a qualified, good teacher.

Let me share some facts about Mississippi. Mississippi is a State that is in a very tough situation. Mississippi has 874 schools. Of the 874 schools, 700 have 50 percent of poverty—students from households represented by an income that hits the poverty level. They need 23,274 highly qualified teachers. Under this bill, they are going to have 3 years to find 23,274 teachers.

Mississippi and Louisiana need help. That is what this amendment is about. It is about saying whatever dollars we can muster, whatever we can scratch out of this budget to make an investment in this Nation's future and our

kids, let's get it to the States and the children who have been without qualified teachers for too long. We have examples throughout our history of that special teacher with that special touch who can work miracles for a child, any child, regardless of their race or family income. Let's help get teachers to Louisiana and Mississippi.

Let me end with Texas. Texas is a big State, and they have a big problem because they have 7,228 schools.

Of those schools, 3,190 have student populations with 50 percent of poverty or more. They need a whopping 107,779 qualified teachers in 3 years.

Louisiana, Texas, and Mississippi are examples of States that do not have the same resources other States might have, particularly Mississippi and Louisiana.

This amendment is an attempt to bring the resources that will support this reform, that will help meet the goals of this new education bill to the States and to the areas that could use the most help.

Some people on the other side have said this is a local issue. This might be where the local issue in terms of decisions are made, but if this Federal Government does not step up to the plate and provide some additional resources to help parishes in Louisiana, such as Red River, Orleans Parish, St. Martin Parish, and Iberia Parish and even Jefferson Parish, they cannot reach their full potential. If we do not step up to the plate, they will never be able to find the thousands of qualified teachers with creativity, with a new approach to education because there are so many barriers.

I thank my colleagues for their attention to the issue of targeting federal resources to our areas of greatest need. It is a very important and fundamental principle of this bill. We have set new high standards. We have left the control at the local level. We have given local governments, as you did, Mr. President, when you were Governor of your wonderful State of Delaware, more resources with which to work, but those resources are not adequate.

I hope as this moves forward that we can increase our investment in our children's education so that the family I referred to in Georgia or my family or any other family does not have to live through the nightmare of having high hopes for a child, sending them off to school only to be in a classroom out of control because we have not provided the resources and the parameters necessary to succeed.

Today, research is confirming what common sense has suggested all along. A skilled and knowledgeable teacher can make an enormous difference in how well students learn. Is the home environment important? Absolutely. Can children learn without their parents or a parent or a grandparent or a guardian encouraging them? No. But can a good teacher make a difference? Absolutely.

Again to quote:

> The mediocre teacher tells. The good teacher explains. The superior teacher demonstrates. But the great teacher inspires.

We have a nation that was built on hope and inspiration. Our Nation was founded on the belief that tomorrow could be a better day; that men and women would live in liberty and that value is taught through our school system. If we do not commit the resources to help our teachers do the job, if we do not find ways to get more and better teachers in the classroom, we have not only failed our schools, we have failed our country.

I am pleased to say I understand it is going to be accepted. Again, I wish it was broader in its scope because we need to do more, but this amendment targeting our resources will help. I will be back many times to speak about this subject. I thank you, and I believe my time has expired.

The PRESIDING OFFICER. The Senator's time has expired. Who yields time? The Senator from Massachusetts.

Mr. KENNEDY. I believe I have time, do I not?

The PRESIDING OFFICER. Apparently those opposing the amendment have time.

Mr. KENNEDY. I ask unanimous consent to proceed for 2 minutes.

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

Mr. KENNEDY. Mr. President, I thank Senator LANDRIEU from Louisiana for this amendment. As she has mentioned, this is completely consistent with her previous amendment, which was overwhelmingly accepted, in that it provides greater targeted resources for teachers.

For my money, the most important ingredient in the educational process is having a well-trained teacher in the classroom. There are other components, but this is absolutely essential.

The greatest challenge we face is the neediest and the poorest schools where we need the best teachers have the most unqualified teachers. The amendment of the Senator from Louisiana sharpens the direction of this legislation to ensure, to the extent we can, we get well-qualified teachers to teach the neediest students. It is a very important amendment, and it is a very useful and helpful amendment. I urge the Senate to accept the amendment.

The PRESIDING OFFICER. Does the Senator from Tennessee seek recognition?

Mr. FRIST. I yield back the remainder of our time, and we can have a voice vote.

The PRESIDING OFFICER. All time has expired. The question is on agreeing to amendment No. 474.

The amendment (No. 474) was agreed to.

Mr. KENNEDY. 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. KENNEDY. I thank the Senator.

Mr. FRIST. I understand we will now proceed to the Dodd amendment, and that we will have 2 hours equally divided.

The PRESIDING OFFICER. That is correct.

AMENDMENT NO. 382 TO AMENDMENT NO. 358

The PRESIDING OFFICER. Under the previous order, the Senator from Connecticut, Mr. DODD, is recognized to call up amendment No. 382 on which there will be 2 hours of debate equally divided.

Mr. DODD. I ask that the Chair notify me when 15 minutes of my time have expired. I will then ask unanimous consent that the Senator from Tennessee, Mr. FRIST, be recognized for 15 minutes, and at the expiration of his 15 minutes, I be rerecognized to complete my opening statement.

The PRESIDING OFFICER. The Senator will be so notified.

Mr. DODD. I thank the Chair.

Mr. President, I thank my good friend and colleague from Massachusetts, Senator KENNEDY, the chairman of the committee; Senator GREGG, and other Members, my friend from Tennessee with whom I have worked on many issues and for whom I have the highest regard and respect. I appreciate their efforts. I have enjoyed working with them on the Elementary and Secondary Education Act.

This is not a surprise amendment. My colleagues have known for some time I have been deeply interested in afterschool programs. Going back, in fact, I offered some of the earliest amendments to support afterschool programs as the chairman of the Subcommittee on Children and Families, and then as the ranking member, working very closely with my good friend and colleague from Vermont, Senator JEFFORDS, and Senator BARBARA BOXER from California has been very interested in afterschool programs. Most Senators have been interested in afterschool programs.

Afterschool programs—in a sense, I am preaching to the choir addressing the Presiding Officer as a former Governor of the State of Delaware. He understands the tremendous value of having good, strong afterschool programs and how important they are. In a sense, I am offering this amendment not just on my behalf and those who support this, but I do so on behalf of Fight Crime Invest in Kids, which represents a thousand police chiefs, sheriffs, prosecutors, leaders, police organizations, crime survivors; on behalf of the YMCA and YWCA, which are the largest afterschool providers in the United States—literally there are some 2,500 YMCA

and YWCA programs that provide afterschool programs—National PTA, National Network for Youth, Afterschool Alliance, National Community Education Association. I will provide a list.

I ask unanimous consent that the long list of education groups, police groups, prosecutors, and others supporting this amendment be printed in the RECORD.

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

Fight Crime Invest in KIDS
YMCA
NABYC
National PTA
National Network for Youth
Afterschool Alliance
National Community Education Association
National Education Association
School Social Work Association of America
National Association of School Psychologists
Council for Exceptional Children
National Association of Social Workers
Association for Career and Technical Education
American Counseling Association
American Federation of Teachers
National Alliance of Black School Educators
American Association of University Women

Mr. DODD. Mr. President, their endorsement is not fainthearted. They believe this may be the single most important issue of the Elementary and Secondary Education Act. Because we are leaving out under the pilot program—and I want to make this argument so people can understand it; this bill can get a little confusing with all the various pieces of it.

One of the major pieces of this bill is called the Straight A's Program which is called a pilot program.

When we think of pilot programs or demonstration programs, our mind immediately draws on a number that represents a relatively small fraction of the larger group. It will be a pilot program or a demonstration program. Certainly, this program, when it was announced, sounded relatively small. It is a pilot program that would be in 7 States out of 50, in 25 school districts. That sounds pretty small. One cannot imagine that being any great threat as a pilot program. I am not sure whether it is a pilot program for 1 year, 4 years, 5 years, or 7 years.

This bill is a 7-year bill. I am not sure how long the pilot programs on the grants are supposed to run during the life of this bill. That is rather vague in the underlying bill. It could end up being 14 States or 21 States over the 7-year life of the bill, or is it just 7 States in 7 years? I am not sure of the answer.

In seven States and 25 districts, exclude the 25 districts, I can get you to 44 percent of the entire student population of the United States. If this pilot program that is going to be awarded by the Secretary of Education goes to the 7 largest States and the 25 largest school districts in America, you are at 51 percent of the entire student population of the United States—hardly a pilot program or a demonstration program. I don't think it is a leap of faith to suggest that may be the case.

I expect every State in the United States to apply for the Straight A's Program. Why? Because it eliminates all the categorical programs. It says to the States, you can basically do anything you want with this money. It says you have to serve the neediest kids, but we know under title I how broad a definition that is already under law for 36 years. I cannot imagine a jurisdiction not saying: I would like one of those; I will take Federal money without any strings attached. It is not any great leap of logic to assume that all 50 States and virtually every school district will probably apply for the Straight A's Program.

I don't think it is any great leap if, in fact, you believe this program ought to be national policy and not a pilot program—which is the view of the administration; they only call it a pilot program for the purpose of this bill because if they said they want this to be the national program, there would be a lot of resistance to it. If they call it a pilot program, a lot of people are willing to say they will try a pilot program.

The fact is, this could affect a lot of children for a long time. Seven years may not seem like much in the life of a bill in Congress, but if you have a child in kindergarten, the first grade, the second or third grade, that is the entire elementary education your child will get. So afterschool—I will get to the particular program—is important. This could affect a lot of children. It is why the YMCAs, it is why police chiefs, it is why all the other organizations are concerned about this: because of the potential exposure it could mean to an awful lot of children around the country.

There are reasons why this particular program is important. Let me explain it in context. What happens under the Straight A's Program, all of a sudden community-based, local-based grant applications get eliminated in these 7 States and 25 districts. It would now come from the State education authority or the Governor as to whether or not there would be an afterschool program. This is why people are concerned. We are moving away from local decisionmaking. We are saying in these States: You are out. That YMCA, the community-based organization, and some of the church-based organizations, you are out. It depends on what happens at the State level. They watch the program grow because of the value. There has never been, in the history of the Department of Education, a grant program that has been sought after as much as this grant.

Let me demonstrate the point with this chart. In this year alone there have been 2,762 grant applications. Of that nearly 3,000, only 300 will be funded under existing resources. There have been an average of 2,000 applications a year since the program started, and the numbers are going up. So we are looking at a tremendously popular program. People see afterschool care as critically important primarily to the safety of their children. There is an academic achievement element to this, but it is primarily an issue of safety. In the history of the Department this has been the most sought after grant of any in the United States. That is how popular it is with people all across the country.

We increased the funding for this over the years, but not very much. According to the most recent Mott/J.C. Penney poll, nearly two-thirds of voters report difficulty funding quality, affordable afterschool programs. The Census Bureau reports that nearly 7 million children between the ages of 5 and 14 go home alone unsupervised each week.

Let me show a graph with the number of children, showing the growing numbers of grade-school-age children in self-care in the United States: 2 percent of 5-year-olds have no afterschool care and are home alone; 3 percent of 6-year-olds; 4 percent of 8-year-olds; and 11-year-olds—these are children, not teenagers—10- and 11-year-olds, 1 in every 4 is home alone.

The second chart points out what police chiefs say about the program, and why dumping it into a block grant and eliminating community organizations from asking for help is wrongheaded. Police chiefs were asked in a survey: Which of these strategies do police chiefs choose as the most effective for reducing youth violence in the country? ''Afterschool,'' almost 70 percent chose that. Then it drops way down for ''try juveniles as adults,'' ''hire more police,'' with ''metal detectors'' at 1 percent. Is there any doubt where those people, who deal with these issues every day believe this program has value? Is there any doubt whether or not it ought to be taken out of this block grant and left to local community organizations such as the YMCAs, such as our community organizations that find these programs worthwhile, to apply for these dollars?

I can only, with the money, grant 300 out of almost 3,000 a year that apply. But eliminate this, and these 7 States and 25 districts for 7 years, left totally to the discretion of a State agency or a Governor, may cut a lot of these programs. Why? Because a lot of the kids come from some of the poorest rural and urban districts and don't have the local clout to be applying for this assistance and carrying it off.

This is very important. If you talk about basic safety, it is critical. Again, listening to me is one thing, but listen to people who work every day in this area. They are the ones behind this.

Listen to the police chiefs across the country. Let me read their letter:

As an organization led by more than 1,000 police chiefs, sheriffs, prosecutors, leaders of police organizations, and crime survivors, we urge you to support a Senate floor amendment to S. 1 to remove 21st Century Community Learning Centers (21st CCLC) from the Straight A's Block Grant.

We are concerned that if 21st CCLC is folded into a block grant with many other educational programs the investment that the Federal government has finally begun to make in expanding after-school programs will wither. After-school programs are different than many of the other programs included in the block grant. They support and enhance academic performance but they are not necessarily direct academic programs. Therefore, in a block grant where the accountability provisions measure only academic performance, after-school programs will likely lose out to regular school-day academic programs.

In addition, as law enforcement leaders and crime survivors we feel strongly that one of the most important aspects of after-school programs is the crime-prevention impact. The Straight A's block grant accountability provisions do not measure crime-prevention outcomes and therefore do not completely recognize the unique nature and importance of after-school programs such as 21st CCLC.

In the hour after the school bell rings, violent juvenile crime soars and the prime time for juvenile crime begins. The peak hours for such crime are from 3:00 to 6:00 p.m. These are also the hours when children are most likely to become victims of crime, be in an automobile accident, have sex, smoke, drink alcohol, or use drugs.

After-school programs that connect children to caring adults and provide constructive activities during these critical hours are among our most powerful tools for preventing violent juvenile crime. For example, in a five-city study, half of a group of at-risk high-school kids were randomly assigned to participate in the Quantum Opportunities after-school program. The boys left out of that program had six times more criminal convictions in their high-school years than the boys who attended the after-school program.

Yet roughly 11 million children go home from school regularly to an empty house. With such a large unmet need, now is the time to be strengthening the Federal government's commitment to after-school programs, not weakening it.

That is 1,000 police chiefs talking about this. Forget about the Senator from Connecticut talking; will we listen to the people who work on these issues every day?

Let me read a letter from the YMCA. This is the largest program, celebrating its 150th year of existence this year. These people know what they are talking about. These are some of the best programs in the country.

This is a letter from Ken Gladish, national executive director:

A recent survey conducted for the YMCA of the USA shows how important afterschool programs are. Among other findings, the survey showed that young people who do not participate in afterschool programs are five times more likely to be D students, twice as likely to get into a fight at school and far more likely to skip a day of school than youth engaged in stimulating, productive activities in the hours after school. According to census figures, more than seven million school-age children are left home alone and on the streets, unsupervised after school. This is far too many of our youth to place in danger of academic failure and much worse.

As the largest private provider of afterschool programs in the country, YMCAs have 150 years of experience providing programs to young people during non-school hours. More than 2,500 YMCAs serve over 9 million children and youth in over 10,000 communities through partnerships with schools, businesses, police, juvenile courts and housing authorities. Many other community-based organizations in this country also have decades of experience operating quality afterschool programs, and Congress is making the 21st Century program better by making sure funding is available for programs operated by these organizations. However, by not requiring the Straight A's states to spend this money on afterschool programs and to make it available to community organizations, Congress will effectively and dramatically limit the overall positive impact afterschool programs can have on local communities.

I ask unanimous consent the full text of this letter be printed in the RECORD.

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

YMCA OF THE USA,
Washington, DC, May 4, 2001.

Hon. CHRIS DODD,
U.S. Senate,
Washington, DC.

DEAR SENATOR DODD: On behalf of the YMCA of the USA, I would like to thank you for offering your amendment to the reauthorization of the Elementary and Secondary Education Act to remove the 21st Century Community Learning Centers program from the ''Straight As'' demonstration provision. Dedicated funding for afterschool programs and the ability of community-based organizations to compete fairly for this funding would be severely restricted without passage of your amendment.

A recent survey conducted for the YMCA of the USA shows how important afterschool programs are. Among other findings, the survey showed that young people who do not participate in afterschool programs are five times more likely to be D students, twice as likely to get into a fight at school and far more likely to skip a day of school than youth engaged in stimulating, productive activities in the hours after school. According to census figures, more than seven million school-age children are left home alone and on the streets, unsupervised after school. This is far too many of our youth to place in danger of academic failure and much worse.

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As we celebrate our 150th anniversary in the United States in 2001, YMCAs remain committed to doing what it takes to build strong kids, strong families and strong communities. Thank you for your efforts to increase opportunities for all our kids.

Sincerely,

KENNETH L. GLADISH, Ph.D.,
National Executive Director.

Mr. DODD. Can there be any more eloquent argument that whatever else we do with Straight A's and academic performance, we should not take a program for which there is such need in this country, where the overwhelming evidence is that police officers and people who provide afterschool programs are begging us not to jeopardize the millions of kids who could be in a pilot program affecting literally millions of children—we should not exclude this valuable tool for keeping kids safe and providing some safe harbor for them in the afterschool hours.

With that, I promised my good friend from Tennessee, because of other obligations he has, to provide him with whatever time I have remaining to respond to these eloquent, persuasive arguments—maybe he will endorse the amendment at this point—and then I have unanimous consent to reclaim my time.

Mr. FRIST. I appreciate the Senator from Connecticut outlining the debate in which we will be engaged for the next 2 hours. He raised many important points.

I do rise in opposition to the Dodd amendment. Over the next 13 or 14 minutes, I hope to explain to my colleagues why I am opposed to this amendment. I will address two issues. No. 1, I will address problems with the substance of the amendment itself and its impact on the underlying bill. No. 2, I hope to reveal how this particular amendment, in stripping out part of the bipartisan education bill, violates the principles behind this bipartisan agreement. I mention this right upfront because if this amendment were agreed to, it would potentially threaten the entire education bill.

Most important, in response to the eloquent words of the Senator from Connecticut, we should focus on the substance of the amendment itself. First of all, you will hear several terms. One is ''Straight A's''; one is ''21st Century School.'' Let me back up a little bit and paint the big picture.

''Straight A's'' is the title that is given for the program entitled Academic Achievement for All. This is a program that is a part of the underlying bill. It functions as a pilot program. Its purpose is to demonstrate, not on a nationwide scale, but for up to 7 States and 25 districts which can apply to qualify for this pilot program. The reason the program itself is so important to our side of the aisle is that

it does crystallize and underscore the important principle of flexibility and—and this is where I disagree with my colleague—local control. Local control is coupled with higher standards of accountability.

The BEST bill requires all students meet standards of achievement. However, if you participate in this voluntary pilot program, you are given greater flexibility to make decisions at the local level, and you will be required to deliver higher standards than are required in the underlying bill.

Again, I mention it because people think this is a block grant with no strings attached, and that is simply not true. The strings are attached in the form of high academic standards and accountability. If you don't meet the standards, you cannot participate; again, if you don't qualify in the evaluations that are built into the underlying bill, your privileges of flexibility are taken away.

What funding are we talking about? We are not talking about enormous Federal block grants which are taken from education funding. Many are concerned about the approximately $8 billion title I funds that are aimed at disadvantaged children. No, we are talking about the other programs, non-title I funds. I do not want people to misunderstand where these funds will come from. I can't emphasize this enough.

After a lot of negotiation with the White House, with the Democrats, with the Republicans, we brought everyone to the table, and we agreed on certain programs. That is why Straight A's is in the underlying bill. But this amendment is trying to strip it out. We agreed to choose those categorical programs which conform to the ideas in the underlying bill: Increased flexibility and strong accountability. The pilot program links greater flexibility to accountability for higher student achievement. Not all 18 categorical programs incorporate these two components. However, I believe about 9 do. Nine categorical programs have been included, one of which is the 21st Century program. This is an afterschool program. It is a program which I believe, as the Senator from Connecticut does, is a very positive, important program which is integral to strengthening the entire underlying education bill.

The program may be worthwhile. I am not going to argue that it is not, because the program is a worthwhile program. I will argue, however, that there are situations where local districts should be able to use that money for afterschool programs, or for more tutoring, or for more teachers, or for class size reduction, or for teacher training, or for school construction. They ought to have the freedom to choose how best to use those funds, and this pilot program gives local and State officials the authority to do this.

It captures innovation through increased accountability with local control. Those concepts are terribly important to the Republicans.

We started negotiating with all 50 States to agree to more flexibility if they guarantee high accountability. But, in the negotiations, it went from 50 States to 40, to 30, to 20, to 10 and now we are down to 7 States. Indeed, we had 9 categorical programs with title 1 funds. We started with many more. But after negotiations with the White House, Democrats and Republicans, we narrowed it down 9 programs which made sense to be a part of this consolidation as we go forward.

Clearly, President Bush feels strongly about flexibility and local control. It is part of his larger agenda. And so much of the underlying bill itself has moved away from the flexibility that I and many others had hoped would be in this bill. This is the only thing left in this overall education bill that really captures high accountability, maximum flexibility, and local control.

It is important for our colleagues to understand that negotiations and compromise brought us to the point where we agreed in a bipartisan way to narrow the scope of this program from 50 to 7 States. We also included fewer categorical programs to raise the academic standards. It was a bipartisan compromise. Therefore, I have to mention that if this amendment passes, it will strip away the heart and soul of Straight A's, which is in the underlying bill. In fact, it jeopardizes the entire education bill.

Let me elaborate on flexibility. Seven States will participate. They can still have the Safe School Programs, but they will make that decision for themselves. We allow for diversity at the local level. One district might take a lot of steps toward an afterschool program. In another district, they may already have an afterschool program funded in some other way. They may want to use those funds for more teachers or improving technology or for more computers in classrooms. All of these initiatives can improve education, but only the local schools know which programs will most effectively improve education. Again, this can only be done when they are given maximum flexibility and local control.

What does the Dodd amendment do? It destroys the program. The Dodd amendment destroys the pilot program because it takes away from the overall funding that is available. If a State is accepted into the program, the Dodd amendment takes away about 40 percent of that funding, leaving only about 60 percent of the funding for flexibility programs.

We know, based on the negotiations with States and districts, that if the Straight A's program only provided the little amount of funding which the Dodd amendment allows for, it wouldn't be worthwhile for a State or a district to participate.

This amendment takes 40 percent of the funding out of a very important program that we negotiated through compromise. We simply cannot strip more out of it because nobody will take advantage of it. It destroys Straight A's. It destroys what is left in the education bill that we feel strongly about, and that the President of the United States feels strongly about. It is one of the few things left in the bill that captures innovation, captures creativity, and focuses on local decisionmaking coupled with high standards of accountability.

There were several questions that the Senator from Connecticut brought up. I will go through them again.

He mentioned the pilot program which requires a review of the State's performance. If a State fails to meet what is agreed to in terms of the average yearly program for 2 years, or if the State fails to exceed the average yearly process for 3 years, the agreement is terminated right then.

He mentioned that the Straight A's program will eliminate all of the categorically targeted programs. It does not eliminate all of them. I think as we observe which programs local schools choose, we will understand which programs are most effective and more frequently implemented, but it doesn't eliminate all of them.

I started with 50 States. That is where we were. That is what our Republican caucus wants. We don't want to impose the program on any State, but if a State wants more flexibility in exchange for higher standards, they should be able to choose this path. We whittled it down from 50 to 7 states, but we just can't take away anymore and still have an effective program. I hope as many States as possible will take advantage of this program.

The Senator from Connecticut made a point about losing local control. This is an important principle because larger principle behind this program is: local people can make better decisions. They will make better decisions, if they are held accountable to improve education.

That is what this elementary and secondary education bill is all about—reauthorization of education for those children. Local districts get the same amount of funds, but they decide what their priorities are. This includes afterschool programs; we are not taking that away. They get the exact same amount of money. But they can decide where to spend the funds. Maybe in rural Tennessee all of the kids are out playing football in the afternoon and don't need an afterschool program.

Under our plan, they can take that same amount of money and put it in tutoring for those students who are not doing as well academically. Today, they don't have that flexibility. The

money has to go straight into the 21st century afterschool program whether they want it to or not.

The Senator from Connecticut said the programs would eliminate afterschool programs. We don't eliminate them. We believe that local districts should use that money for afterschool programs, if they like, or for teachers, or for technology, or for tutoring, or for textbooks.

Are there strings attached? Absolutely. This is not a block grant program where they can take the money and use it however they want. Again, this is not a block grant.

That is why, again, it came from the negotiations. We put the standards pretty high in the underlying bill—but raised them even higher for the straight A's program. These are the highest standards anywhere in the bill. If a district participates, they will operate under higher standards, or they will not qualify to continue to participate in the program.

We do not eliminate all categorical grant programs. For example, we didn't touch the reading program. We didn't touch homeless or Indian or emigrants or vocational education. Are all categorical grant programs within bipartisan negotiations? Yes, it was narrowed down 17 to 9.

I will close. Again, I appreciate the Senator from Connecticut allowing me the opportunity to respond to some of the points he made. I appreciate the support of my colleagues on this bill. I hope to be able to speak a little bit later this afternoon.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. DODD. Mr. President, I appreciate the comments made by my friend from Tennessee.

I am unclear—I don't expect this to be resolved in this amendment—as to how long these actual block grant applications will be in existence. It is unclear in the bill. That is why I said it could be 7. It could be 14. It could be 21 States, if the grants are for shorter periods of time. That is an open-ended question.

But the important point I want to make and the distinction here is that the decisions within the State are not made locally. That is a big difference. They are made by the State education authority, or the Governor. We had that debate the other day as to who would dominate in that discussion.

But the idea that the local town or some community in Delaware or Connecticut can make the decision about an afterschool program is not the case. I wish it were. That decision, and whether or not you are going to get any afterschool programs, will be made by a higher authority. They are the ones who will make that decision.

Under the existing program, the town or the county can apply, and they can receive it or not. But it is a local decision. If you have football programs locally and you don't need it, you don't apply for it. There are many communities who need the help, so they apply directly. Some are not communities, they are community-based organizations, which are expanding tremendously. That is why YMCAs and other organizations, even some that involve churches and synagogues, are allowed to apply here, which does not mean the State has to make that decision.

So all I am saying under the Straight A's Program is, just on those afterschool programs, leave it to the local communities to decide whether or not they think afterschool programs are worthwhile. I do not believe that is that great a difficulty.

By the way, on the percentages taken out—this has been said over and over again—I asked the Congressional Research Service to give me their financial interpretation of what my afterschool program would mean in the context of the Straight A's Program. If you exclude title I, yes, my colleague from Tennessee is right, it is 40 percent. But I do not think you can pick and choose here.

Under all of the Straight A's Programs, the afterschool program amounts to 5.7 percent. That leaves roughly 94 percent of the dollars under Straight A's that is still there to do all the other things for academic performance.

So if you are going to define Straight A's as eliminating all non-title I funds, of course you get a higher percentage. But that is not what this is. Under Straight A's, it the entire pot of money, it is 5.7 percent, not 40 percent or 50 percent, as has been argued by some. So I make those two points particularly.

The rest, as my colleague has said very candidly, would like to have all 50 States under this, with no strings attached, to just go out and do what they want to do. That is why there is an Elementary and Secondary Education Act.

Why did the Federal Government, 36 years ago, pass this law? It passed the law because there was a growing concern that the neediest of children in the United States—28 million of them who grow up in poverty, and 12 million working families in poverty, and others—that there was a need to step in and try to do more to see to it that the neediest children would be served. That is why there is a Federal Elementary and Secondary Education Act, because there was a concern across the country that these neediest kids' needs were not being met.

Over the years, we have contributed about 6 cents. It has gone up from 4 cents to 6 cents of an education dollar; that is, 94 cents comes from the State and local property taxpayers, and 4 cents or 5 cents or 6 cents of the education dollar comes from the Federal Government.

So what we are trying to do in that 6 cents is just to make sure that in certain areas the neediest of our children are going to get served, not that we have a right to guarantee anyone's success. We do not. There is no obligation to say to Americans: You ought to count on your Government guaranteeing you success. That is out. What we try to do—all people at all levels in our society—is to create equal opportunity for people. That is the beauty of America. That has been such an attraction to people all over the globe and why people every morning get up around the world and line up around U.S. Embassies to try to come here, either as citizens or as green card holders.

There are a lot of reasons why they come, but I think the most important one is that this is a place of equal opportunity. We are not perfect. We have not arrived at perfection, but we try very hard to see to it that, regardless of where you come from, if you are a citizen of this country, regardless of ethnicity or background or religion, you have an equal opportunity to succeed. That is America. There is no guarantee of success, but an equal opportunity to succeed.

That is what this is all about. That is the beauty of America, more so than our wonderful natural landscape or the economic wealth of our country. As important as those things are, I have always believed that the great beauty of America, the great magic of it, is this notion of equal opportunity.

How equal can the opportunity be if your education isn't equal? I have told the story in this Chamber, when my great grandmother came to America, at age 14 or 15, with her husband—Thomas and Catherine Murphy—from the west coast of Ireland, she could not read or write. That was not uncommon for immigrants in the 19th century and early part of the 20th century. The first thing she did was she got herself elected to the Voluntown, CT, school board. She understood that education was going to be the key for the nine children she was about to have—my grandfather being the ninth—and that was the way you were going to get ahead. No guarantee of it, but if you had a decent education, you had an opportunity to get ahead.

We are at the beginning of the 21st century, not at the end of the 19th century, and I happen to believe that principle my great grandmother intuitively applied to her own family. It is something we ought to apply to all families. At least give people a good education in this country, a good starting block—that is what this is really all about—and see to it that kids can be safe.

As you can see from the chart, when you have between 7 million and 11 million children home alone—if you take 5-, 6-, and 7-year-olds, and you have 9 percent of 5-, 6-, and 7-year-olds alone

for hours after school, and you have 10-, 11-, and 12-year-olds, where about 60 percent of those kids are home alone, you have a problem on your hands. You do not need a Ph.D. in child psychology to tell you that.

You ask any parent who is working what they worry about at 2 or 3 o'clock in the afternoon. Sometimes in rural communities—not so much today with cellular phones, but before the arrival of cellular phones, it was sometimes hard to get a call through because parents who were working were calling their houses at 2:30, 3, 3:30 to see whether or not their child was home safely.

There isn't a parent in America who does not worry about where their kids are when school lets out. That is why there are almost 3,000 applications for afterschool programs. That is why 1,000 police chiefs have begged us to adopt this amendment. Because they understand it as the most important issue when it comes to preventing crime and juvenile problems, and kids who become victims.

This isn't about liberals and conservatives, Republicans and Democrats. That is not what this is about. You go ahead and ask these people. Ask the YMCAs what party they belong to. Ask those 1,000 police chiefs what party they belong to. Ask crime survivors, are you a Democrat or Republican? That is not what they said in the letter. They said: We are people who know what we are talking about, and we think afterschool programs make sense.

Academic achievement is important. I have said I would support this pilot program. I have my concerns about it. I am not the first to admit that. But I am willing to try it, provided there is adequate funding. I doubt the funding may be there, but if the funding is there, let's try this over the next 7 years. If your child ends up in one these States and is a guinea pig for the next 7 years, that may be another matter. But that is not the case. So we will try the pilot program.

But why would you throw afterschool programs into the guinea pig area when we know it works? When every community in the country will tell you they need it? When you have people who have dedicated their lives to this, who understand it, why are you going to throw this into that situation where some State authority is going to decide whether some rural county or some urban community ought to have some money for after school? That is what this bill does. You take away local authority when it comes to applying for the grant applications. They have no authority to apply for them. It will be a decision made at the State level.

The local authority is gone. So that local YMCA, that local Boys Club or Girls Club out there, they will not have the right to apply to the Department of Education to ask for an afterschool program and assistance. They are going to have to rely on someone in their State capital to decide whether it is OK.

I say to the Presiding Officer, as a former Governor, you understand as well as anyone how difficult that can be. We all know it. It is hard to work the different battles that go on, and so forth. Sometimes it isn't just how this works. For the 3,000 who apply and the 300 who get some help—if you want to help them, increase the funding for it instead of throwing it into a block grant where it is a jump ball over whether or not this program is going to be funded.

We heard my colleague from Tennessee say this is a great program, the 21st Century Community Learning Centers. Everybody who stands up says this is a great program. Then why are you throwing it into a roulette wheel for the next 7 years to see whether or not communities might get some help? If it is such a great program, if the communities are telling us it is a great program—and I will repeat what I said at the outset, there has never been a grant program that has been sought after as widely in the history of the Department of Education as the 21st Century Community Learning Centers. We are about to take it and dump it into a Las Vegas environment where you are shooting craps on whether or not you may end up with a good afterschool program, despite the fact every organization you can think of that works in this area is asking us to do otherwise.

I am not suggesting that Straight A's eliminates all categorical programs. I realize that. There was some negotiation that went on, and so some made it, some didn't. I accept that. That is politics. That is how it works. Don't try to convince me it was done on the merits. It was done on who could get in the room, who couldn't, what deal was going on. Afterschool got left out. That is all.

I am here today to say: Look this does not directly relate to academic performance. It has some impact. As we heard, kids who are in afterschool programs do better academically. Those who are not do worse. A lot of other things happen to them.

Academic performance is very important. I don't question that at all. But it is not the most important or the only thing. There are other things that are important as well.

A kid's safety is important. Ask a parent whether or not they think their child is safe after school has any value or any importance. I think we know the answer. If you ask them if academic performance is important, of course, they will say it is. But they don't believe you ought to make it a choice between academic performance and a kid being unsafe.

I am suggesting we can do both. You can test academic performance through this pilot program, but you can also, as part of the Federal Government's commitment to education, provide some small resources to community-based organizations that desire them. It is their decision to apply. I am not dumping the money out to them. They have to apply. They have about a 1 in 10 chance of getting it, even if they do apply. Of the 3,000 that apply, 300 make it. So even if you have a strong desire for one, under present funding levels, you have a very small chance of getting it. But why eliminate any chance at all or leave it to the whims of what happens at the State level where a lot of other issues are going to be in play?

I apologize for getting wound up. Obviously, I care about this. I see my colleagues from New Jersey and Rhode Island here. I also see my colleague from Arkansas who I presume wants to be heard on this. I will yield some time to my two colleagues if they are interested.

The PRESIDING OFFICER. The Senator from Connecticut has consumed 31 minutes; 29 minutes remain. The opposition side has 45 minutes remaining.

Mr. DODD. I yield 5 minutes to my colleague from Rhode Island, and then I will go to my colleague from Arkansas.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. Mr. President, I rise to commend the Senator from Connecticut for his amendment and for his passion. He is exactly right. He is focusing on a very important program, the 21st Century Community Learning Centers.

I speak not theoretically but from experience. About 2 weeks ago I went to Central Falls, RI, the poorest community in my State, a community so poor that the school system has been taken over by the State of Rhode Island. I was there because they were announcing the opening of a support center that would integrate all the services necessary today to effectively deal with the education of a child. It was located right next to one of the elementary schools. It would be open to parents and provide the resources and services necessary, health care services, screening services.

This initiative was sponsored by the United Way of Rhode Island. The good news, it is spreading from Central Falls to other communities in Rhode Island, starting next with Providence, our biggest city. At the core of this initiative: A grant for the 21st century learning program from Federal education. This grant helped the United Way move forward and provided additional momentum, the thrust to go forward with this.

That is an example of how this program has materially affected the education of students in Rhode Island.

Central Falls is the poorest community, heavily Latino, with new Americans coming in. It needs all sorts of services that you don't typically find the extra dollars in the budget to deal with. And the 21st century grant provided the additional necessary resources. That is an example of how we can make a real difference.

This 21st century learning program has made that real difference. The Senator from Connecticut is so right, we are sacrificing this ability to go ahead and make these critical differences, inspiring local participation of the United Way, combined activities, doing what we all say we want to do—bring the whole community into the education of children.

The risk of a block grant is that these priorities will fall by the wayside. A school district that is faced with paying salaries, fixing buildings, everything else, will say: I would love to do this. This is exactly what we have to do, but we don't have the resources to do it.

I commend the Senator.

Let me suggest two other areas with respect to the Straight A's program that I think are very important. First, the program is being presented as a pilot program. The reality is, if you do the mathematics, and if you take seven States, such as California, Texas, New York, Florida, Illinois, Ohio, and Pennsylvania, and then you take the 25 largest school districts outside of those states, Straight A's could potentially apply to about 51 percent of the students in the country. That is a rather significant amount of children subject to this pilot program. We have to be very clear that this program could be far from a pilot, that within a year or so we could see 51 percent of the students of America subject to this block grant program, magnifying all of the concerns expressed by Senator DODD of Connecticut and others.

Let's be very clear, this is a pilot, but the pilot is flying a stealth aircraft. We could find ourselves not with a pilot program to evaluate, but in the midst of a widespread, significant change in public policy in the United States.

I originally filed amendment No. 537 to try to truly restrict this to a pilot program, but I think, because of many factors, this is a discussion that will probably take place in conference, as the House version comes over without the widespread application that is potentially in this bill.

One other point about Straight A's: I have been insistent on getting parental involvement in this legislation. With the cooperation of Senator GREGG and Senator HUTCHINSON and everyone on the committee, we have made real strides. But unfortunately, some of those parental involvement protections would not have to be followed in Straight A's states and districts. I filed amendment No. 399 to ensure that those other parental involvement requirements of S. 1 would have to be followed, such as various provisions of section 1118, and other provisions throughout S. 1 which require parental involvement, including teacher quality and safe and drug free schools. I would hate to see the parental involvement provisions go by the wayside because of a block grant approach. I don't want to get involved in an extended debate over each of the parental involvement provisions right now, and will not offer this amendment, but will continue to address these issues as S. 1 moves to Conference.

Let me return to the issue at hand and conclude. Senator DODD's amendment is well placed, well stated. This is about practical improvement of schools. I have seen this improvement in Rhode Island. We will lose it if we go to a block grant. If you ask yourself what is wrong with American education, one of the things that has been wrong is that the governance of education for too many years has ignored problems that have festered—poor professional development, poor infrastructure, many things such as that. Who are these people? They are the Governors, the school committees, and the Congress. But what we propose to do in a block grant is to reinforce this lack of performance, this turning over of the keys and keep doing what you are doing.

I suggest there is a middle ground between a block grant program and micromanagement. One example of how that works successfully is the 21st century learning centers. I hope we can maintain that.

I yield the floor.

The PRESIDING OFFICER. The Senator's 5 minutes have expired. So far Senator DODD and those speaking in favor of the amendment have consumed 37 minutes; 23 minutes remain. Those in opposition have consumed 15 minutes; 45 minutes remain. Who seeks recognition?

The Senator from Arkansas.

Mr. HUTCHINSON. Mr. President, I yield myself such time as I might consume in opposition to the Dodd amendment.

The PRESIDING OFFICER. Without objection, the Senator is recognized.

Mr. HUTCHINSON. Mr. President, as we hear the debate on removing the 21st century program from the Straight A's demonstration project, I am reminded very much of the fierce debate that occurred in the early and mid-1990s over welfare reform. I was in the House at the time and there were those of us who believed that the great reforms that were taking place in welfare were occurring at the State level—there were a number of Governors around the country who were in the forefront of reforming, and the Presiding Officer was one of those Governors—and that the best thing we could do on the Federal level after a generation of trying to micromanage welfare, and having done a miserable job at it and, in fact, having seen welfare dependence only increase in our country, many of us believed, on a bipartisan basis, that the best possible thing we could do was to give the States broad new flexibility in the reforms they would enact at the State level.

There was a fierce debate over whether that was a good direction in which to go. The opponents continually raised the issue that you can't really trust the States and we dare not give them that kind of flexibility; if we give them that flexibility, they will misuse it and they will abuse the poor and they will not take care of the most vulnerable in our society. And there was the hue and cry about block granting being the great evil; that only those of us in Washington knew how to care for those who were in need. Many campaigns were run on the issue of how callous and heartless it was to pass welfare reform.

Well, history demonstrated that that was one of the greatest things we could do for the working poor and for the welfare-dependent in this country—the welfare reform that Congress passed and President Clinton ultimately signed into law. As a result, welfare rolls nationwide have fallen. Tens of thousands have gone from a life of dependence to a life of productive work and have begun to realize and to live out the American dream.

As we bring forth a very small demonstration program that has been compromised and compromised, whittled and whittled, until it is but a shadow of its former self, we hear the same arguments raised against this small demonstration program that we heard against welfare reform years ago. I know there are differences, but there are a lot of similarities; the argument is basically the same: You can't trust that the States are going to do the right thing. Never mind that they are elected by the same people who elected us. It doesn't matter that they are accountable to the same constituents to whom we are accountable. We can't trust them. Only we can ensure that these programs are conducted in the right way.

There have been good faith negotiations that went on, bipartisan negotiations, about a bill and about a program—the Straight A's—that at least there could be a little effort, a little opportunity for States—no State would be compelled to—and for 25 school districts—but no school district would be compelled—to enter into not a block grant in the purest sense but a program in which they would be given greater flexibility than ever before in exchange for a very tight commitment on performance improvement.

But if a State is going to make that kind of commitment, there has to be some incentive. And the more we pull out of the Straight A's demonstration program, the less incentive there is. I think most who have looked at what is left of Straight A's would agree that if the Dodd amendment passes, there will be little if any incentive. There will not be a Straight A's. This will destroy it, take out the very heart of it, and there will not be one State or one school district that would see it worthwhile to make the kind of commitments required under Straight A's for the limited flexibility that would remain.

Let me just say, as we think about where this program has gone, the President campaigned on this and he called it charter States. He saw it as a national program. He wanted to make it an opportunity for all States. This is where we are now. We have gone from 50 States and 14,000 school districts to a demonstration project for 7 States and 25 school districts. For those who would argue that we have not given, not compromised, I say we have compromised to the point that there is nothing left if this amendment passes. So we have gone from a national program of 50 States to 7 States and 25 school districts.

Additionally, there must be geographic distribution if more than that number applies. We have gone from no targeting of Federal dollars to maintaining the title I targeting to schools unless an alternative method better targets. We have made that compromise from the original program. We have gone from no limitations on nontitle I dollars to providing that nontitle I must target as well—additional targeting. That is a compromise that the authors of this legislation have made in the course of the negotiations. We have agreed to take out reading—a $1 billion program—from the list of eligible programs.

We also agreed to take out the following programs in the negotiations, as the Senator from Connecticut well knows. We agreed to remove the migrant program, the homeless program, the immigrant program, and the Indian program. We have agreed to maintenance of effort language—another compromise made from the original proposal that the President ran on and that so many of us believe in and have sought. We have agreed to restrict the amendment process so SEAs or LEAs cannot game the process. We have agreed to allow an LEA to opt out of the performance agreement upon permission from the SEA. We have agreed to require parental involvement to be required in the performance agreement. That is something that Senator REID sought as a concession in the process of negotiations that were made. We have agreed to requiring parental participation and that it be reported. We have agreed to prevent a State from becoming a charter State if an LEA becomes one until the end of the term of the LEA performance agreement.

We agreed to make the sections of title I apply, and there are six different sections that we agreed to make apply. None of those sections were originally applied to Straight A's. We have agreed to include teacher quality and bilingual education goals as part of the performance agreements—another concession and compromise made. We have agreed to strict private school equitable participation language. We have tightened the approval requirements for the performance agreements so it will be subject to peer review and based on quality, not first come/first served as was done with the Ed-Flex legislation. We have tightened the amendment procedure for amendments to performance agreements. We have agreed that a State or district may not get an Ed-Flex waiver for any program it consolidates under the performance agreement.

On and on goes the list of concessions that have been made, in trying to preserve an important part of this education legislation. And now the last remnant is sought to be pulled out as well. Basically, when we vote on this amendment, the question is: Do we want to have a Straight A's demonstration program or not? To vote for the Dodd amendment is to say we should not have this at all. If that is the position, it is honest, but let's just say that not just whittle it down until there is nothing but a few fragments of sawdust left of what was a concept and an idea that had great merit. So we are clinging to that which is left, after all of the concessions that have been made.

To pull this program will pull so much of the remaining funding resources in the Straight A's demonstration program that there will be virtually no incentive for school districts or for States to participate. It will be but a figleaf. It will be that we can say, well, it is in the bill, but what is there isn't—we really would not even get an idea of whether it was a workable concept in the first place if this much is pulled out.

I plead with my colleagues. I don't question the sincerity of those who are devoted to this. There are devotees to every program in Straight A's. I am certain that there are worthwhile qualities to most of those programs. But if the concept is we consolidate spending streams, provide flexibility to the States and local school districts, in exchange for a guarantee that they are going to increase performance, then we must set aside those very parochial, programmatic loyalties to say at least in these few States and few school districts we will give them the opportunity to experiment and see if they have a better way.

I ask my colleagues to defeat the Dodd amendment, to preserve what is left of the Straight A's Program in this demonstration, and allow those few States and those few school districts that will be given an opportunity under the language in the bill to have a chance, given the new flexibility they will have, to demonstrate that the reforms and the leadership they can provide at the local level will, in fact, reward the children. That is where our great interest should be, not in preserving a program but in doing what is best for the children.

I thank the Chair and reserve the remainder of our time.

The PRESIDING OFFICER (Mrs. CARNAHAN). The Senator from Connecticut.

Mr. DODD. Madam President, I yield 5 minutes to the Senator from New Jersey, Mr. TORRICELLI.

The PRESIDING OFFICER. The Senator from New Jersey is recognized for 5 minutes.

Mr. TORRICELLI. Madam President, I thank the Senator for yielding the time.

I believe these have been a very productive few weeks in the Senate. I am very proud of the institution and how, on a bipartisan basis, it has put differences aside and found common ground in dealing with the educational problems of our country.

In adopting the Dodd amendment on title I, for the first time we are guaranteeing that poor school districts will receive 100 percent of their title I funding. What a remarkable statement by this institution.

Currently, there are districts in our country that are receiving a third or a quarter of that to which they are entitled, imposing an enormous burden on local school districts.

We adopted the Harkin amendment to meet our Federal commitment to special education by guaranteeing $181 billion over the next 10 years. In 1975, when IDEA was created, the Federal Government promised to pay 40 percent of the special education needs. Last year, it paid 13 percent.

These are two remarkable positions by this institution in which every Senator should take great pride.

Blocking school voucher amendments stated our commitment to the public school system on an uncompromised basis. In fact, we will be funding reading programs at the $900 million level next year and voted to authorize $3 billion for professional development programs.

All of these things, including the President's proposal for accountability and testing and those programs Democrats have supported for a long time, enhance the quality of performance and teaching.

With this amendment, Senator DODD takes us into a new area, not simply accountability, not only instruction,

but the lives of the students themselves, recognizing that education involves all of these aspects of a student's life, including the quality of their lives and what they do after school, recognizing it is all part of preparing a student for life.

That is why I support the Dodd amendment. That is why I believe this is not a matter of discretion for some people who believe they should do it or should not do it. This is a national commitment to recognize that education is a part of the entire student day. It may be a Governor's responsibility. It may be a local school board's responsibility. It is also our responsibility. This makes sense.

I know something about this subject. In the 1950s, it was unusual for a young woman to work outside the home. In the community in which I lived in suburban New Jersey, I believe I may have been the only student who came home after school to an empty home, not simply because my mother chose to work but because she had to work. I remember those hours. School let out at 2:30 p.m. or 3 p.m. My mother and father would work until 6 p.m. or 6:30 p.m., and for 3 and 4 hours sometimes I would sit in my home alone.

My community was without some of the temptations of modern life. I encountered few problems, but I remember that stage of life. That is why when police chiefs were asked, as Senator DODD has demonstrated, what would you do to deal with school violence, the problems of students, 69 percent said exactly what Senator DODD is doing: Afterschool programs.

We have done every one of these other things. Metal detectors in schools: We did that and should do that. One percent of police chiefs said that was the answer.

Hire more police officers: We did that for years and we should. That is 13 percent.

Try juveniles as adults: Many of our States have done that. The Federal Government is doing that. That is 17 percent.

The Senator from Arkansas said: Why don't we listen to those of our constituents at other levels of government who have more experience? Exactly, I say to the Senator.

Look at Senator DODD's chart. Of the police chiefs involved in this every day, 69 percent of them said afterschool programs. That is what we are doing, and it is the right money in the right place.

What may have been unusual in my suburban community in New Jersey is now common to millions of Americans. Twenty-eight million school age children have parents who work outside the home.

Maybe I was the only child in my town, but 15 million American children in the afternoon now return to an empty home, and my colleagues know what that means. Juvenile crime peaks between the hours of 3 p.m. and 6 p.m. All of those police officers looking in the middle of the night for kids who are committing crimes, causing problems, are looking at the wrong time. That is not the problem. It is after school: No parents, no teachers, no supervision, no options. Senator DODD is offering the option.

Violent crime: The greatest risk to our children being hurt themselves is not in school. We are putting in metal detectors and police officers. But it is after school: No options, no supervision. Senator DODD has the answer.

The PRESIDING OFFICER. The Senator has used 5 minutes.

Mr. TORRICELLI. Will the Senator yield me an additional 3 minutes?

Mr. DODD. I yield 3 minutes to the Senator from New Jersey.

Mr. TORRICELLI. Madam President, a few weeks ago we adopted the Boxer amendment to authorize $2 billion for afterschool programs, but under the current bill States can opt out of providing afterschool care for those who need it. This is not something on which people should opt out, not recognize the problem. It is not a local problem; it is a national problem.

There is not a study I have ever seen where it is not clear that not only is this the source of juvenile violence, it is the principal time of the day and the time in life when young people experiment with narcotics. It is a principal reason and a problem for teenage pregnancy.

Many things in America change. Some do not. Young people without supervision and time on their hands are mischievous, are led to temptations and wrong influences. This, I say to my colleagues, is an opportunity to address the problem, and the evidence could not be more overwhelming. A national study of five housing projects with afterschool programs and five without shows us the difference. Those without had 50 percent more vandalism and 30 percent more drug activity than those with afterschool programs.

This Senate has met its responsibility with IDEA. We have taken a stand on special education. We are putting resources into reading. We have answered the President's call for accountability and testing. We have resisted abandonment of the public schools on school vouchers. Every Member of the Senate can be proud of this education bill.

Senator DODD now writes the last word, and what we did during the school day we now provide for afterschool programs. I am proud of his amendment, proud of Senator DODD, and I urge my colleagues on a bipartisan basis to support his amendment.

I yield the floor. I thank the Senator for the time.

Mr. DODD. Madam President, before he leaves, let me thank my colleague from New Jersey. He always brings a new level of eloquence to any debate in which he is involved. While we all from time to time bring our own natural experiences to these discussions and debate, his discussion of growing up in New Jersey in the home where both his parents worked is certainly a poignant remainder of what happens today with a lot of children throughout America.

There are 28 million children in 12 million families struggling to make ends meet, and of that number a staggering number of these kids are home alone, or if not home, someplace else unsupervised. For those reasons, over 1,000 chiefs of police have written and beseeched in the strongest language one can imagine that this amendment be adopted, along with the 2,500 YMCAs across the country, an organization that has the longest record in history in providing afterschool programs.

I underscore they did a survey on their own and the Senator from New Jersey pointed it out, but I repeat it because their findings corroborate what the Senator from New Jersey pointed out. Among the findings, the survey showed that young people who do not participate in afterschool programs are five times more likely to be D students. So there is an academic relationship here. They are twice as likely to get into a fight at school and are far more likely to miss school than young people engaged in stimulating, productive activities in afterschool hours.

Every study and survey we have seen shows this. That is why the chiefs of police, who work with this problem every day, want this. If you want to know what local people think, obviously, afterschool is desired.

Mr. TORRICELLI. Will the Senator yield?

Mr. DODD. I yield.

Mr. TORRICELLI. As we debate this issue, we understand the forces in education that will fight for more money for special education. And they should. I understand the constituency that wants school construction. I support that.

My concern is there is not a constituency, other than us, representing the interests of law enforcement and our own experience with these children who are fighting for money to deal with this violence and afterschool activities. Senators, on a well-reasoned basis, come to the floor and say, make this all discretionary; throw it into a pot and let the States do what they want. But, I don't know who is coming to Trenton, to my State capital, to fight for afterschool programs.

I know the people who want construction. I know the people who want more teachers. I support them. But I don't know who is going there representing the mothers and the fathers who are not home in the afternoon or the police chiefs who are concerned about drug use or teenage pregnancy.

They only have us. That is why I am not for taking away anyone's discretion. I believe in the judgment of the State and local governments, but this is an instance where the Congress has to compensate for the fact that we know from experience, we have looked at the empirical data, and we have heard from the police chiefs, and we know what is happening with the students on their performance when they don't have afterschool programs. We know what happens with teenage pregnancy and drug use. We know the evidence. This is a case where our judgment is required. That is why I think the amendment is so worthwhile.

Mr. DODD. I thank my colleague for those comments.

I have heard this repeatedly over this debate in the last hour, that if this amendment is adopted, this destroys the straight A's program. This amounts to 5.7 percent, according to the Congressional Research Service, of the funding in the pilot Straight A's Program, title I, non-title I funds under that title I program. Not 40 percent. To say you cannot fund the block grant program with 94 percent of the money does not make any sense to me. Rather than stripping the program, we are taking the pilot program and setting aside afterschool in that pilot program.

As we said earlier, we are talking about a program that includes 7 States and 25 districts. It could be more than 7 States over the 7 years of this entire bill. We don't debate this bill again for 7 years. Obviously, for children who are starting elementary school, they will have completed elementary school by the time we come back and revisit the issue. To say in a pilot program we will block grant everything made at the State level, and if a local school district wants to apply for funds for afterschool, they will depend upon a State educational authority or a Governor to say, yes or no, is totally up to the discretion of the State authority. There is no review process at all. They can apply, and for whatever reason, they can say no.

Afterschool programs are the most highly sought after grants in the history of the Department of Education. This year alone there were almost 3,000 applications. They are going up each year. We only grant 300. There is only 1 chance in 10 of getting your grant approved. They are so popular because local community-based organizations see the value.

I am saying, keep the Straight A's Program. We will have the pilot program for the block grants. It will be there for the 7 States and 25 districts—or maybe more—to try over the next 7 years. Don't make afterschool become a jump ball in that regard.

What Straight A's is about is academic performance, trying to get better scores in math and reading. I don't argue that afterschool has some relationship to academic performance, whether or not kids are in trouble or not in trouble. This is primarily a safety issue. It is primarily a crime issue, as the chiefs of police have pointed out in overwhelming numbers when they look at the difficulties kids get into and the time of day the difficulties occur. They state with overwhelming numbers it is between 3 in the afternoon and 6 or 7 at night.

Mrs. BOXER. Will the Senator yield?

Mr. DODD. I am happy to yield. My colleague is a great champion for afterschool programs and has an amendment adopted, a sense of the Senate, saying we ought to do this.

Mrs. BOXER. In fact, I decided not to do the sense of the Senate. We did the real thing. This Senate voted with about 60 votes to increase the funding for afterschool. We actually did a real amendment, not just a sense of the Senate, and for the first time in history this Senate actually voted to increase the funding.

The reason I asked my friend to yield, if he would be willing to give me a minute of his time, I will pose a question. It has been a struggle, as he knows, because he has led the fight. When I came here, I joined him in this fight. We knew it did not take rocket science to understand that our kids are getting into trouble after school. We now have the exact percentages. That is why the police all over the country, as was pointed out, support this. We know it does help kids with their academic performance, although that is not the main reason we have afterschool. We know, as has been pointed out, there is an overwhelming number of applications for these grants.

Now, finally, under President Clinton, we have seen this program go from $10 million to $600 million; and now with the amendment my friend helped me with, it is over $1 billion, and we will be able to help millions of kids.

My question is, On the one hand, how can we vote to support real funding for this program and then turn around and vote to take it away and put it into some nebulous experiment which may turn out to be great—I have my problems with it—or may not?

By the way, JOHN ENSIGN, a Republican from Nevada, my primary cosponsor, told a moving story about how he used to get in trouble as a kid. He had no place to go. He had a single mom.

We take this stand, make a wonderful statement, and put real dollars behind it. Is it not the case we turn around and pull some of that money out; and isn't that just a contradiction in how we feel about afterschool?

Mr. DODD. I thank my colleague for raising the point. It is a very good point she raised.

Before my friend from California arrived, we heard our good friend from Tennessee talk about how much he supports, as most Members do, the 21st Century Learning Centers. Senator JEFFORDS of Vermont is the principal author. I joined him with that several years ago. This is an overwhelmingly popular program at a local level. Now grant applications are made at a local level for funds which leverage, by the way, United Way, funds for nonprofits, churches and so forth. Without this seed money and what we do in the grants, it is difficult to get the other organizations to support it.

Now for those 7 States and 25 school districts, which, by the way, I happen to believe are probably going to comprise a significant percentage of the 50 million kids who go to school each day, if you take the 7 most populous States and 25 school districts, I can get you to over 50 percent of the student population of the country. I presume every State is going to apply because what Governor—and I am looking at our Presiding Officer, who knows more about Governors, I suppose, than either my good friend from California or I do—when States get a chance to get Federal money with no strings attached would not take that deal. I presume every State will apply.

The Secretary of Education wants to get the maximum number of students under this pilot program. Obviously, they will choose one of the largest States and largest school districts, which means for the next 7 years we will take a significant percentage of kids into a pilot program, a demonstration program, and we will say that afterschool is part of that. We are not going to provide a separate pot of resources for which localities can apply.

We are going to say, no, now as a locality if you are within those 7 States or 25 districts, you have to go up to the State education authority or the Governor, whichever it is, and they may or may not accept it. They can reject it out of hand. When you are competing for scarce dollars in poor areas, in many cases, of course, where the working poor live, how well do they do in that competition? The Presiding Officer knows how difficult those decisions can be. Her late husband was a great Governor of the State of Missouri. How difficult those decisions may be.

Mrs. BOXER. Will my colleague yield?

Mr. DODD. I am happy to yield.

Mrs. BOXER. The Senator raises an important point. Now we have a situation where, instead of being able to apply for these funds, these local school districts—and I thought my colleagues on the other side loved local control—now have to go through the States.

Am I correct, I ask my friend, this will take a piece off for administration? In other words, if they decide to say to a local district, OK, we will allow you to use some of this, they are going to take some money off the top. This is inefficient.

I say to some colleagues who may be listening from their offices—maybe a few are—if you are a fan of afterschool programs, if you think they are important, if you think they are a silver bullet that we have to keep our kids out of trouble, don't disrupt this program just when it is starting to reach kids. You have not done it with Head Start. You should not do it with afterschool.

Isn't this a point that should be considered that the State will pull some money off the top for administration whereas under our normal program the money goes straight to the local districts?

Mr. DODD. That is correct. Again, here it is not a question of sort of dumping the money out there. Localities have to apply for it. You have to ask for it. If you ask for it, there is only a small chance you may actually get it.

I would like to see us put in more resources. As my colleague from California points out, this program started as a $10 million program, but because of local mayors and county executives, the YMCAs, the Boys and Girls Clubs, the church-based organizations, the police, they said: Look, this works so well, we went from $10 million to $600 million. We are flattening that line out, and for 25 States and 7 districts we are dumping it all out on a roulette wheel.

All I am saying is, in those pilot areas, carve this one out and let the localities apply directly. It reduces the amount of money in the pilot program by 5.7 percent. That is all.

Those are not my numbers, those are numbers determined by the Congressional Research Service, a nonpartisan organization that makes those calculations.

So on the notion somehow that I am destroying the Straight A's Program, I am destroying this delicately balanced coalition here, I merely point out: I do not think 1,000 police chiefs, I don't think 2,500 YMCAs, I do not think Boys Clubs and Girls Clubs all across America are in the business of destroying here.

I am looking at my good friend from Ohio over here, with whom I drafted Safe and Drug Free Schools. He knows the numbers I put up; 70 percent of the police chiefs say this works. As the Senator from New Jersey pointed out, we have done metal detectors, hiring more police, trying juveniles as adults in some areas—that is controversial—but in these 7 States and 25 districts we are reducing the number by 5.7 percent. That is not gutting Straight A's, that is just saying don't deprive these local communities for the next 7 years of the opportunity to do something that every community in this country believes has great value.

Madam President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator has 30 seconds.

Mr. DODD. I have a lot of time here. I reserve those 30 seconds for closing argument, Madam President.

The PRESIDING OFFICER. Who yields time?

Mr. GREGG. I yield 10 minutes to the Senator from Ohio.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. DEWINE. Madam President, let me talk for a moment, if I may, about a part of the bill that is not very controversial but I think is very significant. It is that part of the bill that Senator DODD just mentioned, and that is the drug-free school component of the bill.

Let me congratulate Senator DODD. I really enjoyed working with him, with his team, to get language in this bill that will really improve the current Drug Free Schools Program. I believe we have done that. I salute him for that very excellent work. I also thank Senator MURRAY and Senator GRASSLEY for their work on this language as well.

I think we all understand when we talk about our drug problem, we have to have a coordinated, consistent, and a balanced approach. A balanced approach means drug treatment, drug education, prevention. It means international interdiction of drugs. It also means domestic law enforcement. Those are the four basic components. We have to do them all. We have to consistently do them all.

The drug-free schools provision in this bill and the money it represents is really virtually the only thing the Federal Government does in the area of education.

This bill authorizes $925 million which will go down to the local school districts across this country. The current Drug Free Schools Program is in virtually every school district in the country. Interestingly and sadly, in many school districts it is the only money that is being spent on drug education. So it is important to do what we have done in this bill, and that is continue the program. But it is also important to improve the program.

I had the opportunity, when I was in the House of Representatives over a decade ago, to serve on the National Commission on Drug Free Schools. We issued a report in 1990. We talked about how this program needed to be improved. Some improvements have been made in the last decade, but unfortunately not all the recommendations have been followed.

What we do with the language in this bill is take that decade-old report and, frankly, bring it to life, use some of the recommendations, and improve the current law. One thing we determined at that time was if antidrug efforts in our schools are to be effective at all, they must be coordinated, they must be consistent, and they must be community oriented. We recommended a number of things including the following four items:

No. 1, every school district should develop and conduct drug eradication and prevention programs for all students from kindergarten through grade 12, every single year.

No. 2, parent and community groups should take a more active role in developing and selecting drug prevention programs.

No. 3, the Department of Education should ensure that schools conduct periodic evaluations of all drug education and prevention programs.

No. 4, Federal and State governments should fund only those education and prevention program efforts that are likely to be effective. There should be scientific data behind the decision to use a particular program.

The Safe and Drug Free Schools Program that is contained in this bill incorporates these recommendations. This program helps prevent our children from ever becoming involved with drugs and supports efforts to create violence-free learning environments.

The language we have written into the education bill that is before us today further improves this program. It gives States greater flexibility to target assistance to schools in need, and it increases accountability measures to ensure that this assistance actually goes towards programs that really work.

Furthermore, the language we have written in the bill would improve coordination of Safe and Drug Free Schools Programs with other community-based antidrug programs by requiring schools to work directly with parents, with local law enforcement agencies, with local government agencies, with faith-based organizations, and other community groups in the development and implementation of antidrug and violence strategies. That community coordination is absolutely essential. It has, tragically and unfortunately, in the past, sometimes been missing from local communities. This bill says we have to have that coordination.

Drug abuse and violence against young people is a community problem, a national problem. It requires a community-based solution. That is why we need the entire community to be involved in the creation and in the execution of programs to fight youth drug abuse and violence.

Our language would allow afterschool programs to apply for Safe and Drug Free School grants as long as they meet the same standards as any other applicant. If afterschool programs use research-based drug and violence prevention programs, and if they prove they reduce drug and violence in schools, then they will have fair access to Safe and Drug Free School funding.

I really cannot talk about the Safe and Drug Free Schools Programs without mentioning one of the most tough

and effective fighters against youth drug abuse and school violence, and that is the first lady of my home State of Ohio, Hope Taft. Hope Taft has dedicated years of her life to help make our schools safer and drug free, and she was instrumental in the development of this language that is in front of us today, language we have written into the education bill. She is really the voice for community-based organizations. I commend her for the great contribution she made to this bill. Through her efforts, she has raised awareness of the dangers of youth drug abuse and violence in our schools.

Let me also applaud President Bush for his support of this program. During the campaign, President Bush promised to increase funding for the Safe and Drug Free Schools Program by over $100 million over 5 years. I commend him for that commitment. It is truly the kind of commitment we need to continue to improve this very vital program.

The Safe and Drug Free Schools program is a critical part of restoring effectiveness and balance in our national drug policy. And ultimately, if we don't restore effectiveness, more and more children will use drugs, leading to greater levels of violence, criminal activity, and delinquency. Unless we take action—unless we take the necessary steps to reverse these disturbing trends—we will be sacrificing today's youth and our country's future.

Quite frankly, children simply cannot learn when they are under the influence of drugs or alcohol. Children cannot learn when they more worried about their safety than their homework. Children cannot learn when they are scared. That's why we must ensure that children and the adults who work in our schools are safe—that they are free from drugs and violence.

As we continue to debate education reforms in this nation, we need to remember that improvements to our school buildings, increased professional development efforts for our teachers and administrators, and changes in education policies will not help our young people realize their true potential as long as drugs and violence are in their schools. It's that simple.

I thank the Chair and yield the floor.

Mr. DODD. Mr. President, will my colleague yield?

Mr. DEWINE. Yes.

Mr. DODD. Mr. President, I commend my colleague from Ohio. He no longer serves on the Health, Education, Labor and Pensions Committee. But he did serve on it. I have enjoyed my work in the Senate over the years, but never as much as I have enjoyed working with the Senator from Ohio on a number of different issues, and this one in particular which he just addressed, and that is the problem of substance abuse and children.

We managed to put together a pretty good bill a few years ago on safe and drug free schools, largely because of the efforts of the Senator from Ohio. I commend him publicly for his present work and over the years. He brings a lot of personal experience as well. He has a pretty good size clan in his own right. I think it is almost a baseball team.

Mr. DEWINE. We are one short of a baseball team.

Mr. DODD. He brings a great deal of passion and understanding. So much of what he is talking about bears directly on the subject matter to which he has dedicated a good part of his service. I thank him for it and look forward to working with him in the future.

Mr. DEWINE. I thank my colleague. Again, I compliment him for the great deal of work he did. It was a great pleasure to work with him and his staff. I think the language in the bill improves the current law and is a significant improvement. I think it is going to make a difference. I appreciate his great work.

Mr. DODD. Madam President, my time has about expired. I wonder if my friend from New Hampshire will offer to yield me time, and I ask unanimous consent that just prior to the vote, which I think is going to occur around 2 o'clock, that I be given a couple of minutes to make a final summation of my argument.

Mr. GREGG. Two minutes on both sides.

Mr. DODD. Madam President, I withhold that for a minute.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mr. GREGG. Madam President, I have listened with interest and have been impressed by the enthusiasm, energy, and commitment of the Senator from Connecticut to the 21st century program, which is something I strongly support myself. In fact, during my prior life when I was chairman of the Appropriations Committee on Commerce, State, Justice and working with Senator HOLLINGS, we essentially funded what amounted to the afterschool program initiatives in different areas, especially in the Boys and Girls Clubs and programs with Big Brothers and Big Sisters.

I was able to put into this bill language which I am very excited about because I think it will significantly improve the 21st century program, which allows community-based organizations to participate in the program for the first time, instead of having programs which are totally managed by the local educational organization. The schools basically weren't working all that well, quite honestly, in many areas because basically at the end of the schoolday, teachers were tired, and developing programs that kept teachers around the school building after the schoolday was hard to do, and understandably so.

Now we are going to infuse the afterschool programs with community-based organizations. Some of them can be faith-based organizations, which is very exciting. You will get, I am sure, Boys and Girls Clubs, and again Big Brothers and Big Sisters, that will actually physically be on site for the afterschool programs.

There is a major educational component in that amendment which was adopted in committee. I think you will also get groups such as the CYO that might be involved in things like this, or other faith-based groups that basically won't be in the school teaching religious values—that would be inappropriate—but will be in the school teaching life-needed skills or organizing sports programs perhaps in the school period.

After-the-schoolday is something I have worked very hard on as a Member of the Senate on the committee and admire and appreciate the commitment of the Senator from Connecticut to the after-the-schoolday programs. We all understand that the period from 3 to 6 is a period where youth are at risk, unfortunately, in many of our communities. And for them to have some place constructive to go is very important.

This amendment doesn't really address that issue because, in my humble opinion, this amendment goes to the question of management. Who makes the decision as to how the after-the-schoolday is controlled, whether it is going to be a categorical program coming from the Federal Government that says you must have an afterschool program or the alternative, which I think makes much more sense—whether a State or a community decides to take all the educational formula funding programs, merge them together, and set them up as a program, the purpose of which is to make sure the children participating in those programs actually exceed the academic success of the children who are not in those programs.

As a result, we get a better return for the dollars spent in these various areas. We get better students who are better prepared for life. We get students who are coming through the school year with a better academic achievement level.

That should be, of course, our goal in this bill. It is the goal of the Straight A's Program.

The question as to how the day is structured would be left at the local community level, or the State level, and wouldn't be directed from within the Federal Government.

This is the difference. It is not a question of whether there will be an afterschool program. It is a question of who will make the decision as to how funds are allocated within the formula grant program for designing the afterschool program and the schoolday program.

To step back, I think it is important to understand the basic concept of

Straight A's. The concept of Straight A's is that we give the local school districts and the States, or those who wish to apply anyway, the opportunity—it is only a limited number—to set up a program where they actually commit that the low-income child will do better—this is the important point—than the other children in the school district in academic achievement, and, therefore, getting prepared for life and being competitive in our society and having a chance to participate in the American dream.

In exchange for making that commitment to the kids who are from low-income families to actually exceed the average yearly progress in the community generally for students, we will allow the local school districts and the States to design the program free of stress on the input side.

The 21st century program, along with the other 16 formula programs that are put into this proposal for the development of Straight A's, are all strong, oriented programs. It has significant restrictions. They are very categorical and very directive. They are very top-down command and control programs. They all have specific purposes, but the fundamental goal of all of them is to get a child up to speed academically and at a level where they are actually going to be constructive and productive citizens in our society.

We have said, with the Straight A's experiment—in a few States; in a very few States, potentially 7 States and 25 school districts—let's try an experiment. Let's say to the local communities, rather than having the top-down command and control, the traditional Federal control of strings-attached dollars, we will take all those dollars, put them in a basket and give them to the local communities, but the condition of you taking those dollars is that you are going to have to commit to prove that the children those dollars are directed towards are going to do better than the other children in the community.

So it is not as if the States and the local school districts are getting some huge influx of dollars with no restrictions or no responsibilities. The responsibility is even greater, but it is at the end of the system versus at the beginning. Instead of saying how they will do it, we expect results; and then we are going to test them to make sure those results are actually being achieved.

It is a very creative approach. It really is part of the essence of the underlying agreement and bill which we negotiated and which was the result of the impetus that came from the President. The President's concept on education is really pretty simple. It is that we should focus on the child, and that we should expect the child to obtain academic achievement, and that we should do that by giving flexibility to the local school districts; in exchange for the flexibility, we are going to have strict accountability to see that the children have attained academic achievement.

So the concept is to create an initiative and demonstration programs which will, at least with these 16 categorical programs, put them in a basket and give those dollars to the States with great flexibility, or give those dollars to the communities with great flexibility, but in exchange expect academic achievement subject to strict accountability, focused on the child.

This program, this Straight A's Program, meets all the conditions and all the ideas that have been put forward by the President as one of the key purposes of his educational initiatives. That is why there is such an intense discussion about it today.

If you listen to the Senator from Connecticut, you obviously have to be drawn to his ability to present his case well, but the point is, if we go back to the approach offered by the Senator from Connecticut, then we will have fundamentally undermined what is one of the primary thrusts of the President's initiatives in trying to break out of this mold into which we have put education for the last 25 years, where for generation after generation we have seen low-income kids being left behind, which isn't acceptable.

So the President has come up with this idea. Actually, it is an idea that was developed by the Senator from Washington, Mr. Gorton, a couple of years ago. The President adopted it. He has taken this idea and put it into his package. That is why it is so critical that this amendment be defeated. Because if it is adopted, it basically takes the heart out of the Straight A's Program and as a result undermines one of the key thrusts of the President's initiatives to try to bring low-income kids not only up to speed but, in this case, actually putting them ahead of their peers in education.

I see the Senator from Nevada is trying to get my attention. Obviously, he wishes to make a point. I yield to the Senator.

The PRESIDING OFFICER (Mr. CHAFEE). The Senator from Nevada.

Mr. REID. I appreciate the Senator from New Hampshire yielding for a brief unanimous consent request.

AMENDMENT NO. 518, AS FURTHER MODIFIED

Mr. REID. Mr. President, I ask unanimous consent that amendment No. 518, as modified, and previously agreed to, be further modified with the language at the desk.

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

The modification is as follows:

"SEC. 5126J. AUTHORIZATION OF APPROPRIATIONS.

''There are authorized to be appropriated to carry out this chapter $200,000,000 for fiscal year 2002 and each subsequent fiscal year.''.

Mr. REID. Mr. President, I ask unanimous consent that the consent with respect to the Dodd amendment be modified to provide that the vote in relation to the Dodd amendment occur upon disposition of the Cantwell amendment No. 630, provided that the previous consent with respect to the Nelson amendment No. 533, and other amendments within that consent agreement, reflect this change.

The PRESIDING OFFICER. Is there objection?

The Chair hears none, and it is so ordered.

Mr. REID. Mr. President, to clarify for Members exactly where we are now, the Senate will debate the other amendments in a previous order, and the Senate will vote in relation to the Dodd amendment at about 2:15.

Mr. President, I further ask unanimous consent that, prior to the vote on the Dodd amendment, the Senator from New Hampshire be recognized for 2 minutes and the Senator from Connecticut be recognized for 2 minutes in the appropriate order. Senator DODD would go last. That vote would occur at about 2:15 p.m.

The PRESIDING OFFICER. Is there objection?

The Chair hears none, and it is so ordered.

Mr. REID. Mr. President, the other amendments in this order are going to be disposed of by voice vote by virtue of a previous agreement we have. I appreciate very much my friend from New Hampshire yielding. I know it was awkward, but I appreciate it very much.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

AMENDMENT NO. 533, AS MODIFIED, TO AMENDMENT NO. 358

Mr. NELSON of Nebraska. Mr. President, I ask unanimous consent that amendment No. 533 be modified with the changes that are at the desk.

The PRESIDING OFFICER. Does the Senator from New Hampshire yield back all time on the Dodd amendment?

Mr. GREGG. Mr. President, we reserve our time. I ask unanimous consent that our time be reserved and it be set aside until after the Nelson amendment has been completed.

The PRESIDING OFFICER. Without objection, it is so ordered. The amendment is laid aside. The clerk will report.

The legislative clerk read as follows:

The Senator from Nebraska [Mr. NELSON] proposes an amendment numbered 533, as modified.

The amendment is as follows:

(Purpose: To provide for mentoring programs for students)

On page 586, between lines 18 and 19, insert the following:

SEC. 405. MENTORING PROGRAMS.

(a) IN GENERAL.—Title IV of Elementary and Secondary Education Act of 1965 is further amended by adding at the end the following:

"PART E—MENTORING PROGRAMS

"SEC. 4501. DEFINITIONS.

''In this part:

''(1) CHILD WITH GREATEST NEED.—The term 'child with greatest need' means a child at risk of educational failure, dropping out of school, or involvement in criminal or delinquent activities, or that has lack of strong positive adult role models.

''(2) MENTOR.—The term 'mentor' means an individual who works with a child to provide a positive role model for the child, to establish a supportive relationship with the child, and to provide the child with academic assistance and exposure to new experiences and examples of opportunity that enhance the ability of the child to become a responsible adult.

''(3) STATE.—The term 'State' means each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.

"SEC. 4502. PURPOSES.

''The purposes of this part are to make assistance available to promote mentoring programs for children with greatest need—

''(1) to assist such children in receiving support and guidance from a caring adult;

''(2) to improve the academic performance of such children;

''(3) to improve interpersonal relationships between such children and their peers, teachers, other adults, and family members;

''(4) to reduce the dropout rate of such children; and

''(5) to reduce juvenile delinquency and involvement in gangs by such children.

"SEC. 4503. GRANT PROGRAM.

''(a) IN GENERAL.—In accordance with this section, the Secretary may make grants to eligible entities to assist such entities in establishing and supporting mentoring programs and activities that—

''(1) are designed to link children with greatest need (particularly such children living in rural areas, high crime areas, or troubled home environments, or such children experiencing educational failure) with responsible adults, who—

''(A) have received training and support in mentoring;

''(B) have been screened using appropriate reference checks, child and domestic abuse record checks, and criminal background checks; and

''(C) are interested in working with youth; and

''(2) are intended to achieve 1 or more of the following goals:

''(A) Provide general guidance to children with greatest need.

''(B) Promote personal and social responsibility among children with greatest need.

''(C) Increase participation by children with greatest need in, and enhance their ability to benefit from, elementary and secondary education.

''(D) Discourage illegal use of drugs and alcohol, violence, use of dangerous weapons, promiscuous behavior, and other criminal, harmful, or potentially harmful activity by children with greatest need.

''(E) Encourage children with greatest need to participate in community service and community activities.

''(F) Encourage children with greatest need to set goals for themselves or to plan for their futures, including encouraging such children to make graduation from secondary school a goal and to make plans for postsecondary education or training.

''(G) Discourage involvement of children with greatest need in gangs.

''(b) ELIGIBLE ENTITIES.—Each of the following is an entity eligible to receive a grant under subsection (a):

''(1) A local educational agency.

''(2) A nonprofit, community-based organization.

''(3) A partnership between an agency referred to in paragraph (1) and an organization referred to in paragraph (2).

''(c) USE OF FUNDS.—

''(1) IN GENERAL.—Each entity receiving a grant under this section shall use the grant funds for activities that establish or implement a mentoring program, including—

''(A) hiring of mentoring coordinators and support staff;

''(B) providing for the professional development of mentoring coordinators and support staff;

''(C) recruitment, screening, and training of adult mentors;

''(D) reimbursement of schools, if appropriate, for the use of school materials or supplies in carrying out the program;

''(E) dissemination of outreach materials;

''(F) evaluation of the program using scientifically based methods; and

''(G) such other activities as the Secretary may reasonably prescribe by rule.

''(2) PROHIBITED USES.—Notwithstanding paragraph (1), an entity receiving a grant under this section may not use the grant funds—

''(A) to directly compensate mentors;

''(B) to obtain educational or other materials or equipment that would otherwise be used in the ordinary course of the entity's operations;

''(C) to support litigation of any kind; or

''(D) for any other purpose reasonably prohibited by the Secretary by rule.

''(d) TERM OF GRANT.—Each grant made under this section shall be available for expenditure for a period of 3 years.

''(e) APPLICATION.—Each eligible entity seeking a grant under this section shall submit to the Secretary an application that includes—

''(1) a description of the mentoring plan the applicant proposes to carry out with such grant;

''(2) information on the children expected to be served by the mentoring program for which such grant is sought;

''(3) a description of the mechanism that applicant will use to match children with mentors based on the needs of the children;

''(4) an assurance that no mentor will be assigned to mentor so many children that the assignment would undermine either the mentor's ability to be an effective mentor or the mentor's ability to establish a close relationship (a one-on-one relationship, where practicable) with each mentored child;

''(5) an assurance that mentoring programs will provide children with a variety of experiences and support, including—

''(A) emotional support;

''(B) academic assistance; and

''(C) exposure to experiences that children might not otherwise encounter on their own;

''(6) an assurance that mentoring programs will be monitored to ensure that each child assigned a mentor benefits from that assignment and that there will be a provision for the assignment of a new mentor if the relationship between the original mentor is not beneficial to the child;

''(7) information on the method by which mentors and children will be recruited to the mentor program;

''(8) information on the method by which prospective mentors will be screened;

''(9) information on the training that will be provided to mentors; and

''(10) information on the system that the applicant will use to manage and monitor information relating to the program's reference checks, child and domestic abuse record checks, and criminal background checks and to its procedure for matching children with mentors.

''(f) SELECTION.—

''(1) COMPETITIVE BASIS.—In accordance with this subsection, the Secretary shall select grant recipients from among qualified applicants on a competitive basis.

''(2) PRIORITY.—In selecting grant recipients under paragraph (1), the Secretary shall give priority to each applicant that—

''(A) serves children with greatest need living in rural areas, high crime areas, or troubled home environments, or who attend schools with violence problems;

''(B) provides background screening of mentors, training of mentors, and technical assistance in carrying out mentoring programs;

''(C) proposes a mentoring program under which each mentor will be assigned to not more children than the mentor can serve effectively; or

''(D) proposes a school-based mentoring program.

''(3) OTHER CONSIDERATIONS.—In selecting grant recipients under paragraph (1), the Secretary shall also consider—

''(A) the degree to which the location of the programs proposed by each applicant contributes to a fair distribution of programs with respect to urban and rural locations;

''(B) the quality of the mentoring programs proposed by each applicant, including—

''(i) the resources, if any, the applicant will dedicate to providing children with opportunities for job training or postsecondary education;

''(ii) the degree to which parents, teachers, community-based organizations, and the local community have participated, or will participate, in the design and implementation of the applicant's mentoring program;

''(iii) the degree to which the applicant can ensure that mentors will develop longstanding relationships with the children they mentor;

''(iv) the degree to which the applicant will serve children with greatest need in the 4th, 5th, 6th, 7th, and 8th grades; and

''(v) the degree to which the program will continue to serve children from the 4th grade through graduation from secondary school; and

''(C) the capability of each applicant to effectively implement its mentoring program.

''(4) GRANT TO EACH STATE.—Notwithstanding any other provision of this subsection, in selecting grant recipients under paragraph (1), the Secretary shall select not less than 1 grant recipient from each State for which there is a qualified applicant.

''(g) MODEL SCREENING GUIDELINES.—

''(1) IN GENERAL.—Based on model screening guidelines developed by the Office of Juvenile Programs of the Department of Justice, the Secretary shall develop and distribute to program participants specific model guidelines for the screening of mentors who seek to participate in programs to be assisted under this part.

''(2) BACKGROUND CHECKS.—The guidelines developed under this subsection shall include, at a minimum, a requirement that potential mentors be subject to reference checks, child and domestic abuse record checks, and criminal background checks.

''SEC. 4504. STUDY BY GENERAL ACCOUNTING OFFICE.

''(a) IN GENERAL.—The Comptroller General of the United States shall conduct a study to identify successful school-based mentoring programs, and the elements, policies, or procedures of such programs that can be replicated.

''(b) REPORT.—Not later than 3 years after the date of the enactment of this part, the Comptroller General shall submit a report to the Secretary and Congress containing the results of the study conducted under this section.

''(c) USE OF INFORMATION.—The Secretary shall use information contained in the report referred to in subsection (b)—

''(1) to improve the quality of existing mentoring programs assisted under this part and other mentoring programs assisted under this Act; and

''(2) to develop models for new programs to be assisted or carried out under this Act.

''SEC. 4505. AUTHORIZATION OF APPROPRIATIONS.

''There are authorized to be appropriated to carry out section 4503 $50,000,000 for fiscal year 2002 and such sums as may be necessary for each of fiscal years 2003 through 2006.''.

(b) GRANT FOR TRAINING AND TECHNICAL SUPPORT.—

(1) IN GENERAL.—The Secretary of Education shall make a grant, in such amount as the Secretary considers appropriate, to Big Brothers Big Sisters of America for the purpose of providing training and technical support to grant recipients under part E of title IV of the Elementary and Secondary Education Act of 1965, as added by subsection (a), through the existing system regional mentoring development centers specified in paragraph (2).

(2) REGIONAL MENTORING DEVELOPMENT CENTERS.—The regional mentoring development centers referred to in this paragraph are regional mentoring development centers located as follows:

(A) In Phoenix, Arizona.

(B) In Atlanta, Georgia.

(C) In Boston, Massachusetts.

(D) In St. Louis, Missouri.

(E) In Columbus, Ohio.

(F) In Philadelphia, Pennsylvania.

(G) In Dallas, Texas.

(H) In Seattle, Washington.

(3) PURPOSE.—The purpose of the training and technical support provided through the grant under this subsection is to enable grant recipients to design, develop, and implement quality mentoring programs with the capacity to be sustained beyond the term of the grant.

(4) SERVICES.—The training and technical support provided through the grant under this subsection shall include—

(A) professional training for staff;

(B) program development and management;

(C) strategic fund development;

(D) mentor development; and

(E) marketing and communications.

(5) FUNDING.—Amounts the grant under this subsection shall be derived from the amount authorized to be appropriated by section 4505 of the Elementary and Secondary Education Act of 1965, as added by subsection (a), for fiscal year 2002.

Mr. NELSON of Nebraska. Mr. President, I rise to ask the Senate's support for the Mentoring for Success Act, the amendment that is before the Senate today.

This amendment concerns the welfare of our Nation's most precious asset, our children. Children comprise only 20 percent of our population, but they are 100 percent of our future. I am hopeful my colleagues will carefully consider their significance. This amendment gives us the opportunity to support our children and the future of our country at the same time.

The environment in which many of our children are raised looks nothing like the one in which I and many of my colleagues grew up. Close to 50 percent of our children are raised in single-parent households. In most cases, single parents work long hours. Their energy and resources are stretched thin. While there are many successful single parents, there are some cases where a single parent simply cannot and does not, for a variety of reasons, adequately serve as the role model a child might need. As a consequence, many of these children replace that void with drugs, alcohol, and violence. Other children who may not come from single families are faced with a home life that may be particularly difficult because of an abusive parent or maybe a parent incapacitated due to illness. This amendment is for these children.

Of course, it can't fix family problems or bring broken families back together, but it can help change these children's lives and brighten their future.

I am proud to say that this amendment is inspired by the success of a mentoring program in my State which was originally started by Congressman TOM OSBORNE, the sponsor of companion legislation adopted by the House.

As many know, before my friend and fellow Nebraskan TOM OSBORNE became a Congressman this last year, he was coach of the beloved University of Nebraska Huskers football team. This man knows a thing or two about winning strategies and how to implement them, not just on the field but in the community as well.

In 1991, he and his wife Nancy began the Team Mates Program in Lincoln, NE, which paired members of the University of Nebraska football team with middle school students. He had such great success with the program that he expanded it across the State of Nebraska in 1998. I was proud to assist him in that effort as Governor at that time, and I joined the Team Mates board of directors so I could continue my involvement with such an effective and important mission.

Now Congressman OSBORNE has taken his experience and turned it into worthwhile legislation. This amendment would authorize $50 million for a new competitive grant program to award local school districts, community-based organizations, or a partnership between the two to find mentoring initiatives. Each State would receive at least one grant under this program. I am pleased to be here today and to continue my support for mentoring programs.

Mentoring programs funded by grants made available through this legislation would pair children with role models who could provide stable emotional support, academic assistance, and exposure to positive experiences that they may not otherwise receive.

The mentors are not parental replacements. Rather, they are helping hands who offer a glimmer of hope to kids who are forced, through no fault of their own, to contend with tough situations and bleak prospects.

Priority would be given to programs that serve children with the greatest need in rural areas, high crime areas, or troubled home or school environments, and only programs that require thorough background screening of participating adults would be eligible to receive funding.

Mentoring for Success is intended to provide guidance to children in need, to promote personal and social responsibility, to improve academic achievement, to discourage use of illegal drugs, alcohol, violence, gang involvement, or other harmful behavior, and to encourage children to set goals for themselves, including postsecondary training or education.

Young people today are confronted on a daily basis with situations that my generation simply didn't know could exist. I was fortunate enough to be raised in a loving and caring household. My generation needed support, encouragement, and stability. Today our kids need it, too. That is one thing that simply has not changed. Mentors can provide that support. I know it works. It has in Nebraska. I am convinced that Mentoring for Success will prove it will work everywhere.

What began as a spark in Nebraska has the potential to become a flame of optimism for at-risk children all across the country. I am proud today to be able to convey that this measure will in fact help our children.

The PRESIDING OFFICER. Who seeks time in opposition?

The Senator from Massachusetts.

Mr. KENNEDY. Mr. President, I yield myself 1 minute.

I thank the good Senator for bringing this issue to our attention. I might mention, I was with their superintendent of schools in Boston a week ago during our break, Tom Payzant. He

was talking about eight kinds of mentors working in schools there and the positive impact they are having in terms of the discipline in the schools and helping to resolve some of the tensions in the schools.

He said that 10 years ago he never would have thought this kind of need would be there, but it is there. He said he could use eight more very quickly and easily. It is a good idea. It is a good suggestion. Obviously, it will be voluntary. Communities will have to apply but it is another way of trying to help resolve some of the tensions that exist in many of the schools and provide a safer environment. There are a lot of different ways of trying to do it. This is a very positive and constructive way.

We welcome the amendment and urge the passage of it at this time.

The PRESIDING OFFICER. Is all time yielded back?

Mr. KENNEDY. Yes.

The PRESIDING OFFICER. Under the previous order, the amendment is agreed to and the motion to reconsider is laid upon the table.

The amendment (No. 533), as modified, was agreed to.

The Senator from Florida is recognized.

Mr. NELSON of Florida. Mr. President, I thank the Senator from Massachusetts and the bipartisan leadership that has brought this education bill to us in a most timely manner, at a most important time in the history of public education in this country.

The PRESIDING OFFICER. If the Senator will suspend, under the previous order, the Senator from Massachusetts, Mr. KERRY, was to be recognized.

Mr. KENNEDY. Mr. President, the Senator from Florida has spoken to me for 2 days about being able to address the Senate on the importance of education. I mentioned that during the lunch hour there is not as much of a clamor for floor time. He has a short speech. Would it be agreeable to my colleague from Massachusetts if he is able to complete his statement for a brief time, 4 or 5 minutes?

Mr. KERRY. I have no objection if the definition of ''brief'' is 4 or 5 minutes.

The PRESIDING OFFICER. The Senator from Florida may continue.

Mr. NELSON of Florida. I thank both of the Senators from Massachusetts. Indeed, as a new Senator, I am learning that the definition of ''brief'' is generally not understood in this Chamber. Yet I will adhere to the common understanding in Webster's Dictionary of the term ''brief'' and keep it to less than 5 minutes. I thank the Senator from Massachusetts.

As a product of public education, I am very privileged to be a part of the debate and what I think is going to be part of the solution. One of the major components of the future quality of that is now being considered before this body. This legislation that we are now considering marks a victory for many and, most especially, for the American people who have overwhelmingly said that the education of their children is their No. 1 priority.

I have been guided through this debate by the experiences that I bring to this Chamber by my own educational upbringing, and what I experienced in the public schools of Brevard County, FL, was due in large part to having highly qualified teachers.

Who among us does not have some significant life-changing or life-steering experience by the interaction with a quality teacher? Those teachers, in my case, were in schools that were in good repair and in an environment that was conducive to learning. So during debate on this bill many of us have pushed for those same goals—reducing class size by putting more teachers in our classrooms, funding to help build and repair our schools, accountability to monitor the progress of each of our schools, and accountability to monitor the progress of every child in those schools.

Those principles have been incorporated in the many amendments that have now strengthened this bill, such as increased funding to put a highly qualified teacher in every classroom and to support teacher recruitment; full funding for special education; full funding for title I for disadvantaged students; modernization of school libraries; and also targeting of funds to low-income children. Another example of an amendment that we have is an incentive for schools to adopt high-quality assessments to chart student progress.

Today, in this country, some 90 percent of our children attend public schools. To continue that strong and important legacy of our public schools, and now to strengthen them for the many challenges ahead, we must ensure that our public schools are safe and conducive to learning for all students from all walks of life.

I believe this bill creates a framework through which we can reach every student, be it an inner-city student, a rural student, a physically challenged student, a low-income student, a suburban student, or a learning impaired student.

Our goal is to provide each of those students with the opportunity to achieve. In the end, reaching every student and improving every school is our goal, and I believe this bill is a step in the right direction—an important step.

But as we complete action on this bill, we must ensure that our commitment to better education is backed by the appropriations needed to make it happen. That part of the debate won't end this week, or even this year. So at every step of the way I intend to stand up for the Federal assistance needed to ensure a high-quality education for all of our children.

I thank my colleagues for the opportunity to share my heart on this subject that is of most importance to the American people.

Mr. President, I yield the floor.

Mr. KENNEDY. If the Senator will yield for a second, I thank the good Senator for his comments. Senator NELSON has been very much involved in the debate on education and has taken a great interest. We have benefited from this involvement. We welcome his continued ideas and recommendations, and we hope he will be even more active as we are dealing with additional educational issues. I am very grateful to him for all his good work and for his excellent statement. I thank the Senator.

AMENDMENTS NOS. 423 AND 455 TO AMENDMENT NO. 358

The PRESIDING OFFICER. The Senator from Massachusetts, Mr. KERRY, is recognized to offer two amendments en bloc, which the clerk will report.

The legislative clerk read as follows:

The Senator from Massachusetts [Mr. KERRY], for himself, Mr. SMITH of Oregon, and Mr. CARPER, proposes an amendment numbered 423.

The Senator from Massachusetts [Mr. KERRY], for himself, Mr. SMITH of Oregon, Mr. CARPER, and Mrs. CLINTON, proposes an amendment numbered 455.

The amendments are as follows:

AMENDMENT NO. 423

(Purpose: To provide for professional development and other activities for principals)

On page 383, after line 21, insert the following:

SEC. ___. TEACHERS AND PRINCIPALS.

Part A of title II (as amended in section 201) is further amended—

(1) by striking the title heading and all that follows through the part heading for part A and inserting the following:

''TITLE II—TEACHERS AND PRINCIPALS

''PART A—TEACHER AND PRINCIPAL QUALITY;

(2) in section 2101(1)—

(A) by striking ''teacher quality'' and inserting ''teacher and principal quality''; and

(B) by inserting before the semicolon ''and highly qualified principals in schools'';

(3) in section 2102—

(A) in paragraph (4)—

(i) in subparagraph (B)(ii), by striking ''and'';

(ii) in subparagraph (C), by striking the period and inserting ''; and''; and

(iii) by adding at the end the following:

''(D) with respect to an elementary school or secondary school principal, a principal—

''(i)(I) with at least a master's degree in educational administration and at least 3 years of classroom teaching experience; or

''(II) who has completed a rigorous alternative certification program that includes instructional leadership courses, an internship under the guidance of an accomplished principal, and classroom teaching experience;

''(ii) who is certified or licensed as a principal by the State involved; and

''(iii) who can demonstrate a high level of competence as an instructional leader with

knowledge of theories of learning, curricula design, supervision and evaluation of teaching and learning, assessment design and application, child and adolescent development, and public reporting and accountability.''; and

(B) in paragraph (9)(B), by striking ''teachers'' each place it appears and inserting ''teachers, principals,'';

(4) in section 2112(b)(4), by striking ''teaching force'' and inserting ''teachers and principals'';

(5) in section 2113(b)—

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A), by striking ''teacher'' and inserting ''teacher and principal'';

(ii) in subparagraph (A)—

(I) by inserting ''(i)'' after ''(A)'';

(II) by adding ''and'' after the semicolon; and

(III) by adding at the end the following:

''(ii) principals have the instructional leadership skills to help teachers teach and students learn;''; and

(iii) in subparagraph (C), by inserting '', and principals have the instructional leadership skills,'' before ''necessary'';

(B) in paragraph (2), by striking ''the initial teaching experience'' and inserting ''an initial experience as a teacher or a principal'';

(C) in paragraph (3)—

(i) by striking ''of teachers'' and inserting ''of teachers and principals'';

(ii) by striking ''degree'' and inserting ''or master's degree''; and

(iii) by striking ''teachers.'' and inserting ''teachers or principals.''; and

(D) in paragraph (7), by striking ''teacher'' and inserting ''teacher and principal'';

(6) in section 2122(c)(2)—

(A) by striking ''and, where appropriate, administrators,''; and

(B) by inserting ''and to give principals the instructional leadership skills to help teachers,'' after ''skills,'';

(7) in section 2123(b)—

(A) in paragraph (2), by inserting ''and principal'' before ''mentoring'';

(B) in paragraph (3), striking the period and inserting '', nonprofit organizations, local educational agencies, or consortia of appropriate educational entities.''; and

(C) in paragraph (4)—

(i) by striking ''teachers'' and inserting ''teachers and principals''; and

(ii) by striking ''teaching'' and inserting ''employment as teachers or principals, respectively'';

(8) in section 2133(a)(1)—

(A) by striking '', paraprofessionals, and, if appropriate, principals'' and inserting ''and paraprofessionals''; and

(B) by striking the semicolon and inserting the following: ''and that principals have the instructional leadership skills that will help the principals work most effectively with teachers to help students master core academic subjects;'';

(9) in section 2134—

(A) in paragraph (1), by striking ''teachers'' and inserting ''teachers and principals''; and

(B) in paragraph (2)—

(i) by striking ''teachers'' and inserting ''teachers and principals''; and

(ii) by inserting ''a principal organization,'' after ''teacher organization,''; and

(10) in section 2142(a)(2), by striking subparagraph (A) and inserting the following:

''(A) shall establish for the local educational agency an annual measurable performance objective for increasing retention of teachers and principals in the first 3 years of their careers as teachers and principals, respectively; and''.

AMENDMENT NO. 455

(Purpose: To modify provisions of the Safe and Drug-Free Schools and Communities Act of 1994 with respect to alternative education)

On page 505, line 18, insert after ''intervention,'' the following: ''high quality alternative education for chronically disruptive and violent students that includes drug and violence prevention programs,''.

On page 528, line 11, strike ''and''.

On page 528, between lines 11 and 12, insert the following:

''(15) developing, establishing, or improving alternative educational opportunities for chronically disruptive and violent students that are designed to promote drug and violence prevention, reduce disruptive behavior, to reduce the need for repeat suspensions and expulsions, to enable students to meet challenging State academic standards, and to enable students to return to the regular classroom as soon as possible;

''(16) training teachers, pupil services personnel, and other appropriate school staff on effective strategies for dealing with chronically disruptive and violent students; and''.

On page 528, line 12, strike ''(15)'' and insert ''(17)''.

On page 541, between lines 9 and 10, insert the following:

''(15) the provision of educational supports, services, and programs, including drug and violence prevention programs, using trained and qualified staff, for students who have been suspended or expelled so such students make continuing progress toward meeting the State's challenging academic standards and to enable students to return to the regular classroom as soon as possible;

''(16) training teachers, pupil services personnel, and other appropriate school staff on effective strategies for dealing with disruptive students;''.

On page 541, line 10, strike ''(15)'' and insert ''(17)''.

On page 541, line 18, strike ''(16)'' and insert ''(18)''.

On page 550, between lines 16 and 17, insert the following:

''(10) the development of professional development programs necessary for teachers, other educators, and pupil services personnel to implement alternative education supports, services, and programs for chronically disruptive and violent students;

''(11) the development, establishment, or improvement of alternative education models, either established within a school or separate and apart from an existing school, that are designed to promote drug and violence prevention, reduce disruptive behavior, to reduce the need for repeat suspensions and expulsions, to enable students to meet challenging State academic standards, and to enable students to return to the regular classroom as soon as possible;''.

On page 550, line 17, strike ''(10)'' and insert ''(12)''.

On page 550, line 22, strike ''(11)'' and insert ''(13)''.

On page 551, line 3, strike ''(12)'' and insert ''(14)''.

On page 551, line 9, strike ''(13)'' and insert ''(15)''.

AMENDMENTS NOS. 423 AND 455, AS MODIFIED

Mr. KERRY. Mr. President, I send two modifications to the desk.

The PRESIDING OFFICER. The amendments are so modified.

The amendments, as modified, are as follows:

AMENDMENT NO. 423, AS MODIFIED

(Purpose: To provide for professional development and other activities for principals)

On page 383, after line 21, insert the following:

SEC. ___. TEACHERS AND PRINCIPALS.

Part A of title II (as amended in section 201) is further amended—

(1) by striking the title heading and all that follows through the part heading for part A and inserting the following:

''TITLE II—TEACHERS AND PRINCIPALS

''PART A—TEACHER AND PRINCIPAL QUALITY''*;*

(2) in section 2101(1)—

(A) by striking ''teacher quality'' and inserting ''teacher and principal quality''; and

(B) by inserting before the semicolon ''and highly qualified principals and assistant principals in schools'';

(3) in section 2102—

(A) in paragraph (4)—

(i) in subparagraph (B)(ii), by striking ''and'';

(ii) in subparagraph (C), by striking the period and inserting ''; and''; and

(iii) by adding at the end the following:

''(D) with respect to an elementary school or secondary school principal, a principal—

''(i)(I) with at least a master's degree in educational administration and at least 3 years of classroom teaching experience; or

''(II) who has completed a rigorous alternative certification program that includes instructional leadership courses, an internship under the guidance of an accomplished principal, and classroom teaching experience;

''(ii) who is certified or licensed as a principal by the State involved; and

''(iii) who can demonstrate a high level of competence as an instructional leader with knowledge of theories of learning, curricula design, supervision and evaluation of teaching and learning, assessment design and application, child and adolescent development, and public reporting and accountability.''; and

(B) in paragraph (9)(B), by striking ''teachers'' each place it appears and inserting ''teachers, principals, and assistant principals,'';

(4) in section 2112(b)(4), by striking ''teaching force'' and inserting ''teachers, principals, and assistant principals'';

(5) in section 2113(b)—

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A), by striking ''teacher'' and inserting ''teacher and principal'';

(ii) in subparagraph (A)—

(I) by inserting ''(i)'' after ''(A)'';

(II) by adding ''and'' after the semicolon; and

(III) by adding at the end the following:

''(ii) principals have the instructional leadership skills to help teachers teach and students learn;''; and

(iii) in subparagraph (C), by inserting '', and principals have the instructional leadership skills,'' before ''necessary'';

(B) in paragraph (2), by striking ''the initial teaching experience'' and inserting ''an initial experience as a teacher, principal, or an assistant principal'';

(C) in paragraph (3)—

(i) by striking ''of teachers'' and inserting ''of teachers and principals'';

(ii) by striking ''degree'' and inserting ''or master's degree''; and

(iii) by striking ''teachers.'' and inserting ''teachers or principals.''; and

(D) in paragraph (7), by striking ''teacher'' and inserting ''teacher and principal'';

(6) in section 2122(c)(2)—

(A) by striking ''and, where appropriate, administrators,''; and

(B) by inserting ''and to give principals and assistant principals the instructional leadership skills to help teachers,'' after ''skills,'';

(7) in section 2123(b)—

(A) in paragraph (2), by inserting ''and principal'' before ''mentoring'';

(B) in paragraph (3), striking the period and inserting '', nonprofit organizations, local educational agencies, or consortia of appropriate educational entities.''; and

(C) in paragraph (4)—

(i) by striking ''teachers'' and inserting ''teachers, principals, and assistant principals''; and

(ii) by striking ''teaching'' and inserting ''employment as teachers, principals, or assistant principals, respectively'';

(8) in section 2133(a)(1)—

(A) by striking '', paraprofessionals, and, if appropriate, principals'' and inserting ''and paraprofessionals''; and

(B) by striking the semicolon and inserting the following: ''and that principals and assistant principals have the instructional leadership skills that will help such principals and assistant principals work most effectively with teachers to help students master core academic subjects;'';

(9) in section 2134—

(A) in paragraph (1), by striking ''teachers'' and inserting ''teachers and principals''; and

(B) in paragraph (2)—

(i) by striking ''teachers'' and inserting ''teachers and principals''; and

(ii) by inserting ''a principal organization,'' after ''teacher organization,''; and

(10) in section 2142(a)(2), by striking subparagraph (A) and inserting the following:

''(A) shall establish for the local educational agency an annual measurable performance objective for increasing retention of teachers, principals, and assistant principals in the first 3 years of their careers as teachers, principals, and assistant principals respectively; and''.

AMENDMENT NO. 455, AS MODIFIED

(Purpose: To modify provisions of the Safe and Drug-Free Schools and Communities Act of 1994 with respect to alternative education)

On page 505, line 18, insert after ''intervention,'' the following: ''high quality alternative education for chronically disruptive, drug-abusing, and violent students that includes drug and violence prevention programs,''.

On page 528, between lines 11 and 12, insert the following:

''(15) developing, establishing, or improving alternative educational opportunities for chronically disruptive, drug-abusing, and violent students that are designed to promote drug and violence prevention, reduce disruptive behavior, to reduce the need for repeat suspensions and expulsions, to enable students to meet challenging State academic standards, and to enable students to return to the regular classroom as soon as possible;

''(16) training teachers, pupil services personnel, and other appropriate school staff on effective strategies for dealing with chronically disruptive, drug-abusing, and violent students;''.

On page 541, between lines 9 and 10, insert the following:

''(15) the provision of educational supports, services, and programs, including drug and violence prevention and intervention programs, using trained and qualified staff, for students who have been suspended or expelled so such students make continuing progress toward meeting the State's challenging academic standards and to enable students to return to the regular classroom as soon as possible;

''(16) training teachers, pupil services personnel, and other appropriate school staff on effective strategies for dealing with disruptive students;''.

On page 541, line 10, strike ''(15)'' and insert ''(17)''.

On page 541, line 18, strike ''(16)'' and insert ''(18)''.

On page 550, between lines 16 and 17, insert the following:

''(10) the development of professional development programs necessary for teachers, other educators, and pupil services personnel to implement alternative education supports, services, and programs for chronically disruptive, drug-abusing, and violent students;

''(11) the development, establishment, or improvement of alternative education models, either established within a school or separate and apart from an existing school, that are designed to promote drug and violence prevention, reduce disruptive behavior, to reduce the need for repeat suspensions and expulsions, to enable students to meet challenging State academic standards, and to enable students to return to the regular classroom as soon as possible;''.

On page 550, line 17, strike ''(10)'' and insert ''(12)''.

On page 550, line 22, strike ''(11)'' and insert ''(13)''.

On page 551, line 3, strike ''(12)'' and insert ''(14)''.

On page 551, line 9, strike ''(13)'' and insert ''(15)''.

Mr. KERRY. Mr. President, let me begin by expressing not just my gratitude, but the gratitude of everybody in the Senate who understands the dynamics of this process, and to my senior colleague from Massachusetts; there is no stronger, more forceful, more committed advocate for the schools of our country than my colleague, TED KENNEDY. I think his work in leading this for weeks now on the floor will speak for itself in the end when we will pass a bill that this country will be proud of—providing, of course, that we ultimately provide the resources necessary to empower this framework to take hold. I salute my colleague for his leadership and thank him for what he has been doing.

I also thank my friend from Florida for his gracious comments and for his strict adherence to the common understanding of Webster's Dictionary.

These are two amendments which I have offered today with my good friend from Oregon, Senator GORDON SMITH. One deals with the quality and supply of our Nation's principals, and one deals with the provision of alternative educational opportunities for chronically violent and disruptive students.

I am pleased to have Senator CARPER, Senator REED of Rhode Island, and Senator LEVIN joining us as original cosponsors of the principals amendment.

The fact is very straightforward. In the next year, we are going to be faced with a leadership crisis in our schools. Many of today's principals are reaching the age of retirement, and there is clear evidence that reveals a decline in the number of candidates for each opening. For example, by the end of this school year, more than 400 New York City principals will have retired. In Washington State, nearly 300 principals, or 15 percent of the total, left their jobs at the end of the last school year. The Dallas Morning News reported that Texas is about to face the greatest shortage of principals it has ever encountered, with some studies predicting a 50-percent turnover rate among the State's 8,500 principals and assistant principals within the next 10 years.

Schools all over the country are faced with the question of who will replace these retiring principals, who will provide the critical leadership for our educational system.

Qualified candidates are becoming increasingly hard to find. In the 1998 survey of school districts, half of the districts reported a shortage of qualified candidates. The attrition rate for elementary school principals now stands at 42 percent for the decade from 1988 to 1998, and it is expected to remain at least as high through this decade.

Indeed, some predictions are it could reach as high as 60 percent as principals of the baby boom generation reach retirement age.

This is happening at a time when the U.S. Department of Labor estimates that the need for principals in our country will grow with rising school enrollments through at least 2005. If we do not stem the flow of retirees and buoy up the number of aspiring principals, we will face a critical school leadership crisis, one that could debilitate any of the other reform efforts we are making today.

Not only, however, is the supply of principals vital to the success of education reform, but obviously the quality of our principals is also critical. A good principal can create the climate that fosters excellence in teaching and learning while an ineffective one can quickly thwart the progress of the most dedicated reformers.

I think any of us who has been to any school in this country, particularly when we walk into a blue ribbon school, we will acknowledge that if the school is working, if the school is particularly a blue ribbon school, that school has a blue ribbon principal.

Every school in this country that works begins with the leadership in the school itself. Without a good leader, it is hard to instigate or sustain any meaningful change, and schools will not be transformed, restructured, or reconstituted absent that leadership.

Education reform policies, such as the ones we hope will be instituted as a result of the BEST Act, are meaningless without strong leadership to implement them in school. Today we all know principals face a whole different set of challenges than their predecessors. One of the greatest challenges is providing a positive learning environment for a highly diverse student population. By the middle of the new century, more than half of the population will be made up of those whose families originated in Africa, Asia, or Latin America.

Principals will certainly need to understand and be prepared to integrate into their schools a new generation of sophisticated technology which, in turn, will require them to place a high priority on staff development for teachers and for themselves. I do not believe it is possible to underestimate the impact technology will continue to have on teaching and administration.

Increased responsibilities without increased support will continue to hamper school districts' abilities to attract qualified principals. It is another reason the resource issue is so critical ultimately to the success of the legislation we will pass.

The amendment the Senator from Oregon and I are offering addresses this critical problem by giving States greater flexibility in the use of their title II dollars so that funding can be used to retain high-quality principals and improve principal quality.

I point out that with respect to the second amendment we are offering, Senator SMITH and I and others share a twofold concern. The quality of teaching and learning suffers significantly when one or two disruptive students or violent students monopolize a classroom and the attention of a teacher, and that violent and disruptive student is often in desperate need of services, supports, and greater levels of attention than are provided in the traditional classroom.

We have a choice: We can either deal with the problems of these young people while they are in school, while we know where to find them, while we have them under our control, while we have the opportunity to provide them services, or we can wait for them to drop out or turn to the streets or encounter them later in the juvenile justice system of the country.

The intent of this amendment is to ensure that our classrooms are safe, drug free, and that all students are provided with a meaningful opportunity to learn.

The amendment we are offering amends the Safe and Drug Free Schools Program and expands its purpose to include the provision of alternative education opportunities. This amendment will allow the list of allowable Federal, State, and local uses of funds under the Safe and Drug Free Schools Program to include the option of providing alternative education, supports to chronically disruptive, drug abusing, and violent students.

One option to ensure that classrooms and schools are safe and manageable has been to require removal of disruptive and dangerous students. Typically this is accomplished through expulsions and long-term suspensions. However, while expelling and suspending may make schools safer and more manageable, students' problems do not go away when they are removed from the classroom—the problems just go somewhere else.

School districts across the country report experiencing significant increases in both the number of students expelled and the length of time they are excluded from their schools. The consensus among educators and others concerned with at-risk youth is that it is vital for expelled students to receive educational counseling or other services to help modify their behavior while they are away from school.

Without such services, students generally return to school no better disciplined and no better able to manage their anger or peaceably resolve disputes. They will also have fallen behind in their education, and any underlying causes of their violent behavior may be unresolved. Research has shown a link between suspension/expulsion and later dropping out of school, with resulting personal and social costs.

Alternative education works. My home State of Massachusetts has some excellent alternative education programs. The superintendent of the Boston Public Schools created an Alternative Education Task Force in Octeober, 1998. A recent report of this Task Force found that alternative education programs have helped to reduce the dropout rate both in Boston Public Schools and in other community-based programs.

One Boston Public Schools alternative education program, the Community Academy, has been recognized by the U.S. Department of Education as one of the top nine exemplary programs in the country. The students enrolled in the Community Academy are from grades 6–12 and are referred by principals, guidance counselors, and parents. The Community Academy's small, highly structured and closely monitored program provides a setting where these students can receive the attention and services they need to get their lives on track and enable them to focus on learning. All students of Community Academy are monitored through intervention stragtegies by the program's staff, including case managers, clinicians, instructors, and parents.

The school system in Springfield, MA, has established six alternative schools. And since they began their alternative sites, the dropout rate in Springfield has declined from 11.8 percent to 4.9 percent. The superintendent of the Springfield schools made a commitment that all students in Springfield will receive an education, including suspended or expelled students, he has stood by that commitment, and in Springfield they are seeing real results.

An example of alternative education is Springfield Academy, Springfield, MA. The principal is Alex Gillat.

Gertrude is a teenager who does not have contact with her parents and resides with her older sister and two younger siblings. While enrolled in a local high school, Gertrude had many difficulties both in and out of school and ultimately was expelled because she attacked another student with a hammer. Gertrude spent a little over a year at the Springfield Academy. I am very happy to report that Gertrude graduated last year and is currently enrolled in a university. She is supported in her studies by a number of scholarships.

Daniev came from a family with a history of drug abuse. His father died of a heroin overdose and he too became a heavy user of drugs and alcohol. Chronically truant, Daniev one day witnessed a friend get killed as they walked along the railroad tracks in Springfield. After that incident, Daniev suffered post traumatic stress disorder. Around this time, Daniev was enrolled at Springfield Academy. With the aid of the staff, counselors, and a Navy recruiter, Daniev quit using drugs and alcohol, successfully completed high school, and is now enlisted in the Navy.

Another example is Bridge Academy, Springfield, MA. The principal is Allen Menkell.

Cyrus is a senior in high school and is literally on the cusp of graduation, but Cyrus almost didn't make it. In addition to problems with substance abuse, Cyrus' father passed away, and soon thereafter, his younger brother died of leukemia. Cyrus was about to drop out of his ''last chance school,'' but teachers at Bridge Academy rallied around him, and helped him to see how much he had accomplished. Cyrus will graduate this month, and may go on to community college.

It is shocking to think where these young people would be without the opportunities that alternative schools like those in Springfield and Boston provided them with. But what is all too common is that these alternative learning environments do not exist. What is all too common is that these young people would not have anywhere to turn.

I call attention to the fact that the superintendent of Boston Public Schools created an alternative education task force in October of 1998. A recent report of the task force found it has helped reduce the dropout rate both in the Boston public schools and in other community-based programs.

One alternative program has been recognized by the Department of Education as one of the exemplary programs in the country.

In addition, in Springfield, MA, they have established six alternative schools, and since they began their alternative sites, the dropout rate in Springfield has declined from 11.8 percent to 4.9 percent.

An alternative education opportunity makes a difference—a difference to the child who needs it and a difference to the children who are often trapped in a classroom that will not work because of the disruptive student.

I urge my colleagues to embrace both of these amendments as supportive of the intentions and goals of this legislation.

Mr. President, how much time do I have?

The PRESIDING OFFICER. Nineteen seconds.

Mr. CARPER. May I have 8 of those 19 seconds?

Mr. KERRY. I ask for an additional minute for my colleague. I apologize.

Mr. KENNEDY. I will be glad to yield 5 minutes.

Mr. CARPER. Mr. President, I am grateful to both Senators.

Senator KERRY offered two wonderful amendments. I am pleased to be an original cosponsor of both of them. I thank him for his leadership.

We have spent a fair amount of time talking about academic standards we have set in our schools and other States have set in their schools. We have spent a fair amount of time acknowledging tests are being taken to measure student progress and we need to hold folks accountable—schools, school districts, and teachers.

It has been acknowledged again and again how important having a good teacher in a classroom is to enable all students to reach the standards that are being set in their respective States.

Professional development of teachers is critical in my State of Delaware, obviously Massachusetts, and other places. Senator KERRY put his finger on it. It is not enough just to work on the professional development of the teachers or to make sure we have teachers who know their business, know their stuff, love to teach, love kids in our classrooms, but it is critically important that the men and women leading those schools, the principals and assistant principals, learn how to do their jobs well.

One of the toughest jobs going these days is not as a Member of the Senate, not even President of the United States. I think one of the toughest jobs in America today is trying to be principal of a school and run the school with all of its challenges—the kids, the curriculum, Federal and State regulations coming at them, dealing with the parents, many of whom are not present in the lives of their children, passing referendums. It is a tough job.

The idea that we acknowledge not just that it is a tough job but say to States, you can use some of this Federal money to make sure more of the people leading our schools know how to do their tough job well, is just a wonderful step we are taking.

The second thing I want to say with respect to funding, providing the possibility for Federal funds for alternative schools for chronically disruptive students, is that every child can learn. Children who are chronically disruptive came to school behind, started behind, and fell further behind. In many cases they did not have parents engaged in their lives and may not have had the right teachers. Even those kids can learn. They may need to be in a classroom other than the one they are sitting in today or this year. They may need to be in a different school, but they can learn in a different school. If we include in the alternative for disruptive students trained educators and leaders who know how to work with those students who come from tough backgrounds, those kids can learn and can meet the standards, as well.

Our role is not to say to States that they have to use this money to train school leaders and principals; our job is not to say they have to use this to provide for alternative schools for disruptive students; but with the amendments we make it an option.

I commend Senator KERRY and Senator SMITH from Oregon for joining in offering this amendment. I am pleased to stand in support.

Mr. KERRY. Mr. President, I thank the Senator for his leadership as a Governor. He did a superb job in the State of Delaware, leading in some of the reforms incorporated herein. We appreciate and respect that and thank him for his support and comments with respect to these amendments.

Mr. KENNEDY. I urge the acceptance of these amendments.

The amendment, as my friend and colleague has pointed out, using the Safe and Drug Free Schools for the development of alternative educational opportunities for these students causing problems in school makes a great deal of sense. This is a problem.

One of the things we understand is that children do not learn when they are distracted and there is violence. Even though schools are one of the safest places to be at any time, we know there are incidents which occur. The Senator has made an excellent recommendation.

On the issue of the principals, as we have learned very well with the Jeremiah Burke School, a principal took a school that lost accreditation and within 6 years, this last year—and it is the only high school in Boston that is eligible for title I funds, which means it has to have 70 percent eligibility which, in economic terms, are the neediest children probably in the city—this year, 100 percent of the graduates were accepted into college. I think it was as much the principal's leadership in that as anything else.

The Senator has for a long time talked about the importance of the quality of principals. This is a particular area he has spent a great deal of time on and has visited a lot of the schools and spoken eloquently and effectively on the issue.

These are two very good amendments. I thank the Senator for the good work he does on education.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. SMITH of Oregon. Mr. President, I am pleased to come to the floor with Senator KERRY today and am grateful that the manager of this bill has accepted our amendments. I will speak to No. 423. This is something Senator KERRY and I worked on for some time because of our fundamental belief that principals shape the environment in which teachers and students ultimately succeed or fail. We believe improving the quality of school is the most effective way to make systematic improvements in our educational system.

The school principal of today is more than a manager. Today's principal needs to be an effective instructional leader. Instructional leaders develop and implement strategies for improving teaching and learning; they develop a vision and establish clear goals for student performance.

School principals provide direction in achieving state goals; encourage others to contribute to goal achievement; secure commitment to a course of action from individuals and groups in the school and community. They are instrumental to the success of a school, and we have a responsibility to help them succeed in this role.

To be effective, principals need more than workshops or other one-time professional development ''events.'' They need high quality, ongoing professional development focused on student achievement.

There is no doubt that teacher quality is important, but it is the collection of teachers working with a unified purpose that transforms a school. That critical development comes only with a skilled effective leader at the helm.

A 1999 report issued by the National Association of State Boards of Education characterized effective principals as the ''lynchpins of school improvement'' and the ''gatekeepers of change.'' The National Association of State Boards of Education views principals as impacting both the implementation and sustainability of reforms focused on student achievement.

Principals have a powerful effect on the culture of a school: Teachers will model the behavior of a principal whom they trust and who has knowledge about good instruction.

Currently, professional development funding is available to teachers, but far too few principals receive similar professional development options because school districts often decide to devote limited funding to teacher programs first. That is why this amendment allows principals to access federal professional development funds.

Not only do we need to help our current principals be more effective, we also need to address the critical shortage of school administrators.

Too many schools opened this fall without a principal. Although the teacher shortage is well known, discussions about the lack of qualified school leaders to fill the position of principal have just begun, and they have begun with this amendment.

In Vermont, one of every five principals has retired or resigned since the end of the last school year.

In Washington State, 15 percent of principals did the same last year.

In 1999, New York City had 200 schools that opened with temporary leaders.

School districts face a monumental task of finding effective leaders for our nation's schools. Cities and states nationwide report principal vacancies and only a trickle of qualified applicants, if any, willing to fill the positions.

A recent study by the Educational Research Service estimates that more than 40 percent of public school principals will retire over the next ten years. Our school leaders are graying and we are not replacing them with enough qualified candidates.

Leadership plays a pivotal role in all spheres of our national life, but we have not yet made it a priority in schools. The business and corporate community has long considered enlightened leadership a prerequisite for successful change. It cultivates young leaders and provides extraordinary resources for their development. The commitment to developing and ensuring strong leadership extends to the armed forces, where we provide officer-training programs and service academies for preparing leaders for all military services.

We need to do the same for the potential leaders of our schools. This amendment does exactly that, by allowing funds to be used for mentoring aspiring principals and recruiting leadership candidates.

There are excellent programs around the country, like Portland State University's Graduate School of Education, ready to help train administrators, if necessary funds are made available.

The role of the principal must be recognized if schools are going to improve on a national level. The new policies being implemented here in Congress will, for the most part, have to be implemented at the school level by principals.

We have a responsibility to equip principals to carry out the achievement goals we have set for them.

I am asking my colleagues along with Senator KENNEDY and others to support our Principals amendment. This amendment will allow states to use Teacher Quality funds to improve the quality of elementary and secondary principals and assistant principals.

This could include such state options as reforming principal certification, ensuring that principals have the instructional skills to help educators teach, and mentoring principals. These functions could help states ensure that enough high quality principals are ready to lead our children and our schools into the 21st century.

I would also like to address the need for alternative education in our children's schools. Senator KERRY and I have been working together for several years to address the problem of educating troubled and chronically disruptive children in schools.

Today we offer an amendment, number 455, which will allow states to use Title VI Safe and Drug Free Schools money for alternative education, when it relates to drug and violence prevention, and to try to prevent these students from dropping out of school.

Alternative education options need to exist for the benefit of all students—both the disruptive students and their classmates.

Removing potentially violent or chronically disruptive children from the classroom can leave other students free to learn.

But more than that, just removing these difficult students from the classroom without providing alternative placements simply leaves them unsupervised. It also leaves them without opportunities to learn the skills they will need in life. This puts the students at even higher risk for failure later in life.

What these children need is appropriate, intensive assistance that can only be provided outside the regular classroom. Alternative education can meet their needs for supervision, remediation of behavior, maintenance of academic progress, and it can help prevent them from dropping out.

Clearly, alternative education will not be a ''magic bullet''; however, it can serve a number of very important purposes. First, it can improve safety in schools, by working with students who may be a danger to themselves, other children, and staff.

Second, alternative education can also prevent disruptions to learning for the overwhelming majority of students who come to school to learn.

Third, as I have already mentioned, it can provide appropriate help to chronically disruptive and violent students. According to administrators in Multnomah County's Department of Community Justice, half the youth who are on probation or parole are also enrolled in alternative schools. Just think of the implications for society and these individuals and their families later in life if these troubled youngsters are denied the support they need to grow both academically and behaviorally.

Finally, alternative education options can prevent high risk students from dropping out of school. This gives them a much better chance of becoming contributing members of society.

Research from the Northwest Regional Education Laboratory, based in my home state of Oregon, has shown that at least two thirds of the students in community based alternative schools—all former dropouts—have found academic and social success after being enrolled in the program.

Last winter, I talked with 150 Oregon educators about the best ways to prevent students from dropping out. Among the solutions, they recommended alternative education as a critical tool for keeping kids in school.

Despite the fact that we know that alternative education is so critical, there are simply not enough dollars available to reach all the students who need it.

I am holding letters from educators in my home state telling me of their great need for federal help to fund alternative school options. I know this need for funds exists across the country as well.

Therefore, I ask you to join my distinguished colleague, Senator KERRY, and me in support of our alternative education amendment. Allowing states to use Safe and Drug Free Schools funds for alternative education will help ensure that no children, even the ones at highest risk, are left behind.

I yield the floor.

Mr. KENNEDY. Mr. President, we are prepared to accept the amendments.

The PRESIDING OFFICER. Has all time been yielded?

Mr. KENNEDY. We are prepared to yield back the remainder of the time.

The PRESIDING OFFICER. The question is on agreeing to the amendments en bloc, No. 423, as modified, and No. 455, as modified.

Without objection, the amendments are agreed to en bloc.

The amendments (Nos. 423 and 455), as modified) were agreed to, en bloc.

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

The motion to lay on the table was agreed to.

AMENDMENT NO. 630, AS MODIFIED

Ms. CANTWELL. I ask unanimous consent to call up previously proposed amendment No. 630, as modified.

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

Ms. CANTWELL. Mr. President, I rise today in support of a bipartisan amendment that was made possible

with the help of my colleague, the distinguished Senator from Wyoming, Mr. ENZI, and I also express my appreciation to Senators KENNEDY and GREGG for their help on this amendment. They have done a terrific job of moving this education bill through the process this year.

We have all experienced going home and hearing from teachers that too often technology is simply not well integrated into the classrooms. While we spend billions on technology in schools, too often these funds do not have the full potential impact because the technology dollars often are focused just on equipment itself.

This bipartisan amendment simply requires that school districts which seek to use Federal technology dollars do so in a way that explicitly details how they are going to integrate teacher training and professional development, curriculum development, and proper system resources.

Furthermore, the amendment will ask the Department of Education to report on these strategies to identify the BEST practices on bringing technology and training into the classroom so schools that are successful can be used as a model to scale BEST education practices and technology at the national level.

This amendment has been supported by a number of national teaching organizations as well as many of the technology industry, such as AOL-Time Warner, Sun Microsystems, Microsoft, Computer and Communications Industry Alliance, and many others.

I ask unanimous consent their letters in support of this amendment be printed in the RECORD.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

COMPUTER & COMMUNICATIONS INDUSTRY ASSOCIATION,
Washignton, DC, June 7, 2001.

Hon. MARIA CANTWELL,
U.S. Senate,
Washington, DC.

DEAR SENATOR CANTWELL, On behalf of the Computer & Communications Industry Association (CCIA), I write to express support for the Developing Best Practices for technology in Education Amendment to S. 1, the Better Education for Students and Teachers Act. CCIA applauds your leadership efforts in introducing this amendment.

The Cantwell-Enzi bipartisan education technology amendment to ESEA is a positive step forward in ongoing efforts to bring technology to the classroom in a comprehensive and effective way. This amendment will enable schools across the country to integrate technology into classrooms to give all our children the opportunity to take advantage of the many benefits that technology and the Internet can provide.

Our schools will most benefit by the development of programs that employ technology effectively and can be implemented by any school or district. This amendment recognizes that to be successful we must integrate technological resources with two other crucial elements: teacher training and professional development and curriculum development.

We are pleased to support the Cantwell-Enzi amendment and believe it will encourage the development of best practices for the use of scalable technology in states and local districts around the country and assessment and evaluation of the effectiveness of those strategies. we are delighted to support this amendment as one important step in bringing technology to the classroom and will pledge to work for its passage.

Sincerely,

EJ BLACK,
President and CEO.

BUSINESS SOFTWARE ALLIANCE,
Washingon, DC, June 7, 2001.

Senator MARIA CANTWELL
U.S. Senate, Senate Hart Building,
Washington, DC

DEAR SENATOR CANTWELL: I am writing to commend you on your initiative to ensure that teachers and students can take full advantage of the opportunities presented to them by having computers and Internet connections available as an integral part of teaching. You have correctly identified a critical need: it is not enough to make computers available in the classroom, teachers must integrate them into their everyday instructional activities.

As you are well aware, technology companies often have a hard time finding new employees that have the needed levels of math and science training, as well as computer literacy. In a survey conducted last year, BSA CEOs projected that, on average, 9 percent of the openings for skilled workers went unfilled in 2000. We believe a long-term approach is needed that takes into account education policy, particularly in regard to providing incentives for and increasing the interest of our nation's youth to study math and science.

We support your proposed amendment to the education bill because it would promote more specific and rigorous use of technology in the classroom. Today, while many classrooms have a computer, too few of our teachers make use of it on a systematic basis. We believe the Cantwell-Enzi amendment will address these issues, changing the way our students improve their computer skills.

As we understand it, your proposal would require local and state agencies to include in their education plans three criteria: 1) teacher training and development in the use of technology; 2) curricular development that incorporates computers and the internet; and 3) a plan to rationally allocate technology resources. Additionally, your proposal would direct the Department of Education to develop plans and programs on best ways to use technology in teaching.

We applaud your leadership in this critical area, and we stand ready to work with you.

Sincerely,

ROBERT W. HOLLEYMAN,
President and Chief Executive Officer.

SUPERINTENDENT OF PUBLIC INSTRUCTION,
Olympia, WA, June 7, 2001.

Hon. MARIA CANTWELL,
U.S. Senate, Hart Senate Office Building,
Washington, DC.

DEAR SENATOR CANTWELL: Thank you for your efforts to improve the delivery of technology funding under the Elementary and Secondary Education Act by offering amendment #630 regarding ''Developing Best Practices for Technology in Education.''

The federal government has been the largest single investor in education technology in this nation over the past decade. To further improve the effective integration of technology, training, and research-based best practices will ensure that our national investment continues to be prudent and targeted to efforts that improve student learning.

For state and local technology plans to miss connections to the development of educator's skills, the development of the curriculum they will use, or the development of best practices in technology resources and systems, would be to miss a tremendous opportunity to build student success. Requiring these elements in plans makes eminent sense. In addition, the national evaluation of technology plans will allow the nation as a whole to learn from and to build on the success of those, such as the many entrepreneurial educators in Washington state, who have solved thorny problems of technology integration with creativity, wisdom, and vision. I do not want to suggest that in any way schools are not making progress in effectively using technology. We have examples of effective uses of technology from around the country, and particularly in the state of Washington, through the use of our K–20 Network (dozens of examples are described at *http://www.wa.gov/k20/)*.

Washington state, as a leader in technology innovation and in the integration of technology into effective use in the classroom, has much to gain by the passage of the Cantwell-Enzi amendment to ESEA.

Sincerely,

TERRY BERGESON,
State Superintendent of Public Instruction.

AOL TIME WARNER,
Washington, DC, June 7, 2001.

Hon. MARIA CANTWELL,
U.S. Senate, Hart Senate Office Building,
Washington, DC.

DEAR SENATOR CANTWELL: I am writing to voice AOL-Time Warner's enthusiastic support for your National Digital School District Amendment to S. 1, the BEST Act. We believe that your amendment furthers the goals of this bill as well as those of Congress and the Administration by encouraging innovative education strategies and public/private partnerships, and mandating program effectiveness assessments. We applaud your understanding of the importance of the use of technology to educate America's youth.

As you know, AOL-Time Warner has a deep and abiding interest in ensuring that all students receive an education that not only grounds them in the basics—reading, writing, and arithmetic—but simultaneously prepares them for employment in the global, high-technology economy. To achieve these goals, we believe that all students must gain access to 21st Century learning tools and skills, and that teachers must receive training in how to use new technologies and integrate them into their classrooms. Through our establishment of AOL@School, a free online learning tool that helps administrators, teachers, and students gain quick and easy access to the best educational content available on the Web, and our support of PowerUP, a non-profit organization that provides underserved youth with access to technology and mentoring, AOL–TW has made 21st Century technology literacy a cornerstone of our business and philanthropic efforts.

We believe that your amendment will not only complement these and other education technology projects in which AOL-Time Warner has been involved, but will leave a legacy of best practices for states and school districts to emulate.

Thank you again for your demonstrated leadership on this issue.

Sincerely,

JILL A. LESSER,
Senior Vice President, Domestic Public Policy.

SUN MICROSYSTEMS, INC.,
Washington, DC, June 7, 2001.

Hon. MARIA CANTWELL,
U.S. Senate,
Washington, DC.

DEAR SENATOR CANTWELL: On behalf of Sun Microsystems, Inc., I would like to thank and congratulate both you and Senator ENZI on the introduction of S.A. 630: ''Developing Best Practices for Technology in Education.'' S.A. 630 is a worthy addition to S.1, the Elementary and Secondary Education Act, and we fully endorse your efforts. We believe that S.A. 630 is a logical and much needed step that will help schools, school districts, teachers, and students all achieve significant gains in performance and efficiency by requiring the development of comprehensive strategies for technology.

As schools move towards a greater dependence on computer technology, they are continually faced with expensive hardware and software expenditures, continual upgrades, expensive technical support, and a constant need for teacher re-training. By encouraging the adoption of ''best practices,'' we believe more schools will move toward a web-based learning model, allowing anytime, anywhere access to educational resources. Through web-based learning, our schools can achieve greater efficiency, increase access to educational resources and allow teachers to spend time doing what they do best—teach.

Therefore, we specifically support the Cantwell-Enzi Amendment because it meets the challenges of brining education to the classroom by:

1. Requiring that local and state agencies develop strategies that include teacher development and training; curriculum development; and technology system resources to be eligible for over $1 billion in federal technology funds;

2. Encouraging the development of best practices for the use of technology in schools that can be scalable in states and local districts around the country.

The single most important thing the federal government can do to promote real educational reform is to encourage a shift towards web-based learning. We believe this amendment is an important step, and are proud to support your efforts.

Sincerely,

KIM JONES,
Vice President, Global Education and Research.

SCHOOLTONE ALLIANCE,
Chicago, IL, June 6, 2001.

Hon. MARIA CANTWELL,
U.S. Senate,
Washington, DC.

DEAR SENATOR CANTWELL: On behalf of the members of the SchoolTone Alliance, I write to express support for the National Digital School Districts Amendment to S. 1, the Better Education for Students and Teachers Act, SchoolTone Alliance applauds your leadership efforts in introducing this amendment.

The amendment addresses the very real challenges faced in effectively using technology in our nation's classrooms by strengthening teacher training, improving curricular development, allocating scarce resources and identifying best practices. Last year the bipartisan Congressional Web-based Education Commission released its report, The Power of the Internet for Learning, and called upon policymakers to enact an ''e-learning agenda.'' Your amendment implements the vision articulated in that report and will act as a catalyst in moving the power of the Internet for learning from promise to practice.

The SchoolTone Alliance is a not-for-profit, independent consortium of companies promoting the benefits of Internet-based computing in schools. SchoolTone Alliance member companies include: ACTV HyperTV Networks, Inc.; AOL@School; bigchalk.com; Blackboard, Inc.; BritannicaSchool.com; Broadware Technologies; HighWired.com; Isis Communications Limited; JASON Foundation; Lucent Technologies; National Semiconductor; Power School; SaskTel; SchoolCity.com; SchoolCruiser/Timecruiser Computing; Simplexis.com; SRI International; Sun Microsystems, Inc. and VIP Tone, Inc.

SchoolTone Alliance and its members look forward to working with you on a mutual agenda of bringing technology to all students and in making it a more effective and efficient tool for learning.

Sincerely,

IRENE K. SPERO,
Executive Director.

UNIVERSITY OF WASHINGTON,
Seattle, WA, June 6, 2001.

Hon. MARIA CANTWELL,
U.S. Senate,
Washington, DC.

DEAR MARIA: We commend you for your leadership on the Cantwell-Enzi Amendment of S.1, S.A. 630: ''Developing Best Practices for Technology in Education.''

There is widespread agreement that technology has the potential to dramatically enhance teaching and learning.

In the past few years, we have made great progress in providing computers and connectivity in our classrooms, both nationally and in Washington State. In Washington State, for example, the proportion of K–12 classrooms with Internet access increased from 64% to 87% between 1998 and 2000.

However, just providing computers and connectivity is not sufficient. In Washington State, nearly half of all schools have no equipment replacement plan within a five-year cycle. Three-fourths of all schools cannot meet an equipment downtime goal of two days or less. The average time spent on staff/teacher in-service technology training is one hour per year. Per-student expenditures on all aspects of technology range from an average of $22/student in the bottom 10% of Washington's 297 school districts, to an average of $357/student in the top 10%. Curriculum lags tremendously. So does research on educational outcomes—measured as a fraction of total expenditures, computer chip manufacturers spend 200 times as much on R&D, and potato chip manufacturers spend 20 times as much!

Your amendment will encourage the thoughtful and effective integration of technology into the classroom, in a way that truly does enhance teaching and learning. Again, thank you for your leadership.

Sincerely,

EDWARD D. LAZOWSKA,
Bill & Melinda Gates Chair in Computer Science, Department of Computer Science & Engineering.

PATRICIA M. WASLEY,
Dean and Professor, College of Education.

MICROSOFT CORPORATION,
Washington, DC, June 12, 2001.

Hon. MARIA CANTWELL,
U.S. Senate, Hart Senate Office Building, Washington, DC.

DEAR SENATOR CANTWELL: On behalf of Microsoft Corporation, I would like to commend you on the introduction of your amendment, ''Developing Best Practices for Technology in Education,'' to S.1, the ''Better Education for Students and Teachers Act.'' As strong supporters of bipartisan education reform, Microsoft applauds your leadership and vision on this important issue, and we share your commitment to providing educators with the tools and training they need to integrate technology effectively into their classrooms.

Using technology to raise student achievement and improve professional development is vital as we seek to reform our education system. Our own initiative to promote professional development, the Microsoft Classroom Teacher Network, has helped provide technology training to nearly 1.5 million teachers annually. In addition, Microsoft has developed a suite of software tools, particularly the Encarta Class Server, Web-based curriculum development platform designed to aid teachers in classroom management. Microsoft also supports the Boys & Girls Club of America Club Tech program which gives students access to technology after school thereby providing particularly low-income children, with access to a wide array of educational technology experiences and opportunities.

By helping to provide teachers with the resources necessary to succeed, and by ensuring that educators nationwide will have access to information regarding the most effective uses of technology in raising student achievement, your amendment will help promote creativity and innovation in our education system and ensure that no child is left behind.

Sincerely,

JACK KRUMHOLTZ,
Director, Federal Government Affairs, Associate General Counsel.

Ms. CANTWELL. I also ask the support of my colleagues in passing this legislation to make sure our technology dollars at the national level are used efficiently and effectively, that some of the models being established even in the private sector be considered as we move forward on getting the best for education under this amendment. I encourage my colleagues to support it, and again thank Senator ENZI, my staff and Senator ENZI's staff on their bipartisan effort in passing this legislation.

I yield the remainder of my time.

Mr. KENNEDY. I thank the Senator from Washington for this proposal. She brings enormous experience in this area as one who has demonstrated, in another life, great perception about the possibilities of the computer world and what it can mean for enhancing education. Her recommendations in the form of this amendment are something we value. We have provisions reflected in the legislation, as the Senator has noted, but I think this perception that she has brought with this amendment will be enormously useful and valuable.

We had a good description of the proposal earlier last evening. She has

given us additional comments today. We are prepared to recommend the amendment be accepted. I do so at this time. I think we are prepared to accept it.

I thank the Senator for her diligence in pursuing this matter. She has been enormously cooperative with the floor managers in arranging to bring this to the attention of the Senate. We are grateful to her for her accommodation but most importantly for the substance of this proposal, which will add to the enhancement of children's knowledge in the area of computer technology.

We are prepared to accept that.

The PRESIDING OFFICER. Is all time yielded back?

Mr. KENNEDY. We yield the remainder of our time.

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

The amendment (No. 630) as modified, was agreed to.

Mr. KENNEDY. I thank the Chair and I thank the Senator.

Ms. CANTWELL. Mr. President, I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

Mr. KENNEDY. Mr. President, we are expecting a vote in a few moments on the Dodd amendment. Sometime after that, we will be dealing with the Hutchinson amendment and then the Schumer proposal. There will be the Schumer proposal and then there will be another first-degree amendment. Then later in the afternoon, after those, we hope to consider the Clinton amendments.

This gives an idea on how we are going to be spending the early afternoon, midafternoon. That ought to bring us into mid-late afternoon. We are making very important progress. We still have some important measures yet to address. But we are making good progress. We are very grateful for the cooperation of our colleagues.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

AMENDMENT NO. 382

Mr. FRIST. Mr. President, we will vote in about 7 minutes. I understand the Senator from Connecticut has 2 minutes reserved prior to the vote. I will use several minutes in opposition to the amendment that has been put forth by the Senator from Connecticut. I have had the opportunity to make some main points and speak in opposition to this amendment.

It really boils down to two things. The first is the area of procedure. The Dodd amendment strips out what has been agreed to in a bipartisan way, Democrats, Republicans, and the White House, in negotiations that went on for days and weeks. Our colleagues absolutely must understand that this reaches into the agreement we have and strips out and really destroys a program called Straight A's, a program we feel very strongly about, a program that captures many of the fundamental reforms and principles that I believe will strongly change the nature of education so that we will no longer have this increasing achievement gap. Those principles are flexibility, accountability, and local control.

The substance of what is in the underlying bill is that we have basically taken about nine categorical programs, non-title I, money for the low-income, non-title I funds. There are about 18 to 20 categorical programs. We took nine of those programs and basically said a State can apply, or a district can actually apply, and basically say we will use that money in such a way that we can identify locally with the flexibility and local control—which is so important—we will address the needs we see that are putting up a roadblock for us to educate our children.

Linked to that is our agreement that the accountability of student achievement we will demand by entering into this arrangement in order to obtain those funds with such flexibility is that we are going to meet higher standards than anywhere else in the bill. That was negotiated.

The other things we have not been talking about very much in terms of this whole concept of being a block grant. Let me just basically say it was negotiated that the standards are high, performance has to be demonstrated, or you drop out of that program.

The second point I want to make is that we have come together to negotiate this part of the bill. The fact that you would strip out a part of the bill where people say that is just one program, it needs to be understood that of the overall funding that is in this pilot program—a pilot program we would like to see opened to all States, but, no, we negotiated if from 50 to 40 to 30 to 20 to 10 to 7; so we already negotiated the categorical programs down. We all debated and decreased that from 18 to 9, so it is as small as it can possibly be in this negotiated way. And if you remove a program that accounts for about 40 percent of the funding, that destroys Straight A's, this innovative program that is set before us.

Therefore, I would argue that if our goal is to leave no child behind, we should leave at least one element of hope in this bill to capture the flexibility, the local control, and the strong accountability in which we, as Republicans, believe so strongly.

Adoption of the Dodd amendment guts Straight A's, guts this flexibility, guts this local control, and guts this opportunity to truly leave no child behind. Thus, I urge defeat of this amendment by the Senator from Connecticut.

The PRESIDING OFFICER (Mr. FITZGERALD). The Senator from Massachusetts.

Mr. KENNEDY. Mr. President, I yield myself a minute and a half.

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

Mr. KENNEDY. Mr. President, with respect to the amendment No. 431, as modified, I ask unanimous consent that the yeas and nays be vitiated.

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

AMENDMENTS NOS. 433, 436, 431 AS MODIFIED, AND 419, EN BLOC, TO AMENDMENT NO. 358

Mr. KENNEDY. Mr. President, today we are again in a position to clear amendments by unanimous consent. Therefore, I ask unanimous consent that it be in order for these amendments to be considered en bloc, and any modifications, where applicable, be agreed to, the amendments be agreed to, en bloc, and the motions to reconsider be laid upon the table, en bloc.

They are Reed amendment No. 433, Reed amendment No. 436, Reed amendment No. 431, as modified, and Specter amendment No. 419.

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

The amendments were agreed to, as follows:

AMENDMENT NO. 433

(Purpose: To amend a definition)

On page 307, line 16, strike ''and''.

On page 307, line 18, strike the period and insert ''; and''.

On page 307, between lines 18 and 19, insert the following:

''(V) encourage and provide instruction on how to work with and involve parents to foster student achievement.''

AMENDMENT NO. 436

(Purpose: To make a technical correction relating to parental involvement)

On page 90, line 5, after ''problems'' insert the following:

''including problems, if any, in implementing the parental involvement requirements described in section 1118, the professional development requirements described in section 1119, and the responsibilities of the school and local educational agency under the school plan''.

AMENDMENT NO. 431, AS MODIFIED

(Purpose: To provide for greater parental involvement)

On page 125, line 6, insert ''(a) IN GENERAL.—'' before ''Section''.

On page 127, between lines 20 and 21, insert the following:

(b) GRANTS.—Section 1118(a)(3) (20 U.S.C. 6319(a)(3)) is amended by adding at the end the following:

''(C)(i)(I) The Secretary is authorized to award grants to local educational agencies to enable the local educational agencies to supplement the implementation of the provisions of this section and to allow for the expansion of other recognized and proven initiatives and policies to improve student

achievement through the involvement of parents.

''(II) Each local educational agency desiring a grant under this subparagraph shall submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require.

''(ii) Each application submitted under clause (i)(II) shall describe the activities to be undertaken using funds received under this subparagraph, shall set forth the process by which the local educational agency will annually evaluate the effectiveness of the agency's activities in improving student achievement and increasing parental involvement shall include an assurance that the local educational agency will notify parents of the option to transfer their child to another public school under section 1116(c)(7) or to obtain supplemental services for their child under section 1116(c)(8), in accordance with those sections.

''(iii) Each grant under this subparagraph shall be awarded for a 5-year period.

''(iv) The Secretary shall conduct a review of the activities carried out by each local educational agency using funds received under this subparagraph to determine whether the local educational agency demonstrates improvement in student achievement and an increase in parental involvement.

''(v) The Secretary shall terminate grants to a local educational agency under this subparagraph after the fourth year if the Secretary determines that the evaluations conducted by such agency and the reviews conducted by the Secretary show no improvement in the local educational agency's student achievement and no increase in such agency's parental involvement.

''(vi) There are authorized to be appropriated to carry out this subparagraph $100,000,000 for fiscal year 2002, and such sums as may be necessary for each subsequent fiscal year.''.

AMENDMENT NO. 419

(Purpose: To improve the provisions related to initiatives for neglected, delinquent, or at risk students)

On page 233, strike lines 9 through 14, and insert the following:

''(a) TRANSITION SERVICES.—Each State agency shall reserve not less than 5 percent and not more than 30 percent of the amount such agency receives under this chapter for any fiscal year to support—

''(1) projects that facilitate the transition of children and youth from State-operated institutions to local educational agencies; or

''(2) the successful reentry of youth offenders, who are age 20 or younger and have received a secondary school diploma or its recognized equivalent, into postsecondary education and vocational training programs through strategies designed to expose the youth to, and prepare the youth for, postsecondary education and vocational training programs, such as—

''(A) preplacement programs that allow adjudicated or incarcerated students to audit or attend courses on college, university, or community college campuses, or through programs provided in institutional settings;

''(B) worksite schools, in which institutions of higher education and private or public employers partner to create programs to help students make a successful transition to postsecondary education and employment;

''(C) essential support services to ensure the success of the youth, such as—

''(i) personal, vocational, and academic counseling;

''(ii) placement services designed to place the youth in a university, college, or junior college program;

''(iii) health services;

''(iv) information concerning, and assistance in obtaining, available student financial aid;

''(v) exposure to cultural events; and

''(vi) job placement services.

On page 233, strike lines 20 through 24.

On page 234, between lines 4 and 5, insert the following:

''SEC. 1419. EVALUATION; TECHNICAL ASSISTANCE; ANNUAL MODEL PROGRAM.

''The Secretary shall reserve not more than 5 percent of the amount made available to carry out this chapter for a fiscal year—

''(1) to develop a uniform model to evaluate the effectiveness of programs assisted under this chapter;

''(2) to provide technical assistance to and support the capacity building of State agency programs assisted under this chapter; and

''(3) to create an annual model correctional youthful offender program event under which a national award is given to programs assisted under this chapter which demonstrate program excellence in—

''(A) transition services for reentry in and completion of regular or other education programs operated by a local educational agency;

''(B) transition services to job training programs and employment, utilizing existing support programs such as One Stop Career Centers;

''(C) transition services for participation in postsecondary education programs;

''(D) the successful reentry into the community; and

''(E) the impact on recidivism reduction for juvenile and adult programs.

On page 242, line 19, strike ''and''.

On page 242, line 22, strike the period and insert ''; and''.

On page 242, between lines 22 and 23, insert the following:

''(5) participate in postsecondary education and job training programs.

On page 243, line 6, insert ''and the Secretary'' after ''agency''.

AMENDMENT NO. 382

Mr. DODD. Mr. President, let me inquire. I gather we have a unanimous consent agreement to have 4 minutes equally divided to make closing arguments.

The PRESIDING OFFICER. The Senator is correct.

Mr. FRIST. We are done.

Mr. DODD. I have 2 minutes.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. DODD. Mr. President, briefly, I had printed in the RECORD letters in support of my afterschool amendment, letters from Fight Crime: Invest in Kids, from 1,000 chiefs of police, prosecutors, crime survivors, and police organizations. Their letters are strong letters in terms of the value of afterschool programs.

Seventy percent of the chiefs of police have said the best method for reducing the problems of afterschool violence is a good afterschool program.

There have been almost 3,000 applications for 21st century learning centers since the concept was introduced a number of years ago. It has been the largest single request from local communities and community-based organizations in the history of the Department of Education.

My point is simply this. I am willing to support, and I support the Straight A's block grant program. I want to take out, however, the 5.7 percent of funding—that is all it amounts to—for afterschool programs. That program ought not end up subject to the vagaries of what happens to a State education agency.

We ought to let local communities decide whether or not they want an afterschool program. We are going to say in 7 States, in 25 school districts—that could comprise as many as 26 million children—for the next 7 years, that afterschool programs will be left to a jump ball, in effect.

This is a program that is supported by Boys Clubs and Girls Clubs. I have strong letters from the YMCAs, YWCAs—the 2,500 across the country—that urge—in fact, beg in this letter—that we adopt this amendment. It isn't me asking for this. This is not D's and R's fighting with each other. These are people every day who are out there trying to make sure that kids can be in a safe environment after school. That is really what this amounts to. Chiefs of police say it is important. School administrators will tell you it is important.

This does not destroy the block grant program at all. This idea that it does is not based on any independent analysis of it at all. So I urge this amendment be adopted. It means a lot to our local communities. We now have 11 million kids who are home alone at the end of each school day. We need to do better by these children.

An afterschool program, based on the 21st century concept, certainly is deserving of that support. I urge adoption of the amendment.

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

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

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. KENNEDY. Mr. President, just 15 seconds. We are going to hold Members accountable on the amount of time for the vote on this amendment. So I hope all Members will make it their business to be in the Chamber on time because we have to accommodate other Members who have accommodated our schedule. We are making good progress. We are going to conform to the Senate rules in relation to the time for the vote on this amendment.

The PRESIDING OFFICER. The question is on agreeing to Dodd amendment No. 382. The yeas and nays have been ordered. The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. REID. I announce that the Senator from Delaware (Mr. BIDEN) and the Senator from Louisiana (Ms. LANDRIEU) are necessarily absent.

I further announce that, if present and voting, the Senator from Delaware (Mr. BIDEN) would vote ''aye.''

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

The result was announced—yeas 47, nays 51, as follows:

[Rollcall Vote No. 184 Leg.]

YEAS—47

Akaka	Durbin	Lincoln
Baucus	Edwards	Mikulski
Bayh	Feingold	Murray
Bingaman	Feinstein	Nelson (FL)
Boxer	Graham	Nelson (NE)
Byrd	Harkin	Reed
Cantwell	Hollings	Reid
Carnahan	Inouye	Rockefeller
Cleland	Jeffords	Sarbanes
Clinton	Johnson	Schumer
Conrad	Kennedy	Snowe
Corzine	Kerry	Stabenow
Daschle	Kohl	Torricelli
Dayton	Leahy	Wellstone
Dodd	Levin	Wyden
Dorgan	Lieberman	

NAYS—51

Allard	Ensign	McConnell
Allen	Enzi	Miller
Bennett	Fitzgerald	Murkowski
Bond	Frist	Nickles
Breaux	Gramm	Roberts
Brownback	Grassley	Santorum
Bunning	Gregg	Sessions
Burns	Hagel	Shelby
Campbell	Hatch	Smith (NH)
Carper	Helms	Smith (OR)
Chafee	Hutchinson	Specter
Cochran	Hutchison	Stevens
Collins	Inhofe	Thomas
Craig	Kyl	Thompson
Crapo	Lott	Thurmond
DeWine	Lugar	Voinovich
Domenici	McCain	Warner

NOT VOTING—2

Biden	Landrieu

The amendment (No. 382) was rejected.

Mr. REID. I move to reconsider the vote.

Mr. KENNEDY. 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 Delaware.

Mr. BIDEN. Mr. President, I missed this vote by a couple seconds. I was conducting a hearing on the Balkans. It was my fault. I am not suggesting that it is anybody's fault but mine. But if I had been here in time to vote, I want the RECORD to reflect that I would have voted for the Dodd amendment. I realize I cannot have my vote recorded, but I want to be recorded as being in favor of the Dodd amendment if I had been here in time. I apologize to my colleagues.

The PRESIDING OFFICER. The Senator from Nevada.

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

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

AMENDMENT NO. 555, AS MODIFIED

Mr. HUTCHINSON. Mr. President, I ask for the regular order in relation to amendment No. 555.

The PRESIDING OFFICER. The Senator has that right, and the amendment is now pending.

AMENDMENT NO. 555, AS FURTHER MODIFIED

Mr. HUTCHINSON. Mr. President, I send a further modification to amendment No. 555 to the desk and ask unanimous consent it be so modified.

The PRESIDING OFFICER. Is there objection to the request to further modify the amendment? Without objection, it is so ordered.

The amendment, as further modified, is as follows:

At the end of title IX add the following:

902. DEPARTMENT OF EDUCATION CAMPAIGN TO PROMOTE ACCESS OF ARMED FORCES RECRUITERS TO STUDENT DIRECTORY INFORMATION.

(a) FINDINGS.—The Senate makes the following findings:

(1) Service in the Armed Forces of the United States is voluntary.

(2) Recruiting quality persons in the numbers necessary to maintain the strengths of the Armed Forces authorized by Congress is vital to the United States national defense.

(3) Recruiting quality servicemembers is very challenging, and as a result, Armed Forces recruiters must devote extraordinary time and effort to their work in order to fill monthly requirements for immediate accessions.

(4) In meeting goals for recruiting high quality men and women, each of the Armed Forces faces intense competition from the other Armed Forces, from the private sector, and from institutions offering postsecondary education.

(5) Despite a variety of innovative approaches taken by recruiters, and the extensive benefits that are available to those who join the Armed Forces, it is becoming increasingly difficult for the Armed Forces to meet recruiting goals.

(6) A number of high schools across the country have denied recruiters access to students or to student directory information.

(7) In 1999, the Army was denied access on 4,515 occasions, the Navy was denied access on 4,364 occasions, the Marine Corps was denied access on 4,884 occasions, and the Air Force was denied access on 5,465 occasions.

(8) As of the beginning of 2000, nearly 25 percent of all high schools in the United States did not release student directory information requested by Armed Forces recruiters.

(9) In testimony presented to the Committee on Armed Services of the Senate, recruiters stated that the single biggest obstacle to carrying out the recruiting mission was denial of access to student directory information, as the student directory is the basic tool of the recruiter.

(10) Denying recruiters direct access to students and to student directory information unfairly hurts the youth of the United States, as it prevents students from receiving important information on the education and training benefits offered by the Armed Forces and impairs students' decisionmaking on careers by limiting the information on the options available to them.

(11) Denying recruiters direct access to students and to student directory information undermines United States national defense, and makes it more difficult to recruit high quality young Americans in numbers sufficient to maintain the readiness of the Armed Forces and to provide for the national security.

(12) Section 503 of title 10, United States Code, requires local educational agencies, as of July 1, 2002, to provide recruiters access to secondary schools on the same basis that those agencies provide access to representatives of colleges, universities, and private sector employers.

(b) CAMPAIGN TO PROMOTE ACCESS.—

(1) REPORT.—Not later than 30 days after the date of enactment of this Act, each State shall transmit to the Secretary of Education a list of each school, if any, in that State that—

(A) during the 12 months preceding the date of enactment of this Act, has denied access to students or to student directory information to a military recruiter; or

(B) has in effect a policy to deny access to students or to student directory information to military recruiters.

(2) EDUCATION PROGRAM.—

(A) IN GENERAL.—The Secretary of Education, in consultation with the Secretary of Defense, shall, not later than 90 days after the date of enactment of this Act, make awards to States and schools using funds available under section 6201(d) of the Elementary and Secondary Education Act to educate principals, school administrators, and other educators regarding career opportunities in the Armed Forces, and the access standard required under section 503 of title 10, United States Code.

(B) TARGETED SCHOOLS.—In selecting schools for awards required under subparagraph (A), the Secretary shall give priority to selecting schools that are included on the lists transmitted to Congress under paragraph (1).

SEC. 903. MILITARY RECRUITING ON CAMPUS.

(a) DENIAL OF FUNDS.—

(1) PROHIBITION.—No funds available to the Department of Defense may be provided by grant or contract to any institution of higher education (including any school of law, whether or not accredited by the American Bar Association) that has a policy of denying, or which effectively prevents, the Secretary of Defense from obtaining for military recruiting purposes—

(A) entry to campuses or access to students on campuses; or

(B) access to directory information pertaining to students.

(2) COVERED STUDENTS.—Students referred to in paragraph (1) are individuals who are 17 years of age or older.

(b) PROCEDURES FOR DETERMINATION.—The Secretary of Defense, in consultation with the Secretary of Education, shall prescribe regulations that contain procedures for determining if and when an educational institution has denied or prevented access to students or information described in subsection (a).

(c) DEFINITION.—For purposes of this section, the term ''directory information'' means, with respect to a student, the student's name, address, telephone listing, date and place of birth, level of education, degrees received, and the most recent previous educational institution enrolled in by the student.

Mr. HUTCHINSON. Mr. President, I want to make a brief presentation on

this amendment and the need for this amendment. Senator SESSIONS may also wish to make a brief statement regarding this amendment.

I believe in discussions with Senator KENNEDY and Senator REID this amendment has been agreed to, but I do want to make a brief statement about it and give Senator SESSIONS an opportunity to do likewise.

In my role last year as chairman of the Personnel Subcommittee on Armed Services, we held two hearings regarding recruitment to our armed services. One of the tragedies I became aware of was there are literally thousands of high schools across the United States that have denied access to our military recruiters. That is a national shame.

In fact, we found that in 1999, which is the last year figures are available, the Army was denied access to 4,515 high schools; The Navy was denied access to 4,364 high schools; The Marine Corps was denied access to 4,884 high schools; and the Air Force was denied access to 5,465 high schools.

These same high schools across the country are providing student directory information to college recruiters. They are providing routine access to employers, to class ring companies. I was very concerned about this. As a result, I put a provision in last year's Defense authorization bill that required those high schools that want to deny access to go through a process in which the publicly elected school board members would have to vote proactively to deny access on a discriminatory basis to military recruiters.

I do not think many are going to do that. The thousands of schools that are denying access are doing so usually at the whim of a principal or superintendent who, for one reason or another, does not believe recruiters should come on campus.

I believe they should have equal access. To the extent they allow college recruiters and employers to recruit, then our military recruiters should be able to come on that campus and tell their story, and they have a great story to tell. They have a story to tell about career opportunities in our armed services. They have a story to tell about educational benefits that are offered in the armed services. They have a story to tell about what Congress has done to enhance health care benefits for those who make a career in the armed services. They have a great story to tell young people, and young people need to have this career option laid out before them. The military should not be discriminated against.

We put those provisions in, and Senator KENNEDY worked closely with us ensuring it was not too heavy handed. In fact, there is a whole process set up in which schools that are denying access will have everyone clear up to the Secretary of Defense notified. The Governor of the State will be notified, and a process is put in place whereby whatever problems may have led to that discriminatory denial of access can be addressed and hopefully amicably addressed so recruiters can get into the schools again.

Only when a publicly elected school board votes publicly to deny access will they be able to opt out of the bill. If they ignore the law, which was passed by the Congress last year and signed into law, they open themselves to a Federal lawsuit.

What we are finding out now is we are approaching the 1 year out from when the law takes effect. Recruiters have told me this year, personnel chiefs have told me this year that they are finding principals do not know there has been a change in the law. Superintendents simply do not know that this is the new law of the land.

My amendment tells the Secretary of Education that he must begin an educational campaign in the course of this next year so superintendents and principals are not going to have the excuse that they did not know. They are going to know what the new policy is. They are going to know what the new law is and begin, hopefully, to prepare for July 1, 2001, when that law takes effect. I am very pleased that on both sides of the aisle, in a bipartisan way, there is an agreement. This has been a good step to take. This is a good vehicle for this provision in the Elementary and Secondary Education Act.

I am also pleased Senator SESSIONS of Alabama called to my attention another problem that has developed. I yield to Senator SESSIONS for a statement about that provision he has added in a modification to the amendment.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. I thank the Senator from Arkansas for his leadership on this important issue. The U.S. military has been a guardian of liberty for the United States and for freedom-loving people all over the world. It has preserved our freedom. I wish it were not so that we had to have a military, but we do, and it is critically important the men and women in the military have the best education, and they recruit the best young people in America, urging them to consider a career in the military.

There is a group that is active in America that sometimes is hostile to that. One of the most astounding things I learned a few years ago as attorney general of the State of Alabama, a young man I hired to work in my office went to law school, and the law school he attended would not allow military recruiters to come on the law school campus to solicit lawyers to join the military. I was astounded. He said the students got up a petition to protest it. I thought he was kidding. He was not kidding. In fact, that was the circumstance.

I talked to the dean and I later drafted legislation to require that law schools allow recruiters on campus. They told me apparently it is a problem, and it may be a reality all over America. They said the reason this was occurring was because the accrediting agencies for law schools take the position that the ''don't ask, don't tell'' policy of the U.S. military, approved by former President Bill Clinton, is discriminatory and, therefore, law schools cannot allow anybody who discriminates to come on campus. So they have made that an accrediting factor and have intimidated law schools.

This unelected group—who they are, I am not sure; perhaps they are leftover antiwar activists—is dictating this around the country.

I think this legislation will be a healthy signal that the Senate says, as I told this law school dean: You have freedom. We have a rule of law in America today because men and women in uniform have defended against the Communist totalitarians, the Nazi oppressors, and defeated them and preserved liberty. The very concept, the very idea that a legal arm of the Defense Department, the JAG officers, are not respected and cannot recruit on the campus of the best law schools is unacceptable.

I appreciate the opportunity that Senator HUTCHINSON has provided to allow this amendment be included as a part of his legislation. I think it is good public policy. I think it is wrong to allow this to happen in America today. I think this legislation could make a big step in eliminating the problem. If it does not, we may have to have more specific legislation in the future.

I thank the Chair. I thank Senator HUTCHINSON. I thank Senator KENNEDY and Senator GREGG.

Mr. KENNEDY. Mr. President, I understand that the final modification may take a moment or two. There is the question about out of which fund the resources will come. I understand the proponents want it out of the Secretary's discretionary fund rather than the initial funding, which was about $125 million that was going to be used for bonuses for States and communities that meet their responsibilities in developing their tests. We are just checking on the cross-reference number.

That aside, I thank Senator HUTCHINSON and Senator SESSIONS for their cooperation in working this amendment through. We have a procedure in place now so we can focus responsibility if there is a denial for access to the campuses of this country. It does seem to me that the armed services ought to have the same ability for access to students as other groups that are recruiting at these universities and colleges and schools. I think that is a rather basic and fundamental concept and one with which I agree.

I think we have a proposal to try to move that process forward. There is some existing legislation in place. This is a restatement of that legislation because there has been some question in some minds whether the existing legislation did the job. I thought the member of the Committee on Armed Services, the one who had visited this issue previously, thought it did, but we have some additional ways of encouraging schools and colleges and law schools to give consideration to recruiters. That has been included in this amendment. That is acceptable to me, and I hope when it is finalized, which should be in a moment, we will move ahead and accept the amendment.

Mr. GREGG. Mr. President, I join with my colleagues, and I especially thank the Senator from Arkansas and the Senator from Alabama for bringing this amendment forward. I think it is absolutely essential that we, as the Senate, put ourselves unalterably on the record, in a clear manner, that we believe the armed services have every right, and in fact colleges have an obligation to allow them, to recruit on their campuses, whether they be law schools, whether they be graduate schools, or whether they be undergraduate schools.

The attempt to exclude the military services from different colleges is an example of political correctness run to its extreme. As the branch of government which funds the armed services and which has a critical obligation of making sure the armed services is filled with talented citizens, it is our obligation to recruit aggressively. The natural place to recruit is in the higher system of education and in our high schools.

I congratulate the Senator. It is an excellent amendment. I look forward to its passage.

Mr. DODD. Mr. President, I ask unanimous consent the Hutchinson amendment be temporarily laid aside so I may offer an amendment which I believe will be accepted.

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

AMENDMENT NO. 456, AS MODIFIED, TO AMENDMENT NO. 358

Mr. DODD. I send a modification of the early childhood educator professional development amendment No. 456 to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Connecticut [Mr. DODD], for himself and Mr. CORZINE, proposes an amendment numbered 456, as modified.

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

The amendment is as follows:

On page 383, after line 21, add the following:

"PART E—EARLY CHILDHOOD EDUCATOR PROFESSIONAL DEVELOPMENT

"SEC. 2501. PURPOSE.

''In support of the national effort to attain the first of America's Education Goals, the purpose of this part is to enhance the school readiness of young children, particularly disadvantaged young children, and to prevent them from encountering difficulties once they enter school, by improving the knowledge and skills of early childhood educators who work in communities that have high concentrations of children living in poverty.

"SEC. 2502. PROGRAM AUTHORIZED.

''(a) GRANTS TO PARTNERSHIPS.—The Secretary shall carry out the purpose of this part by awarding grants, on a competitive basis, to partnerships consisting of—

''(1)(A) one or more institutions of higher education that provide professional development for early childhood educators who work with children from low-income families in high-need communities; or

''(B) another public or private entity that provides such professional development;

''(2) one or more public agencies (including local educational agencies, State educational agencies, State human services agencies, and State and local agencies administering programs under the Child Care and Development Block Grant Act of 1990), Head Start agencies, or private organizations; and

''(3) to the extent feasible, an entity with demonstrated experience in providing training to educators in early childhood education programs in identifying and preventing behavior problems or working with children identified or suspected to be victims of abuse.

''(b) DURATION AND NUMBER OF GRANTS.—

''(1) DURATION.—Each grant under this part shall be awarded for not more than 4 years.

''(2) NUMBER.—No partnership may receive more than 1 grant under this part.

"SEC. 2503. APPLICATIONS.

''(a) APPLICATIONS REQUIRED.—Any partnership that desires to receive a grant under this part shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require.

''(b) CONTENTS.—Each such application shall include—

''(1) a description of the high-need community to be served by the project, including such demographic and socioeconomic information as the Secretary may request;

''(2) information on the quality of the early childhood educator professional development program currently conducted by the institution of higher education or other provider in the partnership;

''(3) the results of the needs assessment that the entities in the partnership have undertaken to determine the most critical professional development needs of the early childhood educators to be served by the partnership and in the broader community, and a description of how the proposed project will address those needs;

''(4) a description of how the proposed project will be carried out, including—

''(A) how individuals will be selected to participate;

''(B) the types of research-based professional development activities that will be carried out;

''(C) how research on effective professional development and on adult learning will be used to design and deliver project activities;

''(D) how the project will coordinate with and build on, and will not supplant or duplicate, early childhood education professional development activities that exist in the community;

''(E) how the project will train early childhood educators to provide services that are based on developmentally appropriate practices and the best available research on child social, emotional, physical and cognitive development and on early childhood pedagogy;

''(F) how the program will train early childhood educators to meet the diverse educational needs of children in the community, including children who have limited English proficiency, disabilities, or other special needs; and

''(G) how the project will train early childhood educators in identifying and preventing behavioral problems or working with children identified as or suspected to be victims of abuse;

''(5) a description of—

''(A) the specific objectives that the partnership will seek to attain through the project, and how the partnership will measure progress toward attainment of those objectives; and

''(B) how the objectives and the measurement activities align with the performance indicators established by the Secretary under section 2506(a);

''(6) a description of the partnership's plan for continuing the activities carried out under the project, so that the activities continue once Federal funding ceases;

''(7) an assurance that, where applicable, the project will provide appropriate professional development to volunteers working directly with young children, as well as to paid staff; and

''(8) an assurance that, in developing its application and in carrying out its project, the partnership has consulted with, and will consult with, relevant agencies, early childhood educator organizations, and early childhood providers that are not members of the partnership.

"SEC. 2504. SELECTION OF GRANTEES.

''(a) CRITERIA.—The Secretary shall select partnerships to receive funding on the basis of the community's need for assistance and the quality of the applications.

''(b) GEOGRAPHIC DISTRIBUTION.—In selecting partnerships, the Secretary shall seek to ensure that communities in different regions of the Nation, as well as both urban and rural communities, are served.

"SEC. 2505. USES OF FUNDS.

''(a) IN GENERAL.—Each partnership receiving a grant under this part shall use the grant funds to carry out activities that will improve the knowledge and skills of early childhood educators who are working in early childhood programs that are located in high-need communities and serve concentrations of children from low-income families.

''(b) ALLOWABLE ACTIVITIES.—Such activities may include—

''(1) professional development for individuals working as early childhood educators, particularly to familiarize those individuals with the application of recent research on child, language, and literacy development and on early childhood pedagogy;

''(2) professional development for early childhood educators in working with parents, based on the best current research on child social, emotional, physical and cognitive development and parent involvement, so that the educators can prepare their children to succeed in school;

''(3) professional development for early childhood educators to work with children who have limited English proficiency, disabilities, and other special needs;

''(4) professional development to train early childhood educators in identifying and

preventing behavioral problems in children or working with children identified or suspected to be victims of abuse;

''(5) activities that assist and support early childhood educators during their first three years in the field;

''(6) development and implementation of early childhood educator professional development programs that make use of distance learning and other technologies;

''(7) professional development activities related to the selection and use of screening and diagnostic assessments to improve teaching and learning; and

''(8) data collection, evaluation, and reporting needed to meet the requirements of this part relating to accountability.

''SEC. 2506. ACCOUNTABILITY.

''(a) PERFORMANCE INDICATORS.—Simultaneously with the publication of any application notice for grants under this part, the Secretary shall announce performance indicators for this part, which shall be designed to measure—

''(1) the quality and accessibility of the professional development provided;

''(2) the impact of that professional development on the early childhood education provided by the individuals who are trained; and

''(3) such other measures of program impact as the Secretary determines appropriate.

''(b) ANNUAL REPORTS; TERMINATION.—

''(1) ANNUAL REPORTS.—Each partnership receiving a grant under this part shall report annually to the Secretary on the partnership's progress against the performance indicators.

''(2) TERMINATION.—The Secretary may terminate a grant under this part at any time if the Secretary determines that the partnership is not making satisfactory progress against the indicators.

''SEC. 2507. COST-SHARING.

''(a) IN GENERAL.—Each partnership shall provide, from other sources, which may include other Federal sources—

''(1) at least 50 percent of the total cost of its project for the grant period; and

''(2) at least 20 percent of the project cost in each year.

''(b) ACCEPTABLE CONTRIBUTIONS.—A partnership may meet the requirement of subsection (a) through cash or in-kind contributions, fairly valued.

''(c) WAIVERS.—The Secretary may waive or modify the requirements of subsection (a) in cases of demonstrated financial hardship.

''SEC. 2508. DEFINITIONS.

''In this part:

''(1) HIGH-NEED COMMUNITY.—

''(A) IN GENERAL.—The term 'high-need community' means—

''(i) a municipality, or a portion of a municipality, in which at least 50 percent of the children are from low-income families; or

''(ii) a municipality that is one of the 10 percent of municipalities within the State having the greatest numbers of such children.

''(B) DETERMINATION.—In determining which communities are described in subparagraph (A), the Secretary shall use such data as the Secretary determines are most accurate and appropriate.

''(2) LOW-INCOME FAMILY.—The term 'low-income family' means a family with an income below the poverty line (as defined by the Office of Management and Budget and revised annually in accordance with section 673(2) of the Community Services Block Grant Act (42 U.S.C. 9902(2))) applicable to a family of the size involved for the most recent fiscal year for which satisfactory data are available.

''(3) EARLY CHILDHOOD EDUCATOR.—The term 'early childhood educator' means a person providing or employed by a provider of non-residential child care services (including center-based, family-based, and in-home child care services) that is legally operating under State law, and that complies with applicable State and local requirements for the provision of child care services to children at any age from birth through kindergarten.

''SEC. 2509. FEDERAL COORDINATION.

''The Secretary and the Secretary of Health and Human Services shall coordinate activities under this part and other early childhood programs administered by the two Secretaries.

''SEC. 2510. AUTHORIZATION OF APPROPRIATIONS.

''For the purpose of carrying out this part, there are authorized to be appropriated $30,000,000 for fiscal year 2002 and such sums as may be necessary for each of the 6 succeeding fiscal years.''.

The PRESIDING OFFICER. The amendment is so modified.

Mr. DODD. I have cleared the modification with the manager and the ranking member. I offer this amendment on behalf of myself and Senator CORZINE of New Jersey. It is the early childhood educator professional development amendment.

We have been talking a lot in the last few days about raising the quality of education for all children. Learning starts, as we all know, very early—earlier than most people imagined a few years ago. If we want to succeed with educational reform, we have to help those educators work with very young children.

We know from research that quality child care makes a difference in children's readiness for school, their behavior, and their social and emotional development.

A study following children in Chicago enrolled in the Child Parent Program and other early childhood programs over a 15 year period, reported in the May 9, 2001 Journal of the American Medical Association, shows that low-income children in high-quality, comprehensive early childhood education programs have lower rates of juvenile arrests and violent arrests.

The National Academy of Sciences' report, Neurons to Neighborhoods, also stressed the importance of quality early childhood education to child development.

And, many other studies confirm that children who attend early childhood education programs led by highly qualified educators are more likely to have better behavior skills, more enriched vocabularies and pre-reading skills, and to succeed in school.

Yet we do not give the caregivers and teachers who nurture 13 million children outside of their homes every day the training that they want and need.

Many child care and preschool teachers have only a high school diploma. And, often, preschool teachers receive only ten hours of training each year.

Children who can't interact well with other children or their teachers are going to have a better chance at learning to read if we develop their reading skills in conjunction with their other developmental needs.

For children to be ready for school and to learn to read, their early childhood educators must have the training to help them develop intellectually and socially.

This amendment would provide for grants to local partnerships to train early childhood educators in children's social, emotional, cognitive, and physical development, including ways to identify and prevent behavior problems and children who are victims of abuse.

Violence prevention must begin with very young children. With the skills and knowledge on how to effectively help young children deal with anger and conflict without violence and to support their learning, many more children will succeed in school and beyond.

If we can deal with these issues early in life, we can help prevent negative, even violent, behavioral problems later.

We must invest in the teachers of our young children.

This amendment is supported by a long list of organizations representing the early childhood educator community, including the American Federation of Teachers, the Children's Defense Fund, the Departments of Education in Maryland, New York State, Oregon, Rhode Island, and South Carolina, the National Association for the Education of young Children, the National Head Start Association, the YMCA, the YWCA, and many others.

I ask my colleagues to join me in Senator CORZINE in supporting this important amendment.

I think the amendment is being agreed to.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, I commend the Senator from Connecticut for his initiative in this area. He makes a number of good points about the need for high-quality teachers being involved in early childhood education programs. The amendment is acceptable to the managers on this side.

If there is no other debate, I will urge its adoption.

The PRESIDING OFFICER. Is there further debate? If not, the question is on agreeing to the amendment.

The amendment (No. 456), as modified, was agreed to.

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

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

The motion to lay on the table was agreed to.

PREVIOUSLY SUBMITTED AMENDMENT NO. 458

Mr. DODD. Mr. President, I am not going to offer this amendment. I will

ask unanimous consent the amendment be printed in the RECORD, the one I was about to offer on equity for Puerto Rico, amendment No. 458. I ask unanimous consent this amendment be printed in the RECORD.

(The amendment is printed in the RECORD of May 9, 2001, under ''Amendments Submitted.'')

Mr. DODD. I do not intend to offer this amendment, but I wanted to raise it as a subject matter that has been discussed both in the other body and here. As we all know, Puerto Rico is part of America. They do not have Senators here, so from time to time those of us who have been involved and care about the hundreds of thousands, millions of people who live on the island of Puerto Rico, and the 600,000 children on that island, and the quality of education they receive, take on the responsibility of trying to raise the issues that are important to these fellow Americans.

This amendment I will not offer right now. The House has included some language to deal with title I education in Puerto Rico. I am hopeful in conference maybe we can work out some accommodation that will serve these children.

Title I is very important to Puerto Rico because of the island's high concentration of low-income children. Mr. President, 93 percent of Puerto Rico's public schools participate in title I. More than 600,000 children benefit from the title I program. The cost of educating children in Puerto Rico is comparable to the cost of educating children in the 50 States. In fact, the cost of living in San Juan, Puerto Rico, its capital, is higher than the cost of living in most other major American cities. Failure to provide equitable treatment to Puerto Rico and its children who are American citizens, American children, perpetuates a system that denies those children the access to quality education that every child deserves.

The President has articulated in his statements that we should be leaving no child behind in this country. The Puerto Rican children, as I said, have no Senators to represent them. They do have a very fine Representative in the other body, ANÍBAL ACEVEDO-VILÁ, who represents the island of Puerto Rico in the other body. He does not have a vote, but he has a voice. He votes in committees. He has talked to me and other Members about the importance of title I funding in Puerto Rico.

So on behalf of my colleague in the other body, on behalf of the 600,000 children in Puerto Rico and their families, I put this amendment in the RECORD. I raise the issue here to let them know we will continue to pursue this matter when it comes up in conference.

Puerto Rico is working very hard to help its children compete. Over the last 5 years, it has increased its per pupil investment in education by 58 percent. That is more than any State in the United States and more than the national average, but because of the unfair treatment we give this group of Americans, Puerto Rican children receive only three-quarters of the resources they would receive were they to move to Connecticut, Rhode Island, or any other State. Even though they are American citizens, we do not provide them the full funding every other State gets under title I under proportionality, so these fellow citizens of ours are not treated as equally as others.

On behalf of the people of Puerto Rico, I hope that situation will be corrected. We will fight very hard for it in conference, but recognizing the realities here on the floor, I am fearful such an amendment might fail. I think there is a better chance of working out something with the other body in conference that will accommodate these people.

The 516,000 poor children in Puerto Rico should know we have not given up and we will carry on this battle in conference.

The PRESIDING OFFICER (Mr. JOHNSON). The Senator from Massachusetts.

Mr. KENNEDY. Mr. President, I join with my friend and colleague from Connecticut in pointing out to this body the unfairness of the treatment of Puerto Rico.

If I am not mistaken, I think they have a greater participation in the military forces of this country than any State or other territory. I remember at one time when we were battling on questions of the Food Stamp Program pointing out the number of Puerto Rican Congressional Medal of Honor winners in the conflicts of this Nation. They are, in many instances, the earliest units that get called up to the service of this country. They have served all over the globe and have proudly worn the American uniform. Yet they are being constantly shortchanged in this extraordinarily important area, important to families in our 50 States. But these families in Puerto Rico care as deeply as any families do in any part of the United States about their children, and the hopes and dreams of those children are just as real as the hopes and dreams of children here.

So I give assurance to the Senator. We have talked about this. It was raised briefly in the markup of our committee. We will work with our colleagues on the other side and with our friends in Puerto Rico and hopefully with the administration to move us in the direction of treating them equitably and fairly. They are not so treated at this time. I think the American people would certainly support that.

If we are able to get the additional funding, which I am hopeful we are able to do, the opportunities will be even greater. But I thank the Senator for bringing up this subject.

We want to give full notice to all of our colleagues that we are going to try to find a way to treat Puerto Rico fairly, as they should be treated and as they are not being treated at the present time.

I thank the Senator for bringing this matter to our attention.

The PRESIDING OFFICER. The Senator from New York.

Mr. SCHUMER. Mr. President, I join my friend and colleague from Massachusetts in saluting the Senator from Connecticut and the Senator from New Jersey for this outstanding amendment. I think it has been summed up well by both speakers. The funding in Puerto Rico is not what it should be. Certainly given that every Puerto Rican is an American citizen, given the fact that we have, particularly with my State and so many of the others, people who are going back and forth, educated in one, work in the other, and go back home to retire, we want the best educated people in Puerto Rico that we can have.

Title I said we are going to do that for people who are less advantaged than the rest of us. To exclude Puerto Rico from that formula is both unfair to their birthright as citizens, to the fact they fight in the military, to the fact that they do all the things all of us do, and at the same time it is also foolish because a better educated Puerto Rico makes a stronger America and a stronger American economy.

Certainly it affects the State that I represent very directly.

This is an excellent amendment. I think the Senator from Connecticut has done the right thing by not forcing the debate. I join him in an earnest wish that the conferees will take care of this problem in conference so that we will finally do right by the children of Puerto Rico, American citizens as are we.

I yield the floor.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. 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, I ask unanimous consent that Senator SCHUMER be recognized to offer an amendment regarding funding with 40 minutes for debate; further, that when Senator DOMENICI offers his amendment regarding funding, which is at the desk, the debate be limited to 40 minutes; further, that the debate on the two amendments be divided as follow: Senators SCHUMER, DOMENICI,

GREGG, and KENNEDY; further, that upon the use or yielding back of the time, the Senate vote in relation to the Domenici amendment followed by 4 minutes for closing debate, and a vote in relation to the Schumer amendment with no second-degree amendments be in order.

Ms. COLLINS. Mr. President, reserving the right to object, I will not object. I wonder if we could add ''or their designee.''

Mr. KENNEDY. I so add ''or their designee.''

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from New York is recognized.

AMENDMENT NO. 800 TO AMENDMENT NO. 358

Mr. SCHUMER. Mr. President, I send an amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from New York [Mr. SCHUMER] proposes an amendment numbered 800.

Mr. SCHUMER. 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 express the sense of the Senate that Congress should appropriate all funds authorized for elementary and secondary education in fiscal year 2002)

At the appropriate place insert the following:

SEC. 902. SENSE OF THE SENATE ON APPROPRIATION OF ALL FUNDS AUTHORIZED FOR ELEMENTARY AND SECONDARY EDUCATION.

(a) FINDINGS.—The Senate finds that—

(1) President George W. Bush has said that bipartisan education reform will be the cornerstone of his administration and that no child should be left behind;

(2) the Bush administration has said that too many of the neediest students of our Nation are being left behind and that the Federal Government can, and must, help close the achievement gap between disadvantaged students and their peers;

(3) more of the children of our Nation are enrolled in public school today than at any time since 1971;

(4) math and science skills are increasingly important as the global economy transforms into a high tech economy;

(5) last year's Glenn Commission concluded that the most consistent and powerful predictors of student achievement in math and science are whether the student's teacher had full teaching certification and a college major in the field being taught; and

(6) Congress increased appropriations for elementary and secondary education by 20 percent in fiscal year 2001.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that Congress should appropriate all funds authorized for elementary and secondary education in fiscal year 2002.

The PRESIDING OFFICER. The Senator from New York.

Mr. SCHUMER. Mr. President, I ask that I be yielded 10 minutes of the pending time to the Schumer amendment.

The PRESIDING OFFICER. The Senator has that right.

Mr. SCHUMER. Mr. President, I offer this amendment on behalf of myself and my colleague from California, Senator BOXER. We have worked hard on this amendment. I very much appreciate her efforts and inspiration on this amendment.

Our amendment is very simple. I am going to read it to the body so there can be no mistake about it. After a bunch of whereas clauses, on line 23, page 2, it says:

(b) SENSE OF THE SENATE.—It is the sense of the Senate that Congress should appropriate all funds authorized for elementary and secondary education in fiscal year 2002.

The amendment is very simple. Basically it says to this body, to the other body, and to the White House: Put your money where your mouth is.

We have been talking about education, as we should, for the last 2 weeks. We have been saying how important education is to the future of America. We have been debating—and I think in a rather good debate—the various new programs we wish to add to education. We have talked about modifying other programs. As a result, so that these will not be empty promises, we have added over $10.6 billion to the authorization level if you just count the five major programs: IDEA, title I, teacher quality, bilingual immigrant, and afterschool. There are several more billion that have been added as well.

What a hollow promise it would be if we passed this bill and then did not appropriate the money. To those who have been listening to this debate in the gallery and elsewhere, an authorization brings no new money to a program. It is simply an ability to open up a bank account up to a certain level. It is the appropriation that actually puts the money in the bank account. It is only the appropriation that will fund the special education or the teachers for underachieving children or the teachers of high quality throughout America or the afterschool programs.

If we were to authorize a beautiful shiny bill and put it in a nice box and put a ribbon on it and send it to the White House, and the President were to have a big signing ceremony, and then in the summer, when the appropriations process began, we were to not appropriate even close to the amount of money we have authorized, all our talk the last few weeks would be a hollow promise. We would be saying, yes, we care about education, but we do not care enough about education to fund it.

All the things that make the public cynical about this city, and even about this Chamber, would come to be realized in those two contradictory acts: One, great debate and discussion about programs, and then later in the summer, no money to fund all the programs we are talking about.

Why is this amendment necessary? It is certainly true that we do not always appropriate every dollar we authorize. But it is quite glaring in the actions we have taken thus far. The President has run on a platform as an education President. This Senate debates this bill and says we are going to be the education Senate. Yet in the budget we passed—in the President's budget—the increase in the amount of money actually proposed for education is considerably less than last year and the year before and the year before.

So are we serious or are we just fooling the American people? Is this a real debate or is this just for show to make us feel good and make our constituents feel good? That is the fundamental question with which this amendment deals.

I know there are many in this Chamber on both sides of the aisle who believe so strongly in this matter that they don't want to allow this bill to actually get to the President's desk until we see if there is going to be money for it.

This amendment that I have authored with the Senator from California says that. It says, very simply, that we are going to put our money where all our verbiage has been. It says, very simply, that we care enough, as hard and tight as this budget is, that we are going to find room to pay for quality teachers, to pay for special education.

It says we realize that the local property tax, which funds education throughout America, is so high for almost all of our constituents that if we do not come to their aid, the quality of our schools will certainly decline.

I know the Senator from New Mexico has an amendment, but it is a meaningless amendment; I do not know why he even offered it because all his amendment says—let me read it—is: the Senate make funding consistent with the President's budget.

I would not advise people to vote for it if they have been voting for these increased programs because the President's budget does not fund them.

I say to my colleagues, we just have finished 2 weeks of a debate where we have debated how this program should be changed, whether this one should get $500 million or $600 million. That is not much when you consider it is all of America, with the tens of millions of schoolchildren we have in this great country. How can we then just go ahead and vote for the amendment by the Senator from New Mexico which says we are not going to fund it? Because that is what Senator DOMENICI's amendment says. It says, we are not going to fund education to the extent that we have just voted in the last 2 weeks we should fund education.

Are we going to make this the bill of fulfilled dreams for so many schoolchildren or the bill of broken promises? That is what the contrast is. The Schumer-Boxer amendment says we are

going to try to help you reach your dream; we are going to help you fund your schools to make your schools better. The Domenici amendment says it is already a broken promise even though we are voting for an authorization for the kids in special ed, which consumes such a high percentage of local school budgets; for the kids in title I who need a little help to read up to grade level; for teacher quality so that our kids get the best teachers, and teaching is an elite profession in the 21st century. The Schumer amendment says we are going to deliver. The Domenici amendment says we are not, so don't pay any attention to what we have done over the last 2 weeks.

Mr. President, I yield to my colleague and coauthor of this amendment, the Senator from California, 10 minutes.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Mr. President, I thank my colleague from New York. As usual, he has really cut through a lot of the fussiness surrounding this debate and made the point clear. That is why I was so proud to team up with him.

All we are saying in this amendment is, fund the programs you just voted to fund. It is as simple as that. And just so everybody understands it, I will explain it one more time. In every program that we put forward in the Federal Government, no matter what it is, you basically have an authorization, which is the nod. It says to the appropriators: It is OK to fund the military up to this amount; it is OK to fund education up to this amount, highways up to this amount. That is the authorization.

The next step that makes it all a reality is the funding, the actual funding of those programs. That is called appropriations. So the Schumer-Boxer amendment simply says—and I am going to say it in his words because they come from the heart and soul of Brooklyn, NY—put your money where your mouth is.

Everyone understands what that means. We can all give the greatest speeches coming out of our mouths—golden words, beautiful words. What does it mean if you do not back it up with reality, with substance, and, in this case, with funding?

It doesn't mean anything for amendments to pass and then not to fund them. I guess the senatorial way to say it would be, fulfill your commitments that you made on this ESEA bill. That is all it says.

We have been debating this for weeks. Senator DOMENICI's alternative to Schumer-Boxer essentially says: All this was wasted time. We are not going to fund all of this. We are just going to go back to the President's budget which shorts all of these programs.

The next chart shows what we have voted to fund in this bill. By the way, I have not included everything, but Senator COLLINS will recognize this because she worked hard on some of these items. Senator COCHRAN will recognize it because he worked hard on this, as well as Senators LINCOLN, AKAKA, MIKULSKI, REED, and DOMENICI. I worked with Senator ENSIGN. These are quite bipartisan. As a matter of fact, the first one, title I, full funding, is a Dodd-Collins amendment. So look at what we have done.

The authorizing level we just passed for the current year is $15 billion, and the Bush budget is $9 billion. So there is a gap we need to fill. IDEA, which is for special education, the kids who need the help, it is funded at $8.8 billion for next year; the President's budget is $7.3 billion. There is a shortfall. Continuing the list: Teacher quality, $3 billion compared to $2.6 billion; the Boxer-Ensign bill on afterschool, $1.5 billion compared to $846 million; grants for enhanced testing, $200 million, a new program; math and science education, DICK DURBIN's amendment, up $400 million; bilingual education, up, that was LINCOLN CHAFEE; small programs, THAD COCHRAN, that is zero in the President's budget, $416 million here; economic education, $10 million, a new program; community technology, $100 million to zero; school libraries, $500 million to zero in the Bush budget; and mental health grants, I say to my friend, Senator DOMENICI, $50 million, a new program. He doesn't even say we ought to fund his own amendment. He says stick to the President's budget. He would not fund the program he brought here, and he worked with Senator KENNEDY on it. It was done by unanimous consent. It was that popular.

So here we have it in black and white. This is only $10.4 billion. I understand the difference now is $12.3 billion because after we made this chart, we approved some other programs.

I say to the Senator from New York and to the Senator from Massachusetts and to Senator COLLINS, who is managing the floor for the Republicans: We have to do more than just say nice words. We have to do more than stand here and say ''our children are our future.'' How many of us have said that? Probably all of us at one time, that we care about them. We have to say more than just education is our priority. What we have to do is come behind those words with the resources.

This bill is about reform. If you want results, you need the resources. It is kind of like the three R's. This next chart is the essence of the Schumer-Boxer amendment. On our side of the aisle what we are saying is—and we hope Republicans will join us—we want reform. We have proven that by this bill. We want resources. We have proven that by this amendment. And we expect results. We are going to hold people accountable for results.

So far, our Republican friends support reform. But if they back the Domenici alternative to Schumer-Boxer, I think we can truly say they don't support resources and they cannot possibly expect results.

Every one of these programs I have shown you has been brought to the Senate by various Senators. Now is the time when the rubber meets the road. Another saying, one we hear a lot: The rubber meets the road. How are you going to bring into effect these wonderful programs, such as teacher quality, title I, grants for enhanced testing, math and science, bilingual ed, small programs, economic education, community technology centers, school libraries, mental health clinics, afterschool programs, if you don't bring to the fore the resources? Or, said in a better way in the Schumer-Boxer amendment: It is the sense of the Senate that Congress should appropriate all funds authorized for elementary and secondary education in fiscal year 2002.

To my colleagues who may be listening in their offices, if you vote against the Schumer-Boxer amendment, I have to say, I don't understand why you voted for this wonderful list of enhancements for our children. It just does not make sense. We are saying, you voted for the authorizing of these programs; now vote for the appropriations.

As my colleague Senator SCHUMER has stated: Some Members feel so strongly about it, they did not even want to bring this bill to the floor until we had a meeting of the minds with our Republican friends and the President that these programs would be funded or at least some of them would be funded.

I urge my colleagues to come together, Republicans and Democrats alike, and give the thumbs up to this bill. You all say you like it. President Bush has held meetings. He has had Congressman MILLER on one side and TED KENNEDY on the other. That is great. Photo ops are great. We all love them. You show you are for the kids and then your budget falls $12 billion short next year of what we need to do to carry out all this important work we have done over weeks and weeks on this bill.

I thank my colleague from New York. We have joined together, east coast, west coast. We hope all those in the middle will join us and defeat the Domenici amendment. If all we are going to do is appropriate the money in the President's budget, we can't really do this.

The most important thing, regardless of what we do with Domenici, is to support the Schumer-Boxer amendment. That will show that we mean what we say and we say what we mean. And we should be a model to our children. I look up in the galleries and see a lot of kids here. They are watching us. We had better mean what we say.

The PRESIDING OFFICER. The Senator's 10 minutes have expired.

Mrs. BOXER. I thank the Chair.

The PRESIDING OFFICER. Who yields time?

The Senator from Massachusetts.

Mr. KENNEDY. Mr. President, I know my friend and colleague from Iowa wanted some time as well. I do not see him on the floor. Do I understand now I have up to 10 minutes; is that correct?

The PRESIDING OFFICER. The Senator has 20 minutes on the two amendments.

Mr. KENNEDY. I thank the Chair. I yield myself 7 minutes.

The end is in sight in terms of the completion of this legislation and this phase of the legislative process. It has been on the floor now for several weeks. We have had good debates on a number of very important measures. We still have some remaining items through the afternoon, hopefully recessing at a reasonable hour this evening. Then we will have a full morning and early afternoon tomorrow with a series of amendments by Senators HELMS, MURRAY, and SESSIONS. Hopefully, we will be able to conclude the legislation by tomorrow at a reasonable time.

It is appropriate, as we are coming into the final hours of consideration of the legislation, to take stock of where we are, to take stock of the legislation, and then to look down the road in terms of the future.

We are going to be completing this legislation. We will move to the conference with the House of Representatives, which has a somewhat different approach than we have, but we have a fundamental agreement on what we are going to do. We will have an opportunity to address those issues and to find common ground with the House. Then we will come back here with a final product.

I am strongly committed and will work very hard to make sure we are going to come back with a program that is going to, in this instance, include the funding for the IDEA programs, which make such a difference for children in my State and across the country. By that I mean the mandatory spending for the IDEA. We have had bipartisan support to include that in the legislation. It was reflected here during the discussion, not only on that amendment but on others, as well, by Republicans and Democrats. It is vitally important. It makes a great deal of difference in terms of the results on this whole program.

When you take the funding of IDEA and also the funding in terms of title I, plus what we have done with other elements in terms of the Elementary and Secondary Education Act, and if we are going to move toward a real funding and investment in our children, I think we have the most unique opportunity we have had in recent times to make a major difference in terms of the neediest children in our country. We should not miss it.

What we have seen over the period of these past several weeks is the attempt to try and get it right in terms of working to make sure that children in local communities are going to have available to them tried, tested, and proven programs that can provide academic achievement and advancement. That is what this legislation is really all about. We know what needs to be done. The question is, do we have the willpower to be able to do it? That is what this amendment of Senator SCHUMER and Senator BOXER really is all about—to put the Senate on record in the final hours of this debate that we believe we need the resources made available to the children in this country that otherwise would be denied it.

Mr. President, we have to understand that this legislation isn't going to solve all of the problems. We will be back in another 6 years trying to deal with these issues again. But what the proponents of this amendment understand is that what is really essential is the investment in the early education of the children of this country, to invest in Early Start, Healthy Start, early learning, and children in terms of the Head Start Program. We are strongly committed to that. We are all strongly committed to the concept of having a child ready to learn when they go into school. That is a given. The funding is not there. The funding is not there for those programs.

Many of us are greatly disappointed because when we are talking about the children, particularly the very small children and the children who will be affected by this legislation, we are defining the future of this Nation. We are defining the future of our democracy, the future of our economy, and the future of the relationships these individuals are going to have with their families.

This is about America's future. For my money, there isn't a more important investment that we can make. This is about our children and about our future.

This chart reflects the progress we have made in recent times in the elementary and secondary education budget increases. We have seen that over the period of the last 7 years it has gone up by 8.6 percent. We have heard it said that money isn't everything, money doesn't solve all the problems, and let's not just throw money at education. We understand that. The fact is, though, the investment here is a clear reflection about our Nation's priorities.

As a matter of national priority, do we think investing in the neediest children in our country is a priority in which we ought to invest?

This amendment says, yes, there is no higher priority. What we have had and what we are looking at is the budget that has been proposed by this administration, by this President, supported by this Republican Party and its Republican leadership. When you look at that record, the proposed ESEA budget increases that will be incorporated, this concept in the Domenici amendment, there is a 2.6 percent increase in 2002. That is a $1 billion addition for IDEA and $700 million for the title I program—$700 million for the title I program.

We are only reaching a third of the children at the present time. And then if you look at this chart for the years 2003, zero; 2004, zero; 2005, zero; 2006, zero; 2007, zero; 2008, zero; 2009, zero; 2010 zero. The number of children at the end of the next 10 years is going to be the same number that we have at the present time. There will be no increase in the total number of children who will be there, in contrast to the amendment of the Senator from New York and the Senator from California, which says we are going to build to make sure that if we do have something in here, and the funding for the IDEA program, we are going to see an expansion in investing in those children. We are going to make sure that all of the children who are eligible—the 10 million children—will participate in the whole range of programs.

Who wants to make the choice today about which child is going to get supplementary services and which will not, or which will get a summer school program and which will not, or which will get the afterschool program and which one will not? What are we going to say about that? This amendment says that our Nation's priorities are clear and they should be expressed on the floor of the Senate in a bipartisan way.

Seventy percent of the Members of this body, Republican and Democrats alike, supported the idea for full funding for the title I program. We have brought about the reforms that many of the critics have stated. The real question is, are we going to be true to the concept that we are going to leave no child behind? Without this amendment, and without the resources here, we are leaving two out of three children behind, make no mistake about it.

Finally, in our elementary and secondary education bill, we effectively guarantee that every child that is eligible for the title I program in the ESEA will reach proficiency by the time this legislation expires. That is an empty promise if we are only going to fund this program to reach one out of three. We should not represent to the American people that we are committed to not leaving children behind if we are not going to back that up with the kinds of American resources that we have available at this time and which should be invested in these children. That is the way I read this amendment.

I thank the Senators for bringing this measure up. I hope it is going to get strong support because it is really a reflection of the kind of commitment that this body has for the future of our Nation and, most important, the future of the children of our country.

Mr. President, I withhold the remainder of my time. Mr. President, I suggest the absence of a quorum, with the time not to be charged.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

AMENDMENT NO. 801, AS MODIFIED

Mr. DOMENICI. Mr. President, I ask unanimous consent that an amendment I send to the desk be a substitute for the amendment that has been previously stated to be a Domenici amendment. This is the Domenici amendment.

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

The amendment, as modified, is as follows:

At the appropriate place, insert the following:

SENSE OF THE SENATE REGARDING AUTHORIZATIONS.

FINDINGS.—

(1) This bill currently authorizes at least $30 billion in discretionary spending on elementary and secondary education programs in fiscal year 2002.

(2) Over the 2002–8 period, this bill authorizes more than $300 billion for these same programs.

(3) Congress currently provides $18.4 billion for these same programs.

It is therefore the Sense of the Senate that:

(1) The Appropriations Committee shall fund the authorizations in this bill to the maximum extent possible.

Mr. DOMENICI. Mr. President, I want to read this to everyone so there will be an understanding of where we are.

First, I did not have enough time this afternoon or I would have searched the records of legislation we passed that comes out of committees that have authorizing authority. Clearly, the committee that reported this bill that has been debated so mightily on or about May 3, with intervening time used for some other bills, is an authorizing committee. There is no authority in the committee that my good friend Senator KENNEDY chairs to appropriate money. I do not think anybody will argue with that point.

The appropriators each year appropriate money in various appropriations bills, one of which will contain the appropriated money for education.

What we have been doing in the meantime on this education bill is very typical of what we do on any new authorization bill.

People bring to the floor amendments to the authorizing bill that says we want to authorize a different program with different amounts of money covering different groups of people so that historically in the U.S. Congress, whenever authorizing legislation has been passed, it is, for the most part, substantially higher than the amount appropriated by the Appropriations Committee, which has the single and sole authority to appropriate money.

I do not believe anyone is going to stand in this Chamber today and say the education committee appropriated this money and each Senator who offered an amendment that was voted on, whether it was adopted 95–0 or by 2 votes, whatever the case may be—nobody is going to say that amendment was appropriating money, making money available to the Department of Education to do certain things.

Those amendments and the basic underlying bill create a policy or an authorizing gamut from which the appropriators fund some or all of what is in authorizing legislation.

We have set about in the Senate to adopt many amendments. I am quite certain that when the appropriations bill comes to the floor, if we want to take every one of these amendments and stand up before the Senate and say, ''I want to offer this amendment to the appropriations bill because I want to add more money,'' I am sure it will be considered. The question is, will it be adopted? The question is, will it be automatic? I think the answer is, we do not know whether it will be adopted when it comes to appropriating, and certainly there is no question that it has not yet been appropriated.

I say in this amendment—and I think everybody who is concerned about education funding ought to vote for it—the following: This bill before us, without the remaining amendments that are still to be adopted, currently authorizes at least $30 billion in discretionary spending for elementary and secondary education programs in fiscal year 2002—$30 billion at least that we voted on in the bill and with the authorizing amendments.

Likewise, if you take the multiple years covered by this authorization bill, 2002 to 2008, the bill authorizes more than $300 billion for these same programs, the ones we are currently funding in the next finding I made. Currently we are funding these programs at $18.4 billion a year. We are almost doubling that, and then over a number of years we are more than doubling the funding that is currently being applied to these programs.

After I make these findings, I conclude very simply:

It is therefore the Sense of the Senate that: The Appropriations Committee shall fund the authorizations in this bill to the maximum extent possible.

That means that is exactly what is going to happen, and we ought to go ahead and recognize it and urge the appropriators to do this. It does not matter what we say in this bill. Unless we choose to take over the reins of appropriating and put it in this bill, it does not matter what we vote for, it matters what the appropriators give to fund this bill.

They already know that whatever the budget is, education is given the highest priority. In fact, education of a comparable nature to what I have been speaking of goes up 11.4 percent in the basic budget of the President and in the basic budget that was adopted by the Congress.

Even those numbers are not binding because the appropriators will decide out of all the priorities how much they want to take away from other programs or exceed the budget to put more of that in education. That is the prerogative of the committee with the consensus and, in some instances, perhaps a 60-vote majority being required. The Senate and the House will decide how much of the authorizing bill that is going to be adopted either Friday or next week shall be funded by the appropriators.

I certainly do not come before the Senate saying I know which programs ought to be funded by the appropriators. I happen to be on the Appropriations Committee, but in due course they will have their own hearings, as we do all the time. This is not a rarity, to pass an authorizing bill that has much more in it than the appropriators pay for, and they are not doing anything wrong by not funding it as much as is authorized. That is the prerogative of the appropriators.

In simple language, I hope everybody who is interested in maximizing the appropriation of money to the education programs, all of which are encapsulated in this bill which Senator KENNEDY has been managing since they took the majority and Senator JUDD GREGG has managed on our side—it is a very good bill, one that for the first time has some major changes. We might, in fact, look back in a few years and say that bill that was debated all those days caused us to do some things very differently than we have in the past. Who knows, if you listen to the President, if you listen to some in this Chamber who advocate these new ideas, it may very well be that we will have improved the results of our National Government's money going to States for school systems that are either run by the district or by county.

I compliment those who have participated in this bill. I voted for a number of the amendments, but certainly the truth is that the Appropriations Committee will decide how much of that they can afford under the budget they will have before them, and the Senate will decide on an appropriations bill as the matter comes up: How many more of these new programs do you want to fund in the year 2002?

I believe the Senate has adopted many provisions that will not be funded. Certainly, I am not talking about title I, but I am talking about many of the amendments, maybe even some that this Senator has offered that are part of this very large authorizing bill. But I will not be surprised if some of those I have offered and some of those others have offered will not be funded by the appropriators as we work our way through the 13 appropriations bills.

It is all right with me if Senators want to say everything else will have to be reduced and changed because we are going to fund in appropriations every single amendment that has been offered to this bill, we will fund them in their entirety. If one wants to vote for that, that is fine. Perhaps one can vote for that, and perhaps one can vote for the Domenici amendment that says, do the maximum appropriators; do the maximum amount you can under the budget restraints you will be living under as appropriators.

Mr. SCHUMER. Will the Senator yield?

Mr. DOMENICI. I am happy to yield.

Mr. SCHUMER. I thank the Senator for the courtesy. The Senator from California and I offered this amendment not for every time the authorization strays from the appropriation—we know it does that a lot—but for two reasons: One, we wish to make education a top priority. That is what the President has said, that is what some Members in speeches have said. Yet when we look at what has been newly authorized, it brings us to a level of $37 billion.

What is in the budget that the then-chair of the Budget Committee proposes was $20.1 billion, which is only $1.7 billion higher than last year? So I ask my friend from New Mexico to give a little elaboration on what the phrase ''to the maximum extent possible'' means. Is only $1.7 billion possible? We have walled off military spending in the budget the good Senator has proposed. We have a separate offset for agriculture.

The Senator from California and I fear, if left on its own, education will get no new funding or very little new funding and this debate will be for naught. I ask my colleague to elaborate, since he is our expert from that side of the aisle on the budget, what does ''to the maximum extent possible'' mean? How much money is left for education? Is it closer to the $37 billion level in this authorization or to what I consider very small and not sufficient $20 billion, a $1.7 billion increase over last year?

I thank the Senator for yielding for that question.

Mr. DOMENICI. Let me ask the Senator if he has better numbers than I do. The bill currently authorizes at least 30. Are you suggesting that is 37? I will live with your numbers. Does the Senator think it is $37 billion we have authorized in this bill?

Mr. SCHUMER. I say to my colleague, it is probably a little more than 37, but we added up everything we could get our hands on, and it comes to 37.

Mr. DOMENICI. Let's say it is somewhere between 30 and 37 and perhaps even between 30 and 40 is authorized in this bill.

Mr. SCHUMER. If my colleague will yield, I think that number is less important than the number that we think we will actually appropriate. That is the purpose of the amendment.

In the budget we have only appropriated an additional $1.7 billion as opposed to $20 billion more that is authorized. I would like to come closer to the $20 billion than the $1.7 billion, particularly if we want to be the ''education Senate,'' particularly if the President wants to be the ''education President.''

In talking about education, pictures going to school are not going to educate our kids. It is the real dollars that do. I ask my colleague, just with his knowledge, which far exceeds my knowledge, to give us some ballpark of what ''to the maximum extent possible,'' might mean.

Mr. DOMENICI. First of all, I am certainly not trying to avoid that. I am very prepared to answer it. If you will relax for a minute and let me answer it, we will all have a nice afternoon.

First, let me say it may shock everyone to hear this, but frankly the Appropriations Committee will decide what that number is. In all honesty, they will decide that. But they won't decide it based on this authorization bill. They will do it based upon what they want to establish as the priorities for expenditures for fiscal year 2002.

But if the Senator wants to know what numbers were offered by the budget as it cleared the Congress—and these are not binding; these are assumptions—then I will tell you that the budget resolution assumed $6.2 billion more than the President. So it is $6.2 billion added to $18.4 billion which makes it a total of $24.6 billion that is assumed in the budget resolution as being fundable.

I am not going to stand here and say they will fund that much, nor am I going to say they will fund that little. The truth is, unless the Senate chose today to pass a statute and it got signed by the President and it said the appropriators are going to appropriate and they are hereby ordered to appropriate the amount of money contained in this bill, then there is nothing we can do about it. They are going to do what they think is right based upon the available resources and what the Senate at large decides as these appropriations come forward.

I did not come to the floor to prejudge what they would do. I came to the floor to make sure everybody understands that an authorizing bill is very different than an appropriations bill. It has been different forever. I shouldn't say forever, but essentially for about 70 years we have had both appropriations and authorizations. They really are not the same. I regret to say we have even appropriated when there is no authorization for many parts of our Government. We have not authorized for years and the appropriators pay for the function of Government anyway.

I am comfortable that this Senate and the Appropriations Committee will maximize, as I indicated, the resources they put into education. I am confident because it has been the will of this Senate over and over as we vote that we put more rather than less in education. So I think that will happen.

Having said that, I think it is pretty clear that ''maximum'' is a dictionary definition. It is not a number definition. It just says the most you can. Whatever you are looking at, do to the extent possible. Do the most for education. That is what I put in my resolve clause because I think, honestly, to vote for anything other than that is to deny the reality of what is going to happen, prejudged, preordained by the rules we follow in the Senate.

I yield the floor.

Mr. SCHUMER. Mr. President, I believe the Senator from Massachusetts has yielded to me his 10 minutes. How much time remains on our side, which I believe is my time plus the time of the Senator from Massachusetts?

The PRESIDING OFFICER. The Senator from New York has 12 minutes. The Senator from New Mexico has 4 minutes 12 seconds. The Senator from New Hampshire has 20 minutes.

Mr. SCHUMER. I ask my colleague from New Hampshire if he wants to take some of his time now since we are down on our side and the Senator from New Hampshire has the full 20 minutes, unless he desires to yield most of it back. I will take 5 minutes, and I know the Senator from California will take 5 minutes, and that is it. We are finished on our side.

Mr. GREGG. I say to the Senator from New York, that seems reasonable. I will speak for a few minutes and reserve time. I will reserve 10 minutes to balance out with that side.

We are into a numbers game obviously. I am not sure that will have a positive impact on how this bill is perceived because the essence of this bill is the policy. Authorizing bills are about policy. I think people need to understand that. Authorizing committees tend to put numbers on bills but appropriating committees spend the money.

As a member of the Appropriations Committee, I can state that as much as we admire the authorizing committees, sometimes we act independently of the authorizing committee. The key to an

authorizing bill is the policy that is laid down relative to educational reform.

In this bill, there is a lot of very interesting, very significant policy, the purpose of which is to depart from a course that has regrettably produced year after year of failure in educating our low-income children, and move on a course which will hopefully give our children from low-income families a better opportunity to learn and be competitive with their peers, and therefore participate in America and the prosperity of our Nation.

The basic themes of the policy in this bill, as I have outlined a number of times, is that it is child centered. It involves giving more flexibility to local communities and the teachers and the parents and the principals. In exchange for that flexibility, it builds in a desire to see much greater academic achievement on the part of low-income kids who today, regrettably, read at two or three grade levels less than their peers and graduate at a 50-percent rate from high school. It has significant accountability standards to make sure those academic achievements are accomplished.

The policy in this bill is strong. It is unique in the sense of the tradition of Federal involvement in education in that it takes a new road to a large degree.

The authorizing levels in this bill, however, are really not that relevant to what is going to happen, in my humble opinion. The reason I say that is because it has become almost a form of gamesmanship on this floor to constantly throw more money into the number at the authorizing level. All you have to do is look at what we have done in the last few weeks to recognize that.

Over the last few weeks we have added into this budget, into this bill, literally huge increases in the authorized level. We have increased the authorization level by 47 percent in the mandatory area, adding $112 billion. Over the term of the bill, which would be 7 years, we have added $211 billion, for a 101-percent increase.

In the year 2000, we have increased the authorizing level by $11 billion, bringing the total to $38.8 billion, or a 120-percent increase. That has all been done in about a week's time, maybe a week and a half, as we picked up speed over the last few days.

We need to put that in context. This bill has been on this floor before. We have heard from the other side that we have to authorize and then we have to appropriate to the highest level possible to achieve the most significant results because money translates into achievement. Of course we know money doesn't translate into achievement. But even if we were to accept that argument, and we were to go back a few years—for example, the last time this bill was authorized, back in 1994–1995—we would find the enthusiasm for bumping up the authorizations when we had a Democratic President and a Democratic Congress was not quite so high. It could have been at that time they were dealing with reality versus politics.

At that time, when the authorizing bill came through, the ESEA authorizing bill came through, the actual increase in educational spending that resulted from it was .012 percent—.012 percent. In fact, the actual educational funding was cut in that year by $484 million. The increase in title I specifically was less than 6 percent in that year.

You might say there was a deficit then so Congress had to be much more restrained in its activity. But I would point out that at that time the Senator from Massachusetts represented that the bill as it was passed and authorized—remember the authorization levels were essentially no increase at all—he said it was the most important reauthorization of ESEA since that landmark act was passed in 1965. So, obviously, at that time at least the chairman of the committee thought it achieved the goals it was supposed to have achieved. In fact, he went on to hail its academic accountability standards. It would achieve those levels at the levels it was authorized or else he would not have said it was such a great bill.

I do not know what has changed in 6 years, other than we have a different President and a different Congress. Yes, we do have a surplus. But as a practical matter, if the bill was so good and strong when there was virtually no authorization increase, why today do we have to have an authorization increase which has, just in 7 days, jumped so radically? Remember when this bill came out of committee the authorization increases in it were already exceeding 100 percent of what the underlying authorized levels were when we started out. So we are talking about 100 percent on top of 100 percent.

I also note if spending on education has to be so aggressively pursued in order to accomplish the goals of better education, somebody must not have informed the prior President of that. The prior President's increases in title I spending, President Clinton's increases, were rather small—not only during the period that we had a deficit but during the period that we had the surplus, from 1998–1999. In the period of surplus, the increased proposal was $36 million; in 1999 his increased proposal was $219 million; in the year 2000–2001 he proposed a $401 million increase in title I funding.

In the area of special education, he essentially proposed no increase in 1998, 1999, 1999–2000, and then in 2000–2001 he proposed an increase.

As a practical matter, President Clinton, who I believe was committed to education—in fact, when I was Governor and he was Governor we held an education conference down in Charlottesville, as I recall—was one of the leaders on the issue. I state he certainly maintained that view throughout his Presidency. He thought he could accomplish his goals on education during a period of surplus with the dollars he outlined.

What is President Bush suggesting? I think that brings us sort of into a complete circle. President Bush has suggested a very significant increase in funding. Remember, President Clinton's request was $401 million. President Bush's funding request in this area is $500 million. That was his request.

In negotiations leading up to bringing this bill to the floor, the President went well beyond that request and, in fact, has offered an increase in title I funding which represents a 50-percent increase in funding in 1 year.

In the special education area, President Bush has proposed the largest single increase ever proposed by a President in special education funding. President Bush has proposed a 50-percent increase, or offered a 50-percent increase in title 1 funding as part of the negotiations leading up to this bill. He has proposed in his budget a $500 million increase, which is $100 million more than President Clinton proposed, and he has proposed the single largest increase in special education funding ever proposed by a President.

It is reasonably disingenuous to take the position that this President isn't committed to education on the policy side, and also on the spending side, to support that policy, because he has walked the walk and made the proposals to accomplish it, which brings us to the question of what is the purpose of this sense of the Senate amendment.

It is to ask the appropriating committee to fully fund authorizations which have come at us on this floor for the last 5 or 7 or 8 days—it has in actuality been 14 days since we really went on the bill in an intense way—authorizations which, as I mentioned earlier, represent in those few days an over 120-percent increase in this year's budget, a 100-percent increase in the 7-year budget representing $211 billion, and a 47-percent increase in special education funding. I think you are going to have trouble with the appropriating committee to accomplish that. We have to be realistic.

I suppose when the defense authorizers come to the floor they might offer the same type of SOS, and they might say we want defense authorizations fully appropriated also. They would probably have a pretty good case for that because the obligation of the National Government is national defense.

Then I suspect when the health committee, which I happen to be a member

of, and which this committee comes out of, comes forward with the authorization levels for NIH, for which we have significantly increased the appropriations, or for some other health activity which is very important, such as prescription drugs, or whatever the item might be, we are going to ask for full appropriations their, too.

The list goes on and on. The obligations of the Federal Government are significant.

But when you increase the authorizations on the floor of the Senate by 120 percent in 7 days on a bill that came out which had almost a 100-percent increase in it to begin with, and you increase the authorization by $200 billion on a bill which came out with already $235 billion in it when it hit the floor, which was a significant increase, a dramatic increase over present law, I think you are making a statement: Yes; that you want a commitment to education, but I think you are also probably acknowledging realistically that you are never going to hit those goals.

It is just not reasonable to expect that the appropriations committee is going to have that type of change sitting in its pocket to move into this area. But when the President of the United States comes forward and says he is committed to a 50-percent increase in funding for title I, that is pretty significant.

When the President of the United States comes forward and offers the biggest increase in history that a President has ever asked in special education, I think the Appropriations Committee will take that position.

In the end, I believe these accounts will receive the very significant dramatic increases that they deserve. In fact, it is very obvious from the President's proposal that the education accounts are going to receive the largest rate increase ever by a factor probably of 100 percent or maybe more—200 or 300 percent—of any accounts in the Federal Government. The only agency that will probably be able to compete and the only area where competition will be even close will be NIH where we are committed to doubling funding over a period of time. But I don't think even the NIH increases as a percentage are going to be anywhere near the percentage of increases we are going to see coming as a result of this President's commitment to education.

Once again, I suspect that this amendment, although well-intentioned, is going a bit beyond what reality is as far as the Congress functions because I think we all understand that the appropriating committees do not necessarily listen to authorizing committees when it comes to money. Authorizing committees define policy. That is our primary responsibility. We have done a good job of it in this bill.

Because of the President's commitment in this area, I am pretty confident that the appropriating committee will make a dramatic increase in the spending commitment to education which will allow us to accomplish policies that we hopefully are going to pass with this bill.

I reserve the balance of my time. I yield the floor.

The PRESIDING OFFICER. The Senator from New York.

Mr. SCHUMER. Mr. President, how much time does the Senator from New Hampshire have remaining?

The PRESIDING OFFICER. The Senator from New Hampshire has 3 and a half minutes remaining.

Mr. SCHUMER. I have 12 minutes.

The PRESIDING OFFICER. That is correct.

Mr. SCHUMER. I yield 4 minutes to the Senator from California.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Mr. President, I think this is really where the rubber meets the road. Are we serious about the work we have accomplished? I went over this in great detail. I don't know if the Chair can read this from his seat. I have listed all the bipartisan programs that we have added to this bill, beautiful programs such as IDEA, increasing funding, teacher quality, some of these my colleague worked very hard on himself, mental health programs, these were all added in a bipartisan fashion. It adds up here to $10 billion more than is in the Bush budget. We know that we even have done more.

The Schumer-Boxer amendment is important because what we say is all of this hard work, all of this coming together, all of this bipartisanship, all of this work for the children of America should be funded. Very simply put, that is exactly what Senator SCHUMER and I are doing in this amendment. It is a sense of the Senate.

What is the argument that the Senator from New Mexico, Mr. DOMENICI, has lodged against the Schumer-Boxer amendment? First he looked at the Senator from New York, and I guess the Senator will remember, and he said: I hope the Senator from New York will relax and we will all have a happy afternoon. Then he went on to say: It is impossible to fund this. That is not a happy afternoon for any of us who care about kids. But I also want to say to my friend from New York, do not relax until every child in New York, every child in New Jersey, every child in California, every child in Mississippi, Louisiana and every other State has a good quality public education.

I hope you will not listen to that advice. I hope you will stay focused, as you always do, on these issues and keep giving us these kinds of amendments so we make sure we mean what we say and we say what we mean.

The Senator from New Mexico said some other things too. He said to the Senator from New York and to the Senator from California: You can't tell the Appropriations Committee what to do. That is ridiculous. And in your amendment you are saying, fund these programs to the extent of the authorization. We are not telling them what to do. We are passing a sense of the Senate.

One, we are not telling them what to do. We are asking them to consider the sense of the Senate that these programs should be fully funded.

I want to make another point and I wish the Senator from New Mexico was on the floor. His comments were really disingenuous. He was chairman of the Budget Committee when the Budget Committee came out with the budget. Do you know what he did? My friend from New York knows it well. He not only set the size of the tax cut, which the Finance Committee has jurisdiction over, but he also made that whole debate filibuster-proof. Did he tell us what to do? Oh, yes, he did. Did he also make sure that agriculture spending would be protected? He sure did. Do you know that the chairman of the Budget Committee had the authority to decide the increases in agriculture, not the Appropriations Committee, and do you know that the chairman of the Budget Committee—it is no longer Senator DOMENICI; it is now Senator CONRAD, a sort of twist of fate—said that the chairman of the Budget Committee is now going to decide how much we are going to spend on the military. So when the Senator from New Mexico chastises the Senator from New York and the Senator from California and says——

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

Mr. SCHUMER. I yield the Senator from California one additional minute.

The PRESIDING OFFICER. The Senator is recognized for 1 additional minute.

Mrs. BOXER. Mr. President, when the Senator from New Mexico tells these two Senators—who have a simple sense of the Senate that we agree only carries moral authority, doesn't tell them exactly what to do—we are overstepping our bounds, I have to say that is amazing to me because that is coming from my friend—I served with him on the Budget Committee for many years—who actually gave power to the chairmen of the committees to say what the appropriate level should be for military spending and ag expending. I do not see it.

You will note, that committee did not stand up for education. They said we could have a piece of the extra $6 billion that may be lying around. All we are saying is, give education a chance to be fully funded.

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

Mrs. BOXER. I hope my colleagues will support the Schumer amendment.

I thank my colleague from New York.

Mr. SCHUMER. Mr. President, I yield 4 minutes to my friend and colleague, our leader on education, the Senator from Massachusetts, Mr. KENNEDY.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KENNEDY. Will the Chair tell me when there are 30 seconds remaining?

The PRESIDING OFFICER. The Chair will do so.

Mr. KENNEDY. Mr. President, what this debate is really about is whether we, as a body, are going to be satisfied with the budget that has been proposed by the President and the Republicans that gives a $1 billion increase in IDEA and a $700 million increase for the title I program, or whether we are going to try to fund ESEA, the title I program, for the full funding, whether we are going to fund ESEA the way bipartisan votes over the last 3 days have indicated is the desire of this body.

I hear a great deal about the budget, but the budget isn't law. Do we understand that? The budget isn't law. In this body, we have the ability and the power—if we believe in something—to pass legislation that is going to fund the programs the way they should be funded. That is what this battle is about.

With all respect to my good friend from New Mexico, his proposal is a cop-out. It says: As much as possible. We know what is possible. He was the chairman of the Budget Committee. They are going to follow the Budget Committee, and that is going to be peanuts for educating the children of this country. You cannot educate children with a tin cup. You cannot do it on the cheap. You have to invest in them.

That is what the Schumer amendment is all about. That is why, if we believe that education is important, and that we want to reach all of the children—not just a third—if you want to reach just a third in fiscal year 2008, you vote with Senator DOMENICI. That is exactly what you are going to do. But don't make any more speeches about ''we are not going to leave any child behind.'' Put those speeches away. Put those speeches away forever. That is what this vote is about.

We have the opportunity of funding it so no child is left behind. It is as simple as that. One is just a cop-out. The other is a reaffirmation and statement of what has happened in the Senate Chamber over the period of these past weeks. And it is a statement and a comment that we are going to commit ourselves to work every single day for the remaining time of this session, and during the appropriations battles, and after that every single time, to invest in the children and the future of this Nation. That is what the Schumer amendment is all about. That is why it should be supported.

The PRESIDING OFFICER. The Senator from New York.

Mr. SCHUMER. Mr. President, I yield myself the remaining 3 minutes.

The PRESIDING OFFICER. Almost 4 minutes.

Mr. SCHUMER. Mr. President, first, I thank the Senator from Massachusetts. One day, if I am here a long time, I might be able to reach 10 percent of his eloquence. And I would be happy with that. He sums it up just perfectly.

Let me say, first, in reference to my good friend from New Mexico, he says the budget does not have room to appropriate all that is authorized. In the budget he put together, they walled off military spending, they walled off transportation spending, they walled off agriculture spending. They said they are going to get what they need.

What is really wounding to those of us who believe so much in education is not simply that education was not walled off but the doublespeak that is going on in this Capitol.

The President did not campaign as the military President. He did not campaign as the agriculture President. He is not busy taking pictures with big trucks as the transportation President. He campaigned as the education President.

Then they hand up a budget whose increase in actual spending is miserly. To say this is doublespeak is kind. This is why the American people despise Washington, because there are all the photo opportunities and all the slogans, and then when it comes to actually putting the money on the table to help keep our country No. 1—by educating it—we come up with 100 excuses.

Where are the excuses for the military? Where are the excuses for agriculture? Where are the excuses for transportation? This is just not right. This is just not fair.

We spent 2 weeks debating education in a bipartisan way. We talked about how we are coming together. And then we find that the amount of money the budget will allow is a $1.7 billion increase. That is what the President proposed? Less than President Clinton, much less than President Clinton's increase in the previous 3 years when we had a surplus.

If you don't want to fund education, don't say you are the ''education President.'' If you don't want to fund education, don't say you are the ''education Senate.'' Don't talk about leaving no child behind when you are leaving 80 percent of the children behind with this budget.

Is this amendment that the Senator from California and I have put together a foolproof amendment? Is it foolproof? No. It is a sense of the Senate. It is saying: Let's live up to our promises, our promises not to ourselves but our promises to the children of America and the people of America who we said we were going to help.

This amendment simply says: Put your money where your mouth is. Don't give a lot of speeches, don't do a lot of photo opportunities unless you spend it. We know they can do it if they want. The Domenici amendment, which says ''do as much as possible,'' is the most elastic check I have ever seen. No one will cash it.

So, my colleagues, I urge a ''no'' vote on the Domenici amendment, which will not provide the necessary funding for our kids, and a ''yes'' vote on the Schumer-Boxer amendment.

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

The Senator from New Hampshire has 3½ minutes remaining.

Mr. GREGG. Is that all the time remaining on either side?

The PRESIDING OFFICER. That is all the time remaining.

Mr. GREGG. Mr. President, I appreciate the energy of the Senator from New York, but I cannot agree with his position. The fact is, we finally have a President who is focused on education, who is focused on the fact that we, as a nation, and as a federal government, have totally failed in our responsibility to low-income children. We have spent over $120 billion of taxpayers' money, and we have still left the low-income child behind in America.

We finally have a President who has said: No longer are we going to tolerate this. We are not going to tolerate taking taxpayers' money and allegedly using it to benefit the low-income child, and finding out that generation after generation of low-income children have not been able to realize the American dream because they have not been able to get an education. We have a President who has finally stood up for the low-income child and his or her right to receive a decent education in our country.

We brought a bill to this Chamber. It isn't exactly what I wanted, I know it isn't exactly what the other side wanted, but it has, as its essence, the elements that will bring about some significant changes in the way we deliver education in this country, especially on behalf of low-income children. And, more importantly—or equally as important—the President has said: I am going to support that policy with dollars. He has put on the table more dollars than the prior President ever put on the table, by a factor, in the area of title I, of about, by my calculations, 10. In the area of special ed, he has proposed the single largest increase ever proposed by a President.

The simple fact is, this President has backed up his commitment to education with a commitment of dollars. What we have seen on the floor for the last 12 days is a lot of Members who want to put out a press release saying they have increased it even more. And so they know when we are using authorization money, that we are using

funny money to some degree. The real money comes out of the Appropriations Committee. We know that when the Appropriations Committee meets, it is going to make its decisions no matter what the authorization committee says because that is the way it has worked around here since time immemorial, or at least in this century.

As a practical matter, what we can do that is constructive is pass a good bill that has good policy and also make it clear to the Appropriations Committee that we expect them to fund education to the fullest extent possible, which is what the Domenici amendment requests and what is reasonable.

We have somebody backing us up on this, and that is the President, who has already said that the number proposed in the budget is something he is going to exceed, again by a factor of potentially 10, or somewhere in that range, in the area of title I.

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

The Senator from New Mexico had an additional 4 minutes.

Mr. GREGG. The Senator from New Mexico has yielded his time to me, so I claim the Senator's time.

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

Mr. GREGG. I yield back the time and ask for the yeas and nays on the Domenici amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be.

The yeas and nays were ordered.

Mr. KENNEDY. Mr. President, I ask for the yeas and nays on the Schumer-Boxer amendment as well.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the Domenici amendment No. 801, as modified. The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. REID. I announce that the Senator from Connecticut (Mr. DODD) is necessarily absent.

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

The result was announced—yeas 49, nays 50, as follows:

[Rollcall Vote No. 185 Leg.]

YEAS—49

Allard	Collins	Grassley
Allen	Craig	Gregg
Bennett	Crapo	Hagel
Bond	DeWine	Hatch
Brownback	Domenici	Helms
Bunning	Ensign	Hutchinson
Burns	Enzi	Hutchison
Campbell	Fitzgerald	Inhofe
Chafee	Frist	Kyl
Cochran	Gramm	Lott
Lugar	Santorum	Stevens
McCain	Sessions	Thomas
McConnell	Shelby	Thompson
Miller	Smith (NH)	Thurmond
Murkowski	Smith (OR)	Warner
Nickles	Snowe	
Roberts	Specter	

NAYS—50

Akaka	Dorgan	Lieberman
Baucus	Durbin	Lincoln
Bayh	Edwards	Mikulski
Biden	Feingold	Murray
Bingaman	Feinstein	Nelson (FL)
Boxer	Graham	Nelson (NE)
Breaux	Harkin	Reed
Byrd	Hollings	Reid
Cantwell	Inouye	Rockefeller
Carnahan	Jeffords	Sarbanes
Carper	Johnson	Schumer
Cleland	Kennedy	Stabenow
Clinton	Kerry	Torricelli
Conrad	Kohl	Voinovich
Corzine	Landrieu	Wellstone
Daschle	Leahy	Wyden
Dayton	Levin	

NOT VOTING—1

Dodd

The amendment (No. 801), as modified, was rejected.

Mr. HARKIN. I move to reconsider the vote by which the amendment was agreed to.

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

The motion to lay on the table was agreed to.

AMENDMENT NO. 800

The PRESIDING OFFICER. Under the previous order, 4 minutes is evenly divided between the Senators from New York and the Senator from New Hampshire.

Mr. SCHUMER. Mr. President, I assume I have 2 minutes.

The PRESIDING OFFICER. The Senator is correct.

Mr. SCHUMER. I yield 1 minute to my colleague on this amendment, the Senator from California.

Mrs. BOXER. Mr. President, we have been working for 7 or 8 weeks on this bill. What is wonderful about it is we have worked on it under the Republican leadership and now under the Democratic leadership. What we have done is quite extraordinary. We have truly made education a priority in this Nation.

This chart lists all of the good things we have added to this bill over and above the Bush budget. Members from both sides of the aisle have added these amendments, whether afterschool, IDEA, title I, teacher quality. I don't even have time to go through the whole list in a minute.

In our amendment, the Schumer-Boxer amendment, we are saying we should fund this bill. We should fund these programs. We should lift these kids up and deliver on the rhetoric and the promises we have made.

It is a very simple amendment. I urge the support of Members.

The PRESIDING OFFICER. The Senator from New York.

Mr. SCHUMER. Mr. President, this amendment is simple. It says we ought to do what we say we are going to do. We have made and the President has made education a hallmark of this election campaign and this new Congress, beginning in Washington. It would be the cruelest of broken promises to have a debate for weeks and then not actually appropriate the money we say we are going to appropriate.

The present budget resolution cannot do it. It has a paltry $1.7 billion increase, not enough to even do one-quarter of what we say we are going to do on title I, let alone all the other priorities.

If Members want to put their money where their mouth is, if Members want to give the people in America faith in the system, that we do not just debate things but we do things, Members will vote for this amendment that says it is the sense of the Senate that we ought to appropriate what we are authorizing. This is for the kids of America. I urge a bipartisan vote for it.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mr. GREGG. I yield such time as he may consume to the Senator from New Mexico.

Mr. DOMENICI. Mr. President, it has been the history of the Senate that we authorize legislation and we appropriate or pay for legislation that has been adopted. In this case, this sense-of-the-Senate resolution stands that on its head and says, whatever it is we voted on to be authorized, we shall fund. The appropriators shall pay for it.

Now, historically we always authorize more than we can afford. We are doing the same thing in this bill. As a matter of fact, if that sense of the Senate were adopted, we would increase education 100 percent in the first year—not 10, not 20, not 30, but 100 percent. Over the next 7 years, we would increase it by $300 billion. This has nothing to do with the President's commitments. It has to do with the Senate taking a typical authorization bill and adding all kinds of nice, good, wholesome, wonderful amendments that we are not going to pay for because we don't have the money. The appropriators will pay for what they can afford. We cannot tell the appropriators in advance; they have a myriad of programs to look at in terms of priorities, and we would be telling them it is the sense of the majority of Members saying: Appropriators, you will; you shall; there is no escape; you will pay for every amendment that has been adopted as if it were appropriated.

Mr. BYRD. Will the Senator yield?

Mr. DOMENICI. Indeed, I am pleased to.

Mr. BYRD. Mr. President, while I support many of the provisions in this bill, and I support increased Federal aid for education, I think this amendment is premature. I did not vote for the previous amendment upon which

the Senate just acted. At this time, appropriators have no idea what the conference report on this bill will resemble. We have no idea what the final dollar amount for this bill will be. We may not know that final amount for several weeks. It would be misleading to commit to any particular dollar figure before we see where the conference report on this bill shows us to be. To do otherwise is to ask the Appropriations Committee to buy a pig in a poke.

I will not support this amendment. I did not support the previous amendment.

To jump in now and to commit to an unknown funding level, I think, as an appropriator, is irresponsible. As an appropriator, I cannot do that. I will not do that. And if this continues, we will see more and more of these amendments that try to put the Senate on record and committing the Appropriations Committee to bind itself to a money figure before we really know all the facts.

Resources are scarce this year and we will have to stretch and strain to meet this Nation's needs. Premature commitments will only make the difficult job of appropriating more difficult. To use an old West Virginia expression: I'll roll up my britches when I get to the creek. We will do the best we can when we have more information.

The PRESIDING OFFICER. All time has expired. The question is on agreeing to amendment No. 800. 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 Connecticut (Mr. DODD) is necessarily absent.

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

The result was announced—yeas 49, nays 50, as follows:

[Rollcall Vote No. 186 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
Cantwell	Hollings	Rockefeller
Carnahan	Inouye	Sarbanes
Carper	Jeffords	Schumer
Cleland	Johnson	Snowe
Clinton	Kennedy	Stabenow
Collins	Kerry	Torricelli
Conrad	Landrieu	Wellstone
Corzine	Leahy	Wyden
Daschle	Levin	
Dayton	Lieberman	

NAYS—50

Allard	Cochran	Grassley
Allen	Craig	Gregg
Bennett	Crapo	Hagel
Bond	DeWine	Hatch
Brownback	Domenici	Helms
Bunning	Ensign	Hutchinson
Burns	Enzi	Hutchison
Byrd	Fitzgerald	Inhofe
Campbell	Frist	Kohl
Chafee	Gramm	Kyl
Lott	Roberts	Stevens
Lugar	Santorum	Thomas
McCain	Sessions	Thompson
McConnell	Shelby	Thurmond
Miller	Smith (NH)	Voinovich
Murkowski	Smith (OR)	Warner
Nickles	Specter	

NOT VOTING—1

Dodd

The amendment (No. 800) was rejected.

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

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

The motion to lay on the table was agreed to.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. COCHRAN. 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. COCHRAN. Mr. President, as I understand, if there is going to be a little lull in the routine right now, I thought I would take advantage of this opportunity to advise the Senate that, at my request, the managers' amendment, No. 585, to this bill includes a new provision in the Early Reading First Program. The Early Reading First Program is designed to improve the language and early literacy development of children ages 3 through 5. Reading, as we all know, is the most important and fundamental skill for children to learn.

This new provision in the bill will allow the use of Federal funds and authorize the appropriation of funds for dissemination of a reading readiness screening tool that is based on top quality research for children in this age group.

The National Council on Learning Disabilities has developed such a tool which is based on the report and research that was reviewed by the National Reading Panel.

To acquaint the Senate with the work that has been done in this area, the National Reading Panel was created at our suggestion as a result of legislation that was introduced back in 1997. Subsequently, the report accompanying the Fiscal Year 1998 Labor-HHS and Related Agencies Appropriations Act called on the National Institute of Child Health and Human Development and the Department of Education to form a panel to evaluate existing research on the teaching of reading to children, to identify proven methodologies, and suggest ways for dissemination of this information to teachers, parents, universities, and others.

As a result of that initiative and the work that was done, there has been published one example of this initiative. It is prepared by the National Center for Learning Disabilities.

With this legislation that is identified by me in this amendment in the managers' package, this is the kind of material that will be disseminated with the use of Federal funds to schools, to universities, to departments of education at universities, and others who are interested in the latest and best information about how to teach young children who have reading difficulties, and new techniques for teaching those who will acquire developmental skills at a faster rate and more efficiently, to equip them to be successful in the early grades of school.

So I bring this to the attention of the Senate to let everyone know that there has been, over time, a very successful effort, first by the research institutes at the National Institutes of Health, to do some fundamental research into why children have difficulties learning to read, and things that can be done to help overcome those difficulties.

That research has now been used by the Department of Education because of legislation we adopted in the past, and now we have come to the point where there are some specific programs and practices that are being recommended throughout the country as a result of the work of the National Reading Panel whom we charged with the job of translating those research findings into teaching practices and techniques.

What this research has told us—just as an example—is that 75 percent of children with reading difficulties who are not identified by the time they reach age 9 will still have poor reading skills at the end of high school; 80 to 90 percent of children identified with learning disabilities have their primary deficits in reading and language-based processes; research provides reliable ways to determine whether children as young as age 4 are developing the fundamental skills necessary to learn to read; and last, early identification and effective, early intervention can dramatically reduce the numbers of students failing in reading.

Back in April of last year, the panel submitted its report to Congress at a hearing of our Senate Appropriations subcommittee chaired by Senator SPECTER of Pennsylvania. Some of the most important research that I hoped could be made available to teachers and parents is the information about the skills young children need to have in order to be ready to read and, beyond that, how to help them attain those skills. This dissemination of a user-friendly predictor of reading readiness will ensure that more children arrive at school with the skills they need, and early identification of those children who need extra help will be possible.

This amendment will finally ensure that parents and teachers have available the first tool they need to begin

the important steps to learning to read.

The Department of Education's monthly publication ''Community Update'' for April 2001 features an article by Dr. Reid Lyon, chief of the Child Development and Behavior Branch at the National Institute of Child Health and Human Development. He says in the article:

Today's teachers have a number of resources that can help them discriminate between research that can be trusted and research that cannot be. One such resource is The Report of the National Reading Panel.

Mr. President, I ask unanimous consent that a copy of Dr. Reid Lyon's article be printed in the RECORD.

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

SOLID RESEARCH, SOLID TEACHING

(By G. Reid Lyon)

Teachers frequently tell me that they see little value in basing their teaching practices on the results of ''educational research.'' They point out that the research reports are difficult to understand, frequently do not apply to the specific children they are teaching, and often reflect ''turf battles'' between academics espousing different research philosophies.

I know firsthand the devastating effect that poor quality research has on teaching practices and the trust teachers have in educational research. As a brand new third-grade teacher in the mid-1970s, I was responsible for teaching 28 students of varying abilities and backgrounds. Unfortunately, many of my students had not yet learned basic reading skills and were clearly floundering in almost every aspect of their academic work.

However, the university courses that I had taken to become certified as an elementary school teacher led em to believe these youngsters would learn to read when they were ready. Likewise, my school's reading curriculum was based on the assumption that learning to read was a natural process, similar to learning to listen and speak. Thus children did not need to be taught basic reading skills in a systematic or direct manner.

At the beginning of the year, a third of my students read so slowly and inaccurately that they could not comprehend what they read. Their spelling was also nothing to write home about. Unfortunately, by the end of the year, these same students continued to read slowly and inaccurately. The only change I could discern was that their motivation to read had waned—they would actually avoid reading—and their self-esteem had suffered considerably. Likewise, I felt like a failure as a teacher.

It wasn't until later in my research career that I learned that the way I was trained to teach reading, and the way that the reading series recommended that literacy concepts should be taught, were based upon research that was questionable at best. Indeed, I came to learn later that the assumptions upon which the instructional philosophy and methods rested had never been adequately tested through well-designed studies.

Today's teachers have a number of resources that can help them discriminate between research that can be trusted and research that cannot be. Now, when almost every reading program and set of instructional materials are said to be ''research-based,'' teachers need to know that many of these products are based upon beliefs and dogma rather than on scientific data.

One such resource is the The Report of the National Panel—An Evidence-Based Assessment of the Scientific Research Literature on Reading and Its Implications for Reading Instruction, available free by request at www.nationalreadingpanel.org. The report is published jointly by the National Institute of Child Health and Human Development, the U.S. Department of Education, and the National Institute for Literacy (NIFL). NIFL, a government agency that disseminates evidence-based information on reading, is also developing information and tools specifically for teachers.

All teachers want to do the best for their students. When our children learn, everyone wins. Solid, research-based approaches can help children do just that!

Mr. COCHRAN. Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from New York.

AMENDMENT NO. 516, AS FURTHER MODIFIED

Mrs. CLINTON. Mr. President, I ask unanimous consent to lay aside the pending amendment and call up amendment No. 516, as modified, and ask that it be further modified with the language I send to the desk.

The PRESIDING OFFICER. Is there objection?

The Chair hears none, and it is so ordered.

The amendment is so modified.

The amendment, as further modified, is as follows:

On page 586, between lines 18 and 19, insert the following:

SEC. ____. STUDY CONCERNING THE HEALTH AND LEARNING IMPACTS OF DILAPIDATED OR ENVIRONMENTALLY UNHEALTHY PUBLIC SCHOOL BUILDINGS ON AMERICA'S CHILDREN AND THE HEALTHY AND HIGH PERFORMANCE SCHOOLS PROGRAM.

Title IV, as amended by this title, is further amended by adding at the end the following:

''PART E—MISCELLANEOUS PROVISIONS

''SEC. 4501. STUDY CONCERNING THE HEALTH AND LEARNING IMPACTS OF DILAPIDATED OR ENVIRONMENTALLY UNHEALTHY PUBLIC SCHOOL BUILDINGS ON AMERICA'S CHILDREN.

''(a) STUDY AUTHORIZED.—The Secretary of Education, in conjunction with the Director of the Centers for Disease Control and Prevention and in consultation with the Administrator of the Environmental Protection Agency and the Secretary of Energy, shall conduct a study on the health and learning impacts of dilapidated or environmentally unhealthy public school buildings on children that have attended or are attending such schools.

''(b) STUDY SPECIFICATIONS.—The following information shall be included in the study conducted under subsection (a):

''(1) The characteristics of public elementary and secondary school buildings that contribute to unhealthy school environments, including the prevalence of such characteristics in public elementary and secondary school buildings. Such characteristics may include school buildings that—

''(A) have been built on contaminated property;

''(B) have poor in-door air quality;

''(C) have high occurrences of mold;

''(D) have ineffective ventilation, heating or cooling systems, inadequate lighting, drinking water that does not meet health-based standards, infestations of rodents, insects, or other animals that may carry or cause disease;

''(E) have dust or debris from crumbling structures or construction efforts; and

''(F) have been subjected to use of pesticides, insecticides, chemicals, or cleaners, lead-based paint, or asbestos or have radon or other hazardous substances prohibited by Federal or State Codes.

''(2) The health and learning impacts of dilapidated or environmentally unhealthy public school buildings on students that are attending or that have attended a school described in subsection (a), including information on the rates of such impacts where available. Such health impacts may include higher than expected incidence of injury, infectious disease, or chronic disease, such as asthma, allergies, elevated blood lead levels, behavioral disorders, or ultimately cancer. Such learning impacts may include lower levels of student achievement, inability of students to concentrate, and other educational indicators.

''(3) Recommendations to Congress on how to assist schools that are out of compliance with Federal or State codes to achieve healthy and safe school environments, how to improve the overall monitoring of public school building health, and a cost estimate of bringing all public schools up to such standards.

''(4) The identification of the existing gaps in information regarding the health of public elementary and secondary school buildings and the health and learning impacts on students that attend dilapidated or environmentally unhealthy public schools, including recommendations for obtaining such information.

''(5) The capacity (such as the district bonded indebtedness or the indebtedness authorized by the district electorate and payable from the general property taxes levied by the district) of public schools that are dilapidated or environmentally unhealthy to provide additional funds to meet some or all of the school's renovation, repair, or construction needs.

''(6) The degree to which funds expended by public schools to implement improvements or to address the conditions examined under this study are, or have been, appropriately managed by the legally responsible entities.

''(c) STUDY COMPLETION.—The study under subsection (a) shall be completed by the earlier of—

''(1) not later than 18 months after the date of enactment of this Act; or

''(2) not later than December 31, 2002.

''(d) PUBLIC DISSEMINATION.—The Secretary shall make the study under this section available for public consumption through the Educational Resources Information Center National Clearinghouse for Educational Facilities of the Department of Education.

''(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $2,000,000 for fiscal year 2002 for the conduct of the study under subsection (a).

''SEC. 4502. HEALTHY AND HIGH PERFORMANCE SCHOOLS PROGRAM.

''(a) SHORT TITLE.—This section may be cited as the 'Healthy and High Performance Schools Act of 2001'.

''(b) PURPOSE.—It is the purpose of this section to assist local educational agencies

in the production of high performance elementary school and secondary school buildings that are energy-efficient and environmentally healthy.

''(c) PROGRAM ESTABLISHMENT AND ADMINISTRATION.—

''(1) PROGRAM.—There is established in the Department of Education the High Performance Schools Program (in this section referred to as the 'Program').

''(2) GRANTS.—The Secretary, in consultation with the Secretary of Energy and the Administrator of the Environmental Protection Agency, may, through the Program, award grants to State educational agencies to permit such State educational agencies to carry out paragraph (3).

''(3) STATE USE OF FUNDS.—

''(A) SUBGRANTS.—

''(i) IN GENERAL.—A State educational agency receiving a grant under this section shall use the grant funds made available under subsection (d)(1)(A) to award subgrants to local educational agencies to permit such local educational agencies to carry out the activities described in paragraph (4).

''(ii) LIMITATION.—A State educational agency shall award subgrants under clause (i) to the neediest local educational agencies as determined by the state and that have made a commitment to use the subgrant funds to develop healthy, high performance school buildings in accordance with the plan developed and approved pursuant to clause (iii)(I).

''(iii) IMPLEMENTATION.—

''(I) PLANS.—A State educational agency shall award subgrants under subparagraph (A) only to local educational agencies that, in consultation with the State educational agency and State offices with responsibilities relating to energy and health, have developed plans that the State educational agency determines to be feasible and appropriate in order to achieve the purposes for which such subgrants are made.

''(II) SUPPLEMENTING GRANT FUNDS.—The State educational agency shall encourage qualifying local educational agencies to supplement their subgrant funds with funds from other sources in the implementation of their plans.

''(B) ADMINISTRATION.—A State educational agency receiving a grant under this section shall use the grant funds made available under subsection (d)(1)(B)—

''(i) to evaluate compliance by local educational agencies with the requirements of this section;

''(ii) to distribute information and materials on healthy, high performance school buildings for both new and existing facilities;

''(iii) to organize and conduct programs for school board members, school district personnel, and others to disseminate information on healthy, high performance school buildings;

''(iv) to obtain technical services and assistance in planning and designing healthy, high performance school buildings; and

''(v) to collect and monitor information pertaining to the healthy, high performance school building projects funded under this section.

''(4) LOCAL USE OF FUNDS.—

''(A) IN GENERAL.—A subgrant received by a local educational agency under paragraph (3)(A) shall be used for renovation projects that—

''(i) achieve energy-efficiency performance that reduces energy use to at least 30 percent below that of a school constructed in compliance with standards prescribed in Chapter 8 of the 2000 International Energy Conservation Code, or a similar State code intended to achieve substantially equivalent results; and

''(ii) achieve environmentally healthy schools in compliance with Federal and State codes intended to achieve healthy and safe school environments.

''(B) EXISTING BUILDINGS.—A local educational agency receiving a subgrant under paragraph (3)(A) for renovation of existing school buildings shall use such subgrant funds—

''(i) to achieve energy efficiency performance that reduces energy use below the school's baseline consumption, assuming a 3-year, weather-normalized average for calculating such baseline

''(ii) and to help bring schools into compliance with Federal and State health and safety standards.

''(d) ALLOCATION OF FUNDS.—

''(1) IN GENERAL.—A State receiving a grant under this section shall use—

''(A) not less than 70 percent of such grant funds to carry out subsection (c)(3)(A); and

''(B) not less than 15 percent of such grant funds to carry out subsection (c)(3)(B).

''(2) RESERVATION.—The Secretary may reserve up to 1% per year from amounts appropriated under subsection (f) to assist State educational agencies in coordinating and implementing the Program.

''(e) REPORT TO CONGRESS.—

''(1) IN GENERAL.—The Secretary shall conduct a biennial review of State actions implementing this section, and shall report to Congress on the results of such reviews.

''(2) REVIEWS.—In conducting such reviews, the Secretary shall assess the effectiveness of the calculation procedures used by State educational agencies in establishing eligibility of local educational agencies for subgrants under this section, and may assess other aspects of the Program to determine whether the aspects have been effectively implemented.

''(f) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary to carry out this section—

''(1) $50,000,000 for fiscal year 2002; and

''(2) such sums as may be necessary for each of fiscal years 2003 through 2011.

''(g) DEFINITIONS.—In this section:

''(1) HEALTHY, HIGH PERFORMANCE SCHOOL BUILDING.—The term 'healthy, high performance school building' means a school building which, in its design, construction, operation, and maintenance, maximizes use of renewable energy and energy-efficient practices, is cost-effective, uses affordable, environmentally preferable, durable materials, enhances indoor environmental quality, and protects and conserves water.

''(2) RENEWABLE ENERGY.—The term 'renewable energy' means energy produced by solar, wind, geothermal, hydroelectric, or biomass power.''.

(f) LIMITATIONS.—No funds received under this section may be used for—

(1) payment of maintenance of costs in connection with any projects constructed in whole or in part with Federal funds provided under this Act;

(2) the construction of new school facilities;

(3) stadiums or other facilities primarily used for athletic contests or exhibitions or other events for which admission is charged to the general public.

Mrs. CLINTON. Mr. President, last week I offered this amendment to address two critical concerns faced by our schools that often do not rise to the forefront of our education debate but frequently have a direct impact on how well our children can learn and how much it costs to run the average school in our country.

The first issue is ensuring that our children attend schools that are environmentally sound in order to protect their health and well-being.

The second issue is helping schools save money on their energy bills by providing them with resources to become more energy efficient. Our schools can then reinvest those energy savings where they belong, into educational resources such as books or computers or more training for teachers, which can really make a difference in the lives of children.

I understand that since the time I offered this amendment, there has been some concerns that the amendment might help to fund new school construction or renovation projects. Let me be very clear that while I do support a Federal role in school modernization, construction, and renovation, this amendment is not intended to address the unmet needs of our Nation's schools when it comes to construction and renovation.

I have offered this amendment because I am very concerned that we simply do not have a comprehensive understanding of the problems children face who attend environmentally unhealthy or dilapidated schools. There are no nationwide statistics or in-depth research to help us know and understand the extent of the problems in our schools.

While the majority in this body may not agree that the Federal Government should have a role in helping States and localities construct and renovate public schools, I do strongly believe—and believe there should be broad support for the proposition—that we must understand better the health and educational impacts children may face if they attend schools that have environmentally unhealthy conditions, or that the deterioration of the schools are such that it affects a child's health.

Every day, in old or poorly maintained school buildings around the country, students of all ages sit in classrooms where they are forced to breathe in stale air or even mold spores that make them sick and could have long-term debilitating effects on their abilities to learn.

We know from a 1996 GAO study that 15,000 schools in our country have indoor pollution or ventilation problems affecting over 11 million children and that, furthermore, as many as 25 million children nationwide are attending schools with at least one unsatisfactory environmental condition. But we often have no idea whatsoever what effects these so-called ''sick'' schools have on the students who attend them.

At least once a week I read stories in the press such as the one I found in the New York Post this morning. The Post reported that while doing work on subway stations in the Bronx, transit

crews chipped lead paint into the air, with no protection to catch that paint, which then fell into the yard of a public school filled with students from kindergarten through to the seventh grade.

I also know the Presiding Officer is deeply concerned about something we recently learned, which is that playground equipment is sometimes treated with arsenic and that arsenic-treated playground equipment is then put into the playgrounds of our schools. The Presiding Officer has been a leader in trying to end this terrible practice so that we protect our children who, based on my experience—being one once a very long time ago, but having raised my own and going to many playgrounds—children do the strangest things. They roll on the ground. They put the dirt in their mouths. They bite the playground equipment. You never know what a child may do. That is my point. We have to be sure the environment in which our children attend school and the playgrounds on which they play are not causing them harm.

In that 1996 GAO study, we found that two-thirds of the schools that were investigated were not in compliance with requirements to remove or correct hazardous substances, including asbestos, lead, underground storage tanks, and radon.

Experts believe that exposures during the early years, when children are developing, can have severe long-term effects. Even more alarming, a recent study indicates that children exposed to levels of lead now considered safe may be at risk of lead poisoning from peeling paint.

Listen to this new research conducted by the Children's Hospital Medical Center of Cincinnati, OH, showing that children who have less than 10 micrograms of lead per deciliter of blood experience a decline in their IQs. There was an average of a 5.5-percent drop in a child's IQ for every 10-microgram increase in lead. Children in this study experienced hearing loss, speech delay, balance difficulties, and even tendencies toward acting out and violent behavior.

I am also concerned that we are facing a soaring rate of asthma across the country. The epicenter is in New York City and California, but it affects every State in the Union. The indoor air quality of our schools must be examined to find out whether or not it is contributing to this skyrocketing rate of asthma, which is the leading cause of school absenteeism.

These bits and pieces of research, only a few of which I have shared in these remarks, paint a picture of a problem that we must learn more about. Groups around the country have done a great job bringing this to our attention.

I, again, applaud the Healthy Schools Network in Albany, NY, for all the tremendous work it has done to document this problem in New York State. Since I introduced this amendment, I have been pleased to receive the endorsement of the American Lung Association, the Asthma and Allergy Foundation of America, the American Public Health Association, the Institute of Children's Environmental Health, the Massachusetts Healthy Schools Network, the New York City Board of Education, the Parent Teacher Association, the American Federation of Teachers, and the Children's Environmental Health Network.

The American Public Health Association recently passed a resolution calling for further research on the extent and impact of children's environmental health and safety risks and exposures at school and prevention measures, including research sponsored by the U.S. Department of Education. This amendment would authorize $2 million for a study conducted by the Department of Education, in conjunction with the Centers for Disease Control and the Environmental Protection Agency, to evaluate the health and learning impacts of environmentally unhealthy and dilapidated public school buildings, the impacts on children who have attended or are attending such schools. We would ask the researchers specifically to determine the characteristics of our public elementary and secondary school buildings that contribute to any unhealthy environment.

In addition to this study, I have also called for resources to help our States and local school districts make their schools healthier and more energy efficient. I am very pleased I was able to work closely with Senator MURKOWSKI to align my amendment with a concept he had included in his comprehensive energy bill to help our schools become more energy efficient.

Both the chair of the Energy Committee, Senator BINGAMAN, and the ranking minority member, Senator MURKOWSKI, have offered their support for this amendment. They recognize the importance of helping our schools become more energy efficient and being able to increase our energy supply while paying for the cost of energy.

The U.S. Department of Energy estimates that schools could save 25 to 30 percent of the money they spend on energy. That is about $1.5 billion. And they could achieve this through better building design, using energy-efficient and renewable energy technologies, and improving operations and maintenance.

About 2 weeks ago, I went to Kingston, NY. I visited a school district that is ahead of the curve, which got a grant to do exactly what the grants in this amendment would provide. They have already saved—in this rather small school district—$400,000. Because of that, I put out this brochure, ''Smart Schools Save Energy.'' It is to promote energy efficiency in New York State schools. We have distributed it to every single superintendent in New York.

It talks about what can be done to save energy costs. The catch is, as superintendents have told me, there is no money in their current budgets to do this. It is kind of a catch-22 problem. If they could save the money from energy use, then they would have the money to put into other needs, such as better teacher training and the like.

This amendment provides the grants that will help schools make their buildings healthier and more energy efficient. By incorporating provisions of legislation I recently introduced, the Healthy and High Performance Schools Act of 2001, we will be able to provide more information about the materials to be used and to help districts organize and conduct programs for school board members and personnel and to help provide compliance with Federal and State codes to make each of our schools healthier and more energy efficient.

I stress that, while these funds could not be used to construct new buildings, they would help schools assess how they can become more energy efficient when and if they do renovate their schools, which would save money in the long run.

This is the kind of common sense help we could provide to our schools around the country. I believe we owe it to our students and certainly to the parents who send their children off to school every day to make sure there is nothing at all in any schoolroom in any school building or on any school playground that could harm their child. If we undertake this study, we will be able to give the kind of information and help that every parent and every school district needs, and we will be able to provide assistance to make sure schools are energy efficient, which will save money.

As we have talked now for weeks, trying to provide the resources to enable our children to learn is the primary goal of every single one of us here.

I would be very grateful for support for this amendment to enable this to come about as part of our overall educational reform efforts.

I ask for a vote on the amendment, and I yield back the remainder of my time.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. Mr. President, what is the order of business at this time?

The PRESIDING OFFICER. The pending amendment is the Clinton amendment No. 416.

Mr. SESSIONS. Mr. President, I ask unanimous consent that we now turn to amendment No. 604, an amendment I have offered.

The PRESIDING OFFICER. Is there further debate on the Clinton amendment? The Senator from Nevada.

Mr. REID. Mr. President, we are ready for action on the Clinton amendment.

The PRESIDING OFFICER. The Senator from New Hampshire.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

Mr. REID. Mr. President, I object.

The PRESIDING OFFICER. Objection is heard.

The clerk will continue the call of the roll.

The legislative clerk continued with the call of 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.

Mr. REID. Mr. President, I ask unanimous consent that Senator SESSIONS now be recognized to call up amendment No. 604, as modified, and that following the reporting of the amendment by the clerk, Senator HARKIN or his designee be recognized to offer a first-degree amendment regarding IDEA, which is at the desk; further, that there be 1 hour for debate on the amendments with 15 minutes under the control of each of the following Senators: HARKIN, SESSIONS, KENNEDY, and GREGG; further, when the Senate resumes consideration of the education bill at 9 a.m. on Thursday, there will be an additional 60 minutes for closing remarks provided as above; further, upon the use or yielding back of the time, the Senate vote in relation to the Harkin amendment, followed by 4 minutes of debate, 2 minutes on each side, and a vote in relation thereafter to the Sessions amendment.

Following that, the Senate will resume consideration of the Helms amendments Nos. 574 and 648.

The PRESIDING OFFICER (Mr. REED). Is there objection?

Mr. SESSIONS. Reserving the right to object, Mr. President, my concern would be if I may give my remarks first, before Senator HARKIN. I am concerned about that. That would be my request.

Mr. REID. That is fine.

The PRESIDING OFFICER. Does the Senator from Alabama object?

Mr. REID. Does the Senator withdraw his objection?

Mr. SESSIONS. My request was that I be allowed to speak first.

Mr. REID. Of course.

Mr. SESSIONS. I will not object.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Without objection, the pending amendment is laid aside, and the Senator from Alabama is recognized.

AMENDMENT NO. 604, AS MODIFIED, TO AMENDMENT NO. 358

Mr. SESSIONS. Mr. President, I send to the desk amendment No. 604, as modified.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Alabama [Mr. SESSIONS] proposes an amendment numbered 604, as modified.

The amendment is as follows:

AMENDMENT NO. 604, AS MODIFIED

(Purpose: To amend the Individuals with Disabilities Education Act regarding discipline)

At the appropriate place, insert:

TITLE ____—INDIVIDUALS WITH DISABILITIES

SEC. ____01. DISCIPLINE.

Section 615 of the Individuals with Disabilities Education Act (20 U.S.C. 1415) is amended by adding at the end the following:

''(n) UNIFORM POLICIES.—

''(1) IN GENERAL.—Subject to paragraph (2), and notwithstanding any other provision of this Act, a State educational agency or local educational agency may establish and implement uniform policies regarding discipline and order applicable to all children under the jurisdiction of the agency to ensure the safety of such children and an appropriate educational atmosphere in the schools under the jurisdiction of the agency.

''(2) LIMITATION.—

''(A) IN GENERAL.—A child with a disability who is removed from the child's regular educational placement under paragraph (1) shall receive a free appropriate public education which may be provided in an alternative educational setting if the behavior that led to the child's removal is a manifestation of the child's disability, as determined under subparagraphs (B) and (C) of subsection (k)(4).

''(B) MANIFESTATION DETERMINATION.—The manifestation determination shall be made immediately, if possible, but in no case later than 10 school days after school personnel decide to remove the child with a disability from the child's regular educational placement.

''(C) DETERMINATION THAT BEHAVIOR WAS NOT MANIFESTATION OF DISABILITY.—If the result of the manifestation review is a determination that the behavior of the child with a disability was not a manifestation of the child's disability, appropriate school personnel may apply to the child the same relevant disciplinary procedures as would apply to children without a disability.''.

SEC. ____02. PROCEDURAL SAFEGUARDS.

Section 615 of the Individuals with Disabilities Education Act (20 U.S.C. 1415) (as amended by section ____01) is amended by adding at the end the following:

''(o) DISCIPLINE DETERMINATIONS BY LOCAL AUTHORITY.—

''(1) INDIVIDUAL DETERMINATIONS.—In carrying out any disciplinary policy described in subsection (n)(1), school personnel shall have discretion to consider all germane factors in each individual case and modify any disciplinary action on a case-by-case basis.

''(2) DEFENSE.—Nothing in subsection (n) precludes a child with a disability who is disciplined under such subsection from asserting a defense that the alleged act was unintentional or innocent.

''(3) LIMITATION.—

''(A) REVIEW OF MANIFESTATION DETERMINATION.—If the parents or the local educational agency disagree with a manifestation determination under subsection (n)(2), the parents or the agency may request a review of that determination through the procedures described in subsections (f) through (i).

''(B) PLACEMENT DURING REVIEW.—During the course of any review proceedings under subparagraph (A), the child shall receive a free appropriate public education which may be provided in an alternative educational placement.''.

SEC. ____03. ALTERNATIVE EDUCATION FOR CHILDREN WITH DISABILITIES.

(a) IN GENERAL.—At the written request of a parent (as defined in section 602(19)(A) of the Individuals with Disabilities Education Act) of a child with a disability (as defined in section 602(3) of such Act), a local educational agency in which the child resides, or a State educational agency that is responsible for educating the child, may transfer the child to any accredited school that—

(1) is specifically designed to serve children with disabilities;

(2) is selected by the child's parents;

(3) agrees to accept the child; and

(4) carries out a program that the local educational agency, or State educational agency, if appropriate, determines will benefit the child.

(b) PAYMENT TO SCHOOL; LIMITATION ON FURTHER RESPONSIBILITY.—

(1) IN GENERAL.—For each year for which a child with a disability attends a school pursuant to subsection (a), the local educational agency or State educational agency shall pay the school, from amounts available to the agency under part B of the Individuals with Disabilities Education Act, an amount equal to the per-pupil expenditure for all children in its public elementary and secondary schools, or, in the case of a State educational agency, the average per-pupil expenditure for the State, as defined in section 3(2) of the Elementary and Secondary Education Act of 1965.

(2) TRANSFER.—Notwithstanding any other provision of law, a local educational agency or State educational agency that transfers a child with a disability to a school under subsection (a) shall have no other responsibility for the education of the child while the child attends that school.

(c) USE OF FUNDS; ADDITIONAL CHARGES TO PARENTS.—A school receiving funds under subsection (b)(1)—

(1) shall use the funds only to meet the costs of the child's attendance at the school; and

(2) may, notwithstanding any other provision of law, charge the child's parents for the costs of the child's attendance at the school that exceed the amount of those funds.

Mr. SESSIONS. Mr. President, there is a real problem in education today in kindergarten through 12th grade. Anybody who talks to teachers at any length, as I have, will realize that discipline is a key problem for teachers, principals, and administrators. It undermines the ability of learning in the classroom, and it is not a healthy environment too often. It is a real challenge today.

Children are always difficult to manage, and in today's world I think it is more so than in the past. I have been to quite a number of schools in my State over the last year—maybe as many as 20. Each time, I spent a good deal of time with teachers and principals and sometimes superintendents

and board members. We talked about what is going on. I can say with absolute certainty that they told me over and over again that the biggest problem they see from the Federal Government is the discipline rules that have been set forth under the Individuals With Disabilities Education Act.

I suggest that if anybody is doubtful about that, call a schoolteacher they know and talk to them about what is being said and what is occurring within their schools. I was amazed. It is a Federal mandate. It is a law that has the best of all intentions to deal with disabled children, and I support it entirely. But there have been some unintended consequences in how children are disciplined in a classroom. We have absolutely created two classes of children for the purpose of discipline.

I have had teachers tell me: JEFF, last year in this very school a child who was a disabled child sold marijuana to two other children. The two who bought it were removed from school. The one who sold it, because he was disabled, could not be removed from school under Federal law. I have had circumstances where another teacher told me about two children who brought a gun to the parking lot. They didn't bring it into the school, but they violated the school rules, and one that was disabled was able to stay in school. The teacher said: Every time I see that other child who was removed from our classroom, I know and he knows that another who did the very same act was not removed from the school.

In addition to that, there are extraordinary problems within the classroom. I want to share some comments and letters I received from teachers in my State. I don't believe it is different from around the country. At one of our hearings that Senator JEFFORDS chaired last year, a superintendent from Vermont came and testified that 20 percent of his school district's budget goes to IDEA students. It is a matter of great importance. We want to give them the highest possible opportunity to succeed, but we also want to be sure we aren't creating a circumstance that makes learning more difficult in the classroom than it ought to be.

Let me read to you from a special education program coordinator's letter. This person works with special ed kids. He said:

Thank you for your efforts to amend IDEA 97.

We thought that was going to help when it passed in 1997. Teachers and principals are telling me it made the situation worse. It didn't help.

The restrictions inherent in this legislation have the potential to cripple a school system beyond repair. Although my job is to advocate for students with disabilities, I also feel a responsibility to protect the rights of all children to an appropriate education.

An elementary school principal wrote:

Today, general educators at all grade levels must deal with a large number of students who are challenged. Having to deal with these behavior problems and to constantly change behavior interventions not only takes away from important instructional time, but inadvertently reinforces a disabled child's behavior. All class rules should apply to all students. Therefore, they should have the same disciplinary actions.

A middle school principal wrote:

I am a middle school principal of a great school with wonderful children. I have witnessed the evolution of IDEA and am very concerned about the impact these regulations have on public education. This issue is causing many fine teachers to reconsider their choice of professions after a few years in education.

Most of us know that most teachers who decide to give up the profession do so because of discipline problems and the frustrations of trying to maintain discipline in the classroom.

A high school principal wrote:

I am writing to support your efforts to change some of the current special education laws. The current laws are very frustrating in dealing with disruptive pupils. In order for us to maintain and provide a safe environment for all students, your provisions must be made in the law.

A city school superintendent wrote this:

In the short time since these regulations have been in effect, numerous instances have taken place involving special ed students where hardships, disruptions, and chaos have resulted from restraints placed on the administrators by the new regulations.

Another superintendent wrote:

We have written to advise you of our frustrations with trying to implement the 1997 amendments to IDEA relating to classroom discipline of disabled students. Classroom teachers must devote a significant amount of time and attention to address behaviors that interfere with the learning of students with disabilities or their required disciplinary action. Often this time and attention is to the detriment of the other students in the classroom and valuable instructional time is lost.

It is of a particular concern to me as a superintendent to know that the roles and responsibilities of both our general and special educators have been redefined to the degree that teachers and administrators cannot act immediately when the situation demands it.

Our teachers and administrators are committed to serving all children, regardless of needs, in a fair and equitable manner. If we don't teach these children right from wrong at a young age, how can they learn to act as good law-abiding citizens as adults.

Another one writes:

There have been several students with disabilities at our school who totally disrupt the learning environment of the regular classroom. They yell out, try to run away, are defiant and create havoc in the classroom. The teachers are required to spend so much time with these disruptive students that the other students are missing out on the quality instruction they need to be successful. I hope that when you consider changes in IDEA, you will not lose sight of those other students who need to be provided with quality education.

The letters go on. I will add one more:

I have dealt with several instances over the last 3 years in which special education students have disrupted classrooms and threatened administrators and teachers.

I have heard that more than once.

In many cases, their parents use psychologists and lawyers to create a climate of intimidation.

Another teacher wrote me this letter. I thought it was particularly poignant:

As a special educator of 6 years, I consider myself on the front lines of the ongoing battles that take place on a daily basis in our Nation's schools. I strongly believe that part of the ammunition that fuels these struggles are the rights guaranteed to certain individuals by IDEA 97. The law, though well-intentioned, has become one of the single greatest obstacles that educators face in their fight to provide all our children with a quality environment education delivered in a safe environment.

There are examples that I can offer firsthand. However, let me reiterate, I am a special educator. I have dedicated my life to helping children with special needs. It is my job to study and know the abilities and limitations of such children. I have a bachelor's degree in psychology and master's degree in special education and a Ph.D. in good old common sense. Nowhere in my educational process have I been taught that a certain few disabled students should have a right to endanger the right to an education of all other disabled children. It's nonsense, it's wrong, it's dangerous, and it must be stopped.

There is no telling how many instructional hours are lost by teachers in dealing with behavioral problems. In times of an increasing competitive global society, it is no wonder that American students fall short. Certain students are allowed to remain in the classroom robbing the other children of hours that can never be replaced. There is no need to extend the school day. There is no need to extend the school year.

If the politicians would just make it possible for educators to take back the time lost on a daily basis, there is no doubt we could have a better educated student. It is even more frustrating when it is a special education child who knows and boasts that ''they can't do anything to me,'' and he is placed back in the classroom to disrupt it day after day, week after week.

It is clear that IDEA 97 not only undermines the educational process, it also undermines the authority of educators. In a time when our profession is being called upon to protect our children from increasingly dangerous sources, our credibility is being stripped from us. I am sure you have heard the saying that teachers are scared of the principals, the principals are scared of the superintendents, the superintendents are scared of the parents, the parents are scared of the children, and the children are scared of no one. And why should they be?

I have experienced the ramifications of the new and improved law firsthand. I had one child attempt to assault me. He had been successful with two other teachers. He was suspended for 1 day. I had another child make sexual gestures to me in front of the entire class. Despite the fact that every child in my class and a majority of the children in the school knew of it, I was told by my assistant principal that nothing could be done because special-ed kids have rights.

I literally got in my car to leave that day, but my financial obligations to my family and my moral responsibility to my children I had in my class kept me there. The particular child I spoke about frequently made

vulgar comments and threats to my girls in my class on every opportunity he had when there was no adult present. Fortunately, the girls, also special-ed, could talk to me about it. Unfortunately they had to put up with it because nothing could be done.

I know of a learning disabled child who cut a girl in a fight. The child and her parents then attempted to sue the school system because the child was burned when she grabbed a coffee pot to break it over another child's head.

I know of another specific incident where three children brought firearms to school. The two regular children were expelled; the special-ed student was back in school the following week.

I fully expect that you and your colleagues in Washington will do what it takes to take our schools back from this small group of children who feel it is their right to endanger the education of every other child in the school. As my grandmother said, right is right and wrong is wrong, and to enable this to continue is wrong.

There are other letters. I want to read one more from a student. It makes the point, I think, very well:

I am a 14-year-old 8th grader. I have a problem. There is this girl that goes to school with me, and she is an ADD student.

A disabled student.

She has been harassing me for no reason. She has pretty much done everything from breaking my glasses to telling me she is going to kill me. This really bothers me because she is an ADD student and the only punishment she ever gets is a slap on the hand. My principal says there is not much he can do because of her status. I asked, what would happen if I threatened her back? And he told me I would be suspended from school and forced to stay away. The most she has ever gotten is 3 days in-school suspension. I think this is wrong. She scares me, and I'm tired of this. It has been going on for 5 months, and it's really getting scary.

Mr. President, it is a very small percentage of disabled students who are behaving in this way, but even a few who would do so make it very difficult for the schoolteachers and principals to conduct a safe class. It is an important issue for us. In terms of all the things we are doing here, if you talk to your teachers in your school systems, if we can make some improvement in this situation, they would feel as though Congress has listened to them and has responded.

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

Mr. SESSIONS. I ask for an additional 3 minutes.

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

Mr. SESSIONS. Mr. President, how much time did I have?

The PRESIDING OFFICER. You asked for an additional 3 minutes.

Mr. SESSIONS. Originally, when I began.

The PRESIDING OFFICER. You had 15 minutes when you began.

Mr. SESSIONS. I am sorry, I thought it was 30.

I conclude by saying this amendment I offer will say this, and this is very important. It is a very modest attempt at improving the situation. If a child is a disabled child and their misbehavior is not connected to their disability, then they can, and I think should, be treated like any other child in the school.

If a child has a nervous condition and cannot control himself, then that child ought to be placed in an environment within the school that is healthy for him, and this law would require that. They could not be removed from school if their actions or misbehavior were connected to that disability, but if they had perhaps a movement disability and they are selling dope, they ought to be treated like any other child in the school. That is what this amendment says.

No. 2, it says if a school acts on a child, that they can take them out of a mainstream classroom and place them in another classroom until a hearing has been conducted about an individual educational plan for that child so they can be provided special education. Under current law, they have to be back in the classroom at least within 45 days, and in other circumstances, less than that. They go right back in before a determination can be made. This will give more flexibility to principals and teachers.

Finally, under current law, if a school believed that a student could be sent to a school for the blind, for example, and this doesn't have anything to do with discipline, the State or local school system could pay the tuition and let that child go to the school for the blind. The trouble is, the special schools often cost a lot of money. The school system does the best they can with their own programs. My parent would expand options for these parents. If parents think others might be better, this amendment says if the school agrees and if the parents agree, they can take the value of the tuition that child has and go to a special school that has the ability to deal with that disability.

There are some superior schools for the blind, for the deaf, perhaps better than most public schools. A lot of families sacrifice to send their children there. This funding could assist them in making that choice, to the benefit of the child. It is purely an option that, I think, is healthy and benefits disabled children. I can't imagine anyone not supporting it.

I believe this is a modest amendment that will begin to help in some way to deal with an unfortunate situation. So many of the children do so well. The vast majority of our disabled children do exceedingly well, and we have great programs.

This bill we are passing today provides unprecedented new funding for IDEA. We are excited about those possibilities, but we ought to deal with this particular problem that is disrupting our schools.

Mr. KENNEDY. Mr. President, would the Senator be good enough to help me understand the Senator's amendment? Is it the Senator's position that if the child is disciplined and the discipline is a reflection of the form of disability, does the Senator agree there should be alternative educational services available to that child?

Mr. SESSIONS. I do. In fact, to that extent, we continue a double standard for a child. The school would have the option to move the child to an alternative setting, but not remove him from the school or not deny educational services.

My amendment does that. It says if the discipline problem is a product or related to their disability then the child may not be denied educational services.

Mr. KENNEDY. If it falls under that category, you are still for providing the services, which I think is very important.

As I understood the amendment, would the services be required to be provided in a school that was just for the disabled?

Mr. SESSIONS. No.

Mr. KENNEDY. Page 4 of the amendment suggests they have alternative educational services and that may be in some other setting, some alternative setting.

Mr. SESSIONS. I say it this way: Most school systems are required under Federal law to provide educational services. If they have special needs, they have to provide them. Many children have an individual, one single individual who goes with that single child all day long to help them.

Our amendment gives one little option that, I think, would be helpful to parents or teachers. It says if the parents came in and believed a school for the blind or a school for the deaf down the street has a better program than public education, and the school agreed, and it is a certified school for that disability, they could ask for, if the school agreed, funding to go to that other school.

Mr. KENNEDY. I know the Senator has included ''is selected by the child's parents,'' so you have parental involvement. It is not the concern that many have, that the child might just be put in a setting which would be just for special needs children and then it would be the resegregation of disabled children. I see in this language you have ''selected by the child's parents.'' It is designed to serve children with disabilities, and if the place agrees to accept the child and it carries out a program that a local or State educational agency finds is appropriate and will benefit the child.

The Senator can see the concern about whether that would be a dumbing down kind of a process in education. It would be a quality educational opportunity that would be

suitable for that child. That is the concern. I don't know whether there are ways of addressing that.

Mr. SESSIONS. First, let me say thank you so much, and to your staff, for giving careful attention to this. Many items have been included because you have suggested them. You are asking questions that are important.

As a result of our discussions with lawyers who deal with these issues, school people, your staff and others, we made this language crystal clear. It says a local educational agency responsible for educating a child may transfer the child to an accredited school if it is selected by the child's parents and carries out the program and the school determines that program would benefit the child. In other words, both the parents and the school must agree. The parents cannot say: I want to take my money and take my child to this school. The school would have to agree. The parents would have to agree. That provides the protection from abuse that might otherwise occur.

Mr. KENNEDY. That is where the payment comes into effect because you would have to offset the expenses for that child and there would be the allocations of resources for offsetting the payment and for education for that institution; is that right?

Mr. SESSIONS. That is correct. It could not exceed the average daily expenditure cost of the child and it could be only used for the education of the child.

Mr. KENNEDY. What happens to the child with a disability who has a behavioral problem that is not related to the disability?

Mr. SESSIONS. If their discipline or behavioral problem is not related to their misbehavior, then this language will say they would be treated like any other child who misbehaves in school, subject to discipline, suspension, or other disciplinary action a school would normally impose.

I know you would like to say any child, perhaps, could have an alternative, but I am not sure we have the funding to do that. But I don't think in this instance if their misbehavior is not connected to their disability, they should be treated preferentially to another child.

Mr. KENNEDY. What is the experience in the Senator's own State as to how school districts deal with the children? Do they provide alternative educational experiences or not?

Mr. SESSIONS. I think most schools are doing a pretty good job. As the Senator knows, the Federal Government committed to pay 40 percent of IDEA costs and never paid much more than 10 percent or 15 percent of that. This bill would fully fund that 40 percent.

But under the law—and there are groups of parents who meet, advocacy groups, and lawyers who are active in Alabama and every State—if they are emotionally disturbed children and they cannot control themselves, they cannot be removed from school as a result of that. If they are a danger to themselves or others then they can be provided services in an alternative setting, perhaps, but they cannot be denied educational services. That is the universal in the United States.

Mr. KENNEDY. I thank the Senator for his response to the questions. There are some others maybe I could talk about with the Senator in the morning. There is an alternative to the Sessions amendment. But we will look forward to the presentations in the morning. As I understand it, the Senator will have a half hour, Senator HARKIN or his designee will have a half hour to get into the description of the alternative. Then we will make a judgment.

I appreciate the response of the Senator to the questions. I thank him.

AMENDMENTS NOS. 369 AS FURTHER MODIFIED, 484 AS MODIFIED, 441 AS MODIFIED, 549 AS MODIFIED, 446 AS MODIFIED, 555 AS FURTHER MODIFIED, AND 609, EN BLOCK, TO AMENDMENT NO. 358

Mr. KENNEDY. Mr. President, this evening we are in a position to clear amendments by unanimous consent. I therefore ask unanimous consent it be in order for these amendments to be considered en bloc, any modifications where applicable be agreed to, the amendments be agreed to en bloc, the motions to reconsider be laid upon the table en bloc.

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

Mr. KENNEDY. These include amendments No. 369, Feinstein; No. 484, Bingaman; No. 441, Lugar-Bingaman; No. 549, Hagel; No. 446, DeWine; No. 555, Hutchison; No. 609, Feinstein. And I ask unanimous consent to vitiate the yeas and nays on No. 555.

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

The amendments were agreed to, as follows:

AMENDMENT NO. 369, AS FURTHER MODIFIED

(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. LIMITATION OF FUNDS.

''An LEA may not use funds received under this subpart for:

''(A) purchase or lease of privately owned facilities;

''(B) 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 travel and attendance costs at conferences or other meetings other than travel and attendance necessary for professional development; or

''(F) the purchase or lease of vehicles.''

AMENDMENT NO 484 AS MODIFIED

(Purpose: To amend education technology programs)

On page 16, line 4, insert ''servers and storage devices,'' before ''video''.

On page 16, line 5, insert ''and other digital'' after ''web-based''.

On page 16, line 7, strike ''environments for problem-solving'' and insert ''learning environments,''.

On page 182, line 16, insert '', including education technology such as software and other digital curricula,'' after ''materials''.

On page 317, line 16, insert '', including through a grant or contract with a for-profit or nonprofit entity'' after ''activities''.

On page 317, line 26, insert '', including technology literacy'' after ''skills''.

On page 319, between lines 19 and 20, insert the following:

''(12) Encouraging and supporting the training of teachers and administrators to effectively integrate technology into curricula and instruction, including the ability to collect, manage, and analyze data to improve teaching, decision making and school improvement efforts and accountability.

''(13) Developing or supporting programs that encourage or expand the use of technology to provide professional development, including through Internet-based distance education and peer networks.

On page 325, line 18, insert '', including through a grant or contract with a for-profit or nonprofit entity'' after ''activities''.

On page 326, line 2, strike ''and''.

On page 326, line 7, strike the period and insert ''; and''.

On page 326, between lines 7 and 8, insert the following:

''(D) effective integration of technology into curricula and instruction to enhance the learning environment and improve student academic achievement, performance, technology literacy; and

''(E) ability to collect, manage, and analyze data, including through use of technology, to inform teaching.

On page 326, line 11, insert '', other for profit or nonprofit entities, and through distance education'' after ''education''.

On page 344, line 5, strike ''and''.

On page 344, line 10, strike the period and insert ''; and''.

On page 344, between lines 10 and 11, insert the following:

''(5) improve and expand training of math and science teachers, including in the effective integration of technology into curricula and instruction.

On page 348, line 8, strike ''and''.

On page 348, line 15, strike the period and insert ''; and''.

On page 349, line 10, insert ''and technology-based teaching methods'' after ''methods''.

On page 349, line 19, strike ''experiment oriented'' and insert ''innovative''.

On page 356, line 21, strike the period and insert '', and to improve the ability of institutions of higher education to carry out such programs''.

On page 358, line 17, insert ''both'' after ''would''.

On page 358, line 24, strike the semi colon and insert ''and to improve the ability of at least 1 participating institution of higher education as described in section 2232(a)(1) to ensure such preparation;''.

Beginning on page 360, strike line 23 through line 7, page 361, and insert the following:

''(A) learn the full range of resources that can be accessed through the use of technology;

''(B) integrate a variety of technologies into the curricula and instruction in order to expand students' knowledge;

''(C) evaluate educational technologies and their potential for use in instruction;

''(D) help students develop their technical skills; and

''(F) use technology to collect, manage and analyze data to inform their teaching and decision-making;''.

On page 361, strike lines 22 through 24 and insert the following:

''(6) subject to section 2232(c)(2), acquiring technology equipment, networking capabilities, infrastructure and software and digital curriculum to carry out the project.

On page 365, line 10, insert ''and teacher training in technology under section 3122'' before ''prior''.

On page 367, line 24, strike the period and insert ''and have a substantial demonstrated need for assistance in acquiring and integrating technology.''.

On page 369, strike line 3 through line 22, and insert the following:

''(1) outlines the long-term strategies for improving student performance, academic achievement, and technology literacy, through the effective use of technology in classrooms throughout the State, including through improving the capacity of teachers to effectively integrate technology into the curricula and instruction;

''(2) outlines long-term strategies for financing technology education in the State to ensure all students, teachers, and classrooms will have access to technology, describes how the State will use funds provided under this part to help ensure such access, and describes how business, industry, and other public and private agencies, including libraries, library literacy programs, and institutions of higher education, can participate in the implementation, ongoing planning, and support of the plan;

''(3) provides assurance that financial assistance provided under this part shall supplement, not supplant, State and local funds; and

''(5) meets such other criteria as the Secretary may establish in order to enable such agency to provide assistance to local educational agencies that have the highest numbers or percentages of children in poverty and demonstrate the greatest need for technology, in order to enable such local educational agencies, for the benefit of school sites served by such local educational agencies, to improve student academic achievement and student performance.

On page 370, strike line 5 through line 26, and insert the following:

''(1) acquiring, adapting, expanding, implementing and maintaining existing and new applications of technology, to support the school reform effort, improve student academic achievement, performance, and technology literacy;

''(2) providing ongoing professional development in the integration of quality educational technologies into school curriculum;

''(3) acquiring connectivity with wide area networks for purposes of accessing information, educational programming sources and professional development, particularly with institutions of higher education and public libraries;

''(4) providing educational services for adults and families;

''(5) repairing and maintaining school technology equipment;

''(6) acquiring, expanding, and implementing technology to collect, manage, and analyze data, including student achievement data, to inform teaching, decision-making, and school improvement efforts, including the training of teachers and administrators; and

''(7) using technology to promote parent and family involvement and support communications between parents, teachers, and students.

Beginning on page 371, strike line 14 through line 13, page 373, and insert the following:

''(1) a description of how the activities to be carried out by the local educational agency under this part will be based on a review of relevant research and an explanation of why the activities are expected to improve student achievement, and technology literacy;

''(2) an explanation of how the acquired technologies will be integrated into the curriculum to help the local educational agency improve student academic achievement, student performance, and teaching;

''(3) a description of the type of technologies to be acquired, including services, software, and digital curricula, including specific provisions for interoperability among components of such technologies;

''(4) a description of how the local educational agency will ensure ongoing, sustained professional development for teachers, administrators, and school library media personnel served by the local educational agency to further the effective use of technology in the classroom or library media center, including a list of those entities that will partner with the local educational agency in providing ongoing sustained professional development;

''(5) the projected cost of technologies to be acquired and related expenses needed to implement the plan;

''(6) a description of how the local educational agency will coordinate the technology provided pursuant to this part with other grant funds available for technology from other Federal, State, and local sources;

''(7) a description of a process for the ongoing evaluation of how technologies acquired under this part will be integrated into the school curriculum; and will affect technology literacy and student academic achievement, performance, as related to challenging State content standards and State student performance standards in all subjects; and

''(8) a description of the evaluation plan that the local educational agency will carry out pursuant to section 2308(a).

Beginning on page 374, strike line 19 through line 2, page 375, and insert the following:

''(1) increased professional development and increased effective use of technology in educating students;

''(2) increased;

''(3) increased access to technology in the classroom, especially in low-income schools; and

''(5) other indicators reflecting increased student academic achievement or student performance, as a result of technology.

On page 375, line 13, strike ''in all of the areas''.

On page 379, strike line 4 through line 19, and insert the following:

''(5) EXCHANGE.—The plan shall describe the manner in which the Secretary will promote the exchange of information among States, local educational agencies, schools, consortia, and other entities concerning the conditions and practices that support effective use of technology in improving teaching and student educational opportunities, academic achievement, and technology literacy.

''(6) GOALS.—The plan shall describe the Secretary's long-range measurable goals and objectives relating to the purposes of this part.

AMENDMENT NO. 441, AS MODIFIED

(Purpose: To provide for comprehensive school reform)

On page 34, line 8, strike ''$250,000,000'' and insert ''$500,000,000''.

On page 86, line 22, insert before the semicolon the following: ''and may include a strategy for the implementation of a comprehensive school reform model that meets each of the components described in section 1706(a)''.

On page 258, line 22, strike ''and''.

On page 258, line 25, strike the period and insert ''; and''.

On page 258, after line 25, add the following:

''(iii) 3 percent to promote quality initiatives described in section 1708.''.

On page 260, strike lines 5 through 9, and insert the following:

''(2) how the State educational agency will ensure that funds under this part are limited to comprehensive school reform programs that—

''(A) include each of the components described in section 1706(a);

''(B) have the capacity to improve the academic achievement of all students in core academic subjects within participating schools; and

''(C) are supported by technical assistance providers that have a successful track record, and the capacity to deliver high quality materials, professional development for school personnel and on-site support during the full implementation period of the reforms.''.

On page 260, line 15, insert ''annually'' before ''evaluate''.

On page 261, line 7, insert before the period the following: ''to support comprehensive school reforms in schools that are eligible for funds under part A''.

On page 261, line 11, strike ''for the particular'' and insert ''of''.

On page 261, line 12, strike ''reform plan'' and insert ''reforms''.

On page 263, line 1, strike ''and''.

On page 263, line 2, strike ''reform model selected and used'' and insert ''reforms selected and used, and a copy of the State's evaluation of the implementation of comprehensive school reforms supported under this part and the student results achieved''.

On page 263, strike lines 15 through 17, and insert the following:

''(2) describe the comprehensive school reforms based on scientifically-based research and effective practices that such schools will implement;''.

On page 264, line 1, insert ''comprehensive'' after ''such''.

On page 264, line 10, strike ''innovative'' and insert ''proven''.

On page 264, line 14, strike ''schools with diverse characteristics'' and insert ''schools''.

On page 265, line 18, strike ''and''.

On page 265, line 22, strike ''school reform effort.'' and insert ''comprehensive school reform effort; and''.

On page 265, between lines 22 and 23, insert the following:

On page 265, line 25 strike ''the approaches identified'' and all that follows through

''Secretary'' on line 1 of page 266, and insert ''nationally available''.

On page 266, line 2, strike ''programs'' and insert ''program''.

On page 266, after line 23, add the following:

''SEC. 1708. QUALITY INITIATIVES.

''The Secretary, through grants or contracts, shall promote—

''(1) a public-private effort, in which funds are matched by the private sector, to assist States, local educational agencies, and schools, in making informed decisions upon approving or selecting providers of comprehensive school reform, consistent with the requirements described in section 1706(a); and

''(2) activities to foster the development of comprehensive school reform models and to provide effective capacity building for comprehensive school reform providers to expand their work in more schools, assure quality, and promote financial stability.

AMENDMENT NO. 549, AS MODIFIED

(Purpose: To provide for the awarding of school facility modernization grants on a competitive basis)

At the appropriate place, insert the following:

SEC. . SCHOOL FACILITY MODERNIZATION GRANTS.

Subsection (b) of section 8007 (20 U.S.C. 7707(b)) (as amended by section 1811 of the Impact Aid Reauthorization Act of 2000 (as enacted into law by section 1 of Public Law 106–398)) is amended to read as follows:

''(b) SCHOOL FACILITY MODERNIZATION GRANTS AUTHORIZED.—

''(1) FUNDING AND ALLOCATION.—

''(A) FUNDING.—From 60 percent of the amount appropriated for each fiscal year under section 8014(e), the Secretary shall award grants in accordance with this subsection to eligible local educational agencies to enable the local educational agencies to carry out modernization of school facilities.

''(B) ALLOCATION.—From amounts made available for a fiscal year under subparagraph (A), the Secretary shall allocate—

''(i) 10 percent of such amount for grants to local educational agencies described in paragraph (2)(A);

''(ii) 45 percent of such amount for grants to local educational agencies described in paragraph (2)(B), of which, 10 percent shall be available for emergency grants that shall not be subject to the requirements of subparagraphs (A) and (B) of paragraph (4); and

''(iii) 45 percent of such amount for grants to local educational agencies described in paragraph (2)(C), of which, 10 percent shall be available for emergency grants that shall not be subject to the requirements of subparagraphs (A) and (B) of paragraph (4).

''(C) SPECIAL RULE.—A local educational agency described in clauses (ii) and (iii) of subparagraph (B) may use grant funds made available under this subsection for a school facility located on or near Federal property only if the school facility is located at a school where not less than 25 percent of the children in average daily attendance in the school for the preceding school year are children for which a determination is made under section 8003(a)(1).

''(2) ELIGIBILITY REQUIREMENTS.—A local educational agency is eligible to receive funds under this subsection only if—

''(A) such agency received assistance under section 8002(a) for the fiscal year and has an assessed value of taxable property per student in the school district that is less than the average of the assessed value of taxable property per student in the State in which the local educational agency is located;

''(B) such agency had an enrollment of children determined under section 8003(a)(1)(C) which constituted at least 25 percent of the number of children who were in average daily attendance in the schools of such agency during the school year preceding the school year for which the determination is made; or

''(C) such agency had an enrollment of children determined under subparagraphs (A), (B), and (D) of section 8003(a)(1) which constituted at least 25 percent of the number of children who were in average daily attendance in the schools of such agency during the school year preceding the school year for which the determination is made.

''(3) AWARD CRITERIA.—In awarding grants under this subsection, the Secretary shall review applications submitted with respect to each type of agency represented by local educational agencies that qualify under each of subparagraphs (A), (B), and (C) of paragraph (2). In evaluating an application, the Secretary shall consider the following criteria:

''(A) The extent to which the local educational agency lacks the fiscal capacity to undertake the modernization project without Federal assistance.

''(B) the extent to which property in the local educational agency is nontaxable due to the presence of the Federal Government.

''(C) The extent to which the local educational agency serves high numbers or percentages of children described in subparagraphs (A), (B), (C), and (D) of section 8003(a)(1).

''(D) the need for modernization to meet—

''(i) the threat that the condition of the school facility poses to the health, safety, and well-being of students;

''(ii) overcrowding conditions as evidenced by the use of trailers and portable buildings and the potential for future overcrowding because of increased enrollment; and

''(iii) facility needs resulting from actions of the Federal Government.

''(E) The age of the school facility to be modernized.

''(4) OTHER AWARD PROVISIONS.—

''(A) AMOUNT.—In determining the amount of a grant awarded under this subsection; the peer group and Secretary shall consider the cost of the modernization and the ability of the local educational agency to produce sufficient funds to carry out the activities for which assistance is sought.

''(B) FEDERAL SHARE.—The Federal funds provided under this subsection to a local educational agency shall not exceed 50 percent of the total cost of the project to be assisted under this subsection. A local educational agency may use in-kind contributions, excluding land contributions, to meet the matching requirement of the preceding sentence.

''(C) MAXIMUM GRANT.—A local educational agency described in this subsection may not receive a grant under this subsection in an amount that exceeds $5,000,000 during any 2-year period.

''(5) APPLICATIONS.—A local educational agency that desires to receive a grant under this subsection shall submit an application to the Secretary, who shall forward such application to the appropriate peer group under paragraph (3), at such time, in such manner, and accompanied by such information as the Secretary may require. Each application shall contain—

''(A) a listing of the school facilities to be modernized including the number and percentage of children determined under section 8003(a)(1) in average daily attendance in each school facility;

''(B) a description of the ownership of the property on which the current school facility is located or on which the planned school facility will be located;

''(C) a description of how the local educational agency meets the award criteria under paragraph (3);

''(D) a description of the modernization to be supported with funds provided under this subsection;

''(E) a cost estimate of the proposed modernization; and

''(F) such other information and assurances as the Secretary may reasonably require.

''(g) EMERGENCY GRANTS.—

''(A) APPLICATIONS.—Each local educational agency applying for a grant under paragraph (1)(B)(ii) or (1)(b)(iii) that desires a grant under this subsection shall include in the application submitted under paragraph (5) a signed statement from an appropriate local official certifying that a health or safety emergency exists.

''(B) SPECIAL RULES.—The Secretary shall make every effort to meet fully the school facility needs of local educational agencies applying for a grant under paragraph (1)(B)(ii) or (1)(B)(iii).

''(C) PRIORITY.—If the Secretary receives more than one application from local educational agencies described in paragraph (1)(B)(ii) or (1)(B)(iii) for grants under this subsection for any fiscal year, the Secretary shall give priority to local educational agencies based on the severity of the emergency, as determined by the peer review group and the Secretary, and when the application was received.

''(D) CONSIDERATION FOR FOLLOWING YEAR.—A local educational agency described in paragraph (2) that applies for a grant under this subsection for any fiscal year and does not receive the grant shall have the application for the grant considered for the following fiscal year, subject to the priority described in subparagraph (C).

''(7) GENERAL LIMITATIONS.—

''(A) REAL PROPERTY.—No grant funds awarded under this subsection shall be used for the acquisition of any interest in real property.

''(B) MAINTENANCE.—Nothing in this subsection shall be construed to authorize the payment of maintenance costs in connection with any school facility modernized in whole or in part with Federal funds provided under this subsection.

''(C) ENVIRONMENTAL SAFEGUARDS.—All projects carried out with Federal funds provided under this subsection shall comply with all revelant Federal, State, and local environmental laws and regulations.

''(D) ATHLETIC AND SIMILAR SCHOOL FACILITIES.—No Federal funds received under this subsection shall be used for outdoor stadiums or other school facilities that are primarily used for athletic contests or exhibitions, or other events, for which admission is charged to the general public.

''(8) SUPPLEMENT NOT SUPPLANT.—An eligible local educational agency shall use funds received under this subsection 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 modernization of school facilities used for educational purposes, and not to supplant such funds.''.

AMENDMENT NO. 446 AS MODIFIED

(Purpose: To modify provisions relating the the Safe and Drug Free Schools and Communities Act of 1994 with respect to violence prevention)

On page 514, line 10, insert '', suspended and expelled students,'' after ''dropouts''.

On page 524, line 7, insert before the semicolon the following: ''including administrative incident reports, anonymous surveys of students or teachers, and focus groups''.

On page 535, line 21, strike ''violence problem'' and insert ''and violence problems''.

On page 537, line 15, by inserting '' and violence'' after ''use,''.

On page 539, between lines 17 and 18, insert the following:

''(6) administrative approaches to promote school safety, including professional development for principals and administrators to promote effectiveness and innovation, implementing a school disciplinary code, and effective communication of the school disciplinary code to both students and parents at the beginning of the school year;''.

On page 545, line 9, insert '', that is subject to independent review,'' after ''data''.

On page 545, lines 10 and 11, strike ''social disapproval of''.

On page 545, line 12, after the period add the following: ''The collected data shall include incident reports by schools officials, anonymous student surveys, and anonymous teacher surveys.''.

On page 549, between lines 18 and 19, insert the following:

''(4) the provision of information on violence prevention and education and school safety to the Department of Justice, for dissemination by the National Resource Center for Safe Schools as a national clearinghouse on violence and school safety information;''.

On page 550, line 14, insert ''administrative approaches, security services,'' after ''include''.

On page 553, line 2, insert ''to'' after ''research''.

On page 553, after line 24, add the following:

''(J) Researchers and expert practitioners.

AMENDMENT NO. 555 AS FURTHER MODIFIED

(Purpose: To require the Secretary of Education to establish a campaign to educate principals, school administrators, and other educators regarding access to secondary schools for military recruiting purposes, and for other purposes)

At the end of title IX, add the following:

SEC. 902. DEPARTMENT OF EDUCATION CAMPAIGN TO PROMOTE ACCESS OF ARMED FORCES RECRUITERS TO STUDENT DIRECTORY INFORMATION.

(a) FINDINGS.—The Senate makes the following findings:

(1) Service in the Armed Forces of the United States is voluntary.

(2) Recruiting quality persons in the numbers necessary to maintain the strengths of the Armed Forces authorized by Congress is vital to the United States national defense.

(3) Recruiting quality servicemembers is very challenging, and as a result, Armed Forces recruiters must devote extraordinary time and effort to their work in order to fill monthly requirements for immediate accessions.

(4) In meeting goals for recruiting high quality men and women, each of the Armed Forces faces intense competition from the other Armed Forces, from the private sector, and from institutions offering postsecondary education.

(5) Despite a variety of innovative approaches taken by recruiters, and the extensive benefits that are available to those who join the Armed Forces, it is becoming increasingly difficult for the Armed Forces to meet recruiting goals.

(6) A number of high schools across the country have denied recruiters access to students or to student directory information.

(7) In 1999, the Army was denied access to students or student directories on 4,515 to students or student directories occasions, the Navy was denied access on 4,364 occasions, the Marine Corps was denied access on to students or student directories 4,884 occasions, and the Air Force was denied access to students or students directories on 5,465 occasions.

(8) As of the beginning of 2000, nearly 25 percent of all high schools in the United States did not release student directory information requested by Armed Forces recruiters.

(9) In testimony presented to the Committee on Armed Services of the Senate, recruiters stated that the single biggest obstacle to carrying out the recruiting mission was denial of access to student directory information, as the student directory is the basic tool of the recruiter.

(10) Denying recruiters direct access to students and to student directory information unfairly hurts the youth of the United States, as it prevents students from receiving important information on the education and training benefits offered by the Armed Forces and impairs students' decisionmaking on careers by limiting the information on the options available to them.

(11) Denying recruiters direct access to students and to student directory information undermines United States national defense, and makes it more difficult to recruit high quality young Americans in numbers sufficient to maintain the readiness of the Armed Forces and to provide for the national security.

(12) Section 503 of title 10, United States Code, requires local educational agencies, as of July 1, 2002, to provide recruiters access to secondary schools on the same basis that those agencies provide access to representatives of colleges, universities, and private sector employers.

(b) CAMPAIGN TO PROMOTE ACCESS.—

(1) REPORT.—Not later than 30 days after the date of enactment of this Act, each State shall transmit to the Secretary of Education a list of each school, if any, in that State that—

(A) during the 12 months preceding the date of enactment of this Act, has denied access to students or to student directory information to a military recruiter; or

(B) has in effect a policy to deny access to students or to student directory information to military recruiters.

(2) EDUCATION PROGRAM.—

(A) IN GENERAL.—The Secretary of Education, in consultation with the Secretary of Defense, shall, not later than 90 days after the date of enactment of this Act, make awards to States and schools using no more than $3 million of funds available under section 6203(c) of the Elementary and Secondary Education Act to educate principals, school administrators, and other educators regarding career opportunities in the Armed Forces, and the access standard required under section 503 of title 10, United States Code.

(B) TARGETED SCHOOLS.—In selecting schools for awards required under subparagraph (A), the Secretary shall give priority to selecting schools that are included on the lists transmitted to Congress under paragraph (1).

SEC. 903. MILITARY RECRUITING ON CAMPUS.

(a) DENIAL OF FUNDS.—

(1) PROHIBITION.—No funds available to the Department of Defense may be provided by grant or contract to any institution of higher education (including any school of law, whether or not accredited by the American Bar Association) that has a policy of denying, or which effectively prevents, the Secretary of Defense from obtaining for military recruiting purposes—

(2) institutions in paragraph (1) shall be exempt if they have a long-standing policy of pacifism based on historical religious affiliation.

(A) entry to campuses or access to students on campuses; or

(B) access to directory information pertaining to students.

(3) COVERED STUDENTS.—Students referred to in paragraph (1) are individuals who are 17 years of age or older.

(b) PROCEDURES FOR DETERMINATION.—The Secretary of Defense, in consultation with the Secretary of Education, shall prescribe regulations that contain procedures for determining if and when an educational institution has denied or prevented access to students or information described in subsection (a).

(c) DEFINITION.—For purposes of this section, the term ''directory information'' means, with respect to a student, the student's name, address, telephone listing, date and place of birth, level of education, degrees received, and the most recent previous educational institution enrolled in by the student.

AMENDMENT NO. 609

(Purpose: To require audits of local education agencies to determine how funds are being expended)

At the appropriate place in title I, insert the following:

SEC. ____. LOCAL EDUCATIONAL AGENCY SPENDING AUDITS.

(a) AUDITS.—The Office of the Inspector General of the Department of Education shall conduct not less than 6 audits of local education agencies that receive funds under part A of title I of the Elementary and Secondary Education Act of 1965 in each fiscal year to more clearly determine specifically how local education agencies are expending such funds. Such audits shall be conducted in 6 local educational agencies that represent the size, ethnic, economic and geographic diversity of local educational agencies and shall examine the extent to which funds have been expended for academic instruction in the core curriculum and activities unrelated to academic instruction in the core curriculum, such as the payment of janitorial, utility and other maintenance services, the purchase and lease of vehicles, and the payment for travel and attendance costs at conferences.

(b) REPORT.—Not later than 3 months after the completion of the audits under subsection (a) in each year, the Office of the Inspector General of the Department of Education shall submit a report on each audit to the Committee on Education and the Workforce of the House of Representatives and the Committee on Health, Education, Labor and Pensions of the Senate.

Mr. KENNEDY. Mr. President, I see none of my colleagues here to make further comments and statements on

this. We will resume the debates tomorrow morning at 9 o'clock. I thank all our colleagues for their help and their cooperation. We have made good progress and we look forward to a final passage sometime tomorrow afternoon.

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 (Mr. MILLER). Without objection, it is so ordered.

Mr. HARKIN. Mr. President, parliamentary inquiry. What is the situation on the floor at the present time?

The PRESIDING OFFICER. The pending amendment is the Sessions amendment No. 604, as modified.

Mr. HARKIN. Is there a time agreement on that amendment?

The PRESIDING OFFICER. The Senator from Iowa is to be recognized to call up an amendment, and he has 15 minutes.

Mr. HARKIN. I have 15 minutes?

The PRESIDING OFFICER. Yes.

Mr. HARKIN. Mr. President, I yield myself such time as I may consume then at this time. I may ask for a bit more.

Mr. President, I looked at this amendment, and all I can say is here we go again. How many times do we have to go down this road of saying that the disciplinary problems in our schools are because of kids with disabilities, and if we only can get ahold of those kids with disabilities and do something about them, then we can straighten out the discipline problem in our schools?

We have been down this road many times before. Fortunately, this body has recognized the importance of IDEA's protections in the past, and I hope we will do so again.

We as a nation decided sometime ago that segregation was wrong. I am not talking about segregation of races. We decided that a long time ago. That was wrong. I am talking about the segregation of people with disabilities from our society. We as a country said it was wrong to take kids from their families and send them halfway across the State to some alternative setting, when they could have had a decent, adequate education right in their own community, in their own school district, in their own neighborhood, if they were just given some appropriate support.

The reason I feel so deeply about this is that it is very personal to me. My brother was sent away halfway across the State from our small hometown when he was a kid because he was deaf. He was put in an institution to get his education—segregated from society, from his family, from his friends, from the town in which he grew up.

Well, those were the old days. I thought we as a society had progressed beyond that. When we passed the Individuals With Disabilities Education Act in 1975—my first year here in the Congress—we said we are not going to do that anymore; to the maximum extent possible, we are going to integrate kids with disabilities into our local educational institutions, and we are going to provide the support services those kids need to get an education.

I can remember when my oldest daughter was in grade school and when the first couple of kids with disabilities came into the classroom. There was a bit of a hue and cry. Some of the parents didn't like it. They thought it was going to take attention away from the other kids because they would have to pay more attention to the kids with disabilities. But because of the Individuals With Disabilities Education Act, the school had to take these kids and provide the services. A wonderfully amazing thing happened. These young kids in that classroom, who perhaps had never associated with anyone their age with a disability, all of a sudden became drawn to these two kids who were in the classroom with their disabilities.

They became more sensitive to these kids, and the kids with disabilities found they could associate with kids without disabilities.

I saw a wonderful thing happen, and I saw the families who later on said: This is not a bad deal. It sensitized them to the fact that this could happen to any one of them any day of the week. Any one of us could become disabled—mentally or physically—at any time. It shows the vulnerability of human nature, but it also shows that kids with disabilities can learn and reach their maximum potential.

Do we want to turn the clock back? Do we want to go back to those days when we took those kids out of that setting and put them in a separate setting and said: No, you can't be in a classroom with other kids.

I do not mean to overblow this amendment, but that is exactly what this amendment will do. This amendment, in section 2(A), says:

> A child with a disability who is removed from the child's regular educational placement under paragraph (1) shall receive a free appropriate public education which may be provided in an alternative education setting if the behavior that led to the child's removal is a manifestation of the child's disability as determined under subparagraphs—

And so on.

What that says is that a child with disabilities can be removed. Yes; schools must continue to give him a free appropriate public education—but in an alternative education setting. I read that to mean a segregated setting, someplace across town, someplace where they segregate kids with disabilities.

Under current law, you have to provide a free appropriate public education but before you remove a child you have to consider certain factors, including whether the behavior was a result of their disability. This would turn the clock back to days when schools could segregate.

You say: What if that kid acted up and harmed someone? Don't you want him removed, put in a setting where they cannot harm someone? Yes, I want safety in the classroom, too, but think about this before you vote on this. This is an example I will tell you that occurs every single day in classrooms all over America with kids with disabilities.

I will use a young deaf kid again because I am so familiar with that. A young deaf kid is in a classroom. They are using a TV monitor to show some educational programs. The classroom teacher inadvertently or advertently did not provide for captioning or the school did not provide for the captioning. The student who is deaf cannot understand what is going on.

This may go on for a couple of days until finally the kid who is deaf starts acting up. He may reach over and hit the kid next to him, may grab the kid next to him, may throw something. So a school takes that kid out of the classroom.

Under the Sessions amendment, there is no inquiry as to whether or not the kid was provided the adequate appropriate supportive services. Instead, this deaf child could be segregated based on the fact that the school failed to provide appropriate services.

Under present law, there would be a due process hearing as to why that kid acted up. They might bring in a counselor and a deaf interpreter. Maybe the kid will say: I am mad because I can't understand what is going on.

The Sessions amendment says: We don't care; get him out of here.

In addition, I have a great deal of empathy with our elementary and secondary school teachers all over America, many of whom have not been trained and who do not really know how to handle kids with disabilities. They have big classrooms. They have 28, 30 kids in a classroom, and they get a couple of kids with disabilities in their classroom. What are they going to do?

The real problem is that teachers aren't getting trained and no one is providing supportive services to these kids as is supposed to be done under law. They create a disturbance. They are not provided the appropriate supportive services so they can learn in that setting.

The teacher is at wits end. He or she would say: I've got to get these kids out of here. I can't teach the rest of these kids.

The kids tell the parents: We have kids acting up all the time; they are disturbing the classroom; I can't study. The parents call the principal. The

principal says get those kids out of there.

I feel sorry for those teachers. The answer is not to segregate the kids. The answer is to meet our obligations—our moral obligations and our legal obligations—to make sure these kids get the supportive services they need to learn in that environment.

It seems to be cost is no objection when they want to segregate kids and put them in an institution. We don't care what it costs. But in order to provide the kind of supportive services they may need in an integrated classroom, why, well, that costs too much money.

It does not cost too much money. It can cost more to segregate those kids than to provide the services they need to help them.

As I said, I have a lot of empathy with these teachers because I have been in those classrooms. I feel sorry for those teachers. They do not have the support. But, now they are going to get help because on this bill, under an amendment offered by Senator HAGEL and this Senator, adopted unanimously by the Senate, we are finally going to provide full funding for the Individuals with Disabilities Education Act which we have been talking about since 1975.

That amounts, over the next 10 years to about $181 billion that the Federal Government has now said to the States: We are now going to give the money out we have been talking about for the last 26 years.

Now we can get the supportive services these teachers need, and if we couple that with class size reduction and reducing the number of kids in classrooms, then we have the right formula. We have the right formula not only for kids with disabilities, but for kids without disabilities.

I know people get disturbed. They hear about all the discipline problems in our classrooms, and I am not saying there are not discipline problems. But I have sat in this Senate Chamber, and I have heard Senator after Senator in the past talk about the gun incidents at Columbine, San Diego, Pennsylvania—and then they talk about discipline, and it always comes down to kids with disabilities.

I challenge them or anybody else to show me one of those violent instances where a child under an IEP, an Individualized Education Program, a kid with a disability was involved. Why is it when we have shootings, we have guns, and we have things that happen in the schools, the first thing that comes on the floor of the Senate is to beat up on the kids with disabilities? The discipline amendments don't go after kids without disabilities; they always go after kids with disabilities. I ask: Why? Why? They are the most vulnerable in our society.

We had a tough time reauthorizing IDEA a few years ago. Senator JEFFORDS and I, Senator KENNEDY and others, worked hard on it. We got all sides to agree on what we would do when we finally reauthorized. And now we have the funds in this bill to pay for it. Before we go after kids with disabilities, let's identify the real problems.

The Sessions amendment says to parents with kids with disabilities, tough luck, you are out of the picture. We will take those kids and kick them out and segregate them and you don't have anything to say about it.

Why are we picking on the kids with disabilities? Honest to God, I just don't understand this.

Do I disagree we have some discipline problems in school? No, we do have discipline problems in school. Of course we do. But it is not because of kids with disabilities. I challenge someone, please, step forward and show me the data that it is kids with disabilities causing these problems.

I don't want kids in the classroom who will hurt themselves or hurt others. If a kid is truly violent and can't be controlled, even with supportive services, that kid should not be there. We have set up through a long history of 26 years processes and procedures to ensure that kids with disabilities have due process, as do their families.

IDEA, the Individuals with Disabilities Education Act, allows schools to remove those kids. A GAO report released in January concluded that special education students who are involved in serious misconduct are being disciplined in generally a similar manner to regular education students based on information that principals reported to us in our review of the limited extant research. That means IDEA is not limiting a school's ability to discipline children with disabilities.

Again, what does the Sessions amendment do? I repeat, under the guise of discipline, it allows us to resegregate these kids, to turn back the clock. The second thing it does is allow schools to cease services to these kids. Section C allows the children not only to be taken out but to cease services.

A kid with a disability needs services, needs support; a kid can be not only segregated but have services cease. That is adding insult to injury. What are you going to do, throw them out on the street? Think about a kid with a serious disability, who is already frustrated by their disability. And now you will stop the services and throw them out on the street? Talk about a timebomb waiting to happen.

The one thing we have always mandated under discipline procedures for kids with disabilities is you have to keep the services going to these kids. Nobody is going to throw them out on the streets. But the Sessions amendment allows services to cease.

The Sessions amendment also creates a program that allows parents to take money from the public schools to go into private schools. Under the amendment, the local educational agency could wash its hands of responsibility for that child. Again, the Federal dollars end up in private schools without any accountability as to how those dollars get spent. The local educational agency washes its hands.

We have been down this road before. If I had a dollar for every iteration of this amendment we have had on this floor in 20 years, I would be a rich man. They always say, ''We will tweak it here and tweak it there,'' but it always comes down to the same two or three things: segregate them out, cut out the services, and let them go out on the streets. It always comes down to that.

I have had my say. I will continue to speak out on this as long as I am on this Senate floor. I don't mean tonight; I mean as long as I am in the Senate. These families with kids with disabilities, a lot of times families are at their wit's end. A lot of times the parents are working. A lot of times it is a single parent. They are working hard, have a kid with a disability who requires a lot of attention, a lot of care, a lot of love, and the last thing they need is to get kicked in the teeth by the Senate. The last thing they need is to have to go out and try to find a lawyer to fight it in court.

I thank the Chair's indulgence, but this is an issue I care very deeply about. There are ways of addressing this issue. This is not the way to do it. Don't go after the most vulnerable kids when it cannot be proven. You cannot show me the data. That is all I ask. Show me the data where it is kids with disabilities who are causing these problems. Show me the data and make me a believer. I have lived with this too long. I have worked on this issue too long. The data is not there. If you can show it to me, I will change my mind.

AMENDMENT NO. 802 TO AMENDMENT NO. 358

My amendment is at the desk and I ask my amendment be reported.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Iowa [Mr. HARKIN], for Mr. KENNEDY, for himself and Mr. HARKIN, proposes an amendment numbered 802.

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

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

The amendment is as follows:

AMENDMENT NO. 802

(Purpose: To amend the Individuals with Disabilities Education Act regarding discipline)

At the appropriate place insert the following:

TITLE ____—INDIVIDUALS WITH DISABILITIES

SEC. ___01. DISCIPLINE.

Section 615 of the Individuals with Disabilities Education Act (20 U.S.C. 1415) is amended by adding at the end the following:

''(n) UNIFORM POLICIES.—

''(1) IN GENERAL.—Subject to paragraph (2), and notwithstanding any other provision of this Act, a State educational agency or local educational agency may establish and implement uniform policies regarding discipline applicable to all children under the jurisdiction of the agency to ensure the safety of such children and an appropriate educational atmosphere in the schools under the jurisdiction of the agency.

''(2) LIMITATION.—

''(A) IN GENERAL.—A child with a disability who is removed from the child's regular educational placement under paragraph (1) shall receive a free appropriate public education which may be provided in an alternative educational setting pursuant to Sec 615K, if the behavior that led to the child's removal is a manifestation of the child's disability, as determined under subparagraphs (B) and (C) of subsection (k)(4).

''(B) MANIFESTATION DETERMINATION.—The manifestation determination shall be made immediately, if possible, but in no case later than 10 school days after school personnel decide to remove the child with a disability from the child's regular educational placement.

''(C) DETERMINATION THAT BEHAVIOR WAS NOT MANIFESTATION OF DISABILITY.—If the result of the manifestation review is a determination that the behavior of the child with a disability was not a manifestation of the child's disability, appropriate school personnel may apply to the child the same relevant disciplinary procedures as would apply to children without a disability.'', except as provided in 612(a)(1).

SEC. ___02. PROCEDURAL SAFEGUARDS.

Section 615 of the Individuals with Disabilities Education Act (20 U.S.C. 1415) (as amended by section ___01) is amended by adding at the end the following:

''(o) DISCIPLINE DETERMINATIONS BY LOCAL AUTHORITY.—

''(1) INDIVIDUAL DETERMINATIONS.—In carrying out any disciplinary policy described in subsection (n)(1), school personnel shall have discretion to consider all germane factors in each individual case and modify any disciplinary action on a case-by-case basis.

''(2) DEFENSE.—Nothing in subsection (n) precludes a child with a disability who is disciplined under such subsection from asserting a defense that the alleged act was unintentional or innocent.

''(3) LIMITATION.—

''(A) REVIEW OF MANIFESTATION DETERMINATION.—If the parents or the local educational agency disagree with a manifestation determination under subsection (n)(2), the parents or the agency may request a review of that determination through the procedures described in subsections (f) through (i).

''(B) PLACEMENT DURING REVIEW.—During the course of any review proceedings under subparagraph (A), the child shall receive a free appropriate public education which may be provided in an alternative educational placement.''.

Mr. HARKIN. Mr. President, again I want to make it clear what my amendment does. It basically takes the Sessions amendment, leaves most of it the way it is, but it just says, No. 1, you cannot segregate; you cannot segregate these kids—unless you follow the law. Under the present law, you can segregate kids if they are violent. But before you segregate you have to follow certain processes and procedures.

The second thing my amendment says is you cannot cease services; you cannot stop the services to these kids even if they have been removed from the classroom.

Finally, it deletes the last section that would allow local school districts to hand over federal dollars, without any accountability on how those dollars are being spent.

I think it is a reasonable and a logical approach to this problem, as I have said many times before. I do not mind people who want to have better discipline in the classrooms. I sent two kids through public schools. Yes, I want discipline in the classrooms. I want a well-structured classroom just as the Presiding Officer does for his kids and grandkids, I am sure. But this is not the way to do it. This is not the way to do it.

The way to do it is to do it under the procedures and processes that will ensure the kids with disabilities have the services and the support they need so they will not be segregated ever again in our society.

I thank the Chair for his indulgence. I yield the floor and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

VOTE EXPLANATION

Mr. DODD. Mr. President, this morning I was not present during rollcall vote number 182, the Santorum amendment. I was attending a meeting in the Russell building. Unfortunately, the mechanism designed to alert Members of votes was malfunctioning. Therefore, I was unaware that a vote was in progress.

Had I been present for the vote, I would have voted in favor of the Santorum amendment.

AMENDMENT NO. 634, AS FURTHER MODIFIED

Mr. REID. Mr. President, I ask unanimous consent that the previously modified Stevens-Inouye amendment, which was agreed to, No. 634, be further modified with the changes I now send to the desk.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The amendment, as further modified, is as follows:

AMENDMENT NO. 634 AS FURTHER MODIFIED

(Purpose: To make amendments with respect to programs for Alaska Natives and Native Hawaiians, and with respect to Impact Aid payments for certain heavily impacted local educational agencies)

On page 872, strike lines 15 through 18, and insert the following:

part;

''(L) construction, renovation, and modernization of any elementary school, secondary school, or structure related to an elementary school or secondary school, run by the Department of Education of the State of Hawaii, that serves a predominantly Native Hawaiian student body; and

''(M) other activities, consistent with the purposes of this part, to meet the educational needs of Native Hawaiian children and adults.

On page 873, strike line 18 and insert the following:

$35,000,000 for fiscal year 2002 and such sums as may

On page 879, strike lines 8 through 15, and insert the following:

''(1) GRANTS AND CONTRACTS.—The Secretary is authorized to make grants to, or enter into contracts with, Alaska Native organizations, educational entities with experience in developing or operating Alaska Native programs or programs of instruction conducted in Alaska Native languages, cultural and community-based organizations with experience in developing or operating programs to benefit Alaska Natives, and consortia of organizations and entities described in this paragraph to carry out programs that meet the purposes of this part.

On page 881, strike lines 22 through 25, and insert the following:

part;

''(I) remedial and enrichment programs to assist Alaska Native students in performing at a high level on standardized tests;

''(J) education and training of Alaska Native students enrolled in a degree program that will lead to certification or licensing as teachers;

''(K) parenting education for parents and caregivers of Alaska Native children to improve parenting and caregiving skills (including skills relating to discipline and cognitive development), including parenting education provided through in-home visitation of new mothers;

''(L) cultural education programs operated by the Alaska Native Heritage Center and designed to share the Alaska Native culture with students;

''(M) a cultural exchange program operated by the Alaska Humanities Forum and designed to share Alaska Native culture with urban students in a rural setting, which shall be known as the Rose Cultural Exchange Program;

''(N) activities carried out through Even Start programs carried out under subpart 1 of part B of title I and Head Start programs carried out under the Head Start Act, including the training of teachers for programs described in this subparagraph;

''(O) other early learning and preschool programs;

''(P) dropout prevention programs such as the Cook Inlet Tribal Council's Partners for Success program;

''(Q) an Alaska Initiative for Community Engagement program;

''(R) career preparation activities to enable Alaska Native children and adults to prepare for meaningful employment, including programs providing tech-prep, mentoring, training, and apprenticeship activities;

''(S) provision of operational support and construction funding, and purchasing of equipment, to develop regional vocational schools in rural areas of Alaska, including boarding schools, for Alaska Native students in grades 9 to 12, and higher levels of education, to provide the students with necessary resources to prepare for skilled employment opportunities; and

''(T) other activities, consistent with the purposes of this part, to meet the educational needs of Alaska Native children and adults.

On page 882, strike lines 16 through 19 and insert the following:

''(c) PRIORITIES.—In awarding grants or contracts to carry out activities described in subsection (a)(2), except for activities listed in subsection (d)(2), the Secretary shall give priority to applications from Alaska Native regional nonprofit organizations, or consortia that include at least 1 Alaska Native regional nonprofit organization.

''(d) AUTHORIZATION OF APPROPRIATIONS.—

''(1) IN GENERAL.—For fiscal year 2002 and each of the 6 succeeding fiscal years, there is authorized to be appropriated to carry out this section the same amount as is authorized to be appropriated under section 7205 for activities under that section for that fiscal year.

''(2) AVAILABILITY OF FUNDS.—Of the funds appropriated and made available under this section for a fiscal year, the Secretary shall make available—

''(A) not less than $1,000,000 to support activities described in subsection (a)(2)(K);

''(B) not less than $1,000,000 to support activities described in subsection (a)(2)(L);

''(C) not less than $1,000,000 to support activities described in subsection (a)(2)(M);

''(D) not less than $2,000,000 to support activities described in subsection (a)(2)(P); and

''(E) not less than $2,000,000 to support activities described in subsection (a)(2)(Q).

On page 883, between lines 16 and 17, insert the following:

''(e) REPORTING REQUIREMENTS.—Each recipient of a grant or contract under this part shall, not later than March 15 of each fiscal year in which the organization expends funds under the grant or contract, prepare and submit to the Committee on Appropriations of the House of Representatives and the Committee on Appropriations of the Senate, summary reports, of not more than 2 pages in length. Such reports shall describe activities undertaken under the grant or contract, and progress made toward the overall objectives of the activities to be carried out under the grant or contract.

On page 886, between lines 13 and 14, insert the following:

TITLE VIII—IMPACT AID

SEC. 801. ELIGIBILITY UNDER SECTION 8003 FOR CERTAIN HEAVILY IMPACTED LOCAL EDUCATIONAL AGENCIES.

(a) ELIGIBILITY.—Section 8003(b)(2)(C) (20 U.S.C. 7703(b)(2)(C)) is amended—

(1) in clauses (i) and (ii) by inserting after ''Federal military installation'' each place it appears the following: ''(or the agency is a qualified local educational agency as described in clause (iv))''; and

(2) by adding at the end the following:

''(iv) QUALIFIED LOCAL EDUCATIONAL AGENCY.—A qualified local educational agency described in this clause is an agency that meets the following requirements:

''(I) The boundaries are the same as island property designated by the Secretary of the Interior to be property that is held in trust by the Federal Government.

''(II) The agency has no taxing authority.

''(III) The agency received a payment under paragraph (1) for fiscal year 2001.''.

(b) EFFECTIVE DATE.—The Secretary shall consider an application for a payment under section 8003(b)(2) for fiscal year 2002 from a qualified local educational agency described in section 8003(b)(2)(C)(iv), as added by subsection (a), as meeting the requirements of section 8003(b)(2)(C)(iii), and shall provide a payment under section 8003(b)(2) for fiscal year 2002, if the agency submits to the Secretary an application for payment under such section not later than 60 days after the date of enactment of this Act.

MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent that there be a period for morning business, with Senators permitted to speak for up to 5 minutes each.

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

SITUATION IN THE MIDDLE EAST

Mrs. FEINSTEIN. Mr. President, we are at a critical juncture in the Middle East. If words are followed by deeds, yesterday's acceptance by the Palestinians of a U.S. plan brokered by CIA Director Tenet—which Israel had previously signed off on—may open the door for an end to the violence of the past eight months, a cooling off period, and new peace talks.

The violence in Israel following the collapse of the Camp David talks has been profoundly disturbing to those of us who are both friends of Israel and strong supporters of Arab-Israeli peacemaking.

With a cease-fire now in effect, the Israeli and Palestinian people have an opportunity to start moving back in the right direction, towards peace and security for the region.

If the peace process is to gain momentum, both sides must make a commitment to the right of the other to exist, in peace and security.

If leaders on both sides are able to muster the political will necessary for this commitment, then I believe that it will be possible for the cease-fire to hold, for a cooling-off period to have effect, and for confidence building measures to once again give momentum to a new peace process.

I was a supporter of the Oslo process when I first came to the Senate, and worked to build peace in the region in the years since, believing a commitment by both sides existed.

I was thus saddened that the unprecedented concessions that former Prime Minister Barak offered last summer—which many felt met the needs and aspirations of the Palestinian people—was not accepted.

Not only was the Palestinian response to that offer ''no,'' but PLO Chairman Yassar Arafat walked away from the negotiations and the Palestinians began a campaign of violence which, in turn, led to Israel resorting to violence to try to protect its security and safeguard the lives of its people.

In walking away from negotiations, Mr. Arafat raised questions about his commitment to peace, and whether there are some in Palestinian society who are unwilling to accept the existence of Israel under any circumstances.

With this cease-fire, these questions are again on the table.

As I stated on the floor of the Senate earlier this year, the new Intifadah was characterized by a level of hate and violence that I did not believe possible in view of the nature of concessions Israel had offered to make.

Particularly tragic—coming on top of over 400 Palestinian and 100 Israeli deaths since last September—was the murder of 20 young Israelis at a night club in Tel Aviv on June 1. Israel's restraint in response to this bombing—looking for the path of peace, not continued bloodshed—has been nothing short of heroic.

No one—Israeli or Palestinian—should have to worry about the possibility of attack as they put their child on a school bus, go to work, go shopping, sit at a cafe, or go to a night club.

We can all remember the images from last Fall of the Palestinian child hiding behind his father, caught in the cross-fire—and, just a few days later, the pictures of the Israelis lynched by a Palestinian mob, their bloody bodies thrown from the second floor window of the police station.

There are countless other such images that each side can point to in the 8 months since.

It is easy to understand how passions can run high, and fear and frustration can drive violence in the current environment.

It is also easy to see how these feelings can get out of control and lead to ever deeper, and never-ending, cycles of violence.

The cease-fire and cooling off period that has been agreed to provides both parties the opportunity to end the provocation and reaction.

Palestinian acceptance of the cease-fire agreement brokered by Director Tenet is a crucial step in the right direction, and carries with it an acknowledgment of the special responsibility incumbent on the Palestinian Authority to end the violence.

Much more will need to be done, however, to show the international community that Mr. Arafat and the Palestinian people are committed to peace and willing to coexist with Israel.

Mr. Arafat's call for a halt to the violence will only yield results if he follows his words with deeds.

With the cease-fire now in effect, Mr. Arafat must follow-up on the agreed-to elements of the deal. He must re-arrest those terrorists he inexcusably released last fall, stop anti-Israel incitement in the Palestinian media, and make sure that the Palestinian police strictly enforce his cease-fire orders.

He must also follow up on information supplied by Israel about imminent terrorist attacks. He must move to confiscate weapons that are being held

by many in the West Bank and Gaza illegally. And he must take action to prevent his aides and other Palestinian officials from defending terrorists.

Mr. Arafat must also understand that if he fails the test, again, that there will be very real consequences for him and for the Palestinian people.

The Government of Israel, for its part, must continue to show its commitment to peace by exercising the admirable restraint it has shown in the wake of the June 1 tragedy.

Israel must also take steps to ease the restrictions on Palestinians, including travel, and pull its forces back from Palestinian populations centers.

The events of recent days also strengthen the case for more active American involvement in the Middle East.

I applaud the recent stepped-up role of the Bush administration and urge the President and Secretary Powell to continue their engagement at this critical juncture in Israeli-Palestinian relations.

I also extend my praise to Director Tenet and Assistant Secretary of State Burns, both of whom have been in the region for the past several days shuttling between Israeli and Palestinian offices.

Director Tenet, in particular, has played an important role bridging Israeli and Palestinian security concerns, and I am confident that he will continue to do his utmost to bring the sides together—without jeopardizing Israel's security.

Lastly, I believe that we owe a debt to our former colleague, Senator Mitchell, for his work in developing the Mitchell Commission report and recommendations.

The administration's endorsement of the Mitchell Commission report as the basis for restoring peace to the Middle East is a sign it understands the role it must play in order for the violence in the region to subside and for the parties to eventually return to the negotiating table.

If we have learned anything from the history of the Arab-Israeli conflict it is that only through diplomacy can the people of the Middle East achieve peace and stability.

I also call on my colleagues in the Senate to support active American leadership in the region.

This is not the time—or the issue—to be engaging in partisan politics. Democrats and Republicans alike must unite in supporting our friends in Israel as well as President Bush and Secretary Powell in their peace-building efforts.

With this cease-fire, the United States must continue to be involved as a facilitator of peace and diplomacy in the Middle East.

The administration also must continue to follow in the footsteps of previous Republican and Democratic administrations alike, whose involvement in Arab-Israeli peacemaking led to historic breakthroughs such as the Camp David Accords, the Madrid Conference and the Wye Agreement.

Last year, by walking away from the negotiations, Mr. Arafat raised serious questions about whether he was truly committed to the cause of peace.

We are at another critical juncture and Mr. Arafat, now, again, has the opportunity to show he is serious about peace. In the past few days he has said the right things—in both English and Arabic—and now he must do the right things as well.

I believe that if the parties are committed to coexistence, and that if each continues to demonstrate the necessary leadership—with the United States playing an active and engaged role—we may soon see an end to the violence and a return to negotiations.

The events of the last 8 months will make it difficult, but with this cease-fire paving the way for a cooling off period and the implementation of confidence building measures, I remain hopeful that peace for the peoples of the Middle East is still possible.

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 terrible crime that occurred in St. Louis, MO in 1998. A gay man was allegedly assaulted by a male neighbor who came into the victim's garage and hit him 12 times with a baseball bat saying, ''You are a faggot motherf---er who needs to move [out of this neighborhood]. If you don't move, you're gonna die.'' The victim required 70 stitches and sustained a permanent head injury.

I believe that government's first duty is to defend its citizens, to defend them against the harms that come out of hate. The Local Law Enforcement Enhancement Act of 2001 is now a symbol that can become substance. I believe that by passing this legislation, we can change hearts and minds as well.

THE VERY BAD DEBT BOXSCORE

Mr. HELMS. Mr. President, at the close of business yesterday, Tuesday, June 12, 2001, the Federal debt stood at $5,683,524,204,123.12, five trillion, six hundred eighty-three billion, five hundred twenty-four million, two hundred four thousand, one hundred twenty-three dollars and twelve cents.

One year ago, June 12, 2000, the Federal debt stood at $5,648,174,000,000, five trillion, six hundred forty-eight billion, one hundred seventy-four million.

Five years ago, June 12, 1996, the Federal debt stood at $5,141,287,000,000, five trillion, one hundred forty-one billion, two hundred eighty-seven million.

Ten years ago, June 12, 1991, the Federal debt stood at $3,491,404,000,000, three trillion, four hundred ninety-one billion, four hundred four million.

Fifteen years ago, June 12, 1986, the Federal debt stood at $2,046,458,000,000, two trillion, forty-six billion, four hundred fifty-eight million, which reflects a debt increase of more than $3.5 trillion, $3,637,066,204,123.12, three trillion, six hundred thirty-seven billion, sixty-six million, two hundred four thousand, one hundred twenty-three dollars and twelve cents during the past 15 years.

ADDITIONAL STATEMENTS

TRIBUTE TO VICTOR ROSENBAUM

• Mr. KENNEDY. Mr. President, I rise today in tribute to one of the great cultural treasures of Massachusetts, Victor Rosenbaum. Mr. Rosenbaum is the President of the esteemed Longy School of Music and has been an important figure in Boston's musical life for more than a quarter century, excelling as a pianist, teacher, conductor, composer, writer and administrator.

As a pianist, Victor Rosenbaum is critically acclaimed for his performances as a soloist and chamber musician. He has performed throughout the world and has appeared as a soloist with the Boston Pops, Pro Arte Orchestra, Boston Classical Orchestra and the Boston Philharmonic. His chamber music collaborations have been with such distinguished artists as Leonard Rose, Joseph Silverstein, Roman Totenberg, and the Vermeer and Cleveland Quartets.

In addition to teaching at Longy, Mr. Rosenbaum is also a member of the faculty at the prestigious New England Conservatory where he was the former chair of the Piano Department, and a current member of the faculty of Musicorda.

Since Mr. Rosenbaum's appointment as President in 1985, Longy has become a major performance center in the greater Boston area, and has greatly expanded its curriculum for children, avocational students, and aspiring professional musicians and teachers.

In 1994, the Schools work with low-income school children from Cambridge came to the attention of the Lila Wallace-Reader's Digest Fund, the Nation's largest private arts funder. Selecting Longy as one of the six nonprofit cultural institutions nationwide to expand their youth programs, the Fund awarded the School $355,000, the largest of the six and the largest single gift ever made to the School at that time, to provide private music instruction to students from Boston and Somerville as well as Cambridge and to develop an in-school music enrichment program.

Victor Rosenbaum has had an immeasurable impact on Boston's cultural life. He has elevated the quality of music in our city and expanded its reach to new audiences and music-lovers.

I commend him for what he has accomplished and extend congratulations to him as he retires from Longy at the end of his 16th year as its venerable President.●

TRIBUTE TO DOROTHY FREDERICK

● Mr. GRASSLEY. Mr. President, since 1963, the month of May has helped the Nation focus on the contributions and achievements of America's older citizens. The image of those over the age of 65 is dramatically different than it was just a generation ago. Older Americans increasingly redefine modern maturity, re-shape cultural boundaries and dispel age-related stereotypes associated with getting older. They are leaders in our families, in our workplaces and in our communities.

One of these leaders is an 80-year-old woman from Milford, IA. Dorothy Frederick understands the value of helping others. Through her initiative, concern and commitment, she has touched the lives of many in her community.

Mrs. Frederick and her husband, Ted, moved to Milford in 1950 where the couple has owned a hardware business for fifty years. After the couple's five children were grown, Mrs. Frederick's desire to stay active led to her increasing involvement in the community.

Through her church, Mrs. Frederick helped start meals on wheels in Milford more than twenty years ago. Over that time, she has gotten other churches in the community involved in the program. Today, meals on wheels is still going strong in Milford, and Mrs. Frederick continues to be the program coordinator. She is ''on call'' with the program each day and is responsible for finding drivers and coordinating their activities. She even fills in as a substitute driver when needed.

Mrs. Frederick's initiative also led to the establishment of the Dinner Date program in Milford nearly twenty years ago. Every Tuesday, Mrs. Frederick is responsible for serving meals at the community meal site to senior citizens and others. Her ongoing commitment to these programs has contributed to their success all of these years.

Mrs. Frederick is a woman who likes a challenge. After serving six years on the city council, she was elected Mayor of Milford and served the better part of her six-year tenure while in her sixties. As mayor, Mrs. Frederick made her mark by fulfilling a campaign promise to put a streetlight on every corner in town. Today, she is still known as ''the woman who lit up Milford.''

Mrs. Frederick and her husband have been married for 58 years. The couple's five children and three grandchildren keep them very busy. When asked what she likes to do with her free time, Mrs. Frederick says her main interest is helping people and that all people are important, whether they be young or old.

I think those words are pretty good words to live by and I'd like to thank Mrs. Frederick for her contributions to the people of Milford. Her initiative and compassion for others is an example to us all that we should always be willing to help, no matter what our age.●

TRIBUTE TO RAJESH NAIR

● Mr. SMITH of New Hampshire. Mr. President, I rise today to pay tribute to Rajesh Nair of Milford, NH, on being named as New Hampshire High Technology Council's 2001 Entrepreneur of the Year.

As a former small business owner, I applaud Rajesh, President of Degree Controls, Inc., for his achievements in the field of thermal management controllers for electronics packaging. He and his company have been recognized in their industry as innovative leaders receiving the Partner in Excellence Gold Trophy for the top supplier to Lucent Technologies in Oklahoma City.

Rajesh and his company have made other important contributions in thermal engineering further enhancing their success in the industry. The citizens of New Hampshire have benefitted greatly thanks to the economic and civic contributions of Degree Controls, Inc. It is truly an honor and a privilege to represent Rajesh in the United States Senate.●

TRIBUTE TO DAVID GAGNON

● Mr. SMITH of New Hampshire. Mr. President, I rise today to pay tribute to David Gagnon of Milford, NH, on being named as the New Hampshire High Technology Council's 2001 Entrepreneur of the Year. As a former small business owner, I applaud the achievements of David and his employees at Degree Controls, Inc.

David, Executive Vice President of Degree Controls, Inc., has achieved high recognition in the field of thermal management controllers for electronics packaging. He and his company have been recognized in their industry as innovative leaders receiving the Partner in Excellence Gold Trophy for the top supplier to Lucent Technologies in Oklahoma City.

The citizens of New Hampshire have benefitted greatly thanks to the economic and civic contributions of Degree Controls Inc. His astute approach to high technology opportunities is an asset to the business community in our state. It is an honor and a privilege to represent him in the United States Senate.●

TRIBUTE TO AMBASSADOR MALCOLM TOON

● Mr. SMITH of New Hampshire. Mr. President, I rise today to pay special tribute to Ambassador Malcolm Toon, an outstanding American diplomat with a long and impressive record of service to our Nation. For Ambassador Toon this year's July Fourth celebration has particular meaning since it also marks his Eighty-fifth Birthday.

In a diplomatic career that spanned more than three decades, he served as U.S. ambassador to the Soviet Union, Yugoslavia, Czechoslovakia, and Israel and held positions within the State Department as the Director of Soviet Affairs and the Deputy Assistant Secretary for European Affairs. These assignments provided Ambassador Toon with a degree of expertise and keen insight that would prove invaluable when, in March 1992, he was selected by President Bush to serve as the first U.S. chairman of a newly formed bilateral American-Russian commission tasked with determining the fate of missing service personnel.

Under his six-year stewardship, the U.S.-Russia Joint Commission on POW/MIAs overcame many obstacles in pursuit of its humanitarian work on behalf of missing servicemen and their families. Thanks to his leadership and steadfastness, the fates of numerous military personnel have been clarified and a robust archival research program implemented. During his tenure the Joint Commission visited each of the fifteen independent states that comprised the former Soviet Union and urged heads of state and other senior officials to do all within their power to assist in the search for American servicemen still unaccounted for. Similar initiatives were directed at the countries of Central and Eastern Europe. I am personally aware of Ambassador Toon's deep sense of commitment to the POW/MIA issue since, as co-chairman of the Joint Commisson's Vietnam War Working Group, I had the privilege of serving with Ambassador Toon.

Prior to embarking on his diplomatic career in 1946, Ambassador Toon served in the U.S. Navy during World War II as a PT-Boat skipper, achieving the rank of Lieutenant Commander and earning the Bronze Star for valor. His academic credentials include a BA degree from Tufts University and graduate studies at Middlebury College and Harvard University.

I ask my colleagues to join with me today in recognizing a distinguished diplomat who has contributed greatly to our nation's commitment to the fullest possible accounting for our missing service personnel.●

TRIBUTE TO MORTON E. GOULDER

● Mr. SMITH of New Hampshire. Mr. President, I rise today to pay tribute to Morton E. Goulder of Hollis, NH, on

being named as New Hampshire High Technology Council's Lifetime Achievement Award Recipient.

As a senior member of the Senate Armed Services Committee, I applaud Morton's exemplary achievements as President of M.E. Goulder, Deputy Assistant Secretary of Defense for our country from 1973 to 1977, and founder of Sanders Associates, a company which specializes in military electronics research and development.

His contributions to the economic environment of New Hampshire are to be applauded. The citizens of our State have benefitted greatly from Morton's selfless dedication to business, education and community affairs in New Hampshire. It is truly an honor and a privilege to represent him in the U.S. Senate.●

TRIBUTE TO MICHAEL J. GERLING

● Mr. SMITH of New Hampshire. Mr. President, I rise today to pay tribute to Michael J. Gerling of Lebanon, NH, on being named as New Hampshire High Technology Council's 2001 Entrepreneur of the Year.

As a former small business owner, I applaud the achievements of Michael and his company, Geographic Data Technology, Inc., in the wireless technology market that have resulted in his company's map databases being used for in-car navigation systems for Lexus and Toyota.

I commend your staff of over 700 employees for their contribution to the success of Geographic Data Technology, Inc. Working in tandem with his employees, he has created a workplace which promotes open communication allowing employees to discuss important issues directly with you.

The citizens of Lebanon and our entire state have benefitted greatly from the economic and civic contributions of your company. Michael's astute approach to high technology opportunities is an asset to the business community in New Hampshire. It is an honor and a privilege to represent him in the U.S. Senate.●

MESSAGE FROM THE HOUSE

At 3:19 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. 643. An act to reauthorize the African Elephant Conservation Act.

H.R. 700. An act to reauthorize the Asian Elephant Conservation Act of 1997.

H.R. 1831. An act to provide certain relief for small businesses from liability under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980.

The message further announced that pursuant to section 313(2)(a) of Public Law 106–554, and upon the recommendation of the majority leader, the Speaker has appointed the following Member of the House of Representatives to the Board of Trustees of the Center for Russian Leadership Development: Mr. AMO HOUGHTON of New York.

The message also announced that pursuant to section 228(d)(1) of the Wendell H. Ford Aviation Investment and Reform Act for the 21st Century (Public Law 106–181), the Speaker has appointed the following members on the part of the House of Representatives to the National Commission To Ensure Consumer Information and Choice in the Airline Industry: Mr. Gerald J. Roper of Illinois and Mr. Paul M. Ruden of Virginia.

MEASURES REFERRED

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

H.R. 643. An act to reauthorize the African Elephant Conservation Act; to the Committee on Environment and Public Works.

H.R. 700. An act to reauthorize the Asian Elephant Conservation Act of 1997; to the Committee on Environment and Public Works.

H.R. 1831. An act to provide certain relief for small businesses from liability under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980; to the Committee on Environment and Public Works.

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–2367. A communication from the Director of the Policy Directives and Instructions Branch, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, the report of a rule entitled ''Petitioning Requirements for the H–1C Nonimmigrant Classification Under Public Law 106–95'' (RIN115–AF76) received on June 12, 2001; to the Committee on the Judiciary.

EC–2368. A communication from the Acting Director of the Office of Personnel Management, transmitting, pursuant to law, the report of the Office of the Inspector General for the period of October 1, 2000 to March 31, 2001; to the Committee on Governmental Affairs.

EC–2369. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Weighted Average Interest Rate Update'' (Notice 2001–36) received on June 11, 2001; to the Committee on Finance.

EC–2370. A communication from the Chairman of the Medicare Payment Advisory Commission, transmitting, pursuant to law, a report relative to Medicare in Rural America for June 2001; to the Committee on Finance.

EC–2371. A communication from the Congressional Review Coordinator, Policy and Program Development, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Importation of Mangoes from the Philippines'' (Doc. No. 93–131–2) received on June 11, 2001; to the Committee on Agriculture, Nutrition, and Forestry.

EC–2372. A communication from the Congressional Review Coordinator, Policy and Program Development, Animal and Plant Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Karnal Bunt; Regulated Areas'' (Doc. No. 01–058–1) received on June 11, 2001; to the Committee on Agriculture, Nutrition, and Forestry.

EC–2373. A communication from the Acting Administrator of the Agricultural Marketing Service, Fruit and Vegetable Programs, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Dried Prunes Produced in California; Undersized Regulation for the 2001–02 Crop Year'' (Doc. No. FV01–933–1 FR) received on June 12, 2001; to the Committee on Agriculture, Nutrition, and Forestry.

EC–2374. A communication from the Chairman of the Office of Proceedings, Surface Transportation Board, transmitting, pursuant to law, the report of a rule entitled ''Major Rail Consolidation Procedures'' (STB 582) received on June 12, 2001; to the Committee on Commerce, Science, and Transportation.

EC–2375. A communication from the Senior Legal Advisor 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 Station; Little Rock, AR'' (Doc. No. 01–50) received on June 11, 2001; to the Committee on Commerce, Science, and Transportation.

EC–2376. A communication from the Senior Legal Advisor 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; Temple, TX'' (Doc. No. 01–46) received on June 11, 2001; to the Committee on Commerce, Science, and Transportation.

EC–2377. A communication from the Senior Legal Advisor 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 Allotment, DTV Broadcast Stations; Salinas, CA'' (Doc. No. 99–269) received on June 11, 2001; to the Committee on Commerce, Science, and Transportation.

EC–2378. A communication from the Senior Legal Advisor 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; Merced, CA'' (Doc. No. 01–41) received on June 11, 2001; to the Committee on Commerce, Science, and Transportation.

EC–2379. A communication from the Director of the Office of Congressional Affairs, Office of the Chief Financial Officer, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''Revision of Fee Schedules; Fee Recovery for Fiscal Year 2001'' (RIN3150–AG73) received on June 12, 2001; to the Committee on Environment and Public Works.

EC–2380. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Colorado; Designation of Areas for Air Quality Planning Purposes, Telluride and Pagosa Springs'' (FRL6989–3) received on June 12, 2001; to the Committee on Environment and Public Works.

EC–2381. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Clean Air Act Promulgation of Extension of Attainment Dates for PM10 Nonattainment Areas; Utah'' (FRL6996–9) received on June 12, 2001; to the Committee on Environment and Public Works.

EC–2382. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Montana'' (FRL6994–9) received on June 12, 2001; to the Committee on Environment and Public Works.

EC–2383. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Guidelines Establishing Test Procedures for the Measurement of Mercury in Water (EPA Method 1631; Revision C); Final Rule, Technical Corrections'' (FRL6998–5) received on June 12, 2001; to the Committee on Environment and Public Works.

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. WYDEN (for himself, Mr. SMITH of Oregon, Mr. ROCKEFELLER, and Mr. BREAUX):

S. 1024. A bill to amend the Public Health Service Act to provide for a public response to the public health crisis of pain, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. LIEBERMAN:

S. 1025. A bill to provide for savings for working families; to the Committee on Finance.

By Mr. TORRICELLI:

S. 1026. A bill to designate the United States Post Office located at 60 Third Avenue in Long Branch, New Jersey, as the ''Pat King Post Office Building''; to the Committee on Governmental Affairs.

By Mr. SCHUMER:

S. 1027. A bill to expand the purposes of the program of block grants to States for temporary assistance for needy families to include poverty reduction, and to make grants available under the program for that purpose; to the Committee on Finance.

By Mr. DASCHLE (for himself and Mr. JOHNSON):

S. 1028. A bill to direct the Secretary of the Interior to convey certain parcels of land acquired for the Blunt Reservoir and Pierre Canal Features of the initial stage of the Oahe Unit, James Division, South Dakota, to the Commission of Schools and Public Lands and the Department of Game, Fish, and Parks of the State of South Dakota for the purpose of mitigating lost wildlife habitat, on the condition that the current preferential leaseholders shall have an option to purchase the parcels from the Commission, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. SARBANES (for himself, Mr. GRAMM, Mr. REED, Mr. SHELBY, Mr. SCHUMER, Mr. ALLARD, Mr. BAYH, Mr. ENZI, Mr. JOHNSON, Ms. MIKULSKI, and Mr. BOND):

S. 1029. A bill to clarify the authority of the Department of Housing and Urban Development with respect to the use of fees during fiscal year 2001 for the manufactured housing program; considered and passed.

By Mr. CONRAD (for himself, Mr. THOMAS, Mr. DASCHLE, Mr. ROBERTS, Mr. JOHNSON, Mr. JEFFORDS, Mr. CRAPO, Mr. ROCKEFELLER, Mr. HARKIN, Mr. DORGAN, Mr. WELLSTONE, Mr. BOND, Mr. HELMS, Mr. COCHRAN, Mr. EDWARDS, Mr. HUTCHINSON, Mr. DOMENICI, Mr. BURNS, Mr. BINGAMAN, and Mrs. LINCOLN):

S. 1030. A bill to improve health care in rural areas by amending title XVIII of the Social Security Act and the Public Health Service Act, and for other purposes; to the Committee on Finance.

By Mr. GRAMM (for himself and Mrs. HUTCHISON):

S. 1031. A bill to authorize additional appropriations for the United States Customs Service for personnel, technology, and infrastructure to expedite the flow of legal commercial and passenger traffic along the Southwest land border, and for other purposes; to the Committee on Finance.

By Mr. FRIST (for himself, Mr. KERRY, Mr. HELMS, Mr. LEAHY, Mr. DURBIN, and Mr. CHAFEE):

S. 1032. A bill to expand assistance to countries seriously affected by HIV/AIDS, malaria, and tuberculosis; to the Committee on Foreign Relations.

By Ms. STABENOW (for herself, Mr. FITZGERALD, Mr. LEVIN, Mr. KOHL, Mr. FEINGOLD, Mr. DAYTON, Mrs. BOXER, Mrs. CLINTON, Mr. DURBIN, Mr. CORZINE, Mr. WELLSTONE, Mr. BAYH, and Mr. CHAFEE):

S. 1033. A bill to amend the Federal Water Pollution Control Act to protect ⅕ of the world's fresh water supply by directing the Administrator of the Environmental Protection Agency to conduct a study on the known and potential environmental effects of oil and gas drilling on land beneath the water in the Great Lakes, and for other purposes; to the Committee on Environment and Public Works.

By Ms. STABENOW (for herself, Mr. FITZGERALD, Mr. LEVIN, Mr. KOHL, Mr. FEINGOLD, Mr. DURBIN, Mr. DAYTON, Mr. WELLSTONE, Mr. DEWINE, Mr. VOINOVICH, Mr. SCHUMER, Mr. BAYH, and Mrs. CLINTON):

S. 1034. A bill to amend the Nonindigenous Aquatic Nuisance Prevention and Control Act of 1990 to require the Secretary of Transportation to promulgate and review regulations to ensure, to the maximum extent practicable, that vessels entering the Great Lakes do not spread nonindigenous aquatic species, to require treatment of ballast water and its sediments through the most effective and efficient techniques available, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Ms. STABENOW (for herself, Mr. FITZGERALD, Mr. LEVIN, Mr. KOHL, Mr. FEINGOLD, Mr. DAYTON, Mr. SCHUMER, Mr. BAYH, and Mrs. CLINTON):

S. 1035. A bill to establish programs to protect the resources of and areas surrounding the Great Lakes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. HARKIN (for himself, Mr. LEAHY, Mr. DURBIN, Mr. DEWINE, Mr. DORGAN, Mr. DASCHLE, Mr. KOHL, Mr. LUGAR, Mr. KENNEDY, Mr. JOHNSON, Mr. CONRAD, Ms. LANDRIEU, and Mr. DAYTON):

S. 1036. A bill to amend the Agricultural Trade Development and Assistance Act of 1954 to establish an international food for education and child nutrition program; to the Committee on Agriculture, Nutrition, and Forestry.

ADDITIONAL COSPONSORS

S. 170

At the request of Mr. REID, the names of the Senator from North Carolina (Mr. EDWARDS) and the Senator from Idaho (Mr. CRAPO) were added as cosponsors of S. 170, a bill to amend title 10, United States Code, to permit retired members of the Armed Forces who have a service-connected disability to receive both military retired pay by reason of their years of military service and disability compensation from the Department of Veterans Affairs for their disability.

S. 177

At the request of Mr. AKAKA, the name of the Senator from Minnesota (Mr. WELLSTONE) was added as a cosponsor of S. 177, a bill to amend the provisions of title 39, United States Code, relating to the manner in which pay policies and schedules and fringe benefit programs for postmasters are established.

S. 452

At the request of Mr. MURKOWSKI, the name of the Senator from New Hampshire (Mr. GREGG) 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. 540

At the request of Mr. DEWINE, the name of the Senator from Texas (Mr. GRAMM) was added as a cosponsor of S. 540, a bill to amend the Internal Revenue Code of 1986 to allow as a deduction in determining adjusted gross income the deduction for expenses in connection with services as a member of a reserve component of the Armed Forces of the United States, to allow employers a credit against income tax with respect to employees who participate in the military reserve components, and to allow a comparable credit for participating reserve component self-employed individuals, and for other purposes.

S. 543

At the request of Mr. WELLSTONE, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 543, a bill to provide for equal coverage of mental health benefits with respect to health insurance coverage unless comparable limitations are imposed on medical and surgical benefits.

S. 582

At the request of Mr. GRAHAM, the name of the Senator from Mississippi (Mr. COCHRAN) 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. 611

At the request of Ms. MIKULSKI, the name of the Senator from Massachusetts (Mr. KENNEDY) was added as a cosponsor of S. 611, a bill to amend title II of the Social Security Act to provide that the reduction in social security benefits which are required in the case of spouses and surviving spouses who are also receiving certain Government pensions shall be equal to the amount by which two-thirds of the total amount of the combined monthly benefit (before reduction) and monthly pension exceeds $1,200, adjusted for inflation.

S. 657

At the request of Mr. LUGAR, the names of the Senator from North Dakota (Mr. DORGAN), the Senator from South Dakota (Mr. DASCHLE), the Senator from Montana (Mr. BAUCUS), the Senator from North Carolina (Mr. HELMS), the Senator from Illinois (Mr. FITZGERALD), the Senator from Nebraska (Mr. HAGEL), the Senator from Oregon (Mr. WYDEN), and the Senator from Missouri (Mr. BOND) were added as cosponsors of S. 657, a bill to authorize funding for the National 4–H Program Centennial Initiative.

S. 677

At the request of Mr. HATCH, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. 677, a bill to amend the Internal Revenue Code of 1986 to repeal the required use of certain principal repayments on mortgage subsidy bond financing to redeem bonds, to modify the purchase price limitation under mortgage subsidy bond rules based on median family income, and for other purposes.

S. 710

At the request of Mr. KENNEDY, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 710, a bill to require coverage for colorectal cancer screenings.

S. 724

At the request of Mr. BOND, the name of the Senator from Connecticut (Mr. LIEBERMAN) was added as a cosponsor of S. 724, a bill to amend title XXI of the Social Security Act to provide for coverage of pregnancy-related assistance for targeted low-income pregnant women.

S. 775

At the request of Mrs. LINCOLN, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 775, a bill to amend title XVIII of the Social Security Act to permit expansion of medical residency training programs in geriatric medicine and to provide for reimbursement of care coordination and assessment services provided under the medicare program.

S. 801

At the request of Mr. JEFFORDS, the name of the Senator from North Dakota (Mr. DORGAN) was added as a cosponsor of S. 801, a bill to amend the Internal Revenue Code of 1986 to repeal the limitation on the use of foreign tax credits under the alternative minimum tax.

S. 825

At the request of Mr. REID, the name of the Senator from Connecticut (Mr. LIEBERMAN) was added as a cosponsor of S. 825, a bill to amend title II of the Social Security Act to allow workers who attain age 65 after 1981 and before 1992 to choose either lump sum payments over four years totaling $5,000 or an improved benefit computation formula under a new 10-year rule governing the transition to the changes in benefit computation rules enacted in the Social Security Amendments of 1977, and for other purposes.

S. 847

At the request of Mr. DAYTON, the name of the Senator from North Dakota (Mr. DORGAN) was added as a cosponsor of S. 847, a bill to impose tariff-rate quotas on certain casein and milk protein concentrates.

S. 852

At the request of Mrs. FEINSTEIN, the name of the Senator from Maine (Ms. SNOWE) was added as a cosponsor of S. 852, a bill to support the aspirations of the Tibetan people to safeguard their distinct identity.

S. 871

At the request of Mr. CLELAND, the name of the Senator from New Jersey (Mr. CORZINE) was added as a cosponsor of S. 871, a bill to amend chapter 83 of title 5, United States Code, to provide for the computation of annuities for air traffic controllers in a similar manner as the computation of annuities for law enforcement officers and firefighters.

S. 920

At the request of Mr. BREAUX, the name of the Senator from Georgia (Mr. CLELAND) was added as a cosponsor of S. 920, a bill to amend the Internal Revenue Code of 1986 to provide a credit against income tax to individuals who rehabilitate historic homes or who are the first purchasers of rehabilitated historic homes for use as a principal residence.

S. 926

At the request of Mr. HARKIN, the names of the Senator from New York (Mrs. CLINTON), the Senator from Minnesota (Mr. WELLSTONE), and the Senator from Connecticut (Mr. LIEBERMAN) were added as cosponsors of S. 926, a bill to prohibit the importation of any article that is produced, manufactured, or grown in Burma.

S. 974

At the request of Mr. JOHNSON, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 974, a bill to amend title XVIII of the Social Security Act to provide for coverage of pharmacist services under part B of the medicare program.

S. 981

At the request of Mr. ROCKEFELLER, the name of the Senator from Hawaii (Mr. AKAKA) was added as a cosponsor of S. 981, a bill to provide emergency assistance for families receiving assistance under part A of title IV of the Social Security Act and low-income working families.

S. 994

At the request of Mr. SCHUMER, the names of the Senator from Vermont (Mr. LEAHY) and the Senator from Missouri (Mr. BOND) were added as cosponsors of S. 994, a bill to amend the Iran and Libya Sanctions Act of 1996 to extend authorities under that Act.

S. 999

At the request of Mr. BINGAMAN, the name of the Senator from New York (Mrs. CLINTON) was added as a cosponsor of S. 999, a bill to amend title 10, United States Code, to provide for a Korea Defense Service Medal to be issued to members of the Armed Forces who participated in operations in Korea after the end of the Korean War.

S. 1009

At the request of Mrs. HUTCHISON, the name of the Senator from Ohio (Mr. DEWINE) was added as a cosponsor of S. 1009, a bill to require the provision of information to parents and adults concerning bacterial meningitis and the availability of a vaccination with respect to such diseases.

S. 1017

At the request of Mr. DODD, the names of the Senator from Rhode Island (Mr. REED) and the Senator from California (Mrs. FEINSTEIN) were added as cosponsors of S. 1017, a bill to provide the people of China with access to food and medicines from the United States, to ease restrictions on travel to Cuba, to provide scholarships for certain Cuban nationals, and for other purposes.

S. CON. RES. 8

At the request of Ms. SNOWE, the name of the Senator from New Jersey (Mr. TORRICELLI) was added as a cosponsor of S. Con. Res. 8, a concurrent resolution expressing the sense of Congress regarding subsidized Canadian lumber exports.

S. CON. RES. 9

At the request of Mr. HARKIN, the name of the Senator from California (Mrs. BOXER) 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.

S. CON. RES. 45

At the request of Mr. FITZGERALD, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. Con. Res. 45, a concurrent resolution expressing the sense of Congress that the Humane Methods of Slaughter Act of 1958 should be fully enforced so as to prevent needless suffering of animals.

AMENDMENT NO. 423

At the request of Mr. SMITH of Oregon, his name was added as a cosponsor of amendment No. 423.

At the request of Mr. CARPER, his name was added as a cosponsor of amendment No. 423, supra.

At the request of Mr. REED, his name was added as a cosponsor of amendment No. 423, supra.

At the request of Mr. LEVIN, his name was added as a cosponsor of amendment No. 423, supra.

AMENDMENT NO. 456

At the request of Mr. CORZINE, his name was added as a cosponsor of amendment No. 456.

AMENDMENT NO. 555

At the request of Mr. SESSIONS, his name was added as a cosponsor of amendment No. 555.

AMENDMENT NO. 792

At the request of Mr. WARNER, the name of the Senator from Virginia (Mr. ALLEN) was added as a cosponsor of amendment No. 792 intended to be proposed to S. 1, an original bill to extend programs and activities under the Elementary and Secondary Education Act of 1965.

AMENDMENT NO. 798

At the request of Mr. HOLLINGS, the name of the Senator from Wisconsin (Mr. FEINGOLD) was added as a cosponsor of amendment No. 798.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. WYDEN (for himself, Mr. SMITH of Oregon, Mr. ROCKEFELLER, and Mr. BREAUX):

S. 1024. A bill to amend the Public Health Service Act to provide for a public response to the public health crisis of pain, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mr. WYDEN. Mr. President, pain is our Nation's silent public health crisis. Pain is often left untreated or undertreated, especially among older patients, minorities and children. Forty to 50 percent of dying patients experience moderate to severe pain at least half of the time in the last days of their lives. A Brown University study published in last month's Journal of the American Medical Association found that 40 percent of nursing home patients nationwide with acute or chronic pain are not getting treatment that brings them relief. Thousand of Americans die in pain every year, and thousands live in chronic pain.

What is truly tragic for these patients is that the medical technology and know-now exist to make them more comfortable. What does not exist is a medical system that supports clinicians trying to address these issues or a system to support patients and families as they try to find help for pain.

The primary goal of the Conquering Pain Act, a bipartisan bill that I am introducing today with Senators SMITH, ROCKEFELLER, and BREAUX is to create a public health framework on which effective pain management policies can be developed. Providing help to patients in pain, to their health care providers, and to others caring for those patients will ensure their access to pain management 24 hours a day, seven days a week, 365 days a year.

The widespread crisis of failing to adequately address patients in pain is made crystal clear by the fact that only one State in the Nation has ever has sanctioned a physician for the under-treatment of pain. That State is my home State of Oregon, which is now also considering the creation of a commission on pain management with the State health department.

The Conquering Pain Act does not seek to tell clinicians how to practice medicine. It does not override State regulation and oversight of medicine. it does provide information to physicians and families in an effort to support them. It also seeks to find answers to the complex problems created by the interplay between State and Federal regulation of pain medications.

Most importantly, the bill would create six regional Family Support Networks linking patients, families and providers to information and services to assist patients in pain. These networks would also assist clinicians who need additional information, mentoring or support to deal with the medically complex cases that patients in pain often present.

It would be cruel and callous for this Congress to continue to ignore the overwhelming number of scientific studies that show patient after patient failing to get relief from pain. This legislation, which enjoys broad support with the medical and patient community, would start us down the road toward addressing in a bipartisan, positive way one of our Nation's most serious and continued health problems.

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. 1024

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the''Conquering Pain Act of 2001''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title.
Sec. 2. Findings.
Sec. 3. Definitions.

TITLE I—EMERGENCY RESPONSE TO THE PUBLIC HEALTH CRISIS OF PAIN

Sec. 101. Guidelines for the treatment of pain.
Sec. 102. Patient expectations to have pain and symptom management.
Sec. 103. Quality improvement projects.
Sec. 104. Pain coverage quality evaluation and information.
Sec. 105. Surgeon General's report.

TITLE II—DEVELOPING COMMUNITY RESOURCES

Sec. 201. Family support networks in pain and symptom management.

TITLE III—REIMBURSEMENT BARRIERS

Sec. 301. Reimbursement barriers report.
Sec. 302. Insurance coverage of pain and symptom management.

TITLE IV—IMPROVING FEDERAL COORDINATION OF POLICY, RESEARCH, AND INFORMATION

Sec. 401. Advisory Committee on Pain and Symptom Management.
Sec. 402. Institutes of Medicine report on controlled substance regulation and the use of pain medications.
Sec. 403. Conference on pain research and care.

TITLE V—DEMONSTRATION PROJECTS

Sec. 501. Provider performance standards for improvement in pain and symptom management.
Sec. 502. End of life care demonstration projects.

SEC. 2. FINDINGS.

Congress finds that—

(1) pain is often left untreated or undertreated especially among older patients, African Americans, Hispanics and other minorities, and children;

(2) chronic pain is a public health problem affecting at least 50,000,000 Americans through some form of persisting or recurring symptom;

(3) 40 to 50 percent of patients experience moderate to severe pain at least half the time in their last days of life;

(4) 70 to 80 percent of cancer patients experience significant pain during their illness;

(5) one in 7 nursing home residents experience persistent pain that may diminish their quality of life;

(6) despite the best intentions of physicians, nurses, pharmacists, and other health care professionals, pain is often under-treated because of the inadequate training of clinicians in pain management;

(7) despite the best intentions of physicians, nurses, pharmacists, mental health professionals, and other health care professionals, pain and symptom management is often suboptimal because the health care system has focused on cure of disease rather than the management of a patient's pain and other symptoms;

(8) the technology and scientific basis to adequately manage most pain is known;

(9) pain should be considered the fifth vital sign; and

(10) coordination of Federal efforts is needed to improve access to high quality effective pain and symptom management in order to assure the needs of chronic pain patients and those who are terminally ill are met.

SEC. 3. DEFINITIONS.

In this Act:

(1) CHRONIC PAIN.—The term ''chronic pain'' means a pain state that is persistent and in which the cause of the pain cannot be removed or otherwise alleviated. Such term includes pain that may be associated with long-term incurable or intractable medical conditions or disease.

(2) END OF LIFE CARE.—The term ''end of life care'' means a range of services, including hospice care, provided to a patient, in the final stages of his or her life, who is suffering from 1 or more conditions for which treatment toward a cure or reasonable improvement is not possible, and whose focus of care is palliative rather than curative.

(3) FAMILY SUPPORT NETWORK.—The term ''family support network'' means an association of 2 or more individuals or entities in a collaborative effort to develop multi-disciplinary integrated patient care approaches that involve medical staff and ancillary services to provide support to chronic pain patients and patients at the end of life and their caregivers across a broad range of settings in which pain management might be delivered.

(4) HOSPICE.—The term ''hospice care'' has the meaning given such term in section 1861(dd)(1) of the Social Security Act (42 U.S.C. 1395x(dd)(1)).

(5) MEDICATION THERAPY MANAGEMENT SERVICES.—The term ''medication therapy management services'' means consultations with a physician or other health care professional (including a pharmacist) who is practicing within the scope of the professional's license, concerning a patient which results in—

(A) a change in the drug regimen of the patient to avoid an adverse drug interaction with another drug or disease state;

(B) a change in inappropriate drug dosage or dosage form with respect to the patient;

(C) discontinuing an unnecessary or harmful medication with respect to the patient;

(D) an initiation of medication therapy for a medical condition of the patient;

(E) consultation with the patient or a caregiver in a manner that results in a significant improvement in drug regimen compliance; or

(F) patient and caregiver understanding of the appropriate use and adherence to medication therapy.

(6) PAIN AND SYMPTOM MANAGEMENT.—The term ''pain and symptom management'' means services provided to relieve physical or psychological pain or suffering, including any 1 or more of the following physical complaints—

(A) weakness and fatigue;

(B) shortness of breath;

(C) nausea and vomiting;

(D) diminished appetite;

(E) wasting of muscle mass;

(F) difficulty in swallowing;

(G) bowel problems;

(H) dry mouth;

(I) failure of lymph drainage resulting in tissue swelling;

(J) confusion;

(K) dementia;

(L) delirium;

(M) anxiety;

(N) depression; and

(O) and other related symptoms

(7) PALLIATIVE CARE.—The term ''palliative care'' means the total care of patients whose disease is not responsive to curative treatment, the goal of which is to provide the best quality of life for such patients and their families. Such care—

(A) may include the control of pain and of other symptoms, including psychological, social and spiritual problems;

(B) affirms life and regards dying as a normal process;

(C) provides relief from pain and other distressing symptoms;

(D) integrates the psychological and spiritual aspects of patient care;

(E) offers a support system to help patients live as actively as possible until death; and

(F) offers a support system to help the family cope during the patient's illness and in their own bereavement.

(8) SECRETARY.—The term ''Secretary'' means the Secretary of Health and Human Services.

TITLE I—EMERGENCY RESPONSE TO THE PUBLIC HEALTH CRISIS OF PAIN

SEC. 101. GUIDELINES FOR THE TREATMENT OF PAIN.

(a) DEVELOPMENT OF WEBSITE.—Not later than 2 months after the date of enactment of this Act, the Secretary, acting through the Agency for Healthcare Research and Quality, shall develop and maintain an Internet website to provide information to individuals, health care practitioners, and health facilities concerning evidence-based practice guidelines developed for the treatment of physical and psychological pain. Websites in existence on such date may be used if such websites meet the requirements of this section.

(b) REQUIREMENTS.—The website established under subsection (a) shall—

(1) be designed to be quickly referenced by health care practitioners; and

(2) provide for the updating of guidelines as scientific data warrants.

(c) PROVIDER ACCESS TO GUIDELINES.—

(1) IN GENERAL.—In establishing the website under subsection (a), the Secretary shall ensure that health care facilities have made the website known to health care practitioners and that the website is easily available to all health care personnel providing care or services at a health care facility.

(2) USE OF CERTAIN EQUIPMENT.—In making the information described in paragraph (1) available to health care personnel, the facility involved shall—

(A) ensure that such personnel have access to the website through the computer equipment of the facility;

(B) carry out efforts to inform personnel at the facility of the location of such equipment; and

(C) ensure that patients, caregivers, and support groups are provided with access to the website.

(3) RURAL AREAS.—

(A) IN GENERAL.—A health care facility, particularly a facility located in a rural or underserved area, without access to the Internet shall provide an alternative means of providing practice guideline information to all health care personnel.

(B) ALTERNATIVE MEANS.—The Secretary shall determine appropriate alternative means by which a health care facility may make available practice guideline information on a 24-hour basis, 7 days a week if the facility does not have Internet access. The criteria for adopting such alternative means should be clear in permitting facilities to develop alternative means without placing a significant financial burden on the facility and in permitting flexibility for facilities to develop alternative means of making guidelines available. Such criteria shall be published in the Federal Register.

SEC. 102. PATIENT EXPECTATIONS TO HAVE PAIN AND SYMPTOM MANAGEMENT.

(a) IN GENERAL.—The administrator of each of the programs described in subsection (b) shall ensure that, as part of any informational materials provided to individuals under such programs, such materials shall include information, where relevant, to inform such individuals that they should expect to have their pain assessed and should expect to be provided with effective pain and symptom relief, when receiving benefits under such program.

(b) PROGRAMS.—The programs described in this subsection shall include—

(1) the medicare and medicaid programs under titles XIX and XXI of the Social Security Act (42 U.S.C. 1935 et seq., 1936 et seq.);

(2) programs carried out through the Public Health Service;

(3) programs carried out through the Indian Health Service;

(4) programs carried out through health centers under section 330 of the Public Health Service Act (42 U.S.C. 254b);

(4) the Federal Employee Health Benefits Program under title 5, United States Code;

(5) the Civilian Health and Medical Program of the Uniformed Services (CHAMPUS) as defined in section 1073(4) of title 10, United States Code; and

(6) other programs administered by the Secretary.

SEC. 103. QUALITY IMPROVEMENT EDUCATION PROJECTS.

The Secretary shall provide funds for the implementation of special education projects, in as many States as is practicable, to be carried out by peer review organizations of the type described in section 1152 of the Social Security Act (42 U.S.C. 1320c-1) to improve the quality of pain and symptom management. Such projects shall place an emphasis on improving pain and symptom management at the end of life, and may also include efforts to increase the quality of services delivered to chronic pain patients and the chronically ill for whom pain may be a significant symptom.

SEC. 104. PAIN COVERAGE QUALITY EVALUATION AND INFORMATION.

(a) IN GENERAL.—Section 1851(d)(4) of the Social Security Act (42 U.S.C. 42 U.S.C. 1395w–21(d)(4)) is amended—

(1) in subparagraph (A), by adding at the end the following:

''(ix) The organization's coverage of pain and symptom management.''; and

(2) in subparagraph (D)—

(A) in clause (iii), by striking ''and'' at the end;

(B) in clause (iv), by striking the period and inserting '', and''; and

(C) by adding at the end the following:

''(v) not later than 2 years after the date of enactment of this clause, an evaluation (which may be made part of any other relevant report of quality evaluation that the plan is required to prepare) for the plan (updated annually) that indicates the performance of the plan with respect to access to, and quality of, pain and symptom management, including such management as part of end of life care. Data shall be posted in a comparable manner for consumer use on www.medicare.gov.''.

(b) EFFECTIVE DATE.—The amendments made by paragraph (1) apply to information

provided with respect to annual, coordinated election periods (as defined in section 1851(e)(3)(B) of the Social Security Act (42 U.S.C. 1395–21(e)(3)(B)) beginning after the date of enactment of this Act.

SEC. 105. SURGEON GENERAL'S REPORT.

Not later than October 1, 2002, the Surgeon General shall prepare and submit to the appropriate committees of Congress and the public, a report concerning the state of pain and symptom management in the United States. The report shall include—

(1) a description of the legal and regulatory barriers that may exist at the Federal and State levels to providing adequate pain and symptom management;

(2) an evaluation of provider competency in providing pain and symptom management;

(3) an identification of vulnerable populations, including children, advanced elderly, non-English speakers, and minorities, who may be likely to be underserved or may face barriers to access to pain management and recommendations to improve access to pain management for these populations;

(4) an identification of barriers that may exist in providing pain and symptom management in health care settings, including assisted living facilities;

(5) an identification of patient and family attitudes that may exist which pose barriers in accessing pain and symptom management or in the proper use of pain medications;

(6) an evaluation of medical, nursing, and pharmacy school training and residency training for pain and symptom management;

(7) a review of continuing medical education programs in pain and symptom management; and

(8) a description of the use of and access to mental health services for patients in pain and patients at the end of life.

TITLE II—DEVELOPING COMMUNITY RESOURCES

SEC. 201. FAMILY SUPPORT NETWORKS IN PAIN AND SYMPTOM MANAGEMENT.

(a) ESTABLISHMENT.—The Secretary, acting through the Public Health Service, shall award grants for the establishment of 6 National Family Support Networks in Pain and Symptom Management (in this section referred to as the ''Networks'') to serve as national models for improving the access and quality of pain and symptom management to chronic pain patients (including chronically ill patients for whom pain is a significant symptom) and those individuals in need of pain and symptom management at the end of life and to provide assistance to family members and caregivers.

(b) ELIGIBILITY AND DISTRIBUTION.—

(1) ELIGIBILITY.—To be eligible to receive a grant under subsection (a), an entity shall—

(A) be an academic facility or other entity that has demonstrated an effective approach to training health care providers including mental health professionals concerning pain and symptom management and palliative care services; and

(B) prepare and submit to the Secretary an application (to be peer reviewed by a committee established by the Secretary), at such time, in such manner, and containing such information as the Secretary may require.

(2) DISTRIBUTION.—In providing for the establishment of Networks under subsection (a), the Secretary shall ensure that—

(A) the geographic distribution of such Networks reflects a balance between rural and urban needs; and

(B) at least 3 Networks are established at academic facilities.

(c) ACTIVITIES OF NETWORKS.—A Network that is established under this section—

(1) shall provide for an integrated interdisciplinary approach, that includes psychological and counseling services, to the delivery of pain and symptom management;

(2) shall provide community leadership in establishing and expanding public access to appropriate pain care, including pain care at the end of life;

(3) shall provide assistance, through caregiver supportive services, that include counseling and education services;

(4) shall develop a research agenda to promote effective pain and symptom management for the broad spectrum of patients in need of access to such care that can be implemented by the Network;

(5) shall provide for coordination and linkages between clinical services in academic centers and surrounding communities to assist in the widespread dissemination of provider and patient information concerning how to access options for pain management;

(6) shall establish telemedicine links to provide education and for the delivery of services in pain and symptom management;

(7) shall develop effective means of providing assistance to providers and families for the management of a patient's pain 24 hours a day, 7 days a week; and

(8) may include complimentary medicine provided in conjunction with traditional medical services.

(d) PROVIDER PAIN AND SYMPTOM MANAGEMENT COMMUNICATIONS PROJECTS.—

(1) IN GENERAL.—Each Network shall establish a process to provide health care personnel with information 24 hours a day, 7 days a week, concerning pain and symptom management. Such process shall be designed to test the effectiveness of specific forms of communications with health care personnel so that such personnel may obtain information to ensure that all appropriate patients are provided with pain and symptom management.

(2) TERMINATION.—The requirement of paragraph (1) shall terminate with respect to a Network on the day that is 2 years after the date on which the Network has established the communications method.

(3) EVALUATION.—Not later than 60 days after the expiration of the 2-year period referred to in paragraph (2), a Network shall conduct an evaluation and prepare and submit to the Secretary a report concerning the costs of operation and whether the form of communication can be shown to have had a positive impact on the care of patients in chronic pain or on patients with pain at the end of life.

(4) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed as limiting a Network from developing other ways in which to provide support to families and providers, 24 hours a day, 7 days a week.

(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, $18,000,000 for fiscal years 2002 through 2004.

TITLE III—REIMBURSEMENT BARRIERS

SEC. 301. REIMBURSEMENT BARRIERS REPORT.

The Medicare Payment Advisory Commission (MedPac) established under section 1805 of the Social Security Act (42 U.S.C. 1396b-6) shall conduct a study, and prepare and submit to the appropriate committees of Congress a report, concerning—

(1) the manner in which medicare policies may pose barriers in providing pain and symptom management and palliative care services in different settings, including a focus on payment for nursing home and home health services;

(2) the identification of any financial barriers that may exist within the medicare and medicaid programs under titles XVIII and XIX of the Social Security Act (42 U.S.C. 1395 et seq., 1396 et seq.) that interfere with continuity of care and interdisciplinary care or supportive care for the broad range of chronic pain patients (including patients who are chronically ill for whom pain is a significant symptom), and for those who are terminally ill, and include the recommendations of the Commission on ways to eliminate those barriers that the Commission may identify;

(3) the reimbursement barriers that exist, if any, in providing pain and symptom management through hospice care, particularly in rural areas, and if barriers exist, recommendations concerning adjustments that would assist in assuring patient access to pain and symptom management through hospice care in rural areas;

(4) whether the medicare reimbursement system provides incentives to providers to delay informing terminally ill patients of the availability of hospice and palliative care; and

(5) the impact of providing payments for medication therapy management services in pain and symptom management and palliative care services.

SEC. 302. INSURANCE COVERAGE OF PAIN AND SYMPTOM MANAGEMENT.

(a) IN GENERAL.—The General Accounting Office shall conduct a survey of public and private health insurance providers, including managed care entities, to determine whether the reimbursement policies of such insurers inhibit the access of chronic pain patients to pain and symptom management and pain and symptom management for those in need of end-of-life care (including patients who are chronically ill for whom pain is a significant symptom). The survey shall include a review of formularies for pain medication and the effect of such formularies on pain and symptom management.

(b) REPORT.—Not later than 1 year after the date of enactment of this Act, the General Accounting Office shall prepare and submit to the appropriate committees of Congress a report concerning the survey conducted under subsection (a).

TITLE IV—IMPROVING FEDERAL COORDINATION OF POLICY, RESEARCH, AND INFORMATION

SEC. 401. ADVISORY COMMITTEE ON PAIN AND SYMPTOM MANAGEMENT.

(a) ESTABLISHMENT.—The Secretary shall establish an advisory committee, to be known as the Advisory Committee on Pain and Symptom Management, to make recommendations to the Secretary concerning a coordinated Federal agenda on pain and symptom management.

(b) MEMBERSHIP.—The Advisory Committee established under subsection (a) shall be comprised of 11 individuals to be appointed by the Secretary, of which at least 1 member shall be a representative of—

(1) physicians (medical doctors or doctors of osteopathy) who treat chronic pain patients or the terminally ill;

(2) nurses who treat chronic pain patients or the terminally ill;

(3) pharmacists;

(4) hospice;

(5) pain researchers;

(6) patient advocates;

(7) caregivers; and

(8) mental health providers.

The members of the Committee shall designate 1 member to serve as the chairperson of the Committee.

(c) MEETINGS.—The Advisory Committee shall meet at the call of the chairperson of the Committee.

(d) AGENDA.—The agenda of the Advisory Committee established under subsection (a) shall include—

(1) the development of recommendations to create a coordinated Federal agenda on pain and symptom management;

(2) the development of proposals to ensure that pain is considered as the fifth vital sign for all patients;

(3) the identification of research needs in pain and symptom management, including gaps in pain and symptom management guidelines;

(4) the identification and dissemination of pain and symptom management practice guidelines, research information, and best practices;

(5) proposals for patient education concerning how to access pain and symptom management across health care settings;

(6) the manner in which to measure improvement in access to pain and symptom management and improvement in the delivery of care;

(7) the development of ongoing strategies to assure the aggressive use of pain medications, including opiods, regardless of health care setting; and

(8) the development of an ongoing mechanism to identify barriers or potential barriers to pain and symptom management created by Federal policies.

(e) RECOMMENDATION.—Not later than 2 years after the date of enactment of this Act, the Advisory Committee established under subsection (a) shall prepare and submit to the Secretary recommendations concerning a prioritization of the need for a Federal agenda on pain and symptom management, and ways in which to better coordinate the activities of entities within the Department of Health and Human Services, and other Federal entities charged with the responsibility for the delivery of health care services or research on pain and symptom management with respect to pain management.

(f) CONSULTATION.—In carrying out this section, the Advisory Committee shall consult with all Federal agencies that are responsible for providing health care services or access to health services to determine the best means to ensure that all Federal activities are coordinated with respect to research and access to pain and symptom management.

(g) ADMINISTRATIVE SUPPORT; TERMS OF SERVICE; OTHER PROVISIONS.—The following shall apply with respect to the Advisory Committee:

(1) The Committee shall receive necessary and appropriate administrative support, including appropriate funding, from the Department of Health and Human Services.

(2) The Committee shall hold open meetings and meet not less than 4 times per year.

(3) Members of the Committee shall not receive additional compensation for their service. Such members may receive reimbursement for appropriate and additional expenses that are incurred through service on the Committee which would not have incurred had they not been a member of the Committee.

(4) The requirements of Appendix 2 of title 5, United States Code.

SEC. 402. INSTITUTES OF MEDICINE REPORT ON CONTROLLED SUBSTANCE REGULATION AND THE USE OF PAIN MEDICATIONS.

(a) IN GENERAL.—The Secretary, acting through a contract entered into with the Institute of Medicine, shall review findings that have been developed through research conducted concerning—

(1) the effects of controlled substance regulation on patient access to effective care;

(2) factors, if any, that may contribute to the underuse of pain medications, including opiods;

(3) the identification of State legal and regulatory barriers, if any, that may impact patient access to medications used for pain and symptom management; and

(4) strategies to assure the aggressive use of pain medications, including opiods, regardless of health care setting.

(b) REPORT.—Not later than 18 months after the date of enactment of this Act, the Secretary shall prepare and submit to the appropriate committees of Congress a report concerning the findings described in subsection (a).

SEC. 403. CONFERENCE ON PAIN RESEARCH AND CARE.

Not later than December 31, 2005, the Secretary, acting through the National Institutes of Health, shall convene a national conference to discuss the translation of pain research into the delivery of health services including mental health services to chronic pain patients and those needing end-of-life care. The Secretary shall use unobligated amounts appropriated for the Department of Health and Human Services to carry out this section.

TITLE V—DEMONSTRATION PROJECTS

SEC. 501. PROVIDER PERFORMANCE STANDARDS FOR IMPROVEMENT IN PAIN AND SYMPTOM MANAGEMENT.

(a) IN GENERAL.—The Secretary, acting through the Health Resources Services Administration, shall award grants for the establishment of not less than 5 demonstration projects to determine effective methods to measure improvement in the skills, knowledge, and attitudes and beliefs of health care personnel in pain and symptom management as such skill, knowledge, and attitudes and beliefs apply to providing services to chronic pain patients and those patients requiring pain and symptom management at the end of life.

(b) EVALUATION.—Projects established under subsection (a) shall be evaluated to determine patient and caregiver knowledge and attitudes toward pain and symptom management.

(c) APPLICATION.—To be eligible to receive a grant under subsection (a), an entity shall prepare and submit to the Secretary an application at such time, in such manner and containing such information as the Secretary may require.

(d) TERMINATION.—A project established under subsection (a) shall terminate after the expiration of the 2-year period beginning on the date on which such project was established.

(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated such sums as may be necessary to carry out this section.

SEC. 502. END OF LIFE CARE DEMONSTRATION PROJECTS.

The Secretary, acting through the Health Resources and Services Administration, shall—

(1) not later than January 1, 2004, carry out not less than 5 demonstration and evaluation projects that implement care models for individuals at the end of life, at least one of which shall be developed to assist those individuals who are terminally ill and have no family or extended support, and each of which may be carried out in collaboration with domestic and international entities to gain and share knowledge and experience on end of life care;

(2) conduct 3 demonstration and evaluation activities concerning the education and training of clinicians in end of life care, and assist in the development and distribution of accurate educational materials on both pain and symptom management and end of life care;

(3) in awarding grants for the training of health professionals, give priority to awarding grant to entities that will provide training for health professionals in pain and symptom management and in end-of-life care at the undergraduate level;

(4) shall evaluate demonstration projects carried out under this section within the 5-year period beginning on the commencement of each such project; and

(5) develop a strategy and make recommendations to Congress to ensure that the United States health care system—

(A) has a meaningful, comprehensive, and effective approach to meet the needs of individuals and their caregivers as the patient approaches death; and

(B) integrates broader supportive services.

Mr. SMITH of Oregon. Mr. President, I rise today to join my friend and colleague from Oregon in reintroducing the Conquering Pain Act. He and I have worked long and hard together to expand access to effective pain and symptom management for chronic pain and terminally ill patients, and I believe that this legislation is an important step toward accomplishing that goal. This is an issue of great importance to my home state of Oregon, and a matter of personal significance to me.

Prior to my service in elected office, I served as a volunteer for my church. In this capacity, I found my professional work as a food processor in a constant, but blessed, state of interruption. On a weekly basis and at the oddest of hours, I found myself making continual rounds at St. Anthony's Hospital in Pendleton, Oregon. On many occasions I shared with parents the unspeakable joy of welcoming newborn babies into this world. On others, I suffered in heartbreaking sorrow as I tried to comfort the critically ill, or hold the hands of those who lay at the brink of eternity.

On too many of these occasions, patients suffered intense pain and discomfort during their final hours; sometimes as a result of inadequate pain management techniques, and sometimes as a result of our medical focus on curing illness and prolonging life at any cost. I have seen many beloved friends suffer unnecessarily and I believe that all Americans have been touched at some point by a friend or family member struggling to cope with chronic or acute pain. We all deserve a health care system committed to adequately addressing the comfort of ailing patients.

The legislation we reintroduce today, the Conquering Pain Act, is consistent with my belief that the practice of medicine must place greater emphasis on helping people who are experiencing chronic and acute pain.

The Conquering Pain Act of 2001 will take a number of steps to ensure that patients have greater access to effective pain management. This legislation will commission studies by the Surgeon General's office, the General Accounting Office, the Institute of Medicine, and MedPac to examine the state of pain and symptom management in the United States, and to review regulatory obstacles that stifle effective pain management in our health care system. The Act will establish demonstration projects at the Department of Health and Human Services and other institutions to provide advanced pain management care and to research effective methods to measure improvement in the skills, knowledge, and attitudes of health care personnel in pain and symptom management. In addition, this bill will make important and timely information related to pain management available to patients and health care professionals over the Internet.

The Conquering Pain Act of 2001 will do something that should have been done many years ago; it will finally establish a coordinated Federal agenda regarding pain and symptom management. For better or for worse, our health care system has focused intensely on curing disease but has never adequately addressed the need to provide effective pain management. Americans should expect their health care providers to attend to their comfort as well as their health, and I believe that this legislation will go a long way toward addressing this long-standing deficiency.

By Mr. LIEBERMAN:

S. 1025. A bill to provide for savings for working families; to the Committee on Finance.

Mr. SANTORUM. Mr. President, today, Senator JOSEPH LIEBERMAN and I are introducing the Savings for Working Families Act, which seeks to expand opportunities through Individual Development Accounts, IDAs, to enable the working poor to save for a home, educational expenses, and micro-enterprise and small business efforts. We have already reintroduced this provision this year as Title I of bipartisan legislation, S. 592, ''the Savings Opportunity and Charitable Giving Act of 2001.'' Rep. PITTS and Rep. STENHOLM are also introducing a bipartisan companion bill on IDAs in the House of Representatives today.

IDAs have been endorsed by President Bush during the presidential campaign and were included in his budget. IDAs are also included in H.R. 7, ''the Community Solutions Act.'' We strongly support the charitable giving incentives in our bill but in the context of this legislation, which includes savings incentives provisions, we are seeking to add additional tax relief for those working hard to save.

IDAs are matched savings accounts for working Americans restricted to three uses: 1. buying a first home; 2. receiving post-secondary education or training; or 3. starting or expanding a small business. Individual and matching deposits are not co-mingled; all matching dollars are kept in a separate, parallel account. When the account holder has accumulated enough savings and matching funds to purchase the asset, typically over two to four years, and has completed a financial education course, payments from the IDA will be made directly to the asset provider.

Financial institutions, or their contractual affiliates, would be reimbursed for all matching funds provided plus a limited amount of the program and administrative costs incurred, whether directly or through collaborations with other entities. Specifically, the IDA Tax Credit would be the aggregate amount of all dollar-for-dollar matches provided, up to $500 per person per year, plus a one-time $100 per account credit for financial education, recruiting, marketing, administration, withdrawals, etc., plus an annual $30 per account credit for the administrative cost of maintaining the account. To be eligible for the match, adjusted gross income may not exceed $20,000, single, $25,000, head of household, or $40,000, married, to prevent the creation of any additional marriage penalties.

Our legislation is aimed at fixing our Nation's growing gap in asset ownership, which keeps millions of low-income workers from achieving the American dream. Most public attention focuses on our growing income gap. Though the booming American economy has delivered significant income gains to the Nation's upper-income earners, lower-income workers have been left on the sidelines. This suggests to some that closing this divide between the have-mosts and the have-leasts is simply a matter of raising wages. But the reality is that the income gap is a symptom of a larger, more complicated problem.

Success in today's new economy is defined less and less by how much you earn and more and more by how much you own—your asset base. This is great news for the millions of middle-class homeowners who are tapped into America's economic success, but it is bad news for those who are simply tapped out—those with no assets and little hope of accumulating the means for upward mobility and real financial security. This widening asset gap was underscored in a report issued earlier this year by the Federal Reserve. The Fed found that while the net worth of the typical family has risen substantially in recent years, it has actually dropped substantially for low-income families.

For families with annual incomes of less than $10,000, the median net worth dipped from $4,800 in 1995 to $3,600 in 1998. For families with incomes between $10,000 and $25,000, the median net worth fell from $31,000 to $24,800 over the same period. The rate of home ownership among low-income families has dropped as well. For families making less than $10,000, it went from 36.1 percent to 34.5 percent from 1995 to 1998; for those making between $10,000 and $25,000, it fell from 54.9 percent to 51.7 percent.

How do we reverse this troubling trend? IDAs are the unfinished business of the Community Renewal and New Markets Empowerment initiatives which became law in December of 2000 and will increase job opportunities and renew hope in what have been hopeless places. But to sustain this hope, we must provide opportunities for individuals and families to build tangible assets and acquire stable wealth.

How do we do this? We believe that the marketplace can provide such opportunity. Non-profit groups around the country have launched innovative private programs that are achieving great success in transforming the ''unbanked''—people who have never had a bank account—into unabashed capitalists. Through IDAs, banks and credit unions offer special savings accounts to low-income Americans and match their deposits dollar-for-dollar. In return, participants take an economic literacy course and commit to using their savings to buy a home, upgrade their education or to start a business.

Thousands of people are actively saving today through IDA programs in about 250 neighborhoods nationwide. In one demonstration project undertaken by the Corporation for Enterprise Development, CFED, a leading IDA promoter, 2,378 participants have already saved $838,443, which has leveraged an additional $1,644,508.

While data have been encouraging, unfortunately IDA programs are still limited and too scattered across the Nation. This amendment will expand IDA access nationwide by providing a significant tax credit to financial institutions and community groups which they will pass through to IDA account holders. This credit would reimburse banks for the first $500 of matching funds they contribute, thus significantly lowering the cost of offering IDAs. Other State and private funds can also be used to provide additional match to savings. It also benefits our economy, the long-term stability of which is threatened by our pitiful national savings rate. In fact, according to some estimates, every $1 invested in an IDA returns $5 to the national economy.

IDAs are supported by a variety of groups including the Credit Union National Association, the Corporation for Enterprise Development, the National Association of Homebuilders, the Financial Services Roundtable, and the

National Conference of State Legislators.

Individual Development Accounts, combined with other community development and wealth creation opportunities, are a first step towards restoring the faith in the longstanding American promise of equal opportunity. That faith has been shaken by stark divisions of income and wealth in our society. With the leadership of the President and the Speaker, I am hopeful, along with Senator LIEBERMAN and other supporters in the Senate, that Congress will take this significant step toward restoring the long-cherished American ideals of rewarding hard work, encouraging responsibility, and expanding opportunity this year.

By Mr. SCHUMER:

S. 1027. A bill to expand the purposes of the program of block grants to States for temporary assistance for needy families to include poverty reduction, and to make grants available under the program for that purpose; to the Committee on Finance.

Mr. WELLSTONE. Mr. President, I rise today to speak on the Schumer-Wellstone ''Child Poverty Reduction Act.'' This bill would create a fifth goal of the Temporary Assistance for Needy Families, TANF, Program to reduce poverty among families with children in the United States, and it would provide a $150 million annual appropriation for high performance bonus grants to States who reduce both the depth and extent of child poverty.

Under current law, TANF has four goals: 1. provide assistance to needy families so that children may be cared for in their own homes; 2. end dependency on the welfare system; 3. prevent and reduce the incidence of out-of-wedlock pregnancies; and 4. encourage the formation and maintenance of two parent families. The bill would add language stating that the fifth goal of TANF is ''to reduce poverty of families with children in the United States.''

The TANF program currently awards ''high performance'' bonuses to States that rank high on outcome measures related to the program's goals. A total of $1 billion was provided over 5 years, averaging $200 million per year, for this bonus. The law charges the Secretary of Health and Human Services with developing the criteria for measuring high performance in consultation with certain groups representing the states. Bonuses have thus far been awarded for fiscal year 1999 and fiscal year 2000. For fiscal year 1999 through fiscal year 2001, states are judged only on measures related to promoting work for the high performance bonus. Beginning in fiscal year 2002, new measures will be added that provide bonus awards to States that increase the percent of married couple families with children and to States that take steps to increase participation in food stamps, Medicaid/SCHIP and child care. This bill would create an additional $150 million bonus category to provide high performance bonus grants to all States that reduce their child poverty rate from the previous year's poverty rate. The grant is authorized from fiscal year 2003 onward. To ensure continued improvement, States cannot receive a bonus if their child poverty rate for any given year is higher than their lowest child poverty rate from calendar year 2002 onward. In addition, even if a State reduces the overall poverty rate, a State cannot receive the bonus if the average amount of income that the State's poor children needed to get above the poverty line, the average depth of child poverty, increased from the previous year. Each State that qualifies for a grant would receive an award equal to the number of the children residing in the State as a percentage of the number of children living in the United States. A qualifying State can receive no less than $1 million per year, and no more than 5 percent of their Basic TANF grant.

This bill takes the important first step toward reorienting our thinking about the purpose of welfare ''reform.'' Many people have trumpeted the ''success'' of welfare reform, pointing to the enormous reduction in the caseload as proof of this success, but such claims miss the point. Reducing the rolls is the easy part—just kick people off, close their cases, and wish them well. The more important, and infinitely more difficult, part is the reduction of poverty. When advocates of welfare ''reform'' talk about ending dependency, there is clearly a presumption that they are also advocating moving these same families toward economic self-sufficiency. But the reality of the situation is that the welfare rolls have declined much more quickly than the poverty rate, and it is not at all clear that those families who have lost their benefits have moved out of poverty. Of particular concern is the fact that too many children in this country continue to live in poverty.

What do we know about the well-being of poor children in this country? We know that the number of children who live in poverty has declined. In 1998, 18.9 percent of children in the United States lived in poverty. In 1999 that figure dropped to 16.9 percent. But before we start celebrating, let's think about what this really represents. In this period of unheralded economic growth, child poverty has decreased by two percent. Two percent. Unprecedented, rewrite the economic textbooks, prosperity, and childhood poverty has decreased by only two percent.

Worse, though, we also know that poor children are on average now more poor than ever before. Their families have incomes further below the poverty level than in any other year that this information has been collected. And researchers point to the decline in cash assistance and food stamps as a primary cause. The percentage of poor children whose families received cash assistance fell from 62 percent in 1994 to 43 percent in 1998; the percent of poor children who received food stamps dropped from 94 percent to 75 percent from 1994 to 1998; and a million people became uninsured in 1998. Our Nation's programs, designed to meet the needs of our most vulnerable citizens, are serving fewer of them. This is what we call success? I've said it before and I'll continue to say it for as long as we have this debate simply reducing the welfare rolls is not success. Reducing the rolls is not the same thing as reducing poverty, our real goal, a goal we have not come close to reaching.

It is critical that we reframe the public discourse so that welfare ''reform'' is about ending poverty, not simply reducing the rolls, and we must make it part of a larger discourse about the needs of working families in this country. After all, there are about 6 million people on the welfare rolls, but there are 32 million people 12 million children living in poverty, 43 million people who are uninsured, 30 million people who are hungry, more than 13 million children who are eligible for child care assistance who aren't receiving any, more than 12 million people teetering on the edge of homelessness, and an estimated 6.9 million people in this country earning only the minimum wage unable to move their families out of poverty even by working full-time, year-round. As we begin to consider reauthorization of the welfare ''reform'' bill, we need to understand that whatever debate we have won't be just about welfare. We need to understand that what we will really be talking about is poverty, about hunger and homelessness, about whether or not our children are safe, about whether or not they come to school ''ready to learn,'' about whether or not they grow and prosper. The debate we will have is not simply about what is good for the 6 million people in this country receiving public assistance, or even the 32 million people living in poverty, but it will be a debate about what is good for our country. It will be a debate about our priorities.

Any investment we make in the needs of low-income families will be paid back to us a thousand-fold in the well-being of our children, our neighborhoods, and our communities. And the cost of not investing in these families is similarly multiplied when we see our children fall behind in grade school and high school, when we bear witness to horrible acts of violence committed by children against children, and when we face a cycle of poverty that seems nearly unbreakable. I look forward to the day when the needs of all families are met, when we ensure that every member of our community leads a life

of dignity, able to provide for themselves and their families. And I have to believe that such a day will come, although I worry that it may not come soon enough.

We must do more to reduce both the extent and the depth of poverty in this country, and right now is the time to do so. Right now we have the resources to ensure that no family, no child, is left behind. The Schumer-Wellstone ''Child Poverty Reduction Act'' is a step in this direction. I urge each of my colleagues to support this bill.

By Mr. DASCHLE (for himself and Mr. JOHNSON):

S. 1028. A bill to direct the Secretary of the Interior to convey certain parcels of land acquired for the Blunt Reservoir and Pierre Canal Features of the initial stage of Oahe Unit, James Division, South Dakota, to the Commission of Schools and Public Lands and the Department of Game, Fish and Parks of the State of South Dakota for the purpose of mitigating lost wildlife habitat, on the condition that the current preferential leaseholders shall have an option to purchase the parcels from the Commission, and for other purposes; to the Committee on Energy and Natural Resources.

Mr. DASCHLE. Mr. President, I am today introducing the Blunt Reservoir and Pierre Canal Land Conveyance Act of 2001. This proposal is the culmination of more than 3 years of discussion with local landowners, the South Dakota Water Congress, the U.S. Bureau of Reclamation, local legislators, representatives of South Dakota sportsmen groups and affected citizens. It lays out a plan to convey certain parcels of land acquired for the Blunt Reservoir and Pierre Canal features of the Oahe Irrigation Project in South Dakota to the Commission of School and Public Lands of the State of South Dakota for the purpose of mitigating lost wildlife habitat, and provides the option to preferential leaseholders to purchase their original parcels from the Commission.

To more fully understand the issues addressed by the legislation, it is necessary to review some of the history related to the Oahe Unit of the Missouri River Basin project in South Dakota.

The Oahe Unit was originally approved as part of the overall plan for water development in the Missouri River Basin that was incorporated in the Flood Control Act of 1944. Subsequently, Public Law 90–453 authorized construction and operation of the initial stage of this unit. The purposes of the Oahe Unit, as authorized, were to provide for the irrigation of 190,000 acres of farmland, conserve and enhance fish and wildlife habitat, promote recreation and meet other important goals.

The project came to be known as the Oahe Irrigation Project, and the principal features of the initial stage of the project included the Oahe pumping plant, located near Oahe Dam, to pump water from the Oahe Reservoir, a system of main canals, including the Pierre Canal, running east from the Oahe Reservoir, and the establishment of regulating reservoirs, including the Blunt Dam and Reservoir, located approximately 35 miles east of Pierre, South Dakota.

Under the authorizing legislation, 42,155 acres were to be acquired by the Federal Government in order to construct and operate the Blunt Reservoir feature of the Oahe Irrigation Project. Land acquisition for the proposed Blunt Reservoir feature began in 1972 and continued through 1977. A total of 17,878 acres actually were acquired from willing sellers.

The first land for the Pierre Canal feature was purchased in July 1975 and included the 1.3 miles of Reach 1B. An additional 21-mile reach was acquired from 1976 through 1977, also from willing sellers.

Organized opposition to the Oahe Irrigation Project surfaced in 1973 and continued to build until a series of public meetings were held in 1977 to determine if the project should continue. In late 1977, the Oahe project was made a part of President Carter's Federal Water Project review process.

The Oahe project construction was then halted on September 30, 1977, when Congress did not include funding in the FY 1978 appropriations. Thus, all major construction contract activities ceased, and land acquisition was halted.

The Oahe Project remained an authorized water project with a bleak future and minimal chances of being completed as authorized. Consequently, the Department of Interior, through the Bureau of Reclamation, gave to those persons who willingly had sold their lands to the project, and their descendants, the right to lease those lands and use them as they had in the past until they were needed by the Federal Government for project purposes.

During the period from 1978 until the present, the Bureau of Reclamation has administered these lands on a preference lease basis for those original landowners or their descendants and on a non-preferential basis for lands under lease to persons who were not preferential leaseholders. Currently, the Bureau of Reclamation administers 12,978 acres as preferential leases and 4,304 acres as non-preferential leases in the Blunt Reservoir.

As I noted previously, the Oahe Irrigation Project is related directly to the overall project purposes of the Pick-Sloan Missouri Basin program authorized under the Flood Control Act of 1944. Under this program, the U.S. Army Corps of Engineers constructed four major dams across the Missouri River in South Dakota. The two largest reservoirs formed by these dams, Oahe Reservoir and Sharpe Reservoir, caused the loss of approximately 221,000 acres of fertile, wooded bottomland that constituted some of the most productive, unique and irreplaceable wildlife habitat in the State of South Dakota. This included habitat for both game and non-game species, including several species now listed as threatened or endangered. Meriwhether Lewis, while traveling up the Missouri River in 1804 on his famous expedition, wrote in his diary, ''Song birds, game species and furbearing animals abound here in numbers like none of the party has ever seen. The bottomlands and cottonwood trees provide a shelter and food for a great variety of species, all laying their claim to the river bottom.''

Under the provisions of the Wildlife Coordination Act of 1958, the State of South Dakota has developed a plan to mitigate a part of this lost wildlife habitat as authorized by Section 602 of Title VI of Public Law 105–277, October 21, 1998, known as the Cheyenne River Sioux Tribe, Lower Brule Sioux Tribe, and State of South Dakota Terrestrial Wildlife Habitat Restoration Act. The State's habitat mitigation plan has received the necessary approval and interim funding authorizations under Sections 602 and 609 of Title VI.

The State's habitat mitigation plan requires the development of approximately 27,000 acres of wildlife habitat in South Dakota. Transferring the 4,304 acres of non-preferential lease lands in the Blunt Reservoir feature to the South Dakota Department of Game, Fish and Parks would constitute a significant step toward satisfying the habitat mitigation obligation owed to the state by the Federal Government and as agreed upon by the U.S. Army Corps of Engineers, the U.S. Fish and Wildlife Service, and the South Dakota Department of Game, Fish and Parks.

As we developed this legislation, many meetings occurred among the local landowners, South Dakota Department of Game, Fish and Parks, business owners, local legislators, the Bureau of Reclamation, as well as representatives of sportsmen groups. It became apparent that the best solution for the local economy, tax base and wildlife mitigation issues would be to allow the preferential leaseholders (original landowner or descendant or operator of the land at the time of purchase) to have an option to purchase the land from the Commission of School and Public Lands after the preferential lease parcels are conveyed to the Commission. This option will be available for a period of 5 years after the date of conveyance to the Commission. During the interim period, the preferential leaseholders shall be entitled to continue to lease from the Commissioner under the same terms and conditions they have enjoyed with the

Bureau of Reclamation. If the preferential leaseholder fails to purchase a parcel within the 5-year period, that parcel will be conveyed to the South Dakota Department of Game, Fish and Parks to be use to implement the 27,000-acre habitat mitigation plan.

The proceeds from these sales will be used to finance the administration of this bill, support public education in the State of South Dakota, and will be added to the South Dakota Wildlife Habitat Mitigation Trust Fund to assist in the payment of local property taxes on lands transferred from the Federal government to the state of South Dakota.

In summary, the State of South Dakota, the Federal Government, the original landowners, the sportsmen and wildlife will benefit from this bill. It provides for a fair and just resolution to the private property and environmental problems caused by the Oahe Irrigation Project some 25 years ago. We have waited long enough to right some of the wrongs suffered by our landowners and South Dakota's wildlife resources.

I am hopeful the Senate will act quickly on this legislation. Our goal is to enact a bill that will allow meaningful wildlife habitat mitigation to begin, give certainty to local landowners who sacrificed their lands for a defunct federal project they once supported, ensure the viability of the local land base and tax base, and provide well maintained and managed recreation areas for sportsmen.

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. 1028

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 ''Blunt Reservoir and Pierre Canal Land Conveyance Act of 2001''.

SEC. 2. FINDINGS.

Congress finds that—

(1) under the Act of December 22, 1944 (commonly known as the ''Flood Control Act of 1944'') (58 Stat. 887, chapter 665; 33 U.S.C. 701–1 et seq.), Congress approved the Pick-Sloan Missouri River Basin Program—

(A) to promote the general economic development of the United States;

(B) to provide for irrigation above Sioux City, Iowa;

(C) to provide for municipal and industrial water supply, fish and wildlife, and recreation;

(D) to protect urban and rural areas from devastating floods of the Missouri River; and

(E) for other purposes;

(2) the purpose of the Oahe Unit, James Division, of the Oahe Irrigation Project was to meet the requirements of that Act by providing irrigation above Sioux City, Iowa;

(3) the principal features of the initial stage of the Oahe Unit, James Division, of the Oahe Irrigation Project included—

(A) a system of main canals, including the Pierre Canal, running east from the Oahe Reservoir; and

(B) the establishment of regulating reservoirs, including the Blunt Dam and Reservoir, located approximately 35 miles east of Pierre, South Dakota;

(4) land to establish the Pierre Canal and Blunt Reservoir was purchased between 1972 and 1977, when construction on the initial stage of the Oahe Unit, James Division, was halted;

(5) since 1978, the Commissioner of Reclamation has administered the land—

(A) on a preferential lease basis to original landowners or their descendants; and

(B) on a nonpreferential lease basis to other persons;

(6) the 2 largest reservoirs created by the Pick-Sloan Missouri River Basin Program, Lake Oahe and Lake Sharpe, caused the loss of approximately 221,000 acres of fertile, wooded bottomland in South Dakota that constituted some of the most productive, unique, and irreplaceable wildlife habitat in the State;

(7) the State has developed a plan to meet the Federal obligation under the Fish and Wildlife Coordination Act (16 U.S.C. 661 et seq.) to mitigate the loss of wildlife habitat, the implementation of which is authorized by section 602 of title VI of Public Law 105–277 (112 Stat. 2681–660); and

(8) it is in the interests of the United States and the State to—

(A) provide original landowners or their descendants with an opportunity to purchase back their land; and

(B) transfer the remaining land to the State to allow implementation of its habitat mitigation plan.

SEC. 3. BLUNT RESERVOIR AND PIERRE CANAL.

(a) DEFINITIONS.—In this section:

(1) BLUNT RESERVOIR FEATURE.—The term ''Blunt Reservoir feature'' means the Blunt Reservoir feature of the Oahe Unit, James Division, authorized by the Act of August 3, 1968 (82 Stat. 624), as part of the Pick-Sloan Missouri River Basin Program.

(2) COMMISSION.—The term ''Commission'' means the Commission of Schools and Public Lands of the State.

(3) NONPREFERENTIAL LEASE PARCEL.—The term ''nonpreferential lease parcel'' means a parcel of land that—

(A) was purchased by the Secretary for use in connection with the Blunt Reservoir feature or the Pierre Canal feature; and

(B) was considered to be a nonpreferential lease parcel by the Secretary as of January 1, 2001, and is reflected as such on the roster of leases of the Bureau of Reclamation for 2001.

(4) PIERRE CANAL FEATURE.—The term ''Pierre Canal feature'' means the Pierre Canal feature of the Oahe Unit, James Division, authorized by the Act of August 3, 1968 (82 Stat. 624), as part of the Pick-Sloan Missouri River Basin Program.

(5) PREFERENTIAL LEASEHOLDER.—The term ''preferential leaseholder'' means a person or descendant of a person that held a lease on a preferential lease parcel as of January 1, 2001, and is reflected as such on the roster of leases of the Bureau of Reclamation for 2001.

(6) PREFERENTIAL LEASE PARCEL.—The term ''preferential lease parcel'' means a parcel of land that—

(A) was purchased by the Secretary for use in connection with the Blunt Reservoir feature or the Pierre Canal feature; and

(B) was considered to be a preferential lease parcel by the Secretary as of January 1, 2001, and is reflected as such on the roster of leases of the Bureau of Reclamation for 2001.

(7) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior, acting through the Commissioner of Reclamation.

(8) STATE.—

(A) IN GENERAL.—The term ''State'' means the State of South Dakota.

(B) INCLUSION.—The term ''State'' includes a successor in interest of the State.

(9) UNLEASED PARCEL.—The term ''unleased parcel'' means a parcel of land that—

(A) was purchased by the Secretary for use in connection with the Blunt Reservoir feature or the Pierre Canal feature; and

(B) is not under lease as of the date of enactment of this Act.

(b) DEAUTHORIZATION.—The Blunt Reservoir feature is deauthorized.

(c) CONVEYANCE.—Not later than 1 year after the date of enactment of this Act, the Secretary shall convey all of the preferential lease parcels to the Commission, without consideration, on the condition that the Commission honor the purchase option provided to preferential leaseholders under subsection (e).

(d) ACCEPTANCE OF LAND AND OBLIGATIONS.—

(1) IN GENERAL.—As a condition of each conveyance under subsections (c) and (f), respectively, the State shall agree to accept—

(A) in ''as is'' condition, the Blunt Reservoir Feature and the Pierre Canal Feature; and

(B) any liability accruing after the date of conveyance as a result of the ownership, operation, or maintenance of the features referred to in subparagraph (A), including liability associated with certain outstanding obligations associated with expired easements, or any other right granted in, on, over, or across either feature.

(2) RESPONSIBILITIES OF THE STATE.—An outstanding obligation described in paragraph (1)(B) shall inure to the benefit of, and be binding upon, the State.

(3) OIL, GAS, MINERAL, AND OTHER OUTSTANDING RIGHTS.—A conveyance under subsection (c) or (f) shall be made subject to—

(A) oil, gas, and other mineral rights reserved of record, as of the date of enactment of this Act, by or in favor of a third party; and

(B) any permit, license, lease, right-of-use, or right-of-way of record in, on, over, or across a feature referred to in paragraph (1)(A) that is outstanding as to a third party as of the date of enactment of this Act.

(e) PURCHASE OPTION.—

(1) IN GENERAL.—A preferential leaseholder shall have an option to purchase from the Commission the preferential lease parcel that is the subject of the lease.

(2) TERMS.—

(A) IN GENERAL.—Except as provided in subparagraph (B), a preferential leaseholder may elect to purchase a parcel on 1 of the following terms:

(i) Cash purchase for the amount that is equal to—

(I) the value of the parcel determined under paragraph (4); minus

(II) 10 percent of that value.

(ii) Installment purchase, with 10 percent of the value of the parcel determined under paragraph (4) to be paid on the date of purchase and the remainder to be paid over not more than 30 years at 3 percent annual interest.

(B) VALUE UNDER $10,000.—If the value of the parcel is under $10,000, the purchase shall be made on a cash basis in accordance with subparagraph (A)(i).

(3) OPTION EXERCISE PERIOD.—

(A) IN GENERAL.—A preferential leaseholder shall have until the date that is 5 years after the date of the conveyance under subsection (c) to exercise the option under paragraph (1).

(B) CONTINUATION OF LEASES.—Until the date specified in subparagraph (A), a preferential leaseholder shall be entitled to continue to lease from the Commission the parcel leased by the preferential leaseholder under the same terms and conditions as under the lease, as in effect as of the date of conveyance.

(4) VALUATION.—

(A) IN GENERAL.—The value of a preferential lease parcel shall be determined to be, at the election of the preferential leaseholder—

(i) the amount that is equal to—

(I) the number of acres of the preferential lease parcel; multiplied by

(II) the amount of the per-acre assessment of adjacent parcels made by the Director of Equalization of the county in which the preferential lease parcel is situated; or

(ii) the amount of a valuation of the preferential lease parcel for agricultural use made by an independent appraiser.

(B) COST OF APPRAISAL.—If a preferential leaseholder elects to use the method of valuation described in subparagraph (A)(ii), the cost of the valuation shall be paid by the preferential leaseholder.

(5) CONVEYANCE TO THE STATE.—

(A) IN GENERAL.—If a preferential leaseholder fails to purchase a parcel within the period specified in paragraph (3)(A), the Commission shall convey the parcel to the State of South Dakota Department of Game, Fish, and Parks.

(B) WILDLIFE HABITAT MITIGATION.—Land conveyed under subparagraph (A) shall be used by the South Dakota Department of Game, Fish, and Parks for the purpose of mitigating the wildlife habitat that was lost as a result of the development of the Pick-Sloan project.

(6) USE OF PROCEEDS.—Of the proceeds of sales of land under this subsection—

(A) not more than $750,000 shall be used to reimburse the Secretary for expenses incurred in implementing this Act;

(B) an amount not exceeding 10 percent of the cost of each transaction conducted under this Act shall be used to reimburse the Commission for expenses incurred implementing this Act;

(C) $3,095,000 shall be deposited in the South Dakota Wildlife Habitat Mitigation Trust Fund established by section 603 of the Water Resources Development Act of 1999 (113 Stat. 389) for the purpose of paying property taxes on land transferred to the State;

(D) $185,400 shall be transferred to Sully County, South Dakota;

(E) $14,600 shall be transferred to Hughes County, South Dakota; and

(F) the remainder shall be used by the Commission to support public schools in the State.

(f) CONVEYANCE OF NONPREFERENTIAL LEASE PARCELS AND UNLEASED PARCELS.—

(1) CONVEYANCE BY SECRETARY TO STATE.—

(A) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary shall convey to the South Dakota Department of Game, Fish, and Parks the nonpreferential lease parcels and unleased parcels of the Blunt Reservoir and Pierre Canal.

(B) WILDLIFE HABITAT MITIGATION.—Land conveyed under subparagraph (A) shall be used by the South Dakota Department of Game, Fish, and Parks for the purpose of mitigating the wildlife habitat that was lost as a result of the development of the Pick-Sloan project.

(2) LAND EXCHANGES FOR NONPREFERENTIAL LEASE PARCELS AND UNLEASED PARCELS.—

(A) IN GENERAL.—With the concurrence of the South Dakota Department of Game, Fish, and Parks, the South Dakota Commission of Schools and Public Lands may allow a person to exchange land that the person owns elsewhere in the State for a nonpreferential lease parcel or unleased parcel at Blunt Reservoir or Pierre Canal, as the case may be.

(B) PRIORITY.—The right to exchange nonpreferential lease parcels or unleased parcels shall be granted in the following order of priority:

(i) Exchanges with current lessees for nonpreferential lease parcels.

(ii) Exchanges with adjoining and adjacent landowners for unleased parcels and nonpreferential lease parcels not exchanged by current lessees.

(C) EASEMENT FOR WATER CONVEYANCE STRUCTURE.—As a condition of the exchange of land of the Pierre Canal Feature under this paragraph, the United States reserves a perpetual easement to the land to allow for the right to design, construct, operate, maintain, repair, and replace a pipeline or other water conveyance structure over, under, across, or through the Pierre Canal Feature.

(g) RELEASE FROM LIABILITY.—

(1) IN GENERAL.—Effective on the date of conveyance of any parcel under this Act, the United States shall not be held liable by any court for damages of any kind arising out of any act, omission, or occurrence relating to the parcel, except for damages for acts of negligence committed by the United States or by an employee, agent, or contractor of the United States, before the date of conveyance.

(2) NO ADDITIONAL LIABILITY.—Nothing in this section adds to any liability that the United States may have under chapter 171 of title 28, United States Code (commonly known as the ''Federal Tort Claims Act'').

(h) REQUIREMENTS CONCERNING CONVEYANCE OF LEASE PARCELS.—

(1) INTERIM REQUIREMENTS.—During the period beginning on the date of enactment of this Act and ending on the date of conveyance of the parcel, the Secretary shall continue to lease each preferential lease parcel or nonpreferential lease parcel to be conveyed under this section under the terms and conditions applicable to the parcel on the date of enactment of this Act.

(2) PROVISION OF PARCEL DESCRIPTIONS.—Not later than 180 days after the date of enactment of this Act, the Secretary shall provide the State a full legal description of all preferential lease parcels and nonpreferential lease parcels that may be conveyed under this section.

(i) FUNDING OF THE SOUTH DAKOTA TERRESTRIAL WILDLIFE HABITAT RESTORATION TRUST FUND.—Section 603(b) of the Water Resources Development Act of 1999 (113 Stat. 388) is amended by striking ''$108,000,000'' and inserting ''$111,095,000''.

(j) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this Act $750,000.

By Mr. CONRAD (for himself, Mr. THOMAS, Mr. DASCHLE, Mr. ROBERTS, Mr. JOHNSON, Mr. JEFFORDS, Mr. CRAPO, Mr. ROCKEFELLER, Mr. HARKIN, Mr. DORGAN, Mr. WELLSTONE, Mr. BOND, Mr. HELMS, Mr. COCHRAN, Mr. EDWARDS, Mr. HUTCHINSON, Mr. DOMENICI, Mr. BURNS, Mr. BINGAMAN, and Mrs. LINCOLN):

S. 1030. A bill to improve health care in rural areas by amending title XVIII of the Social Security Act and the Public Health Service Act, and for other purposes; to the Committee on Finance.

Mr. CONRAD. Mr. President, today, I am introducing the Rural Health Improvement Act of 2001. This proposal is the result of a bipartisan and bicameral effort. I am proud to be joined by Senator THOMAS the lead cosponsor of the bill, along with Senators DASCHLE, ROBERTS, JOHNSON, LINCOLN, JEFFORDS, CRAPO, ROCKEFELLER, HARKIN, DORGAN, WELLSTONE, BOND, HELMS, COCHRAN, EDWARDS, HUTCHINSON, DOMENICI, BURNS, and BINGAMAN. I would also like to thank our House companions, led by Representatives MORAN and MCINTYRE.

In addition, I would like to thank the National Rural Health Association, the Federation of American Hospitals, the National Association of Rural Health Clinics, the American Hospital Association, and the College of American Pathologists for their support of this effort.

Working together, I believe we are taking important steps toward improving access to health care in our rural communities.

Rural health care providers are often forced to operate with significantly fewer resources than larger, urban facilities. In my State of North Dakota, rural hospitals often receive only half the Medicare reimbursement of their urban counterparts. For example, a rural facility in North Dakota receives approximately $4,200 for treating pneumonia, while Our Lady of Mercy in New York city receives more than $8,500.

This funding disparity is simply unfair and has placed many rural providers on shaky ground. And in my State, if these facilities close, rural communities will be left without access to needed health care services. We simply cannot allow this to happen.

According to the Medicare Payment Advisory Commission, MedPAC, continued funding shortfalls have resulted in rural providers having much tighter Medicare margins than their urban counterparts. Today, the average rural hospital operates with a slim 4.1 percent inpatient margin, compared to 13.5 percent for urban providers.

When you look at overall Medicare margins, the situation is even more bleak, rural providers are working with an average negative 2.9 percent Medicare margin compared to 6.9 percent for urban hospitals. Our rural facilities cannot continue to provide high-quality services it they lose nearly 3 percent on every Medicare patient they serve.

To address these problems, the bill I am introducing today would take three important steps to erase inequities in the Medicare inpatient hospital payment system and provide new resources to rural health care providers.

As you know, it is nearly impossible for hospitals serving small, rural areas to take advantage of economies of scale realized by facilities located in larger communities. This problem is compounded by the fact that Medicare does not adequately account for the higher costs of serving low-volume populations. According to MedPAC, the result of these factors is that the majority of small facilities operate in the red.

To ensure our smallest rural hospitals can keep their doors open, the Rural Health Care Improvement Act would provide a new, and much needed, extra payment to hospitals serving fewer than 800 patients per year. This new low-volume adjustment payment would provide up to 25 percent in additional funding to help rural providers cover inpatient hospital services.

Second, this proposal would close the gap in payments hospitals receive for serving low-income patients. Today, hospitals are provided special payments to help cover the costs of serving the uninsured; these supplements are called disproportionate share payments, DSH. The problem is that under current law urban providers can receive unlimited DSH payments, while rural providers' add-ons are capped. There is no sound policy reason for this disparity. My bill closes this gap by allowing rural providers to also receive unlimited DSH payments.

Third, this proposal would take steps to equalize another glaring Medicare disparity with no policy justification that provides larger hospitals a base payment amount 1.6 percent higher than rural hospitals. The Rural Health Care Improvement Act would address this disparity by increasing the rural hospital base payment amount to the level urban providers receive.

I am happy to say that these improvements to Medicare's inpatient hospital reimbursement, combined with our rural health care efforts from last year, would significantly reduce the rural/urban payment gap by increasing rural providers' Medicare margins to approximately 11.8 percent. In total, these changes would place our rural hospitals on much sounder financial footing.

In addition to Medicare changes, the Rural Health Care Improvement Act would also establish three new rural health care programs.

Our legislation would allow hospitals to apply for up to $5 million to help cover the cots of repairing crumbling buildings. It is my hope these resources will help strengthen the infrastructure of our nation's rural hospitals.

In addition, our proposal would make $100,000 per facility available to help rural hospitals update or purchase new technology. Often, with limited budgets, rural hospitals cannot afford to buy quality, up-to-date medical tools. This new program ensures rural citizens have access to modern and safe health care services.

Third, our bill would provide funding to help establish Telehealth Resource Centers. Today, larger telehealth networks often work with fledgling networks to provide technical assistance. This grant program would provide new resources to support this collaboration and further expand telehealth services into the most remote, rural communities.

Finally, the Rural Health Care Improvement Act also takes important steps to strengthen rural health clinics, RHCs. Today, there are more than 3,300 RHCs nationwide that provide health care to thousands of rural residents. However, while we recognize the importance of these clinics, we also know that more than 50 percent of RHCs are being significantly underpaid for their services, according to recent data. My bill addresses this funding shortfall by increasing rural health clinic payments by 25 percent.

Thank you again to my Senate and House colleagues, as well as the organizations who worked with us, for your cooperation in developing this important health care proposal. It is my hope that this legislation will help to strengthen and sustain our nation's rural health care system.

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:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Rural Health Care Improvement Act of 2001''.

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—RURAL MEDICARE REFORMS

Sec. 101. Medicare inpatient payment adjustment for low-volume hospitals.

Sec. 102. Fairness in the medicare disproportionate share hospital (DSH) adjustment for rural hospitals.

Sec. 103. Establishing a single standardized amount under the medicare inpatient hospital PPS.

Sec. 104. Hospital geographic reclassification for labor costs for all items and services reimbursed under medicare prospective payment systems.

Sec. 105. Treatment of certain physician pathology services under medicare.

Sec. 106. One-time opportunity of critical access hospitals to return to the medicare inpatient hospital PPS.

TITLE II—RURAL GRANT AND LOAN PROGRAMS FOR INFRASTRUCTURE, TECHNOLOGY, AND TELEHEALTH

Sec. 201. Capital infrastructure revolving loan program.

Sec. 202. High technology acquisition grant and loan program.

Sec. 203. Establishment of telehealth resource centers.

TITLE III—RURAL HEALTH CLINIC IMPROVEMENTS

Sec. 301. Improvement in rural health clinic reimbursement under medicare.

Sec. 302. Exclusion of certain rural health clinic and Federally qualified health center services from the medicare PPS for skilled nursing facilities.

TITLE I—RURAL MEDICARE REFORMS

SEC. 101. MEDICARE INPATIENT PAYMENT ADJUSTMENT FOR LOW-VOLUME HOSPITALS.

Section 1886(d) of the Social Security Act (42 U.S.C. 1395ww(d)) is amended by adding at the end the following new paragraph:

''(12) PAYMENT ADJUSTMENT FOR LOW-VOLUME HOSPITALS.—

''(A) PAYMENT ADJUSTMENT.—

''(i) IN GENERAL.—Notwithstanding any other provision of this section, for each cost reporting period (beginning with the cost reporting period that begins in fiscal year 2002), the Secretary shall provide for an additional payment amount to each low-volume hospital (as defined in clause (iii)) for discharges occurring during that cost reporting period to increase the amount paid to such hospital under this section for such discharges by the applicable percentage increase determined under clause (ii).

''(ii) APPLICABLE PERCENTAGE INCREASE.—The Secretary shall determine a percentage increase applicable under this paragraph that ensures that—

''(I) no percentage increase in payments under this paragraph exceeds 25 percent of the amount of payment that would otherwise be made to a low-volume hospital under this section for each discharge (but for this paragraph);

''(II) low-volume hospitals that have the lowest number of discharges during a cost reporting period receive the highest percentage increase in payments due to the application of this paragraph; and

''(III) the percentage increase in payments due to the application of this paragraph is reduced as the number of discharges per cost reporting period increases.

''(iii) LOW-VOLUME HOSPITAL DEFINED.—For purposes of this paragraph, the term 'low-volume hospital' means, for a cost reporting period, a subsection (d) hospital (as defined in paragraph (1)(B)) other than a critical access hospital (as defined in section 1861(mm)(1)) that—

''(I) the Secretary determines—

''(aa) had an average of less than 800 discharges during the 3 most recent cost reporting periods for which data are available that precede the cost reporting period to which this paragraph applies; and

''(bb) is located at least 15 miles from a similar hospital; or

''(II) the Secretary deems meets the requirements of subclause (I) by reason of such factors as the Secretary determines appropriate, including the time required for an individual to travel to the nearest alternative source of appropriate inpatient care (taking into account the location of such alternative source of inpatient care and any weather or travel conditions that may affect such travel time).

''(B) PROHIBITING CERTAIN REDUCTIONS.—Notwithstanding subsection (e), the Secretary shall not reduce the payment amounts under this section to offset the increase in payments resulting from the application of subparagraph (A).''.

SEC. 102. FAIRNESS IN THE MEDICARE DISPROPORTIONATE SHARE HOSPITAL (DSH) ADJUSTMENT FOR RURAL HOSPITALS.

(a) EQUALIZING DSH PAYMENT AMOUNTS.—

(1) IN GENERAL.—Section 1886(d)(5)(F)(vii) of the Social Security Act (42 U.S.C. 1395ww(d)(5)(F)(vii)) is amended by inserting '', and, after October 1, 2001, for any other hospital described in clause (iv),'' after ''clause (iv)(I)''.

(2) CONFORMING AMENDMENTS.—Section 1886(d)(5)(F) of such Act (42 U.S.C. 1395ww(d)(5)(F)), as amended by section 211 of the Medicare, Medicaid, and SCHIP Benefits Improvement and Protection Act of 2000 (114 Stat. 2763A–483), as enacted into law by section 1(a)(6) of Public Law 106–554, is amended—

(A) in clause (iv)—

(i) in subclause (II), by inserting ''or, for discharges occurring on or after October 1, 2001, is equal to the percent determined in accordance with the applicable formula described in clause (vii)'' after ''clause (xiii)'';

(ii) in subclause (III), by inserting ''or, for discharges occurring on or after October 1, 2001, is equal to the percent determined in accordance with the applicable formula described in clause (vii)'' after ''clause (xii)'';

(iii) in subclause (IV), by inserting ''or, for discharges occurring on or after October 1, 2001, is equal to the percent determined in accordance with the applicable formula described in clause (vii)'' after ''clause (x) or (xi)'';

(iv) in subclause (V), by inserting ''or, for discharges occurring on or after October 1, 2001, is equal to the percent determined in accordance with the applicable formula described in clause (vii)'' after ''clause (xi)''; and

(v) in subclause (VI), by inserting ''or, for discharges occurring on or after October 1, 2001, is equal to the percent determined in accordance with the applicable formula described in clause (vii)'' after ''clause (x)'';

(B) in clause (viii), by striking ''The formula'' and inserting ''For discharges occurring before October 1, 2001, the formula''; and

(C) in each of clauses (x), (xi), (xii), and (xiii), by striking ''For purposes'' and inserting ''With respect to discharges occurring before October 1, 2001, for purposes''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to discharges occurring on or after October 1, 2001.

SEC. 103. ESTABLISHING A SINGLE STANDARDIZED AMOUNT UNDER THE MEDICARE INPATIENT HOSPITAL PPS.

(a) IN GENERAL.—Section 1886(d)(3)(A) of the Social Security Act (42 U.S.C. 1395ww(d)(3)(A)) is amended—

(1) in clause (iv), by inserting ''and ending on or before September 30, 2001,'' after ''October 1, 1995,''; and

(2) by redesignating clauses (v) and (vi) as clauses (vii) and (viii), respectively, and inserting after clause (iv) the following new clauses:

''(v) For discharges occurring in the fiscal year beginning on October 1, 2001, the average standardized amount for hospitals located in areas other than a large urban area shall be equal to the average standardized amount for hospitals located in a large urban area.

''(vi) For discharges occurring in a fiscal year beginning on or after October 1, 2002, the Secretary shall compute an average standardized amount for hospitals located in all areas within the United States equal to the average standardized amount computed under clause (v) or this clause for the previous fiscal year increased by the applicable percentage increase under subsection (b)(3)(B)(i) for the fiscal year involved.''.

(b) CONFORMING AMENDMENTS.—

(1) UPDATE FACTOR.—Section 1886(b)(3)(B)(i)(XVII) of the Social Security Act (42 U.S.C. 1395ww(b)(3)(B)(i)(XVII)) is amended by striking ''for hospitals in all areas,'' and inserting ''for hospitals located in a large urban area,''.

(2) COMPUTING DRG-SPECIFIC RATES.—

(A) IN GENERAL.—Section 1886(d)(3)(D) of such Act (42 U.S.C. 1395ww(d)(3)(D)) is amended—

(i) in the heading, by striking ''IN DIFFERENT AREAS'';

(ii) in the matter preceding clause (i)—

(I) by inserting '', for fiscal years before fiscal year 1997,'' before ''a regional DRG prospective payment rate for each region,''; and

(II) by striking ''each of which is'';

(iii) in clause (i)—

(I) in the matter preceding subclause (I), by inserting ''for fiscal years before fiscal year 2002,'' before ''for hospitals''; and

(II) in subclause (II), by striking ''and'' after the semicolon at the end;

(iv) in clause (ii)—

(I) in the matter preceding subclause (I), by inserting ''for fiscal years before fiscal year 2002,'' before ''for hospitals''; and

(II) in subclause (II), by striking the period at the end and inserting ''; and''; and

(v) by adding at the end the following new clause:

''(iii) for a fiscal year beginning after fiscal year 2001, for hospitals located in all areas, to the product of—

''(I) the applicable average standardized amount (computed under subparagraph (A)), reduced under subparagraph (B), and adjusted or reduced under subparagraph (C) for the fiscal year; and

''(II) the weighting factor (determined under paragraph (4)(B)) for that diagnosis-related group.''.

(B) TECHNICAL CONFORMING SUNSET.—Section 1886(d)(3) of such Act (42 U.S.C. 1395ww(d)(3)) is amended in the matter preceding subparagraph (A), by inserting '', for fiscal years before fiscal year 1997,'' before ''a regional adjusted DRG prospective payment rate''.

SEC. 104. HOSPITAL GEOGRAPHIC RECLASSIFICATION FOR LABOR COSTS FOR ALL ITEMS AND SERVICES REIMBURSED UNDER MEDICARE PROSPECTIVE PAYMENT SYSTEMS.

Section 1886(d)(10)(D) of the Social Security Act (42 U.S.C. 1395ww(d)(10)(D)), as amended by section 304(a) of the Medicare, Medicaid, and SCHIP Benefits Improvement and Protection Act of 2000 (114 Stat. 2763A–494), as enacted into law by section 1(a)(6) of Public Law 106–554, is amended by adding at the end the following new clause:

''(vii)(I) Any decision of the Board to reclassify a subsection (d) hospital for purposes of the adjustment factor described in subparagraph (C)(i)(II) for fiscal year 2001 or any fiscal year thereafter shall apply for purposes of adjusting payments for variations in costs that are attributable to wages and wage-related costs for PPS-reimbursed items and services.

''(II) For purposes of subclause (I), the term 'PPS-reimbursed items and services' means, for the fiscal year for which the Board has made a decision described in such subclause, each item and service for which payment is made under this title on a prospective basis and adjusted for variations in costs that are attributable to wages or wage-related costs that is furnished by the hospital to which such decision applies, or by a provider-based entity or department of that hospital (as determined by the Secretary).''.

SEC. 105. TREATMENT OF CERTAIN PHYSICIAN PATHOLOGY SERVICES UNDER MEDICARE.

(a) IN GENERAL.—Section 1848(i) of the Social Security Act (42 U.S.C. 1395w–4(i)) is amended by adding at the end the following new paragraph:

''(4) TREATMENT OF CERTAIN PHYSICIAN PATHOLOGY SERVICES.—

''(A) IN GENERAL.—With respect to services furnished on or after January 1, 2001, if an independent laboratory furnishes the technical component of a physician pathology service to a fee-for-service medicare beneficiary who is an inpatient or outpatient of a covered hospital, the Secretary shall treat such component as a service for which payment shall be made to the laboratory under this section and not as an inpatient hospital service for which payment is made to the hospital under section 1886(d) or as a hospital outpatient service for which payment is made to the hospital under section 1834(t).

''(B) DEFINITIONS.—In this paragraph:

''(i) COVERED HOSPITAL.—

''(I) IN GENERAL.—The term 'covered hospital' means, with respect to an inpatient or outpatient, a hospital that had an arrangement with an independent laboratory that was in effect as of July 22, 1999, under which a laboratory furnished the technical component of physician pathology services to fee-for-service medicare beneficiaries who were hospital inpatients or outpatients, respectively, and submitted claims for payment for such component to a carrier with a contract under section 1842 and not to the hospital.

''(II) CHANGE IN OWNERSHIP DOES NOT AFFECT DETERMINATION.—A change in ownership with respect to a hospital on or after the date referred to in subclause (I) shall not affect the determination of whether such hospital is a covered hospital for purposes of such subclause.

''(ii) FEE-FOR-SERVICE MEDICARE BENEFICIARY.—The term 'fee-for-service medicare beneficiary' means an individual who is entitled to benefits under part A, or enrolled under this part, or both, but who is not enrolled in any of the following:

''(I) A Medicare+Choice plan under part C.

''(II) A plan offered by an eligible organization under section 1876.

''(III) A program of all-inclusive care for the elderly (PACE) under section 1894.

''(IV) A social health maintenance organization (SHMO) demonstration project established under section 4018(b) of the Omnibus Budget Reconciliation Act of 1987 (Public Law 100–203).''.

(b) CONFORMING AMENDMENT.—Section 542 of the Medicare, Medicaid, and SCHIP Benefits Improvement and Protection Act of 2000 (114 Stat. 2763A–550), as enacted into law by section 1(a)(6) of Public Law 106–554, is repealed.

(c) EFFECTIVE DATES.—The amendments made by this section shall take effect as if included in the enactment of the Medicare, Medicaid, and SCHIP Benefits Improvement and Protection Act of 2000 (114 Stat. 2763A–463 et seq.), as enacted into law by section 1(a)(6) of Public Law 106–554.

SEC. 106. ONE-TIME OPPORTUNITY OF CRITICAL ACCESS HOSPITALS TO RETURN TO THE MEDICARE INPATIENT HOSPITAL PPS.

(a) IN GENERAL.—Notwithstanding section 1814(*l*) of the Social Security Act (42 U.S.C. 1395f(*l*)), the Secretary of Health and Human Services (in this section referred to as the ''Secretary'') shall pay each critical access hospital having an application approved under subsection (b)(2) under the prospective payment system for inpatient hospital services under section 1886(d) of such Act (42 U.S.C. 1395ww(d)) rather than under such section 1814(*l*).

(b) ONE-TIME APPLICATION AND APPROVAL.—

(1) APPLICATION.—Not later than the date that is 6 months after the date of enactment of this Act, each eligible critical access hospital (as defined in subsection (c)) that desires to receive payment under the prospective payment system for inpatient hospital services under section 1886(d) of the Social Security Act (42 U.S.C. 1395ww(d)) instead of receiving payment of the reasonable costs for such services under section 1814(*l*) of such Act (42 U.S.C. 1395f(*l*)) shall submit an application to the Secretary in such manner and containing such information as the Secretary may require.

(2) APPROVAL.—Not later than the date that is 3 months after the date on which the Secretary receives the application submitted under paragraph (1), the Secretary shall approve or deny the application.

(c) ELIGIBLE CRITICAL ACCESS HOSPITAL DEFINED.—In this section, the term ''eligible critical access hospital'' means a critical access hospital (as defined in section 1861(mm)(1) of the Social Security Act (42 U.S.C. 1395x(mm)(1))) that received payments under the prospective payment system for inpatient hospital services under section 1886(d) of such Act (42 U.S.C. 1395ww(d)) prior to its designation as a critical access hospital under section 1820(c)(2) of such Act (42 U.S.C. 1395i–4(c)(2)).

TITLE II—RURAL GRANT AND LOAN PROGRAMS FOR INFRASTRUCTURE, TECHNOLOGY, AND TELEHEALTH

SEC. 201. CAPITAL INFRASTRUCTURE REVOLVING LOAN PROGRAM.

(a) IN GENERAL.—Part A of title XVI of the Public Health Service Act (42 U.S.C. 300q et seq.) is amended by adding at the end the following new section:

''CAPITAL INFRASTRUCTURE REVOLVING LOAN PROGRAM

''SEC. 1603. (a) AUTHORITY TO MAKE AND GUARANTEE LOANS.—

''(1) AUTHORITY TO MAKE LOANS.—The Secretary may make loans from the fund established under section 1602(d) to any rural entity for projects for capital improvements, including—

''(A) the acquisition of land necessary for the capital improvements;

''(B) the renovation or modernization of any building;

''(C) the acquisition or repair of fixed or major movable equipment; and

''(D) such other project expenses as the Secretary determines appropriate.

''(2) AUTHORITY TO GUARANTEE LOANS.—

''(A) IN GENERAL.—The Secretary may guarantee the payment of principal and interest for loans made to rural entities for projects for any capital improvement described in paragraph (1) to any non-Federal lender.

''(B) INTEREST SUBSIDIES.—In the case of a guarantee of any loan made to a rural entity under subparagraph (A), the Secretary may pay to the holder of such loan and for and on behalf of the project for which the loan was made, amounts sufficient to reduce by not more than 3 percent of the net effective interest rate otherwise payable on such loan.

''(b) AMOUNT OF LOAN.—The principal amount of a loan directly made or guaranteed under subsection (a) for a project for capital improvement may not exceed $5,000,000.

''(c) FUNDING LIMITATIONS.—

''(1) GOVERNMENT CREDIT SUBSIDY EXPOSURE.—The total of the Government credit subsidy exposure under the Credit Reform Act of 1990 scoring protocol with respect to the loans outstanding at any time with respect to which guarantees have been issued, or which have been directly made, under subsection (a) may not exceed $50,000,000 per year.

''(2) TOTAL AMOUNTS.—Subject to paragraph (1), the total of the principal amount of all loans directly made or guaranteed under subsection (a) may not exceed $250,000,000 per year.

''(d) CAPITAL ASSESSMENT AND PLANNING GRANTS.—

''(1) NONREPAYABLE GRANTS.—Subject to paragraph (2), the Secretary may make a grant to a rural entity, in an amount not to exceed $50,000, for purposes of capital assessment and business planning.

''(2) LIMITATION.—The cumulative total of grants awarded under this subsection may not exceed $2,500,000 per year.

''(e) TERMINATION OF AUTHORITY.—The Secretary may not directly make or guarantee any loan under subsection (a) or make a grant under subsection (d) after September 30, 2006.''.

(b) RURAL ENTITY DEFINED.—Section 1624 of the Public Health Service Act (42 U.S.C. 300s–3) is amended by adding at the end the following new paragraph:

''(15)(A) The term 'rural entity' includes—

''(i) a rural health clinic, as defined in section 1861(aa)(2) of the Social Security Act;

''(ii) any medical facility with at least 1, but less than 50 beds that is located in—

''(I) a county that is not part of a metropolitan statistical area; or

''(II) a rural census tract of a metropolitan statistical area (as determined under the most recent modification of the Goldsmith Modification, originally published in the Federal Register on February 27, 1992 (57 Fed. Reg. 6725));

''(iii) a hospital that is classified as a rural, regional, or national referral center under section 1886(d)(5)(C) of the Social Security Act; and

''(iv) a hospital that is a sole community hospital (as defined in section 1886(d)(5)(D)(iii) of the Social Security Act).

''(B) For purposes of subparagraph (A), the fact that a clinic, facility, or hospital has been geographically reclassified under the medicare program under title XVIII of the Social Security Act shall not preclude a hospital from being considered a rural entity under clause (i) or (ii) of subparagraph (A).''.

(c) CONFORMING AMENDMENTS.—Section 1602 of the Public Health Service Act (42 U.S.C. 300q–2) is amended—

(1) in subsection (b)(2)(D), by inserting ''or 1603(a)(2)(B)'' after ''1601(a)(2)(B)''; and

(2) in subsection (d)—

(A) in paragraph (1)(C), by striking ''section 1601(a)(2)(B)'' and inserting ''sections 1601(a)(2)(B) and 1603(a)(2)(B)''; and

(B) in paragraph (2)(A), by inserting ''or 1603(a)(2)(B)'' after ''1601(a)(2)(B)''.

SEC. 202. HIGH TECHNOLOGY ACQUISITION GRANT AND LOAN PROGRAM.

Subpart I of part D of title III of the Public Health Service Act (42 U.S.C. 241 et seq.), as amended by section 1501 of the Children's Health Act of 2000 (Public Law 106–310; 114 Stat. 1146), is amended by adding at the end the following section:

''SEC. 330I. HIGH TECHNOLOGY ACQUISITION GRANT AND LOAN PROGRAM.

''(a) ESTABLISHMENT OF PROGRAM.—The Secretary, acting through the Director of the Office of Rural Health Policy of the Health Resources and Services Administration, shall establish a high technology acquisition grant and loan program for the purpose of—

''(1) improving the quality of health care in rural areas through the acquisition of advanced medical technology;

''(2) fostering the development of the networks described in section 330A;

''(3) promoting resource sharing between urban and rural facilities; and

''(4) improving patient safety and outcomes through the acquisition of high technology, including software, information services, and staff training.

''(b) GRANTS AND LOANS.—Under the program established under subsection (a), the Secretary, acting through the Director of the Office of Rural Health Policy, may award grants and make loans to any eligible entity (as defined in subsection (d)(1)) for any costs incurred by the eligible entity in acquiring eligible equipment and services (as defined in subsection (d)(2)).

''(c) LIMITATIONS.—

''(1) IN GENERAL.—Subject to paragraph (2), the total amount of grants and loans made under this section to an eligible entity may not exceed $100,000.

''(2) FEDERAL SHARING.—

''(A) GRANTS.—The amount of any grant awarded under this section may not exceed 70 percent of the costs to the eligible entity in acquiring eligible equipment and services.

''(B) LOANS.—The amount of any loan made under this section may not exceed 90 percent of the costs to the eligible entity in acquiring eligible equipment and services.

''(d) DEFINITIONS.—In this section:

''(1) ELIGIBLE ENTITY.—The term 'eligible entity' means a hospital, health center, or any other entity that the Secretary determines is appropriate that is located in a rural area or region.

''(2) ELIGIBLE EQUIPMENT AND SERVICES.—The term 'eligible equipment and services' includes—

''(A) unit dose distribution systems;

''(B) software, information services, and staff training;

''(C) wireless devices to transmit medical orders;

''(D) clinical health care informatics systems, including bar code systems designed to avoid medication errors and patient tracking systems;

''(E) telemedicine technology; and

''(F) any other technology that improves the quality of health care provided in rural areas including systems to improve privacy and address administrative simplification needs.

''(e) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this section there are authorized to be appropriated such sums as may be necessary for each of the fiscal years 2002 through 2007.''.

SEC. 203. ESTABLISHMENT OF TELEHEALTH RESOURCE CENTERS.

Subpart I of part D of title III of the Public Health Service Act (42 U.S.C. 254b et seq.), as

amended by section 202, is amended by adding at the end the following:

"SEC. 330J. TELEHEALTH RESOURCE CENTERS.

''(a) PROGRAM AUTHORIZED.—The Secretary, acting through the Director of the Office for the Advancement of Telehealth of the Health Resources and Services Administration, shall award grants to eligible entities to establish telehealth resource centers in accordance with this section.

''(b) DEFINITIONS.—In this section:

''(1) ELIGIBLE ENTITY.—The term 'eligible entity' means a public or nonprofit private entity.

''(2) TELEHEALTH.—The term 'telehealth' means the use of electronic information and telecommunications technologies to support long-distance clinical health care, patient and professional health-related education, public health, and health administration.

''(c) AMOUNT.—Each entity that receives a grant under subsection (a) shall receive an amount not to exceed $1,500,000.

''(d) EQUITABLE DISTRIBUTION.—In awarding grants under subsection (a), the Secretary shall ensure, to the greatest extent possible, that such grants are equitably distributed among the geographical regions of the United States.

''(e) PREFERENCE.—In awarding grants under subsection (a), the Secretary shall give preference to eligible entities that have a demonstrated record of providing or supporting the provision of health care services for populations in rural areas.

''(f) USE OF FUNDS.—An entity that receives a grant under subsection (a) shall use funds from such grant to establish a telehealth resource center that shall—

''(1) provide technical assistance, training, and support to health care providers and a range of health care entities that provide or will provide telehealth services for a medically underserved community, including hospitals, ambulatory care entities, long-term care facilities, public health clinics, and schools;

''(2) provide for the dissemination of information and research findings related to the use of telehealth technologies;

''(3) provide for the dissemination of information regarding the latest developments in health care;

''(4) conduct evaluations to determine the best application of telehealth technologies to meet the health care needs of the medically underserved community;

''(5) promote the integration of clinical information systems with other telehealth technologies;

''(6) foster the use of telehealth technologies to provide health care information and education for health care professionals and consumers in a more effective manner; and

''(7) provide timely and appropriate evaluations to the Office for the Advancement of Telehealth on lessons learned and best telehealth practices in any areas served.

''(g) COLLABORATION.—In providing the services described in subsection (f)(5), such entity shall collaborate, if feasible, with private and public organizations and centers or programs that receive Federal assistance and provide telehealth services.

''(h) APPLICATION.—An entity that desires a grant under subsection (a) shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require, including—

''(1) a description of the manner in which the entity shall establish and administer a telehealth resource center to meet the requirements of this subsection; and

''(2) a description of the manner in which the activities carried out by such center will meet the health care needs of individuals in rural communities.

''(i) REPORT.—Not later than 5 years after the date of enactment of this section, the Secretary shall submit to the appropriate committees of Congress a report on each activity funded with a grant under this section.

''(j) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section—

''(1) for fiscal year 2002, $30,000,000; and

''(2) for fiscal years 2003 through 2008, such sums as may be necessary.''.

TITLE III—RURAL HEALTH CLINIC IMPROVEMENTS

SEC. 301. IMPROVEMENT IN RURAL HEALTH CLINIC REIMBURSEMENT UNDER MEDICARE.

Section 1833(f) of the Social Security Act (42 U.S.C. 1395*l*(f)) is amended—

(1) in paragraph (1), by striking '', and'' at the end and inserting a semicolon;

(2) in paragraph (2)—

(A) by striking ''in a subsequent year'' and inserting ''in 1989 through 2001''; and

(B) by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following new paragraphs:

''(3) in 2002, at $79 per visit; and

''(4) in a subsequent year, at the limit established under this subsection for the previous year increased by the percentage increase in the MEI (as so defined) applicable to primary care services (as so defined) furnished as of the first day of that year.''.

SEC. 302. EXCLUSION OF CERTAIN RURAL HEALTH CLINIC AND FEDERALLY QUALIFIED HEALTH CENTER SERVICES FROM THE MEDICARE PPS FOR SKILLED NURSING FACILITIES.

(a) IN GENERAL.—Section 1888(e) of the Social Security Act (42 U.S.C. 1395yy(e)) is amended—

(1) in paragraph (2)(A)(i)(II), by striking ''clauses (ii) and (iii)'' and inserting ''clauses (ii), (iii), and (iv)''; and

(2) by adding at the end of paragraph (2)(A) the following new clause:

''(iv) EXCLUSION OF CERTAIN RURAL HEALTH CLINIC AND FEDERALLY QUALIFIED HEALTH CENTER SERVICES.—Services described in this clause are—

''(I) rural health clinic services (as defined in paragraph (1) of section 1861(aa)); and

''(II) Federally qualified health center services (as defined in paragraph (3) of such section);

that would be described in clause (ii) if such services were not furnished by an individual affiliated with a rural health clinic or a Federally qualified health center.''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall apply to services furnished on or after January 1, 2002.

Mr. THOMAS. Mr. President, I am pleased to rise today to introduce the Rural Health Care Improvement Act of 2001 with Senator CONRAD and fellow Senate Rural Health Caucus members Senators ROBERTS, JOHNSON, HELMS, DORGAN, DOMENICI, DASCHLE, CRAPO, BINGAMAN, BOND, LINCOLN, COCHRAN, WELLSTONE, BURNS, ROCKEFELLER, HUTCHINSON, EDWARDS, HARKIN, and JEFFORDS. As always, it is important to note that rural health care legislation has a long history of bipartisan collaboration and cooperation.

I want to thank the National Rural Health Association, the Federation of American Hospitals, the National Association of Rural Health Clinics, the American Hospital Association and the College of American Pathologists for their work and support in this effort.

The Rural Health Care Improvement Act of 2001 will go a long way in addressing current inequities in the Medicare payment system that continually place rural providers at a disadvantage. This legislation recognizes the unique needs of rural hospitals and levels the playing field between rural and urban providers.

First, the bill equalizes Medicare Disproportionate Share Hospital, DSH, payments. These add-on payments help hospitals cover the costs of serving a high proportion of low-income and uninsured patients. While urban facilities can receive unlimited add-ons corresponding with the amount of these types of patients served, rural add-on payments are capped at 5.25 percent. The ''Rural Health Care Improvement Act of 2001'' eliminates the rural hospital cap, bringing their payments in line with the benefits urban facilities receive.

Second, this legislation closes the gap between urban and rural ''standardized payment'' levels. Inpatient hospital payments are calculated by multiplying several different factors, including a standardized payment amount. Under current law, hospitals located in cities with a population over 1 million receive a base payment amount 1.3 percent higher than those serving smaller populations, $4,130 vs. $4,197. This disparity is corrected in our bill by bringing the rural base payment up to the urban payment level.

Third, the bill recognizes that low-volume hospitals have a higher cost per case, which results in negative operating margins. To address this problem, the Rural Health Care Improvement Act of 2001 establishes a low-volume inpatient payment adjustment for hospitals that have less than 800 annual discharges per year and are located more than 15 miles from another hospital. This provision will improve payments for approximately 900 rural facilities nationwide, which is just over one-third of all rural hospitals.

In addition to these Medicare payment reforms, this legislation strengthens the over 3,000 rural health clinics that serve many rural Americans. Under current law, rural health clinics receive an all-inclusive payment rate that is capped at approximately $63. This payment has not been adjusted, except for inflation, since 1988. To recognize the rising costs of health care this bill raises the rural health clinic cap to $79.

Certain provider services, such as those offered by physicians, nurse practitioners, physician assistants, and qualified psychologists are excluded

from the consolidated payments made to skilled nursing facilities, SNFs, under the prospective payment system. However, the same services provided to SNFs by physicians and other providers employed by rural health clinics and federally qualified health centers are not excluded from the consolidated SNF payment. This bill includes a provision that ensures skilled nursing services, offered by rural health clinic and qualified health center providers, will receive the same payment treatment as services offered by providers employed in other settings.

It is time for the Federal Government to recognize that the ''one payment system does not fit all.'' Rural providers care for patients under different circumstances than their urban counterparts and the Rural Health Care Improvement Act of 2001 ensures that rural hospitals, rural health clinics and qualified health centers are paid accurately and fairly. I strongly encourage all my colleagues with an interest in rural health to cosponsor this legislation.

Mr. BURNS. Mr. President, I rise today to detail my support of the Rural Health Care Improvement Act of 2001, which was introduced today by Senator CONRAD and is cosponsored by myself and a number of my colleagues from rural States across this Nation.

The Rural Health Care Improvement Act of 2001 will increase payments for low-volume hospitals, equalize Medicare Disproportionate Share, DSH, payments, close the gap between urban and rural ''standardized payment'' levels, streamline wage index re-classification, ensure rural communities access to independent lab services, provide grant and loan programs for infrastructure and technology improvement projects, and strengthen rural health clinics.

Those of us from rural and frontier areas recognize that rural health care is in a state of crisis. Through mismanagement of Medicare reimbursement policies and an unwillingness to truly evaluate the obstacles inherent in providing quality health care in rural areas, we have allowed rural health care to reach the brink of complete breakdown. The Rural Health Care Improvement Act of 2001 will go a long way towards rectifying this dire situation.

The investments through the Rural Health Care Improvement Act of 2001 will address the kernel problem of health care in America. Next week the Senate will engage in a healthy debate about patients' rights legislation and it is likely that Congress will tackle Medicare reform within the near future as well. These arguments will be academic for many of my constituents if rural hospitals, clinics, and other providers across my State can no longer afford to serve their communities.

By passing the Rural Health Care Improvement Act of 2001, we can defuse the time bomb which is rural America's health care crisis. I urge each of my colleagues to consider this legislation carefully and hope for its prompt passage.

By Mr. FRIST (for himself, Mr. KERRY, Mr. HELMS, Mr. LEAHY, Mr. DURBIN, and Mr. CHAFEE):

S. 1032. A bill to expand assistance to countries seriously affected by HIV/AIDS, malaria, and tuberculosis; to the Committee on Foreign Relations.

Mr. FRIST. Mr. President, I have spoken several times over the last few months on what many consider to be the most pressing moral, humanitarian and public health crisis of modern times, the worldwide epidemic of HIV/AIDS. I have previously gone into great detail about the impact of the disease on families, communities, economies, and regional stability.

Sometimes we feel overwhelmed by the enormity of insolvable problems. We become inured to the tragedy, and look for problems we can more easily solve. But we must not turn away from the world-wide devastation of HIV/AIDS. Just consider this: right now, 36 million people are infected with HIV/AIDS a fatal infectious disease, mostly in developing countries. That number is more than the total combined populations of Virginia, Massachusetts, Tennessee, Maryland, Kentucky, Connecticut, New Mexico, Vermont and Nebraska. As of today, AIDS have orphaned 13 million children, more than the entire population of Illinois.

Compounding this burden, over 8 million people acquire tuberculosis each year, and 500 million more get malaria, both diseases that disproportionately affect the poorest countries. Frequently forgotten, malaria still kills a child every 40 seconds. Remember the horrific links between HIV/AIDS, TB and malaria. If you have AIDS you are much more likely to contract TB, and TB has become the greatest killer of those with AIDS. Similarly, if a person with HIV/AIDS contracts malaria, that person is more likely to die. And infectious diseases such as these cause 25 percent of all the deaths in the world today. But as Americans, we have many reasons to be proud of our response to the challenges.

The U.S. has been a leader in the global battles against AIDS, malaria and TB. This year, we are spending over $460 million on international AIDS assistance alone, not including research. This is approximately half of all the funds being spent on HIV/AIDS from all sources worldwide. In addition, we spend over $250 million on international TB and malaria programs. But we, and the rest of the world, must do more. The U.N. estimates that for basic HIV/AIDS prevention, treatment and care programs in Africa alone, over $3 billion will be required, and at least $5 billion needed if specific anti-AIDS drugs are more widely used.

In Abuja, Nigeria, on April 26, U.N. Secretary General Kofi Annan called for a global ''war chest'' to combat HIV/AIDS, malaria and TB. Few thought that his call would so quickly be answered.

On May 11, just 2 weeks later, Senator LEAHY and I joined Secretary General Kofi Annan and Nigerian President Obasanjo as President Bush announced his intent to contribute $200 million as seed money for a new global fund designed to provide grants for prevention, infrastructure development, care and treatment for AIDS, malaria and TB. And this is to be over and above our already substantial bilateral commitments.

Uniquely, it will be financed jointly by governments and the private sector, and will focus on integrated approaches to turning back, and eventually conquering these scourges. While emphasizing prevention, this new initiative will also seek to develop health infrastructures so necessary to deliver services. Importantly, it will also support science-based care and treatment programs, including provision of drugs, and support for those, such as orphans, who are affected by disease, not just infected by it.

And because of recent action by the pharmaceutical companies to slash prices of AIDS drugs in Africa, for the first time in history, the drugs that revolutionized AIDS care and treatment in the U.S. can become part of a comprehensive prevention and care strategy in many more countries. This global fund is a new idea, it isn't a U.S. fund, or a U.N. fund, or a World Bank fund. However, it builds on last year's landmark work and legislation spearheaded by Congressman JIM LEACH, Congresswoman BARBARA LEE, and Senator JOHN KERRY to establish a multilateral funding mechanism for HIV/AIDS.

A key component of the Global Fund will be the full participation of the private sector, including business, NGOs, foundations and individual citizens. The problem is so large that governments cannot do the work alone. Nongovernmental organizations, both faith-based and secular will be critical in the delivery of prevention and care services and to quickly converting good intentions into practical programs on the ground. And use of the funds will be closely monitored to ensure that good public health and science drive the programs and intellectual property rights are protected.

The legislation Senators KERRY, HELMS, LEAHY, DURBIN, and I are introducing today authorizes $200 million for fiscal year 2002, and $500 million for fiscal year 2003 to be appropriated for payment to the global trust fund. It will not substitute for, or reduce, resource levels otherwise appropriated

for our excellent bilateral and multilateral HIV/AIDS, malaria and TB programs. This will be money well spent, it will save lives, and just as important, it will provide hope to the millions of people around the world who can do so much if given the prospect of a healthy future for themselves and their children.

Since the President was the first to announce our participation in the Global Fund for HIV/AIDS and Other Infectious Diseases, others have stepped up. France announced an initial contribution of $128 million, the United Kingdom has promised $106 million, and Japan is considering a significant commitment in the near future. Of particular interest, Winterthur-Credit Swisse has just announced a $1 million contribution, and others in the global business community are expected to follow. Other companies and foundations are considering financial or in-kind contributions.

Kofi Annan himself has offered $100,000 of his own money for the fund. I have also been told by U.N. Staff in New York that they have received many calls from private citizens asking how they can contribute. One gentleman from Virginia wants to send a check for $600. I have been assured that he and others like him will not have long to wait. A tax-exempt account for donations and toll-free number for information are being created as I speak. I understand that negotiations are underway with United Way to see if it can use its vast outreach to encourage donations. This is terrific news.

Every American, and others throughout the world, should join this fight against the diseases that have too long threatened our children, destroyed families, and undermined economic development of dozens of nations. This is not just government's fight. It is all of our responsibility to conquer HIV/AIDS, malaria and TB and consign them to the waste-bin of history.

Last week I had the opportunity of meeting with a remarkable woman from Atlanta who contracted HIV/AIDS at age 16. Denise Stokes has struggled with the virus for 15 years. She described what it was like spending time in hospital intensive care units and what it was like to not have access to available drugs. She prayed that some day there would be a cure and watched, from the depth of her illness, as policymakers seemed unable to grapple with the public health and personal tragedy that was AIDS. She is now sharing her experiences with churches, college students, community and professional organizations—challenging us to follow her example—to embrace our moral obligation to reach out beyond our selves, our communities and beyond our own country borders to fully battle the infectious diseases that are destroying so many lives on our planet. Denise Stokes' message is one of rising to a challenge, and bringing hope to the sick and their loved ones. All America must rise to this historic challenge and join in sending a message of hope.

By Ms. STABENOW (for herself, Mr. FITZGERALD, Mr. LEVIN, Mr. KOHL, Mr. FEINGOLD, Mr. DAYTON, Mrs. BOXER, Mrs. CLINTON, Mr. DURBIN, Mr. CORZINE, Mr. WELLSTONE, Mr. BAYH, and Mr. CHAFEE):

S. 1033. A bill to amend the Federal Water Pollution Control Act to protect ⅕ of the world's fresh water supply by directing the Administrator of the Environmental Protection Agency to conduct a study on the known and potential environmental effects of oil and gas drilling on land beneath the water in the Great Lakes, and for other purposes, to the Committee on Environment and Public Works.

By Ms. STABENOW (for herself, Mr. FITZGERALD, Mr. LEVIN, Mr. KOHL, Mr. FEINGOLD, Mr. DURBIN, Mr. DAYTON, Mr. WELLSTONE, Mr. DEWINE, Mr. VOINOVICH, Mr. SCHUMER, Mr. BAYH, and Mrs. CLINTON):

S. 1034. A bill to amend the Nonindigenous Aquatic Nuisance Prevention and Control Act of 1990 to require the Secretary of Transportation to promulgate and review regulations to ensure, to the maximum extent practicable, that vessels entering the Great Lakes do not spread nonindigenous aquatic species, to require treatment of ballast water and its sediments through the most effective and efficient techniques available, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Ms. STABENOW (for herself, Mr. FITZGERALD, Mr. LEVIN, Mr. KOHL, Mr. FEINGOLD, Mr. DAYTON, Mr. SCHUMER, Mr. BAYH, and Mrs. CLINTON):

S. 1035. A bill to establish programs to protect the resources of and areas surrounding the Great Lakes; to the Committee on Banking, Housing, and Urban Affairs.

Ms. STABENOW. Mr. President, I rise today to introduce three bills called the Great Lakes Initiative which are designed to protect the five Great Lakes.

The Great Lakes are one of our Nation's most precious natural resources. They contain one-fifth of the world's fresh water supply and provide safe drinking water to millions of people every day.

The Great Lakes also play a vital role in the economies of the Great Lakes States, including recreation, tourism, commercial shipping, industrial and agriculture. That is why I am introducing legislation today to protect this vital resource for the use, benefit, and enjoyment of present and future generations of Americans.

Three bills make up this new Great Lakes Initiative: (1) the Great Lakes Water Protection Act; (2) the Great Lakes Ecology Protection Act; and (3) the Great Lakes Preservation Act.

The first bill, the Great Lakes Water Protection Act, would protect the Great Lakes from environmentally dangerous oil and gas drilling. I am pleased that this bill has strong bipartisan support in both the House and the Senate, with Senators FITZGERALD, LEVIN, CHAFEE, KOHL, FEINGOLD, DAYTON, CLINTON, DURBIN, WELLSTONE, BAYH, CORZINE, and BOXER as original cosponsors.

The Great Lakes support many fragile coastlines and wetlands. Lake Michigan alone contains over 417 coastal wetlands, the most of any Great Lake. These shorelines are also home to many rare and endangered plant and wildlife species, including the rare piping plover, Michigan monkey flower, Pitcher's thistle, and the dwarf lake iris.

The Great Lakes also play a vital role in the economies of the Great Lakes States. In particular, coastal communities rely heavily on the Great Lake's resources and natural beauty to support tourism and recreation activities. The most recent estimate shows that recreational fishing totaled $1.5 billion in expenditures in Michigan alone.

Drilling in the Great Lakes could expose our valuable fresh water supply to serious contamination, cause serious environmental damage to the water and shoreline of the Great Lakes, and have crippling effects on Great Lakes communities that depend on tourism and recreation for their local economies. The Great Lakes Water Protection Act would prohibit new oil and gas drilling in the Great Lakes.

During the ban, the Environmental Protection Agency and National Academy of Sciences would conduct a two-year study examining the impacts on drilling on the environment, public health, the water supply, and local economies. Once the study is completed, Congress can analyze the results of the study and lift the ban on oil and gas drilling if it deems appropriate.

This bill would also provide $50 million per year for park and shoreline conservation to the Great Lakes States to offset any lost oil royalty revenues during the ban on drilling.

The second bill, Great Lakes Ecology Protection Act, seeks to curb the influx of invasive species into the Great Lakes. I am pleased that this bill also has strong bipartisan support with Senators FITZGERALD, LEVIN, VOINOVICH, KOHL, FEINGOLD, DURBIN, DEWINE, DAYTON, WELLSTONE, SCHUMER, and BAYH as original cosponsors. The bill would try to stop the importation of invasive

species by prohibiting ballast water discharges in the Great Lakes and requiring sophisticated sterilization of ballast water tanks as well. This is based on a bipartisan bill in the House introduced by Congressman HOEKSTRA and Congressman BARCIA.

Invasive species have already damaged the Great Lakes in a number of ways. They have destroyed thousands of fish and threatened clean drinking water.

For example, Lake Michigan once housed the largest self-reproducing lake trout fishery in the entire world. The invasive sea lamprey, which was introduced from ballast water almost 80 years ago, has contributed greatly to the decline of trout and whitefish in the Great Lakes by feeding on and killing native trout species.

Today, lake trout must be stocked because they cannot naturally reproduce in the lake. Many Great Lakes States have had to place severe restrictions on catching yellow perch because invasive species such as the zebra mussel disrupt the Great Lakes' ecosystem and compete with yellow perch for food. The zebra mussel's filtration also increases water clarity, which may be making it easier for predators to prey upon the yellow perch. Moreover, tiny organisms like zooplankton that help form the base of the Great Lakes food chain, have declined due to consumption by exploding populations of zebra mussels.

The Great Lakes Ecology Protection Act would ban ballast water discharges in the Great Lakes. The bill would require ships to discharge ballast water and sterilize the ballast water tanks before entering the Great Lakes to prevent the introduction of any non-indigenous species. The act also would significantly increase funding for invasive species research and ballast water technology, by providing $100 million in research grants over the next five years.

The research grants would encourage collaboration between the colleges and universities, and the shipping industry to help develop new and better ballast water purification technologies.

The third bill, the Great Lakes Preservation Act, would ban dangerous bulk water diversions while the Great Lakes Compact makes recommendations on how specifically to implement appropriate governing standards. This bill also has strong bipartisan support with Senators FITZGERALD, LEVIN, KOHL, FEINGOLD, DAYTON, SCHUMER, and BAYH as original co-sponsors.

Bulk water diversion could become a serious threat to the fresh water supplies of the Great Lakes in the future. We must stop this in our countries and negotiate with Canada to do the same.

Global water demand is doubling every 21 years, while only 1 percent of the water in the Great Lakes is renewed each year by precipitation or runoff. At the same time, scientists predict that by the end of the century, Great Lakes water levels could decline by 1.5 to 8 feet due to increased evaporation; and within the next three decades we may see a decline by as much as 3 feet. This of course is in addition to the historic fluctuations in lake levels that can vary by as much as 6.5 feet.

The bill also would help provide new funding sources to preserve and restore historic Great Lakes lighthouses. Great Lakes lighthouses have helped mariners navigate the Great Lakes and find safe harbors for decades, and are an important part of the maritime history of the Great Lakes. Many of these lighthouses have historical or architectural significance, but are unfortunately in poor condition because of neglect and deterioration.

The Act would help find new funding sources to preserve the lighthouses by directing the National Park Service to Study the Great Lakes lighthouses and recommend the best course of action for preserving and restoring the lighthouses.

The Great Lakes are a precious natural resource not just to their neighboring States, but to the entire country. I urge my Senate colleagues to join me and protect this vital resource for the use, benefit, and enjoyment of present and future generations of Americans.

I ask unanimous consent that the text of the bills be printed in the RECORD.

There being no objection, the bills were ordered to be printed in the RECORD, as follows:

S. 1033

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 ''Great Lakes Water Protection Act''.

SEC. 2. FINDINGS.

Congress finds that—

(1) the Great Lakes contain ⅕ of the world's fresh water supply;

(2) the Great Lakes basin is home to over 33,000,000 people and is a vital source of safe drinking water for millions of people;

(3) the Great Lakes support many wetlands, sand dunes, and other fragile coastal habitats;

(4) those coastal habitats are home to many endangered and threatened wildlife and plant species, including the piping plover, Pitcher's thistle, and the dwarf lake iris;

(5) the Great Lakes are crucial to the economies of the Great Lakes States for recreation, commercial shipping, and industrial and agriculture uses; and

(6) oil and gas development beneath the water in any of the Great Lakes could—

(A) expose a valuable fresh water supply of the United States to serious contamination; and

(B) cause serious environmental damage to the water and shoreline of the Great Lakes.

SEC. 3. EFFECTS OF OIL AND GAS DEVELOPMENT ON THE GREAT LAKES.

The Federal Water Pollution Control Act is amended by inserting after section 108 (33 U.S.C. 1258) the following:

''SEC. 108A. EFFECTS OF OIL AND GAS DEVELOPMENT ON THE GREAT LAKES.

''(a) DEFINITIONS.—In this section:

''(1) ACADEMY.—The term 'Academy' means the National Academy of Sciences.

''(2) DRILLING ACTIVITY.—

''(A) IN GENERAL.—The term 'drilling activity' means any drilling to extract oil or gas from land beneath the water in any of the Great Lakes.

''(B) INCLUSIONS.—The term 'drilling activity' includes—

''(i) directional drilling (also known as 'slant drilling'); and

''(ii) offshore drilling.

''(3) GREAT LAKE.—The term 'Great Lake' means—

''(A) Lake Erie;

''(B) Lake Huron (including Lake Saint Clair);

''(C) Lake Michigan;

''(D) Lake Ontario (including the Saint Lawrence River from Lake Ontario to the 45th parallel of latitude); and

''(E) Lake Superior.

''(4) GREAT LAKES STATE.—The term 'Great Lakes State' means each of the States of Illinois, Indiana, Michigan, Minnesota, New York, Ohio, Pennsylvania, and Wisconsin.

''(b) INCENTIVES TO PREVENT DRILLING ACTIVITY.—

''(1) IN GENERAL.—To be eligible to receive an incentive grant under paragraph (2), a grant under section 601(a), or a grant under section 1452 of the Safe Drinking Water Act (42 U.S.C. 300j–12), a Great Lakes State shall not issue any oil or gas permit or lease for drilling activity.

''(2) INCENTIVE GRANTS.—

''(A) IN GENERAL.—For each fiscal year or portion of a fiscal year in which paragraph (1) is in effect, the Secretary of the Interior shall make grants to Great Lakes States.

''(B) USE OF GRANTS.—A Great Lakes State shall use a grant under this paragraph to carry out conservation activities in the State, including activities to conserve parkland and protect shores.

''(C) AMOUNT OF GRANTS.—For each fiscal year or portion of a fiscal year, the amount of a grant to a Great Lakes State under subparagraph (A) shall be equal to the product obtained by multiplying—

''(i) the amount available for grants under this paragraph for the fiscal year or portion of a fiscal year; and

''(ii) the ratio that—

''(I) the amount of funds that the Great Lakes State would have received, but for paragraph (1), from the sale of oil and gas from the Great Lakes during the fiscal year; bears to

''(II) the amount of funds that all Great Lakes States would have received, but for paragraph (1), from the sale of oil and gas from the Great Lakes during the fiscal year.

''(D) MAXIMUM AMOUNT OF GRANTS.—For each fiscal year, the Secretary of the Interior may make grants under this paragraph in an aggregate amount not to exceed $50,000,000.

''(c) STUDY.—

''(1) IN GENERAL.—Not later than 1 year after the date of enactment of this section, the Administrator shall conduct a study to examine the known and potential environmental effects of drilling activity, including any effects on—

''(A) water quality (including the quality of drinking water);

''(B) the sediments and shorelines of the Great Lakes;

''(C) fish and other aquatic species, plants, and wildlife that are dependent on Great Lakes resources;

''(D) competing uses of water and shoreline areas of the Great Lakes; and

''(E) public health of local communities.

''(2) CONSULTATION.—In designing and conducting the study, the Administrator shall consult with—

''(A) the Secretary of Energy;

''(B) the Administrator of the National Oceanic and Atmospheric Administration;

''(C) the Chief of Engineers;

''(D) the Great Lakes States; and

''(E) as appropriate, representatives of environmental, industry, academic, scientific, public health, and other relevant organizations.

''(3) INDEPENDENT REVIEW.—Not later than 180 days after the date of enactment of this section, the Administrator shall enter into an agreement with the Academy under which the Administrator shall submit to the Academy, and the Academy shall review, the results of the study.

''(4) REPORT.—Not later than 1 year after the date of submission to the Academy of the study under paragraph (3), the Academy shall submit to the Administrator and Congress—

''(A) the study; and

''(B) a report that describes the results of the review by the Academy (including any recommendations concerning the results of the study).

''(5) ACTION BY CONGRESS.—It is the sense of Congress that, after receiving the study and report under paragraph (4), Congress should—

''(A) review the study and report;

''(B) conduct hearings concerning the impact of drilling activity; and

''(C) determine whether to eliminate the condition under subsection (b)(1).

''(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as are necessary to carry out this section.''.

S. 1034

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 ''Great Lakes Ecology Protection Act''.

SEC. 2. BALLAST WATER TREATMENT REGULATIONS.

(a) IN GENERAL.—Section 1101(b) of the Nonindigenous Aquatic Nuisance Prevention and Control Act of 1990 (16 U.S.C. 4711(b)) is amended—

(1) by redesignating paragraph (4) as paragraph (5); and

(2) by striking ''(3) ADDITIONAL REGULATIONS.—In addition'' and inserting the following:

''(3) REGULATIONS CONCERNING AQUATIC NUISANCE SPECIES.—

''(A) IN GENERAL.—The Secretary of Transportation shall, in consultation with the Secretary of the Interior, the Secretary of Commerce, the Secretary of Defense, the Administrator of the Environmental Protection Agency, the Governors of States that border the Great Lakes, and in accordance with this paragraph, promulgate and review regulations to prevent, to the maximum extent practicable, the introduction and spread of aquatic nuisance species in the Great Lakes.

''(B) CONTENTS OF REGULATIONS.—The regulations promulgated under subparagraph (A)—

''(i) shall apply to all vessels capable of discharging ballast water (including vessels equipped with ballast water tank systems or other water tank systems) that enter the Great Lakes after operating on water outside of the Exclusive Economic Zone;

''(ii) shall ensure, to the maximum extent practicable, that ballast water containing aquatic nuisance species is not discharged into the Great Lakes (including by establishing the standard described in clause (iii));

''(iii) shall include a ballast water treatment standard for vessels that elect to carry out ballast water management or treatment that, at a minimum, requires—

''(I) a demonstrated 95 percent volumetric exchange of ballast water; or

''(II) a ballast treatment that destroys not less than 95 percent of all animal fauna in a standard ballast water intake, as approved by the Secretary;

''(iv) shall protect the safety of each vessel (including crew and passengers);

''(v) shall include requirements on new vessel construction to ensure that vessels entering service after January 1, 2005, minimize the transfer of organisms;

''(vi) shall require vessels to carry out any discharge or exchange of ballast water within the Great Lakes only in compliance with the regulations;

''(vii) shall be promulgated after taking into consideration a range of vessel operating conditions, from normal to extreme;

''(viii) shall—

''(I) ensure that technologies and practices implemented under this section are environmentally sound treatment methods for ballast water and ballast sediments that prevent and control infestations of aquatic nuisance species; and

''(II) include a detailed timetable for—

''(aa) the implementation of treatment methods determined to be technologically available and cost-effective at the time of the publication of the notice of proposed rulemaking; and

''(bb) the development, testing, evaluation, approval, and implementation of additional technologically innovative treatment methods;

''(ix) shall provide for certification by the master of each vessel entering the Great Lakes that the vessel is in compliance with the regulations;

''(x) shall ensure compliance with the regulations, to the maximum extent practicable, through—

''(I) sampling or monitoring procedures;

''(II) the inspection of records;

''(III) the imposition of sanctions in accordance with subsection (g)(1); and

''(IV) the certification of ballast water treatment vendors and vessel vendors;

''(xi) shall be based on the best scientific information available;

''(xii) shall not supersede or adversely affect any requirement or prohibition pertaining to the discharge of ballast water into water of the United States under the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.); and

''(xiii) shall include such other requirements as the Secretary of Transportation considers appropriate.

''(C) REGULATORY SCHEDULE.—

''(i) NOTICE OF PROPOSED RULEMAKING.—

''(I) IN GENERAL.—Not later than 120 days after the date of enactment of the Great Lakes Ecology Protection Act, the Secretary of Transportation shall publish, in the Federal Register and through other means designed to reach persons likely to be subject to or affected by the regulations (including publication in local newspapers and by electronic means), a notice of proposed rulemaking concerning the regulations proposed to be promulgated under this paragraph.

''(II) FINAL REGULATIONS.—The Secretary of Transportation shall promulgate final regulations under this paragraph—

''(aa) with respect to the implementation of treatment methods described in subparagraph (B)(vii)(II)(aa), not later than 270 days after the date of enactment of the Great Lakes Ecology Protection Act; and

''(bb) with respect to the additional technologically innovative treatment methods described in subparagraph (B)(vii)(II)(bb), not later than the earlier of—

''(AA) the date established by the timetable under subparagraph (B)(vii)(II) for implementation of those methods; or

''(BB) 720 days after the date of enactment of the Great Lakes Ecology Protection Act.

''(III) REVIEW AND REVISION OF REGULATIONS.—Not later than 3 years after the date on which final regulations are promulgated under this subparagraph, and every 3 years thereafter, the Secretary shall review and revise as necessary, the regulations—

''(aa) to improve the effectiveness of the regulations; and

''(bb) to incorporate better management practices and ballast water treatment standards and methods.

''(IV) PUBLIC PARTICIPATION.—The Secretary of Transportation shall—

''(aa) provide not less than 120 days for public comment on the proposed regulations; and

''(bb) provide for an effective date that is not less than 30 days after the date of publication of the final regulations.

''(4) ADDITIONAL REGULATIONS.—In addition''.

(b) DEFINITION OF TREATMENT METHOD.—Section 1003 of the Nonindigenous Aquatic Nuisance Prevention and Control Act of 1990 (16 U.S.C. 4702) is amended—

(1) by redesignating paragraphs (13), (14), (15), (16), and (17) as paragraphs (14), (15), (16), (17), and (18), respectively; and

(2) by inserting after paragraph (12) the following:

''(13) 'treatment method' means a method for treatment of the contents of a ballast water tank (including the sediments within the tank) to remove or destroy nonindigenous organisms through—

''(A) filtration;

''(B) the application of biocides or ultraviolet light;

''(C) thermal methods; or

''(D) other treatment techniques that meet applicable ballast water treatment standards, as approved by the Secretary;''.

SEC. 3. INVASIVE SPECIES AND BALLAST WATER TECHNOLOGIES RESEARCH GRANTS.

(a) GRANTS AUTHORIZED.—The Secretary of Commerce, through the National Oceanic and Atmospheric Administration, and in consultation with the Secretary of the Interior, the Secretary of Agriculture, the Secretary of Transportation, and the Administrator of the Environmental Protection Agency, is authorized to award Invasive Species and Ballast Water Technologies Research Grants.

(b) USE OF FUNDS.—Grants awarded under subsection (a) may be used to—

(1) study the impact of invasive species on the environment of the Great Lakes region; and

(2) develop technologies and treatment methods, including ballast water tank technology, designed to destroy or remove invasive species.

(c) ELIGIBLE RECIPIENTS.—

(1) IN GENERAL.—The Secretary may award grants under subsection (a) to any post-secondary educational institution in the United States.

(2) SPECIAL CONSIDERATION FOR INSTITUTIONS COLLABORATING WITH INDUSTRY.—In awarding grants under subsection (a), the Secretary shall give special consideration to post-secondary educational institutions that work collaboratively with members of the United States shipping industry to carry out an activity for which grant funds may be used under subsection (b).

(d) AVAILABILITY AND MARKETING OF TECHNOLOGY.—In awarding grants under subsection (a), the Secretary shall ensure that to the greatest extent practicable, technologies and treatments developed as the result of a grant awarded under subsection (a) are made commercially available.

(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out the provisions of this section $100,000,000 for the period of fiscal year 2002 through fiscal year 2006.

S. 1035

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 ''Great Lakes Preservation Act''.

SEC. 2. FINDINGS.

Congress finds that—

(1) the Great Lakes are precious public natural resources, and are renewable but finite bodies of water that should be protected, conserved, and managed for the use, benefit, and enjoyment of all present and future generations of people of the United States;

(2) the Great Lakes are crucial to the economies of the Great Lakes States for recreation, commercial shipping, industrial, and agricultural uses;

(3) the Great Lakes contain ⅕ of the world's fresh water supply and are a vital source of safe drinking water for millions of people;

(4) the Great Lakes Charter of 1985 is a voluntary international agreement that provides the procedural framework for notice and consultation by the Great Lakes States and the Great Lakes Provinces concerning the diversion of the water of the Great Lakes basin;

(5) the Governors of the Great Lakes States and the Premiers of the Great Lakes Provinces have based decisions on proposals to withdraw, divert, or use Great Lakes water on the extent to which the proposals conserve and protect water and water-dependent natural resources of the Great Lakes basin; and

(6) decisionmaking concerning Great Lakes water should remain vested in the Governors of the Great Lakes States, who manage the water and resources on a day-to-day basis.

SEC. 3. DEFINITIONS.

In this Act:

(1) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the Environmental Protection Agency.

(2) BULK FRESH WATER.—The term ''bulk fresh water'' means fresh water extracted in quantities intended for transportation by tanker or similar form of mass transportation, without further processing.

(3) FROM THE GREAT LAKES BASIN.—The term ''from the Great Lakes basin'', with respect to water, means—

(A) water from Lake Erie, Lake Huron, Lake Michigan, Lake Ontario, Lake St. Clair, or Lake Superior;

(B) water from any interconnecting waterway within any watercourse that drains into or between any of those lakes; and

(C) water from a tributary surface or underground channel or area that drains into or comprises part of any watershed that drains into any of those lakes.

(4) GREAT LAKE.—The term ''Great Lake'' means—

(A) Lake Erie;

(B) Lake Huron (including Lake Saint Clair);

(C) Lake Michigan;

(D) Lake Ontario (including the Saint Lawrence River from Lake Ontario to the 45th parallel of latitude); and

(E) Lake Superior.

(5) GREAT LAKES PROVINCE.—The term ''Great Lakes Province'' means the Province of Ontario or Quebec, Canada.

(6) GREAT LAKES STATE.—The term ''Great Lakes State'' means the State of Illinois, Indiana, Michigan, Minnesota, New York, Ohio, Pennsylvania, or Wisconsin.

(7) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior, acting through the Director of the National Park Service.

SEC. 4. MORATORIUM ON EXPORT OF BULK FRESH WATER.

(a) IN GENERAL.—Bulk fresh water from the Great Lakes basin shall not be exported from the United States.

(b) SUNSET PROVISION.—Subsection (a) shall cease to be effective on the date of enactment of an Act of Congress approving the operation of a mechanism and conservation standard for making decisions concerning the withdrawal, diversion, and use of water of the Great Lakes that has been agreed to by each of the Governors of the Great Lakes States, acting in cooperation with the Premiers of the Great Lakes Provinces.

(c) SENSE OF CONGRESS.—It is the sense of Congress that the Federal Government should enter into an agreement with the Government of Canada stating that the United States and Canada shall abide by the terms of the moratorium under subsection (a) until the date specified in subsection (b).

SEC. 5. PRESERVATION OF HISTORIC GREAT LAKES LIGHTHOUSES.

(a) FINDINGS.—Congress finds that—

(1) the Great Lakes have greatly influenced settlement, commerce, transportation, industry, and recreation throughout the rich maritime history of the Great Lakes States;

(2) lighthouses in Great Lakes States have helped mariners navigate dangerous shoals and find safe harbors for decades and are an important part of the maritime history of the Great Lakes;

(3) many of the lighthouses have historical or architectural significance; and

(4) the future of the lighthouses is uncertain because many are in poor condition because of neglect and deterioration.

(b) STUDY.—Not later than 3 years after the date on which funds are made available to carry out this section, the Secretary shall conduct and submit to Congress a study to identify options to preserve the lighthouses in the Great Lakes States.

(c) PROCEDURE.—In conducting the study under subsection (b), the Secretary shall—

(1) review programs, policies, and standards of the National Park Service to determine the most appropriate means of ensuring that the lighthouses (including any associated natural, cultural, and historical resources) are preserved; and

(2) consult with—

(A) State and local historical associations and societies in the Great Lakes States;

(B) historic preservation agencies in the Great Lakes States;

(C) the Commandant of the Coast Guard; and

(D) other appropriate entities.

(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as are necessary to carry out this section.

Mr. LEVIN. Mr. President, I am pleased to join Senator STABENOW, in introducing 3 pieces of legislation to help protect the nation's largest source of fresh water—the Great Lakes.

The first bill, The Great Lakes Water Protection Act, will prevent new oil and gas drilling beneath the lakes until the EPA, in cooperation with the National Academy of Science, the Great Lakes States, and other interested parties, is able to study the impacts that drilling may have to water quality, fish and wildlife habitat, drinking water, and other coastal land-use activities.

It is just not worth taking a chance on harming this critical resource for a small amount of oil and natural gas.

Slant drilling, while a more environmentally friendly method than the traditional drilling methods, is imperfect. Wells can blow out and equipment can be damaged. Because just one quart of oil can contaminate up to two million gallons of drinking water, the risk of drilling is especially acute when these wells are located directly next to the Great Lakes which serve as the source of drinking water for so many communities. According to a recent study by the Lake Michigan Federation, the normal slant drilling process could result in ground water contamination, surface water pollution, and the release of hazardous gases. If an accident were to occur, an oil or natural gas spill could impact Michigan's sensitive wetlands, sand dunes, and wildlife habitat. Oil leaked or washed into the Lakes would affect fish species, especially in the sensitive near-shore spawning and nursery areas, detrimentally impacting the Great Lakes commercial and recreational fisheries. We surely need to thoroughly review all possible risks before making decisions that could chance these irreplaceable natural resources.

Additionally, there are existing human activities along the Great Lakes' coasts, and we need to find out how drilling activities could impact those communities. Even advocates of drilling admit that some damage at shore-line drilling sites is inevitable. Drilling requires the construction of new infrastructure such as drilling rigs and sites, storage tanks, and new pipelines. These facilities can deter tourism and hinder local community development.

Our pristine Great Lakes coastline is valuable to the tourism industry in Michigan while the Great Lakes' energy potential is very small. Since the first U.S. well was drilled under Lake Michigan in 1979, only 438,000 barrels of oil and about 17.5 billion cubic feet of natural gas have been produced. This is not even a drop in the bucket compared

to the Nation's annual energy consumption of 20 million barrels of oil per day and 65 billion cubic feet of natural gas per day. In contrast, Great Lakes recreational fishers spend $1.4 billion annually on gear and lake trips. The thousands of hikers, birdwatchers, beach-goers and other recreational users enjoying the Great Lakes shoreline and coastal waters contribute millions of dollars to local economies.

I believe that if this country should focus more on advancing alternative fuels. In Michigan, we can advance environmental quality and economic growth by supporting research into advanced technology vehicles.

I encourage my colleagues to support this important legislation. There is simply too much at stake to risk the Great Lakes and their shoreline.

The second piece of legislation, The Great Lakes Water Protection Act, prohibits bulk fresh water from the Great Lakes basin to be exported from the United States until a conservation standard governing withdrawals, diversion, and use of Great Lakes water is in place. The Great Lakes hold nearly 20% of the world's supply of freshwater.

As this legislation clearly states, the Great Lakes Governors currently have the authority to veto proposals to divert water from the Great Lakes outside the basin. However, the existing process over out-of-basin water diversions may be subject to an international trade dispute. So as the global water demand doubles every 21 years, we need a back up conservation strategy.

Additionally, this legislation authorizes the National Park Service to complete a resource study outlining options for the preservation of lighthouses in the Great Lakes. There are 120 Michigan lighthouses, and approximately 70 of these structures will be surplus property over the next 10 years. Under legislation that I sponsored last year, these historic treasures will be smoothly transferred from government ownership, and the Secretary of the Department of the Interior, through the National Park Service, is authorized to establish a historic lighthouse preservation program. The bill we are introducing today reinforces the government's commitment to preserving these historic structures.

Lastly, I am cosponsoring the Great Lakes Ecology Protection Act to attempt to control one of the most expensive and environmentally dangerous problems facing the Great Lakes-aquatic nuisance species.

Nearly 150 nonindigenous aquatic species have been accidently introduced into the Great Lakes in the past century. Most of the recent invasive species have been transported to the Lakes in commercial ships' ballast water. In 1990 and 1996 Congress enacted legislation which slowed down the introduction of aquatic nuisance species in the Great Lakes, however, approximately 1 new non-native organism enters the Lakes each year.

This legislation that I am cosponsoring is designed to prevent these invaders from coming into the Great Lakes and to control the movement of organisms once they have been introduced into the Lakes. The Coast Guard needs to design a standard for vessels capable of discharging ballast water in the Great Lakes that ensures that ballast water containing aquatic species are not discharged in the Great Lakes. The Coast Guard needs to establish a Ballast Treatment Performance Standard which will provide flexibility for industry to utilize and improve technology in order to meet that standard in whatever manner they want. Additionally, this legislation authorizes up to $100 million for invasive species and ballast water technologies research grants.

I encourage the rest of my colleagues to support legislative efforts to control aquatic nuisance species. In 2002, the National Invasive Species Act of 1996 expires, and Congress will be tasked with improving and reauthorizing this legislation. I believe that a national reauthorization is important to create a unified approach rather than forcing the States to enact individual standards for ships in an attempt to control aquatic nuisance species. However, if efforts to reauthorize a national program should stall, I believe that this legislation will help protect the Great Lakes from aquatic invaders.

By Mr. HARKIN (for himself, Mr. LEAHY Mr. DURBIN, Mr. DEWINE, Mr. DORGAN, Mr. DASCHLE, Mr. KOHL, Mr. LUGAR, Mr. KENNEDY, Mr. JOHNSON, Mr. CONRAD, Ms. LANDRIEU, and Mr. DAYTON):

S. 1036. A bill to amend the Agricultural Trade Development and Assistance Act of 1954 to establish an international food for education and child nutrition program; to the Committee on Agriculture, Nutrition, and Forestry.

Mr. HARKIN. Mr. President, together with a bipartisan group of colleagues, I am pleased to be introducing this legislation to address two of the most glaring problems facing children across the globe: malnutrition and the lack of educational opportunity. I very much appreciate the opportunity to work with Senator LEAHY and Senator LUGAR, who have so strongly supported nutrition assistance for many years, in developing this legislation.

An estimated 300 million poor children around the world either do not receive food at school or do not go to school at all. About 130 million of the world's children, 60 percent of them girls, are presently not attending school. With the abundance of food here in America and in other nations, this reality is absolutely unconscionable.

Our bill, the George McGovern-Robert Dole International Food for Education and Child Nutrition Act of 2001, will provide U.S. agricultural commodities and other assistance to boost child nutrition in connection with educational programs in developing countries.

I salute former Senators George McGovern and Bob Dole for their work in promoting the Global Food for Education Initiative, and President Clinton for recognizing its merits early on and beginning a pilot project for this year.

The bill permanently adds this new program to existing U.S. foreign food assistance programs, such as P.L. 480 and Food for Progress.

Our bill will apply the producing power of American farmers and agriculture-related industries to help families, villages and even nations escape the treadmill of poverty by supporting both improved nutrition and education for children. It also offers nutritious food and learning as an alternative to sending children down the dead-end path of exploitive work in sweatshops, mines or factories.

The International Food for Education and Child Nutrition Program established in this legislation will be carried out through private nonprofit groups, cooperatives, and intergovernmental organizations. Under the bill, USDA will purchase U.S. commodities and cover the costs of making them available in developing countries to provide nutrition for children in connection with educational programs. Funding would begin at $300 million in fiscal 2002 and increase to $750 million in fiscal 2006.

The problems of global malnutrition and limited education are so large that participation by other countries is crucially important. Accordingly, this bill specifically encourages other donor countries and the private sector to support the program. If concerned nations will come together and make a firm commitment, we can end child hunger, child poverty and exploitive child labor and lift families and nations from poverty.

Ms. LANDRIEU. Mr. President, I rise today to speak briefly in support of the McGovern-Dole International Food for Education and Child Nutrition Act of 2001. I am proud to join Senators HARKIN, DURBIN, and LEAHY, who were instrumental in the introduction of this bill, as well as my other colleagues who are co-sponsors. Additionally, I would like to acknowledge the efforts of two former members of this body, Senators George McGovern and Bob Dole, who worked tirelessly to initiate this program decades ago.

As many of my colleagues well know, almost 300 million children in this

world go hungry on a daily basis. Can you imagine that—300 million children? The number is staggering—almost five percent of the world's population; more than the population of our entire country. Think of it—if everyone, every person that we know, every man, woman and child in the United States, did not get enough to eat. If that were the case, I would imagine that we in this chamber would not hesitate to take action and remedy the situation. That is what this bill attempts to do; it is merely a first step, an important step for these hundreds of millions of children who are going hungry around the world.

We must ensure that every child, no matter where they live, no matter what their income level, receives at least one nutritious meal per day. One meal per day, for every child in the world. As little as that may seem to those of us here, it could mean the difference between life and death for many of these children. I make sure that my son and daughter get three nutritious meals a day; I am sure that all of my colleagues do the same for their children. It is not too much to ask that we provide just one meal for these hungry children all over the world.

But this is not just about meals; as noble a goal as that is, this is also about education. Of these 300 million children, almost half are not in school. What we are trying to do is encourage these children to attend school by helping their schools feed them when they are there. As George McGovern himself said, ''The school lunch brings children to school; education lowers the birthrate, increases personal income, and provides a market for surplus farm commodities.''; So it not just a meal we are helping to provide for these children; it is an education.

Finally, for some who may say this is a handout, it is not. This program is designed to help developing countries set up their own school lunch programs, so that one day they can take full responsibility for feeding their students. In other words, this is not a handout, but a hand up. There is an old saying that if you give a man a fish, he eats for a day; if you teach him to fish, he eats for a lifetime. We are trying to teach these countries how to fish, by providing them the means to do so. I hope that my colleagues will come together in support of this critical legislation, and we in Congress can approve this bill quickly and send it to the President for his signature.

Mr. HARKIN. This bill continues our Nation's proud tradition of helping to build a better future for children in developing countries and I am proud we are introducing it today. I strongly urge my colleagues to support this important legislation and 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. 1036

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 ''George McGovern-Robert Dole International Food for Education and Child Nutrition Act of 2001''.

SEC. 2. INTERNATIONAL FOOD FOR EDUCATION AND CHILD NUTRITION.

Title IV of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1731 et seq.) is amended by adding at the end the following:

''SEC. 417. INTERNATIONAL FOOD FOR EDUCATION AND CHILD NUTRITION.

''(a) DEFINITIONS.—In this section:

''(1) ELIGIBLE COMMODITY.—The term 'eligible commodity' means—

''(A) an agricultural commodity; and

''(B) a vitamin or mineral produced—

''(i) in the United States; or

''(ii) in limited situations determined by the Secretary, outside the United States.

''(2) ELIGIBLE ORGANIZATION.—The term 'eligible organization' means a private voluntary organization, cooperative, or intergovernmental organization, as determined by the Secretary.

''(3) PROGRAM.—The term 'Program' means the International Food for Education and Child Nutrition Program established under subsection (b)(1).

''(4) RECIPIENT COUNTRY.—The term 'recipient country' means 1 or more developing countries covered by a plan approved under subsection (d)(1)(A)(ii).

''(b) PROGRAM ESTABLISHMENT.—

''(1) IN GENERAL.—In cooperation with other countries, the Secretary shall establish, and the Department of Agriculture shall act as the lead Federal agency for, the International Food for Education and Child Nutrition Program, through which the Secretary shall provide to eligible organizations eligible commodities and technical and nutritional assistance for pre-school and school-age children in connection with education programs to improve food security and enhance educational opportunities for pre-school age and primary-school age children in recipient countries.

''(2) ADMINISTRATION.—In carrying out the Program, the Secretary may use the personnel and other resources of the Food and Nutrition Service and other agencies of the Department of Agriculture.

''(c) PURCHASE AND DONATION OF ELIGIBLE COMMODITIES AND PROVISION OF ASSISTANCE.—

''(1) IN GENERAL.—Under the Program, the Secretary shall enter into agreements with eligible organizations—

''(A) to purchase, acquire, and donate eligible commodities to eligible organizations; and

''(B) to provide technical and nutritional assistance.

''(2) OTHER DONOR COUNTRIES.—Consistent with the Program, the Secretary shall encourage other donor countries, directly or through eligible organizations—

''(A) to donate goods and funds to recipient countries; and

''(B) to provide technical and nutritional assistance to recipient countries.

''(3) PRIVATE SECTOR.—The President and the Secretary are urged to encourage the support and active involvement of the private sector, foundations, and other individuals and organizations in programs and activities assisted under this section.

''(d) PLANS AND AGREEMENTS.—

''(1) IN GENERAL.—To be eligible to receive eligible commodities and assistance under this section, an eligible organization shall—

''(A)(i) submit to the Secretary a plan that describes the manner in which—

''(I) the eligible commodities and assistance will be used in 1 or more recipient countries to meet the requirements of this section; and

''(II) the role of the government in the recipient countries in carrying out the plan; and

''(ii) obtain the approval of the Secretary for the plan; and

''(B) enter into an agreement with the Secretary establishing the terms and conditions for use of the eligible commodities and assistance.

''(2) MULTIYEAR AGREEMENTS.—

''(A) IN GENERAL.—An agreement under paragraph (1)(B) may provide for eligible commodities and assistance on a multiyear basis.

''(B) LOCAL CAPACITY.—The Secretary shall facilitate, to the extent the Secretary determines is appropriate, the development of agreements under paragraph (1)(B) that, on a multiyear basis, strengthen local capacity for implementing and managing assistance programs.

''(3) STREAMLINED PROCEDURES.—The Secretary shall develop streamlined procedures for the development, review, and approval of plans submitted under paragraph (1)(A) by eligible organizations that demonstrate organizational capacity and the ability to develop, implement, monitor, and report on, and provide accountability for, activities conducted under this section.

''(4) GRADUATION.—An agreement under paragraph (1)(B) shall include provisions—

''(A)(i) to sustain the benefits to the education, enrollment, and attendance of children in schools in the targeted communities when the provision of commodities and assistance to a recipient country under the Program terminates; and

''(ii) to estimate the period of time required for the recipient country or eligible organization to provide assistance described in subsection (b)(1) without additional assistance provided under this section; or

''(B) to otherwise provide other long-term benefits to the targeted populations.

''(e) EFFECTIVE USE OF ELIGIBLE COMMODITIES.—The Secretary shall ensure that each eligible organization—

''(1) uses eligible commodities made available under this section effectively, in the areas of greatest need, and in a manner that promotes the purposes of this section;

''(2) in using assistance provided under this section, assesses and takes into account the nutritional and educational needs of participating pre-school age and primary-school age children;

''(3) to the maximum extent practicable, uses the lowest cost means of delivering eligible commodities and providing other assistance authorized under the Program;

''(4) works with recipient countries and indigenous institutions or groups in recipient countries to design and carry out mutually acceptable food and education assistance programs for participating pre-school age and primary-school age children;

''(5) monitors and reports on the distribution or sale of eligible commodities provided under this section using methods that will facilitate accurate and timely reporting;

''(6) periodically evaluates the effectiveness of the Program, including evaluation of whether the food security and education purposes can be sustained in a recipient country if the recipient country is gradually terminated from the assistance in accordance with subsection (d)(4); and

''(7) considers means of improving the operation of the Program by the eligible organization and ensuring and improving the quality of the eligible commodities provided under this section, including improvement of the nutrient or micronutrient content of the eligible commodities.

''(f) INTERAGENCY COORDINATION ON POLICY GOALS.—The Secretary shall consult and collaborate with other Federal agencies having appropriate expertise in order to provide assistance under this section to promote equal access to education to improve the quality of education, combat exploitative child labor, and advance broad-based sustainable economic development in recipient countries.

''(g) SALES AND BARTER.—

''(1) IN GENERAL.—Notwithstanding subsection (d)(1)(A), with the approval of the Secretary, an eligible organization may—

''(A) acquire funds or goods by selling or bartering eligible commodities provided under this section within the recipient country or countries near the recipient country; and

''(B) use the funds or goods to improve food security and enhance educational opportunities for pre-school age and primary-school age children within the recipient country, including implementation and administrative costs incurred in carrying out this subsection.

''(2) PAYMENT OF ADMINISTRATIVE COSTS.—An eligible organization that receives payment for administrative costs under paragraph (1) shall not be eligible to receive payment for the same administrative costs under subsection (h)(3).

''(h) ELIGIBLE COSTS.—Subject to subsections (d)(1) and (m), the Secretary shall pay all or part of—

''(1) the costs and charges described in paragraphs (1) through (5) and (7) of section 406(b) with respect to an eligible commodity;

''(2) the internal transportation, storage, and handling costs incurred in moving the eligible commodity, if the Secretary determines that—

''(A) payment of the costs is appropriate; and

''(B) the recipient country is a low income, net food-importing country that—

''(i) meets the poverty criteria established by the International Bank for Reconstruction and Development for Civil Works Preference; or

''(ii) has a national government that is committed to or is working toward, through a national action plan, the World Declaration on Education for All convened in 1990 in Jomtien, Thailand, and the follow-up Dakar Framework for Action of the World Education Forum in 2000; and

''(3) the projected costs of an eligible organization for administration, sales, monitoring, and technical assistance under a plan approved by the Secretary under subsection (d)(1)(A) (including an itemized budget), taking into consideration, as determined by the Secretary—

''(A) the projected amount of such costs itemized by category; and

''(B) the projected amount of assistance received from other donors.

''(i) DISPLACEMENT.—Subsections (a)(2), (b), and (h) of section 403 shall apply to this section.

''(j) AUDITS AND TRAINING.—The Secretary shall take such actions as are necessary to support, monitor, audit, and provide necessary training in proper management under the Program.

''(k) ANNUAL REPORT.—The Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate an annual report that describes—

''(1) the results of the implementation of the Program during the applicable year, including the impact on the enrollment, attendance, and performance of children in primary schools targeted under the Program; and

''(2) the level of commitments by, and the potential for obtaining additional goods and assistance from, other countries for the purposes of this section during subsequent years.

''(l) INDEPENDENCE OF AUTHORITIES.—Each authority granted under this section shall be in addition to, and not in lieu of, any authority granted to the Secretary or the Commodity Credit Corporation under any other provision of law.

''(m) FUNDING.—

''(1) IN GENERAL.—Subject to paragraphs (2) and (3), for each of fiscal years 2002 through 2006, the Secretary shall use the funds, facilities, and authorities of the Commodity Credit Corporation to carry out this section.

''(2) FISCAL YEAR LIMITATIONS.—

''(A) IN GENERAL.—Subject to subparagraph (B), the amount of funds the Commodity Credit Corporation uses to carry out this section shall not exceed—

''(i) $300,000,000 for fiscal year 2002; or

''(ii) $400,000,000 for each of fiscal years 2003 through 2006.

''(B) PARTICIPATION BY DONOR COUNTRIES.—If the Secretary determines for any of fiscal years 2004 through 2006 that there is adequate participation in the Program by donor countries, in lieu of the maximum amount authorized for that fiscal year under subparagraph (A)(ii), the amount of funds of the Commodity Credit Corporation uses to carry out this section shall not exceed—

''(i) $525,000,000 for fiscal year 2004;

''(ii) $625,000,000 for fiscal year 2005; or

''(iii) $750,000,000 for fiscal year 2006.

''(3) USE LIMITATIONS.—Of the funds provided under paragraph (2), the Secretary may use to carry out subsection (h)(3), not more than—

''(A) $40,000,000 for fiscal year 2002;

''(B) $50,000,000 for fiscal year 2003;

''(C) $60,000,000 for fiscal year 2004;

''(D) $70,000,000 for fiscal year 2005; or

''(E) $80,000,000 for fiscal year 2006.''.

SEC. 3. CONFORMING AMENDMENTS.

(a) Section 401(a) of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1731(a)) is amended by inserting ''(other than section 417)'' after ''this Act'' each place it appears.

(b) Section 404(b)(4) of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1734(b)(4)) is amended by inserting ''with respect to agreements entered into under this Act (other than section 417),'' after ''(4)''.

(c) Section 406(d) of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1736(d)) is amended by inserting ''(other than section 417)'' after ''this Act''.

(d) Section 408 of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1736b) is amended by inserting ''(other than section 417)'' after ''this Act''.

(e) Section 412(b)(1) of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1736f(b)(1)) is amended by inserting ''(other than section 417)'' after ''this Act'' each place it appears.

Mr. LEAHY. Mr. President, today we introduce the George McGovern-Robert Dole International Food for Education and Child Nutrition Act of 2001.

This is a momentous day for needy children around the world. And it is America's opportunity to embark on a bold venture that can have unexpected benefits, and advance world peace and understanding.

The name of our legislation honors two great leaders, and two great friends, Ambassador George McGovern and Senator Bob Dole. It was a privilege for me to serve on the Senate Agriculture, Nutrition and Forestry Committee with both of them for many years. I have known both of them for years and they know that each hungry child is an empty promise.

Nutrition is the key not only to health but to education and economic progress in many developing societies. This initiative taps America's agricultural bounty to become a catalyst for real and lasting change in many struggling nations. This bill can literally change the world.

I am thrilled that Chairman TOM HARKIN will join with ranking member DICK LUGAR and me on this Senate bill. It would be hard to find, in the last 13 years, a nutrition or agriculture bill sponsored by Senator LUGAR, Senator HARKIN and me—that is not now the law of the land.

We are pleased to have Senator DEWINE with us in this effort. I work with him on the Judiciary Committee and I know he is a strong fighter for children. Senators KOHL, DORGAN, DASHLE, KENNEDY, DURBIN, CONRAD, JOHNSON, LANDRIEU, and DAYTON are also on the bill. Each, in their own right, are leaders in protecting children.

This bill will make private voluntary organizations and the World Food Program full partners with USDA in implementing this bold education and child nutrition vision. I want to make clear that the bill unambiguously provides that PVOs are full partners with USDA, just as the WFP will be.

Ambassador George McGovern has said about this effort that, ''Dollar for dollar it is the best investment we can make in creating a healthier, better educated and more effective global citizenry.'' He spoke of how the program would be of ''enormous benefit'' to the education of girls, since in Third World countries parents will also send girls to school if meals are offered.

I want to point out that one Catholic Relief Services project offering meals and education in Ghana has seen the ''number of girls enrolled in school jump by 88 percent, and their attendance rose by 50 percent.'' In Pakistan, the World Food Program offered cooking oil to families if they sent their

children, especially girls, to school. The parents' response was overwhelming and the ''enrollment of girls has doubled.'' In similar projects in Niger ''girls' attendance rose by 75 percent, and by 100 percent in Morocco.''

This is clearly a great idea for children who otherwise may have no hope, and no future.

Most beginnings rarely seem momentous at the time, and then, looking back, every detail is studied by students and scholars and meaning is attached to every step. I want to chronicle some aspects of this beginning when memories are fresh.

I will again mention my good friend Ambassador George McGovern. First, I appreciate that President George W. Bush decided to keep George McGovern on as Ambassador to the U.N. food agencies in Rome, Italy. This demonstrated a keen bipartisan spirit, and the best choice for the job.

Last year, George McGovern authored a paper setting forth a bold vision for a multinational effort to provide meals to children in school settings. He is an expert having worked on school lunch issues during his eighteen years on the Agriculture, Nutrition and Forestry Committee, as a Director of the Food for Peace program, and now as U.S. Ambassador to the U.N. food agencies.

He further explained this bold vision at Senate Agriculture Committee hearing on July 27, 2000. What a pleasure it was for me to listen to both Ambassador McGovern and Former Majority Leader Bob Dole at this hearing presided over by my friend and colleague, then Chairman DICK LUGAR. The hearing featured two giants in the history of nutrition programs adding another chapter to their legacies, under the watchful eye of a very decent, intelligent, and understanding Senator, Senator LUGAR, who cares about the state of the world.

At the hearing, George McGovern said that ''if we could achieve the goal of reaching 300 million hungry children with one good meal every day, that would transform life on this planet.'' He pointed out another significant benefit in that ''it would raise the income of American farmers and those in other countries that have farm surpluses.''

Senator Dole, another giant in the history of nutrition programs, supported this vision and commended the Clinton administration for launching a $300 million school feeding pilot program to feed hungry children throughout the world. He said, ''I can think of no better solution to the problem [of agricultural surpluses] than to support a program that will help our farmers while putting food in the stomachs of desperately hungry and malnourished children.''

This brings me to another leading player in this bipartisan effort, former President William Clinton. He elevated these issues by raising the idea at the G8 meeting in Okinawa, Japan, in July, 2000. He urged the eight industrialized democracies at the start of the new millennium to contribute some of their wealth, natural resources and goodness to help the next generation of the world. The President announced this $300 million Global Food for Education Initiative to feed hungry children and pledged to work with other nations to seek support and contributions from them. This gave the McGovern-Dole proposal new force and captured the interest and attention of other nations. The President's staff, including Tom Friendman and chief of staff John Podesta, worked diligently to get this program off the ground and dedicated career staff at USDA, including Richard Fritz and Mary Chambliss, worked long hours to launch the President's initiative.

At that same hearing, then Secretary Dan Glickman noted that worldwide 120 million children are not enrolled in school and that tens of millions drop out before achieving basic literacy. He explained how a global school meals program would reduce the incidence of child labor and have the potential to raise academic performance and increase literacy rates. He noted what a draw school meals can be, when a school feeding program in the Dominican Republic was temporarily suspended, 25 percent of the children dropped out of school.

Another tremendous force in the history of this initiative is Catherine Bertini, the Executive Director of the World Food Program. I have known Cathy since I first met her when she was being confirmed as Assistant Secretary of Agriculture for Food and Consumer Service over a decade ago, under President George Bush.

She was an outstanding and creative leader in that job and I was happy to support her for the World Food Program position. I treasure memories of a detailed briefing she gave my wife, Marcelle, and me at her apartment in Rome, Italy. Her concern for hungry children, her command of the facts and her extreme competence and management abilities have made her a truly outstanding director.

In an interesting coincidence, my chief advisor and legal counsel on nutrition policies since 1987, Ed Barron, has been a friend of Cathy's since high school. He went to school in Homer, NY, and Cathy attended neighboring Cortland High School.

Cathy explained that in one original idea the WFP offered ''take home'' food to a family for every month that a girl attended school regularly. Cathy noted that ''the results have been dramatic'' as school attendance greatly increased. Cathy proposed some great principles that, I agree, should be followed. Such an international feeding program should be sustainable, it should be mostly school-based, and it should be targeted to the most needy. Of course, we need to employ a loose definition of school, since a teacher can teach and school children can learn in practically any setting.

In addition, she noted that the United States should use its special knowledge and experience to help other countries develop these programs. USDA and US AID experts should make periodic visits to work with national personnel and PVOs and others to build capacity and sustainable projects.

Joseph Scalise who represents the World Food Program here in Washington, D.C. has done a wonderful job keeping me and my staff informed of developments regarding WFP efforts and views.

Another major force in international feeding efforts is Ellen Levinson. As Executive Director of the Coalition for Food Aid, she has done a very effective job representing many private voluntary organizations who provide food and other assistance throughout the world. She is a strong advocate for an integrated approach for physical and cognitive child development, with a focus on much more than just a meal or food ration. In addition to food assistance, Ellen wants the initiative to provide quality education and development.

Another leader in the area has been my good friend Marshall Matz. He has been a vigorous advocate and friendly adviser in this effort.

I also want to mention Elizabeth Darrow of my staff who has played a major role in helping organize this effort and making sure we kept it on track.

This bill has been greatly advanced by staff of Senators HARKIN and LUGER. Chief of Staff Mark Halverson and chief economist Stephanie Mercier attended many meetings and helped craft a fine bill. The Republican Chief of Staff for the Committee, Keith Luse, and his staff including Chris Salisbury, Dave Johnson and Michael Knipe, provided extremely useful guidance and advice about how best to structure this program and help ensure that the benefits get delivered to needy children. This was truly a team effort.

As always, the outstanding drafting skills of Gary Endicott of Senate Legislative Counsel are much appreciated. I have many times recognized his tremendous service to the Senate.

Congressman JIM MCGOVERN and Congresswoman JO ANN EMERSON, along with Congressman TONY HALL and others, recognized the bold potential of this effort right from the start. Many staff working for the other body provided a great deal of assistance, but Cindy Buhl needs to be especially recognized for her long hours of work, and dedication to the project. Cindy, and her boss JIM MCGOVERN, took command

of this effort and deserve a lot of credit.

This bipartisan, bicameral effort, now looks to the new Administration for assistance. I, and all my colleagues, are eager to work with the Bush White House and Secretary Veneman to make this international education and child nutrition initiative a success. It may be imperative to have the President extend the current pilot program for one more year to insure continuity of service, and to provide an opportunity to work out all the kinks in a new project. The President could provide additional funding out of the Commodity Credit Corporation to help us bridge the gap.

I also want to thank the GAO team that is working on analyzing the current effort. The GAO is helping to provide valuable advice on how to improve this effort.

I want to briefly mention some thoughts from Ambassador McGovern's book, ''The Third Freedom.'' He begins with: ''Hunger is a political condition. The earth has enough knowledge and resources to eradicate this ancient scourge.''

I completely agree—and because addressing hunger is a moral imperative, the U.S. should lead the way. I am very hopeful that many nations who we have helped in the past—including economic gains in Europe who benefited from our Marshall Plan after WWII—will follow our lead and offer food, technical assistance and financial aid.

I look forward to working with my colleagues on this legislative and moral effort.

Mr. KENNEDY. Mr. President, I am proud to join so many of my colleagues in sponsoring the global school lunch legislation proposed today by Senators LEAHY and DEWINE. This bill is the product of much hard work by our former colleagues Dole and McGovern, and also by officials at all levels of government, the World Food Program, and the many non-governmental agencies that have pioneered international school feeding programs.

Much has already been accomplished. Under a trial program, the Department of Agriculture is preparing to ship 630,000 tons of wheat, soybeans, rice, dry milk, corn, and other food to nine million children in 38 nations throughout Latin America, Africa, Asia, and Eastern Europe. This legislation will be an important incentive to strengthen the worldwide effort.

Bob Dole and George McGovern worked well together in the Senate to promote child nutrition in America. The results of their landmark National School Lunch program have been impressive—improved nutrition and health, and increased academic performance as well. Their successful school lunch idea can benefit children in need throughout the world.

Hunger remains a painful reality every day for over 300 million children across the globe, and we can do more—much more to combat it. We know the cure for hunger, and I hope that Congress will move quickly to enact this needed legislation.

AMENDMENTS SUBMITTED AND PROPOSED

SA 800. Mr. SCHUMER (for himself and Mrs. BOXER) 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.

SA 801. Mr. DOMENICI submitted an amendment intended to be proposed to amendment SA 358 submitted by Mr. JEFFORDS and intended to be proposed to the bill (S. 1) supra.

SA 802. Mr. HARKIN (for Mr. KENNEDY (for himself and Mr. HARKIN)) proposed an amendment to amendment SA 358 submitted by Mr. JEFFORDS and intended to be proposed to the bill (S. 1) supra.

TEXT OF AMENDMENTS

SA 800. Mr. SCHUMER (for himself and Mrs. BOXER) proposed an amendment to amendment No. 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:

At the appropriate place insert the following:

SEC. 902. SENSE OF THE SENATE ON APPROPRIATION OF ALL FUNDS AUTHORIZED FOR ELEMENTARY AND SECONDARY EDUCATION.

(a) FINDINGS.—The Senate finds that—

(1) President George W. Bush has said that bipartisan education reform will be the cornerstone of his administration and that no child should be left behind;

(2) the Bush administration has said that too many of the neediest students of our Nation are being left behind and that the Federal Government can, and must, help close the achievement gap between disadvantaged students and their peers;

(3) more of the children of our Nation are enrolled in public school today than at any time since 1971;

(4) math and science skills are increasingly important as the global economy transforms into a high tech economy;

(5) last year's Glenn Commission concluded that the most consistent and powerful predictors of student achievement in math and science are whether the student's teacher had full teaching certification and a college major in the field being taught; and

(6) Congress increased appropriations for elementary and secondary education by 20 percent in fiscal year 2001.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that Congress should appropriate all funds authorized for elementary and secondary education in fiscal year 2002.

SA 801. Mr. DOMENICI submitted an amendment intended to be proposed to amendment No. 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:

At the end, add the following:

SEC. . SENSE OF THE SENATE ON EDUCATION FUNDING CONSISTENT WITH THE PRESIDENT'S BUDGET AND THE CONGRESSIONALLY PASSED BUDGET RESOLUTION.

(a) FINDINGS.—The Senate finds that—

(1) President George W. Bush has said that bipartisan education reform will be the cornerstone of his administration, and that no child should be left behind;

(2) The Bush Administration has said that too many of the neediest students of our nation are being left behind and that the Federal Government can, and must, help close the achievement gap between disadvantaged students and their peers;

(3) Congress should devote to high-priority education programs, such as Title I, a substantial portion of the $6.2 billion reserved for domestic discretionary programs in the budget resolution;

(4) The budget resolution assumes substantially increased funding for high priority education programs, including:

(a) $11.0 billion for Title I, Education for the Disadvantaged, including $9.1 billion for grants to local educational agencies and $975 million for new Reading First programs;

(b) $8.7 billion for programs under the Individuals with Disabilities Education Act, including $7.6 billion for part B grants to states, a 20 percent increase over last year;

(c) $2.6 billion for teacher quality programs, a 17 percent increase over last year; and

(d) $1.1 billion for Impact Aid, a 14 percent increase over last year;

(5) Spending restraint is necessary to ensure debt reduction and protection of Social Security; and

(6) Congress should pass all 13 appropriations bills consistent with the spending limits and restraints in the concurrent resolution on the budget for fiscal year 2002.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that:

(1) the appropriations committees should fulfill the authorized spending levels in this bill to the extent that it is consistent with the parameters of the budget resolution; and

(2) these spending increases will be ineffective unless they are coupled with a strong, bipartisan education reform plan in accord with the basic principles put forward by the President.

SA 802. Mr. HARKIN (for Mr. KENNEDY (for himself and Mr. HARKIN)) proposed an amendment to amendment No. 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:

At the appropriate place insert the following:

TITLE ____—INDIVIDUALS WITH DISABILITIES

SEC. ____01. DISCIPLINE.

Section 615 of the Individuals with Disabilities Education Act (20 U.S.C. 1415) is amended by adding at the end the following:

''(n) UNIFORM POLICIES.—

''(1) IN GENERAL.—Subject to paragraph (2), and notwithstanding any other provision of this Act, a State educational agency or local educational agency may establish and implement uniform policies regarding discipline applicable to all children under the jurisdiction of the agency to ensure the safety of such children and an appropriate educational atmosphere in the schools under the jurisdiction of the agency.

''(2) LIMITATION.—

''(A) IN GENERAL.—A child with a disability who is removed from the child's regular educational placement under paragraph (1) shall receive a free appropriate public education which may be provided in an alternative educational setting pursuant to Sec. 615K, if the behavior that led to the child's removal is a manifestation of the child's disability, as determined under subparagraphs (B) and (C) of subsection (k)(4).

''(B) MANIFESTATION DETERMINATION.—The manifestation determination shall be made immediately, if possible, but in no case later than 10 school days after school personnel decide to remove the child with a disability from the child's regular educational placement.

''(C) DETERMINATION THAT BEHAVIOR WAS NOT MANIFESTATION OF DISABILITY.—If the result of the manifestation review is a determination that the behavior of the child with a disability was not a manifestation of the child's disability, appropriate school personnel may apply to the child the same relevant disciplinary procedures as would apply to children without a disability.'', except as provided in 612(a)(1).

SEC. ___02. PROCEDURAL SAFEGUARDS.

Section 615 of the Individuals with Disabilities Education Act (20 U.S.C. 1415) (as amended by section ___01) is amended by adding at the end the following:

''(o) DISCIPLINE DETERMINATIONS BY LOCAL AUTHORITY.—

''(1) INDIVIDUAL DETERMINATIONS.—In carrying out any disciplinary policy described in subsection (n)(1), school personnel shall have discretion to consider all germane factors in each individual case and modify any disciplinary action on a case-by-case basis.

''(2) DEFENSE.—Nothing in subsection (n) precludes a child with a disability who is disciplined under such subsection from asserting a defense that the alleged act was unintentional or innocent.

''(3) LIMITATION.—

''(A) REVIEW OF MANIFESTATION DETERMINATION.—If the parents or the local educational agency disagree with a manifestation determination under subsection (n)(2), the parents or the agency may request a review of that determination through the procedures described in subsections (f) through (i).

''(B) PLACEMENT DURING REVIEW.—During the course of any review proceedings under subparagraph (A), the child shall receive a free appropriate public education which may be provided in an alternative educational placement.''.

NOTICES OF HEARINGS

COMMITTEE ON INDIAN AFFAIRS

Mr. INOUYE. Mr. President, I would like to announce that the Committee on Indian Affairs will meet on June 19, 2001, at 10:00 a.m. in room 485 Russell Senate Building to conduct a hearing to receive testimony on the goals and priorities of the member tribes of the Midwest Alliance of Sovereign Tribes for the 107th session of the Congress.

Those wishing additional information may contact Committee staff at 202/224–2251.

COMMITTEE ON INDIAN AFFAIRS

Mr. INOUYE. Mr. President, I would like to announce that the Committee on Indian Affairs will meet on June 21, 2001, at 10:00 a.m. in room 485 Russell Senate Building to conduct a hearing on Native American Program Initiatives at the College and University Level.

Those wishing additional information may contact Committee staff at 202/224–2251.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on June 13, 2001, to conduct a hearing on the nomination of Roger Walton Ferguson, Jr., of Massachusetts, to be a member of the board of Governors of the Federal Reserve System.

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

COMMITTEE ON FOREIGN RELATIONS

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Wednesday, June 13, 2001 at 10:15 a.m. to hold a hearing titled ''The Crisis in Macedonia and U.S. Engagement in the Balkans'' as follows:

Witnesses:

Panel 1: Ambassador James Pardew, Senior Advisor on the Balkans for the Bureau of European Affairs, U.S. Department of State, Washington, DC.

Panel 2: General Wesley K. Clark (USA Ret.), Corporate Consultant, Stephens Group, Inc., Washington, DC.

The Honorable Richard Perle, Resident Fellow, American Enterprise Institute, Washington, DC.

Panel 3: General William Nash (USA Ret.), Senior Fellow and Acting Director of the Center on Preventive Act, Council on Foreign Relations, Washington, DC.

Dr. Daniel P. Serwer, Director, Balkans Initiative, United States Institute of Peace, Washington, DC.

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

COMMITTEE ON GOVERNMENTAL AFFAIRS

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Committee on Governmental Affairs be authorized to meet on Wednesday, June 13, 2001 at 9:30 am for a hearing regarding Economic Issues Associated with the Restructuring of Energy Industries.

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

COMMITTEE ON INDIAN AFFAIRS

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Committee on Indian Affairs be authorized to meet on June 13, 2001, at 9:30 a.m. in room 485 Russell Senate Building to conduct a confirmation hearing on the nomination of Mr. Neal K. McCaleb to be the Assistant Secretary of Indian Affairs, U.S. Department of the Interior.

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

SUBCOMMITTEE ON THE CONSTITUTION

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Committee on the Judiciary Subcommittee on the Constitution be authorized to meet to conduct a hearing on Wednesday, June 13, 2001 at 10:00 a.m. in SD226.

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

SUBCOMMITTEE ON STRATEGIC

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Subcommittee on Strategic of the Committee on Armed Services be authorized to meet during the session of the Senate on Wednesday, June 13, 2001, at 9:30 a.m. in closed session to receive a briefing on the Department of Defense's Missile Defense Strategic Review.

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

PRIVILEGE OF THE FLOOR

Mr. HARKIN. Mr. President, I ask unanimous consent that Adam Hines and Brian Altman, two interns in my office, be granted floor privileges for duration of debate on S. 1.

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

NATIONAL MANUFACTURED HOUSING CONSTRUCTION AND SAFETY STANDARDS ACT OF 1974 CLARIFICATION

Mr. REID. Mr. President, I ask unanimous consent the Senate proceed to the immediate consideration of S. 1029, introduced earlier today by Senators SARBANES, GRAMM, REED of Rhode Island, SHELBY, SCHUMER, ALLARD, BAYH, ENZI, JOHNSON, MIKULSKI, and BOND.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 1029) to clarify the authority of the Department of Housing and Urban Development with respect to the use of fees during fiscal year 2001 for the manufactured housing program.

There being no objection, the Senate proceeded to consider the bill.

Mr. SARBANES. Mr. President, this is a technical correction to last year's Manufactured Housing Improvement Act. I ask for its immediate approval. This legislation is being cosponsored by Senators GRAMM, REED, SHELBY, ALLARD, BAYH, ENZI, SCHUMER, and BOND.

Last year, in a bipartisan effort, Congress passed the ''American Homeownership and Economic Opportunity Act of 2000.'' Title VI of that law is the ''Manufactured Housing Improvement Act'' originally introduced by Senators SHELBY, BAYH, JOHNSON, and others. Unfortunately due to a technical problem with the law, the manufactured housing program, run by HUD, may be

forced to shut down as early as next week.

Last year's legislation was the result of extensive bipartisan negotiations, and negotiations with industry and consumer groups, all of whom supported the final product. The legislation passed by unanimous consent in both the Senate and the House. The new law enacted is a long-overdue and significant streamlining and reform of the manufactured housing program. It also provides expanded consumer protections, improved safety requirements, and a process that allows for faster updating of regulations.

The manufactured housing program is funded through fees HUD levies on the industry. Prior to the new Act, HUD could spend those funds as needed. However, to maintain better oversight of the program, the new law made the spending of the fees subject to appropriations.

Unfortunately, the Manufactured Housing Improvement Act passed after the VA–HUD appropriations bill, so the appropriators could make no provision for the spending of the funds HUD has collected since the Manufactured Housing Improvement Act passed on December 27, 2000.

As a result, HUD has continued to collect the fees, but it is unable to spend them without specific authorization in an appropriations bill to do so. Clearly it was not our intent for this to happen. The legislation my colleagues and I are introducing today will allow HUD to continue to run the program until the next VA–HUD Appropriations bill passes. I also want to be clear that these funds are subject to all other requirements contained in the National Housing Construction and Safety Standards Act of 1974.

I ask that it be passed.

Mr. REID. Mr. President, I ask unanimous consent the bill be read three times and passed, the motion to reconsider be laid upon the table, and that any statement relating thereto be printed in the RECORD, with no intervening action.

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

The bill (S. 1029) was read the third time and passed, as follows:

S. 1029

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. MANUFACTURED HOUSING.

(a) AVAILABILITY OF FEES.—Notwithstanding section 620(e)(2) of the National Manufactured Housing Construction and Safety Standards Act of 1974 (42 U.S.C. 5419(e)(2)), any fees collected under that Act, including any fees collected before the date of enactment of the American Homeownership and Economic Opportunity Act of 2000 (12 U.S.C. 1701 note) and remaining unobligated on the date of enactment of this Act, shall be available for expenditure to offset the expenses incurred by the Secretary under the National Manufactured Housing Construction and Safety Standards Act of 1974 (42 U.S.C. 5401 et seq.), otherwise in accordance with section 620 of that Act.

(b) DURATION.—The authority for the use of fees provided for in subsection (a) shall remain in effect during the period beginning in fiscal year 2001 and ending on the effective date of the first appropriations Act referred to in section 620(e)(2) of the National Manufactured Housing Construction and Safety Standards Act of 1974 (42 U.S.C. 5419(e)(2)) that is enacted with respect to a fiscal year after fiscal year 2001.

ORDERS FOR THURSDAY, JUNE 14, 2001

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until the hour of 9 a.m. tomorrow, Thursday, June 14. I also ask unanimous consent that on Thursday, immediately following the prayer and the pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day, and the Senate resume consideration of S. 1, the education authorization bill; further, at 1 p.m. there be a period for morning business until 2 p.m., with Senators permitted to speak for up to 5 minutes each, with the following exceptions: Senator KYL would be allowed to speak from 1 until 1:30 p.m., Senator HOLLINGS would be allowed to speak for 5 minutes, Senator AKAKA for 15 minutes, and Senator DURBIN for 10 minutes.

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

PROGRAM

Mr. REID. Mr. President, tomorrow the Senate will convene at 9 a.m. and resume consideration of the education bill. At that time there will be 60 minutes of total debate time on the Harkin and Sessions IDEA amendments. Therefore, there will be two rollcall votes beginning at approximately 10 a.m. The first vote will be on the Harkin amendment. Additional rollcall votes are expected as the Senate works to complete action on the education bill this week.

The two managers of the bill, Senator KENNEDY and Senator JUDD GREGG of New Hampshire, have worked very hard on this legislation. However, Senator DASCHLE has indicated we are going to stay here tomorrow until we complete this bill. We have a number of things lined up after the Sessions and Harkin amendments. We expect we will complete a couple of difficult amendments shortly. But we hope early afternoon we can complete this legislation.

I repeat, Senator DASCHLE said we are going to stay here tomorrow and if we have to work through the night into Friday, we are going to complete this legislation. We have worked very hard to complete scores of amendments this week. We have a big day ahead of us tomorrow, but I think if we complete this bill, it is quite clear we will be out on Friday.

ADJOURNMENT UNTIL 9 A.M. TOMORROW

Mr. REID. Mr. President, if there is no further business to come before the Senate, I now ask unanimous consent the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 7:49 p.m., adjourned until Thursday, June 14, 2001, at 9 a.m.

EXTENSIONS OF REMARKS

IN HONOR OF LILLIAN WALLACE

HON. SHELLEY BERKLEY

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 13, 2001

Ms. BERKLEY. Mr. Speaker, I would like to recognize a remarkable citizen, Mrs. Lillian Wallace, for her continued dedication and service to the people of Nevada. Lillian is being honored on the occasion of her 90th birthday. She was born on June 13, 1911, in New Haven, Connecticut.

Lillian and her late husband Julian founded Seniors United in 1982 in Las Vegas. The purpose of Seniors United is to educate the senior population about the importance of becoming politically active, knowledgeable, and involved Under Lillian's leadership, this organization has prospered.

Over the years, Lillian has received numerous community awards and has been actively involved with the Retired Seniors Volunteer Programs, the Jewish Federation, City of Hope, Mobilehome Owners League of Nevada, American Cancer Foundation and the American Heart Association.

Lillian has devoted her entire life to seeking and finding ways of assisting those who need help. She serves as a true model of a woman who is dedicated to serving her community.

CONGRESSIONAL UNDERFUNDING OF IDEA HURTS LOCAL SCHOOLS

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 13, 2001

Mr. LANTOS. Mr. Speaker, when the House considered President Bush's education reform bill last month the rule imposed by the Majority for consideration of that legislation did not permit amendments to be offered to address the urgent need for increased education funding of the Individuals with Disabilities Education Act (IDEA). As a result, local school districts across our nation will continue to be forced to cut important local programs.

Mr. Speaker, as recently as the early 1970's, it was documented that some two million children were receiving no education whatsoever, many because of physical or learning disabilities. In response to this terrible injustice, Congress enacted the Education for All Handicapped Children Act in 1975. Later renamed the Individuals with Disabilities Education Act (IDEA), the law guarantees equal educational opportunities for all children. As a result of this legislation, some six million children with disabilities between the ages of three and twenty-one are receiving an education today—children who probably would not have that opportunity without this legislation.

Mr. Speaker, Congress pledged itself to fund IDEA at a level providing local schools with 40% of the additional funds required to educate children with special needs. In the 4 years since Congress established this goal, we have failed to appropriate the necessary funds for IDEA. By continuously under-funding IDEA, we are placing unnecessary burdens on local school budgets. It is an outrage that should have been rectified during debate and consideration of the President's education reform bill.

Mr. Speaker, underfunding of IDEA has lead to a competition between special education and regular education in virtually every school district in our nation, because local and federal funding available is simply too small to meet the education requirements. In order to fund both special and regular education to the best of their ability, school districts have had to cut critical services from their budgets.

Mr. Speaker, the Belmont-Redwood Shores School district, which is located in my congressional district, provides us with an excellent example of the burden which the Congress' failure to fully fund IDEA places on local school districts. The Board of Trustees of the Belmont-Redwood Shores Elementary School District recently met to discuss whether they should give teachers a much needed cost of living raise or cut programs and personnel from elementary schools in the district. The programs and personnel considered for elimination include the elementary school music program, one assistant principal, two custodians, as well as an English as a Second Language teacher. The board also considered cutting a counseling program, cutting back on technology equipment, or not making necessary repairs to audio/visual equipment. Mr. Speaker, these unfortunate and unnecessary budget cuts could have been easily avoided if Congress had simply met its commitment to fully fund IDEA.

Providing quality education for all students, including those with disabilities, requires federal assistance to aid states and school districts provide these necessary services. Lack of funding leads school administrators to make decisions that are not in the best interests of students, but decisions dictated by budget considerations. Congress' broken pledge to fully fund IDEA has made schools seek to reduce the number of students classified as special needs or to restrict the services available to all students. The lack of sufficient funding to meet the needs of students with disabilities also places considerable strain on the entire school budget as administrators are forced to increase tax revenue or cut other critical programs in order to provide IDEA services.

Mr. Speaker, Congress must follow through on its pledge to support fully special education. I regret the Majority leadership's decision to make local school districts choose between educating children with special needs and eliminating other important school services. The needs of children with disabilities should never be pitted against other important educational needs of our nation's children. I urge my colleagues to join me allowing a complete debate and a vote on the full funding of IDEA.

INDIA PURSUES MISSILE DEFENSE IN IS DRIVE FOR HEGEMONY

HON. DAN BURTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 13, 2001

Mr. BURTON of Indiana. Mr. Speaker, on June 6, the French news agency, Agence France Presse, reported that Russia offered to provide an anti-missile system to India, which Indian "defense expert" Uday Bhaksur called a "desirable development." This offer comes from the same Russian government that has told us that we cannot build a missile defense system because of the ABM treaty. It is ironic that Russia is vigorously opposing our missile defense efforts while providing an anti-missile system to a country that has a longstanding tradition of opposing America on a variety of issues and in a variety of foreign policy forum.

For example, India, a country which supported the former Soviet Union's invasion of Afghanistan, recently voted with China to table a U.S. resolution at the United Nations against Chinese human-rights violations. India later voted to remove America from the U.N. Human Rights Commission. In fact, India votes against the United States at the U.N. more often than any country except Cuba. We should not forget that in May 1999, the Indian Express reported that Defense Minister George Fernandes convened and led a meeting with the Ambassadors from Red China, Cuba, Russia, Yugoslavia, Iraq, and Libya. According to this article, the aim of this meeting was to set up a security alliance "to stop the United States."

According to the Council of Khalistan, India has murdered over 250,000 Sikhs since June 1984 when it attacked the Golden temple, the Sikh religion's holiest shrine. According to a recent report from the Movement Against State Repression, India admitted to holding over 52,000 Sikh political prisoners without charge or trial. Just recently, five Indian troops were overwhelmed when they were trying to set fire to a Gurdwara and some Sikh homes in Kashmir to set Sikhs and Muslims against each other. Both Sikh and Muslim residents of the village came out to stop the troops from burning down the houses and the Gurdwara. Two reports accuse the Indian government of killing 35 Sikhs in Chithi Singhpora in March 2000. By some calculations, India has also killed more than 75,000 Muslims in Kashmir.

Other reports indicate that the Indian government has killed tens of thousands of Dalit "untouchables," Assamese, Tamils, Manipuris, and other minorities.

Since Christmas 1998, India has pursued a policy of terror against Christians. A missionary named Graham Staines, who was running a program to help treat leprosy, was burned to death in his jeep, along with his two sons, ages eight to ten, while the killers surrounded the jeep and chanted "Victory to Hannuman," a Hindu god. This wave of terror has been characterized by church burnings, the murder of priests, the rape of nuns (supporters of the RSS, the parent organization of the ruling BJP described these murders as "patriotic"), attacks on prayer halls, and attacks on Christian schools. Reports indicate that over 200,000 Christians have been killed by the Indian government since 1947.

Mr. Speaker, America should not support this military provocation and human-rights abuse. We should stop all our aid to India until the human rights violations have ceased. We should also support the fundamental right of all peoples to self-determination. Whether it is the Sikhs of Khalistan, the Kashmiris in Indian-occupied Kashmir, or the people of Nagalim, all peoples and all nations should have the right to govern themselves. States which rule through the force of violence are destined to collapse. In the case of India, it is better that this happens peacefully like the Soviet breakup. We do not want another Yugoslavia in South Asia. And when all the people and nations of South Asia have achieved freedom, our help will bring us new allies in that troubled region.

Mr. Speaker, I would like to place the Agence France Presse article into the RECORD for the information of my colleagues.

[From the Agence France Presse, June 6, 2001]

INDIAN EXPERT WELCOMES RUSSIA'S ANTI-MISSILE OFFER

NEW DELHI, June 6 (AFP).—Russia's offer to develop a national missile defence system for India is a ''desirable development'', an Indian defence expert said Wednesday.

''India should definitely says, 'We would like more details' It is a very desirable development,'' Institute of Defence Studies and Analysis deputy director Uday Bhaskar told AFP.

''This gives a sense of the direction that Indo-Russian strategic cooperation is likely to take,'' he added.

Russian Deputy Prime Minister Ilya Klebanov, who is holding talks with Indian Foreign Minister Jaswant Singh in Moscow, unexpectedly announced Wednesday that Russia would shortly make a full proposal on the system. Indian defence ministry officials in New Delhi declined to comment.

''The political intent now to pursue defence or even missile defences of deterrence is now becoming more palpable and evident,'' Bhaskar said.

U.S. Deputy Secretary of State Richard Armitage visited India last month to talk to leaders about the U.S. plan to build a missile defence shield, which India has partially supported.

Moscow has traditionally enjoyed warm ties with India, which is currently engaged in a nuclear arms race with arch-rival Pakistan.

However, Russia has expressed concern about India's initial warm response to the U.S. missile defense shield.

Bhaskar said India was correct to hold discussions with other world powers on the issue. ''If India is talking to the Americans, then they should also talk to the others,'' Bhaskar said. Klebanov also said India and Russia would cooperate on the development ''of the latest type of submarine''. The two sides also agreed to jointly develop an Il-214 military cargo plane.

CHARITABLE GIVING IN SOUTH CAROLINA AND THE SOUPER BOWL OF CARING

HON. FLOYD SPENCE

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 13, 2001

Mr. SPENCE. Mr. Speaker, I rise to bring to the attention of the House two articles relating to involvement in charitable giving by South Carolinians. The first article, from the May/June 2001 issue of Columbia Metropolitan Magazine, is entitled, 'Gracious Giving—South Carolina is High on the 'Generosity Index'.' This article focuses on the results of a recently published national survey by the National Center for Charitable Statistics, of the Urban Institute, which found that South Carolina is ranked 37th nationally in adjusted gross income, yet, it is "10th among all states in generosity to charitable organizations." The article contains a photograph, which was taken of Reverend Brad Smith and members of the congregation of Spring Valley Presbyterian Church, in Columbia, South Carolina, as donations were being collected, at the doors of the Church, for the Souper Bowl of Caring. Reverend Smith is the founder of the Souper Bowl of Caring, which raised $4 million through 15,000 congregations on Super Bowl Sunday, this year. The second article,which I am incorporating in my remarks, is from the Winter 1998–99 issue of Sandlapper Magazine, and it is entitled, "From One Small Seed—A Super Bowl Sunday Charity Started by Columbia Youth Quickly Went National." This article provides an interesting account of the development of the Souper Bowl of Caring, from the initial effort in Columbia, South Carolina, in 1990, through its growth to all fifty States, as well as Puerto Rico and Canada, today. During the past eleven years, the Souper Bowl of Caring has raised $14 million for the benefit of needy persons.

Mr. Speaker, as the Congress and the Bush Administration address initiatives concerning the efforts of religious groups to improve the lives of those who are in need, I believe that the following articles should serve to inspire each of us. At this point, I am pleased to include the previously referenced articles for the attention of the house.

[From Columbia Metropolitan Magazine, May/June 2001]

GRACIOUS GIVING—SOUTH CAROLINA IS HIGH ON THE ''GENEROSITY INDEX''

(By Reba Hull Campbell)

South Carolinians are a generous lot, according to a national study that compares charitable giving by individuals in all 50 states. The Urban Institute's National Center for Charitable Statistics ranks South Carolina 10th among all states in comparing charitable giving to adjusted gross income.

The Institute's ''Generosity Index'' puts South Carolina in the top 10 most giving states, along with fellow Bible Belt states of Mississippi, Arkansas, Louisiana, Tennessee and Alabama. Others in the top 10 include Utah, Oklahoma, South Dakota and North Dakota. Northeastern states of New Jersey, New Hampshire and Massachusetts fell at the bottom of the list.

According to the study, South Carolina falls 37th nationally in adjusted average gross income, but ranks 10th among all states in generosity to charitable organizations. The study was based on each state's average adjusted gross income compared to average itemized charitable deductions.

The average charitable contribution by South Carolinians is $3,469. That's compared to Mississippi ranked 49th in adjusted gross income, at $4,070 and Massachusetts, ranked number four in income, with just $2,645 in average contributions. In a state as small, rural and, in many areas, poor, as South Carolina, it's logical to pose the question of why its citizens have such a high giving average when they have less to give than individuals in many wealthier states.

As reflected in its previous studies on charitable giving, the Urban Institute says income level doesn't necessarily parallel charitable giving. Leaders in several Midlands are non-profit organizations agree, saying that while good economic times do encourage increased giving, South Carolinians have consistently shown their inclination to be cognizant of the needs of others and support charitable giving through religious and human service organizations. The Urban Institute found that over half the funds raised for the more than 2,000 registered charitable groups in South Carolina go to health and human service or religious organizations, reflecting South Carolina citizens' willingness to help their neighbors in need.

The survey found that Bible Belt states, plus Utah, were the most generous in their giving habits. These states are home to strong populations of evangelical Christians and Mormons, both of whom tend to tithe at higher levels. Northern states, which rank lower on the giving scale, are home to more Catholics, who Urban Institute experts say tend to give at lower levels.

Strong religious roots in South Carolina definitely influence giving habits, says Mac Bennett, executive director of the Central Carolina Community Foundation. ''We are part of the Bible Belt and a significant amount of the giving is to religious organizations. Also, I think religious influences teach stewardship and a sensitivity to those with special needs that are not met by government.''

Erin Hardwick, executive director of the South Carolina Association of Non-profit Organizations, agrees. ''A correlation exists between involvement in religious organizations and the level of giving. Of all charitable contributions, more than 60 percent go to religious organizations.''

A study by The Independent Sector, a national organization supporting research and excellence for non-profits, reinforces this strong relationship tying religious involvement to charitable giving. Nationally, the average donation to religious organizations increased in current dollars from $686 in 1995 to $1,002 in 1998.

Mac says the fact that South Carolina falls high on the ''generosity index'' is not a surprise. ''I think philanthropy in our state is founded on this simple sense of responsibility to help other people, whether it's volunteering, sharing a meal or donating financial resources. There is a concern for human

kind—philo, the Latin root, translates to ''for the love of man.''

Joan Fail, executive director of Communities in Schools in Columbia, agrees and makes similar observations about local giving trends from her experiences at CIS and previously with the Nurturing Center. ''I've seen very strong support from individual giving in the 11 years I've been in the non-profit sector. Whether it's a good economy or bad, South Carolinians are just giving people.''

Erin believes South Carolina's recent strong charitable giving record can be attributed to two factors—a strong economy and the fact that people give to causes close to their communities and families.

''A strong economy, including a decline in unemployment, leads to increased household giving. The level of giving is affected by a person's concern about the future, and the strong economy has reduced anxiety about the future,'' Erin says.

She points to the Independent Sector study, noting that people do tend to give more as their financial security increases. The decision to give is often influenced by whether individuals have sufficient disposable income. On a national level, this report indicates an increase in the percentage of respondents who reported giving a larger amount, up to 24 percent in 1999 from 21 percent in 1996.

While good economic conditions do make for better times in the non-profit sector, Joan does caution against a giver's income level as the sole organizations when identifying potential donors.

''What always surprises me is that I find those people who have less disposable income actually give a much higher percentage of what they have than those who have more,'' Joan says. ''That has taught me many valuable lessons, and I never make an assumption about whether someone may give based on income. I've seen studies that indicate people actually give more if they pay higher taxes rather than lower taxes, disputing the assumption that lower taxes mean increased disposable income for charitable contributions.''

So today, with the apparent plateau of economic conditions around the corner, should non-profits be concerned with declining contributions? Not necessarily. Erin says, ''People give to people. They give to local concerns or causes in which they have some connection. It's a personal decision.''

She notes that three factors generally influence people to give to charitable causes—being asked by someone, through participation in an organization or through a family member or relative. Even in an economic downturn, these personal factors are unlikely to change.

[From the Sandlapper magazine, Winter 1998–99]

FROM ONE SMALL SEED . . . . A SUPER BOWL SUNDAY CHARITY STARTED BY COLUMBIA YOUTH QUICKLY WENT NATIONAL

(By Margaret N. O'Shea)

The Rev. Brad Smith often thinks of the tiny seed he tossed into his senior youth group at Spring Valley Presbyterian Church in Columbia that winter Sunday nine years ago, because its phenomenal growth has changed his life and the lives of countless others. It was a simple line in a prayer: ''Lord, as we enjoy the Super Bowl football game, help us to be mindful of those among us without even a bowl of soup to eat.'' But such seeds fall on fertile ground in the generous South, where people instinctively respond to a neighbor's need—or a stranger's—with casseroles and kindness.

Not even the sower could envision how that single seed would flourish. But youth in the church seized the notion and nurtured it. By the 1990 Super Bowl, they had mobilized it. By the 1990 Super Bowl, they had mobilized other young people in 22 Columbia-area churches to collect one dollar each and cans of food from worshipers as they left to go home, filling soup kettles with the donations for local food banks and soup kitchens. They scored $5,700 and vowed to top it the next year. They did . . . over and over again. In time, more than 125 churches in Richland and Lexington counties were familiar with the kettles and bowls used to collect donations, and churches in other states were borrowing the idea. In 1995, what the Spring Valley youth enthusiastically dubbed ''The Souper Bowl'' went national.

With its roots in midland South Carolina, it is today a charity branching nationwide and affirming the miracles that can occur when enough people give just a little. Last Super Bowl Sunday, it inspired people in all 50 states and Canada to toss $1.7 million into soup cauldrons at churches and community centers to help feed the hungry or meet other needs in their local neighborhoods. Now, every year while Americans are riveted on a football game that determines a national championship, more and more of them also focus, however briefly, on the Souper Bowl, which defines a national conscience. It is a simple way for ordinary people to make a difference.

The challenge has been to keep simple a sweeping movement that now has thousands of volunteers, at least 8,000 local branches, corporate sponsors and 10 professional football teams behind it, and high-tech support to keep track of donations. All the money remains in the communities where it is collected; local groups choose where to give the cash and food. Totals are reported to a phone bank in Columbia or logged on the Internet.

The numbers help participants see more clearly what their own contributions, however small, can do when added to others'. ''In an age when young people are bombarded with cynicism, it's important for them to know that by God's grace, they can make a difference in the world,'' Smith says. ''We are so divided as a country in so many ways. Republican and Democrat. Rich and poor. Black and white. Young and old. The Super Bowl is a rivalry. But our Souper Bowl transcends differences. It brings diverse people with different backgrounds, different opinions, different faiths, together for a common purpose, and together they make a tremendous difference. Just knowing that changes the way many of our young people choose to live the rest of their lives.''

On the Internet—and wherever the Souper Bowl of Caring, as it's now called, is discussed—the football images are tempting. Youth carry the ball. Donors score. Teams win. A youth group in Virginia is called for clipping after challenging their pastor to shave his beard when their collections reach a goal. Some churches blitz their communities with flyers and letters and phone calls. On the Web site, donated by South Carolina SuperNet, football icons offer links to a playbook, coaches' corner, player profiles, and a chance to score a touchdown on a hunger quiz. Prior years' statistics are retired numbers, of course.

But for Brad Smith, the mustard seed is the image to remember. He recalls the half dozen teenagers who showed up after school to brainstorm about the first Souper Bowl. Each had friends who attended other churches and schools and agreed to call them. One by one, those churches joined the effort. Later, as young people went away to college or moved to other cities, they would in the same way get their new churches involved in giving. Each year would bring younger brothers and sisters of kids who'd been involved earlier on, stuffing envelopes with press releases for out-of-state newspapers, making phone calls, manning the phone bank, distributing posters, holding the cauldrons.

When the Souper Bowl first began to spread to other states, it was still through the word-of-mouth concept. Pennsylvania, the state that always comes closest to South Carolina's contributions and once has even surpassed us, began participating after a Lutheran layman in his 80s heard about the program while vacationing in Myrtle Beach and took the idea home.

Laura Bykowski, a Spring Valley volunteer who ''retired'' from a marketing career to raise a family, has used her child's naptime to ply those marketing skills for the Souper Bowl. As a result, professional football players agreed to make public service announcements and nearly a dozen teams, including the Carolina Panthers and Atlanta Falcons, threw their considerable weight behind the Souper Bowl. National Football League star Reggie White and Campbell's Soup launched a nationwide promotional campaign, including radio ads, posters and a press conference in San Diego the Wednesday before the 1998 big game.

Columbian Jim Antley designed and maintains the Web page. Some 30 volunteers help enter data. Frank Imhoff compiled the database.

But it's still the energy of youth that drives the Souper Bowl of Caring. Local tradition is at least one all-night workathon, where young people gather at the Spring Valley church social hall to share pizza, watch a Monty Python movie, stuff envelopes and lick stamps until dawn. And youth make up the bulk of the volunteers who do the actual work on Super Bowl Sunday.

Last year, about a thousand churches and organizations used the Internet to report their donations, but seven times that number telephoned on Super Bowl Sunday, calling into a 50-line phone bank contributed by Blue Cross/Blue Shield. Other companies have offered support and expertise, usually because someone who works there has asked. Some communities get corporations to match what individuals give.

Yet, the focus remains small. The idea still is to ask for only a dollar, only a can of food. If the amount collected is only about what it takes to pay for a 30-second commercial in the televised football game that day, it is still a monumental blessing for the charities chosen to receive that bounty.

With the phenomenal growth of the Souper Bowl, its original organizers have insisted on maintaining the grassroots character. ''We believe the idea is a gift from God,'' Brad Smith says. ''It is our task to be good stewards of it.''

RIGHT TO ORGANIZE

HON. DAVID E. BONIOR

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 13, 2001

Mr. BONIOR. Mr. Speaker, The Right to Organize is a fundamental right—workers fought, bled and even died for this right.

Workers organize because they want to ensure that their labor is valued . . . they want a voice at work.

About four years ago, we began working with the AFL–CIO to lend our voices as Members of Congress . . . to help build coalitions with workers as they try to organize.

As elected officials, we can join with clergy and other community leaders to ensure that workers have the freedom to choose to join a union.

That's what the 7 Days in June are all about.

We are here today to join the chorus of voices that says: 'Employer interference with workers' choices is unacceptable.'

This year's 7 Days in June . . . 9th through 16th . . . promises to be even bigger than last year when more than 12,000 workers, community leaders and elected officials participated in more than 120 events in 100 cities.

The participation in these events by Members of Congress is important—when we lend our support, we help lift the spirits of those trying to organize.

We also help them win!

You know, there are some things an elected official should do . . . and some things an elected official should not do.

Well, let me tell you, one thing an elected official should never do . . . stand by and watch while a state supported university tries to derail a union organizing drive the way Michigan State University tried to stop its teaching assistants from organizing earlier this year.

That is why last February I began to help the MSU graduate students organize.

Graduate students teach classes, grade papers and do research—they spend up to 30 hours a week working with no medical coverage and minimal compensation . . . and that's on top of their own graduate coursework.

MSU was the only research university in Michigan where teaching assistants did not have collective bargaining rights.

So we got together with the students and the Michigan Federation of Teachers to see what could be done.

We began by gathering signatures on petitions in support of the student organizing drive.

I called MSU President Peter McPherson several times asking that his Administration remain neutral during the organizing campaign.

Some of us in the Michigan Congressional delegation (KILPATRICK, KILDEE & CONYERS) sent a joint letter to President McPherson as well.

As it got close to the vote, I wrote a letter in support of the drive which was published in the student newspaper.

And during the election, a number of us who supported the students stopped by the campaign headquarters.

Together, I believe we made a difference in the lives of these students . . . and I am proud to say there are over 1,200 new union members in the State of Michigan today because of it.

I know a number of my colleagues have similar experiences to share, and I would encourage everyone to look for ways to lend their voice to organizing efforts—when we work together, we build a better place to live for all of us.

VICTORY AT MSU REQUIRED TEAMWORK

(By David Decker)

The successful organizing effort as MSU was a yearlong project. It required a massive amount of work and then when we filed enough cards to get an election, the MSU administration launched an anti-union campaign. Through it all the campaign moved forward by talking one-on-one with the graduate employees from each department at work, on campus and in their homes. As the campaign progressed we added a web site, e-mail list, and a get-out-the-vote phone bank. In addition to organizing the graduate employees we also organized our friends in the U.S. Congress, the Michigan House and Senate, and in organized labor to bring pressure on the MSU administration to stop it's anti-union campaign.

MFT & SRP organizer Jon Curtiss, the BEU organizing staff, steering committee, and department contacts led the organizing effort at MSU. Augmenting Jon and the GEU crew were numerous volunteers from the Graduate Employees Organization (University of Michigan), including President Cedric DeLeon and staffer Mark Dilley who worked the campaign full-time in the closing weeks and from the Graduate Employees Organizing Committee (Wayne State), including President Peter Williams, Glenn Bessemer and staffer Charlie Grose. At key point throughout the campaign MFT & SRP PSRP organizer, Krista Schneider, lent her assistance.

But while the key to the victory, the MSU graduate assistants and staff did not standalone. They received incredible support from elected officials, other labor organizations, and the greater MSU community.

Congressman David Bonior voiced concern to MSU President McPherson directly and in a letter concerning the university's anti-union campaign, and had a letter printed in the State News supporting the organizing drive. Joining Bonior in a letter were U.S. Representatives John Conyers, Carolyn Kilpatrick and Dale Kildee, Congressman Sander Levin also talked with President McPherson expressing his concerns. And Congressman Bart Stupak sent a letter as well.

State Representatives David Woodward (D-Royal Oak), Buzz Thomas (D-Detroit) and Bill McConico (D-Detroit), a member of the Highland Park Federation of Teachers, all stopped by the office to help with the Get Out The Vote Effort. A total of 26 State Legislators signed a letter to President McPherson, State Senator Diane Byrum sent a letter with similar theme.

State Representative Ray Bashamis staffer, Hoon-Yung Hopgood, Senate Democrat Office staffer Dana Houle, and State Democratic Party staffer Dennis Denno all helped with phone calls.

Scores of MSU alumni, including Detroit teachers President Janna Garrison, Metro Detroit AFL-CIO President Don Boggs, Organization of School Administrations President Diann Woodard, labor attorney David Radtke (who also spent a day helping with organizing house calls), wrote President McPherson.

Numerous unions including Operating Engineers Local 547, AFSCME Council 25 and Teamsters Joint Council 43 let the MSU President know what they thought of the anti-union effort, MSU alumnus Jack Finn, Legislative Director of United Food and Commercial Workers Local 876, expressed his thoughts in a letter printed in the State News. SEIU lobbyist Cindy Paul joined in with house calls, while Julie Barton from Jobs For Justice helped with the phone bank. UAW Regional Director Cal Rapson called University Trustees on our behalf.

Michigan State AFL-CIO President Mark Gaffney and the staff—Denise Cook, Ken Fletcher, Mark Alexander and Mary Holbrook provided their support. Former Michigan AFL-CIO President Frank Garrison also made contracts on behalf of the MSU graduate assistants.

The MSU Labor Coalition, headed by Wayne Cass of Operating Engineers Local 547, was there throughout the yearlong campaign as was the Clerical-Technical Union who early on lent us their offices for meetings and at the end helped with the phone bank.

Two MSU Trustees, Board Chair Colleen McNamara, and Trustee Dorothy Gonzalez took all of our calls, met with us, and urged the Administration not to run and anti-union campaign.

THE THREAT TO WORKERS' FREEDOM TO CHOOSE A UNION

The struggles working people face are not exceptions to the rule—when a majority of workers say they want a union, employers routinely threaten their right to make their own free choice with a campaign of coercion, harassment and firings.

Ninety-one percent of employers, when faced with employees who want to join together in a union, force employees to attend closed-door meetings to hear anti-union propaganda; 80 percent require immediate supervisors to attend training sessions on how to attack unions; and 79 percent have supervisors deliver anti-union messages to workers they oversee.

Eighty percent hire outside consultants to run anti-union campaigns, often based on mass psychology and distorting the law.

Half of employers threaten to shut down if employees join together in a union.

In 31 percent of organizing campaigns, employers illegally fire workers just because they want to form a union.

Even after workers go through all this and win a National Labor Relations Board election to form a union, one-third of the time their employer never negotiates a contract with them.

More than at any time in recent history, working people are joining together in unions with the hope of improving our living standards, our communities and our jobs. But as workers succeed, employers are stepping up a campaign of coercion, firings and harassment to block our freedom to make our own decisions about joining a union.

That's why the AFL–CIO and its 13-million-member affiliated unions have begun a broad, long-term campaign to restore the balance needed to project the right of workers to make a free choice to join a union.

Through Voice@Work, unions are helping workers form unions in a new way. Right from a campaign's start, workers reach out to their elected representatives, clergy members and other community leaders to gain support fort their freedom to form a union. Many of these community leaders eagerly back their constituents' efforts to build better lives for their families and help call on employers to avoid intimidation and coercion.

7 Days in June is the annual high point in our effort. We join together—workers, our unions, state federations and central labor councils, community leaders, clergy, public officials and students—to say employer interference with workers' choices is unacceptable. 7 Days in June this year is June 9

through 16. It promises to be even bigger than last year, when more than 12,000 working people, community leaders and elected officials participated in more than 120 events in 100 cities.

Working families will continue to push for a voice at work by telling Americans why workers are struggling to form unions and how their employers are waging a war against them.

TRIBUTE TO MR. MICHAEL M. GLASSON

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 13, 2001

Mr. KILDEE. Mr. Speaker, I rise today to pay tribute to a man who has faithfully served the citizens of Genesee County, Michigan, for 15 years. On June 18, civic, community, and government leaders will join family and friends to honor Mr. Michael M. Glasson, as he retires as County Purchasing Director.

Michael Glasson was born and raised in my hometown of Flint, and holds a Bachelors Degree from Michigan State University and a Masters in Public Administration from Wayne State University. In 1974, he began his career in purchasing, working as a buyer for Hurley Medical Center, which led three years later to his becoming Chief Buyer for the City of Flint, a position he held for nine years. Michael then made the transition from city to county, as he became Purchasing Director for Genesee County in 1986.

As Purchasing Director, Michael helped usher his department into the modern age with the development of new purchasing regulations, the automation of the purchasing process, and the streamlining of the entire department. Under his leadership, the department set a new standard of efficiency and effectiveness.

Michael serves his peers and colleagues as a member and past president of the Michigan Public Purchasing Officers Association, is a Certified Instructor with the National Institute for Governmental Purchasing, and he has also served as an Instructor at Ferris State University and Detroit College of Business. In 1996, he was recognized by the Michigan Public Purchasing Officers Association and awarded the Klang Award for outstanding contributions to government purchasing.

Mr. Speaker, Michael Glasson has been a positive influence on Genesee County government for the last 15 years. The many people he has come in contact with during that time have benefited from his dedication, his attention to detail, and his ability to work with people from all walks of life. I ask my colleagues in the 107th Congress to please join me in congratulating him on his retirement, and wishing him the best of luck in his future endeavors.

CONSCRIPTION POLICIES

HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 13, 2001

Mr. PAUL. Mr. Speaker, I highly recommend to my colleagues the attached article "Turning Eighteen in America: Thoughts on Conscription" by Michael Allen. This article was published in the Internet news magazine Laissez Faire Times. Mr. Allen forcefully makes the point that coercing all young men to register with the federal government so they may be conscripted into military service at the will of politicians is fundamentally inconsistent with the American philosophy of limited government and personal freedom. After all, the unstated premise of a draft is that individuals are owned by the state. Obviously this belief is more consistent with totalitarian systems, such as those found in the Soviet Union, Nazi Germany, Red China, or Castro's Cuba, than with a system based on the idea that all individuals have inalienable rights. No wonder prominent Americans from across the political spectrum such as Ronald Reagan, Milton Friedman, Gary Hart, and Jesse Ventura oppose the draft.

Selective Service is not even a good way of providing an effective military fighting force. As Mr. Allen points out (paraphrasing former Senator Mark Hatfield), the needs of the modern military require career professionals with long-term commitments to the service, not short-term draftees eager to "serve their time" and return to civilian life. The military itself recognizes that Selective Service serves no useful military function. In 1993, the Department of Defense issued a report stating that registration could be stopped "with no effect on military mobilization, no measurable effect on the time it would take to mobilize, and no measurable effect on military recruitment." Yet the American taxpayer has been forced to spend over $500 million on a system "with no measurable effect on military mobilization!"

I have introduced legislation, H.R. 1597, which repeals the Selective Service Act, thus ending a system which violates the rights of millions of young Americans and wastes taxpayer dollars for no legitimate military reason. I urge my colleagues to read Mr. Allen's article then cosponsor HR 1597 and join me in ending a system which is an affront to the principles of liberty our nation was founded upon.

TURNING EIGHTEEN IN AMERICA: THOUGHTS ON CONSCRIPTION

(By Michael R. Allen)

In March of 1967, Senator Mark Hatfield (R–Oregon) proposed legislation that would abolish the practice of military conscription, or the drafting of men who are between 18 and 35 years old. Despite its initial failure, it has been reintroduced in nearly every Congress that has met since then, and has been voted upon as an amendment at least once.

This bill was an excellent proposal that should have never been needed. The dovish Hatfield's arguments in promotion of the bill constituted what is actually the conservative position on the item. In its defense, Hatfield asserted that we need career military men who can adapt to system changes within the context of weaponry. Short-term draftees, maintained Hatfield, would not be particularly adept at utilizing modern technology. More recent efforts to overturn the Selective Service Act have similarly stressed efficiency.

This basic logic is the driving force behind the political anti-draft movement. Others oppose the draft because it represents another governmental intrusion into the lives of America's young adults. Those lacking skill or ambition to serve will be greatly humiliated once drafted, and those without developed skill in search of an alternative career will be denied an opportunity to choose that direction. The draft also is a blatant attack on the Thirteenth Amendment, which prohibits involuntary servitude. If the federal government fought individual states over the legalization of private-sector slavery, then should it not also be equally compelled to decry public-sector servitude? Of course it should, but an elastically interpreted "living Constitution" makes all sorts of public schemes safe from legal reproach.

Recruiting students and vagrants is of no use to a competitive military, since both groups are uninterested in active duty. By contrast, a volunteer army—assuming the country needs any army at all—will yield those with an interest in serving their country and those who seek the military as a place to get that necessary step up into a better life. A primary partner to draft reform would be to offer an alternative for those who request not to serve militarily. Non-combatant positions, such as field doctors and radio operators, might be made civilian positions. Then, those who wish not to engage in battle will be able to serve the nation for as long as they need.

Additionally, the government can save some money, albeit not much, by not having to buy uniforms for these civilians.

Yet the most compelling reason for having volunteer military forces is the right of a person to own his or her body. The right to self-ownership must be supreme in a free nation, since without it there is no justification for government or laws at all. If one does not own his body, then why should murder be a crime? Why should there be money for the individual to spend? The self must own itself for there to be any liberty. And clearly one does have self-ownership. A man controls his own actions, and efforts to force him to do what he desires not to do are nugatory. The best the State can do is arrest him after he has disobeyed the law. It cannot prevent a willful person from committing illegal acts. The draft ignores the concept of self-ownership and proceeds to diminish the available benefits of a free society for young men.

Issues of cost and unfairness can sway those not seeing a moral reason to oppose conscription. The government spends a lot of money that might be used in armory for war in order to draft a number of men that would be similar to the number who might otherwise volunteer. In this way, the draft is a redundant method that consumes entirely too much money.

It is unfair because those who do not get called remain free while those called into duty must serve or face charges that will haunt them for the rest of their lives. This practice, while through chance, is unjust because it targets those Americans with low draft numbers. Through the archaic, unjust draft process America once more is embracing authoritarianism. If the government chose, National Guard forces could be utilized to alleviate the costs of draft, recruitment, and salary. The savings could then be

used to properly compensate a volunteer army, which would attract more skillful persons if the pay scale were better.

Draft proponents employ some arguments that would be acceptable if they had purchased every male aged 18 to 35. However, the United States of America has not bought—bought off, tricked and fooled, yes—any of her citizens at this time. Some of the stentorian arguments side-step the question of rights and look at other issues, such as mobility, emergency readiness, and social outcome.

Former Senator Sam Nunn of Georgia, a Democrat, said in a 1980 U.S. News and World Report article that ''Middle and upper-class America are not sufficiently participating in the defense of the country today except in the officer corp. That's one of the tragedies of the volunteer force . . .''

Nunn's provocative statement is not only designed to evoke resentment towards the ''privileged'' upper classes, it is also not sound from a practical point of view. Certainly, the classes with a statistically higher amount of college education should be involved in positions in which education can be put to best use. It is apparent that the Nunn argument involves some sort of ''duty'' the upper classes have to live the life of the foot soldier, and amounts to no less than a feeble attempt at egalitarian blurring of class distinction.

Proponents of the draft continue to ignore their weakest point: namely, that wars which had the support of the American public would not require conscription but instead would have a full supply of eager volunteers. People not only own their own bodies, but a free society also grants people final say over government policy. War is an area where the voice of the people is very important, as their security is at stake. And where else can the people exercise their voice than in the decision on registering to serve? Denying this decision is in effect creating a government that does not respect the people's wishes, and instead dictates to them.

AMERICORPS

There was an effort in June 1997 by President Clinton to use the Selective Service System to recruit potential volunteers in his AmeriCorps program. Such a move is a twofold intrusion on civil liberties: it violates the right of those who were forced to register for the draft to avoid having their addresses and other private information released to another agency; and, of course, it is costly to the taxpayer to pay for a joint system that serves two unconstitutional agencies. Ultimately, though, the administration deferred its plans. This issue has not gone away, as national service plans have considerable support from those people who think that everyone has a duty to the government.

Free people can resist the draft easily. They need not register at all, or they can flee the country when they are called to serve. After all, they still own their bodies regardless of what the law says. But the change of life necessary to avoid the government allows the government some control of ones life, even when one does not openly submit. One does not need to recognize the right of the government to conscript its citizens for any purpose in order to be disrupted by the institution. If one pays income taxes and expects to get that money back in the form of college aid, he must register for Selective Service. If one wishes to collect the money stolen through the payroll tax for so-called ''Social Security,'' he must register. Most people are not able to forgo paying taxes if they wish to work, so if they hope to see their tax dollars again they must register for the draft.

As a young man of draft age, I could sleep easier if I knew that my life would never have to be disrupted by a government which has given itself the legal ground on which it may attempt to violate my right to own myself. Even as I refuse to recognize the government's powers, the Selective Service System/AmeriCorps/Department of Education bloc does not care. To them I am their property, regardless of my feelings. The military and charity draft is indeed one of the most evil institutions in the United States government.

HONORING MRS. BARBARA L. BAILEY OF CONNECTICUT

HON. JOHN B. LARSON

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 13, 2001

Mr. LARSON of Connecticut. Mr. Speaker, I rise today to honor and pay tribute to Barbara Bailey of Connecticut, who died yesterday at the age of 93. Mrs. Bailey was the wife of the late John M. Bailey, who was the legendary Democratic Party chairman of Connecticut, and was also the chairman of the national Democratic Party in the 1960s. Mrs. Bailey's passing marks the end of an era in Democratic politics in the State of Connecticut.

Mrs. Bailey will long be remembered as the matriarch of the Democratic Party during its golden years, not only for her public service, but also for providing the state with two outstanding public servants—Chief State's Attorney John M. Bailey, Jr. and my distinguished predecessor, former U.S. Representative Barbara B. Kennelly.

All her life, Mrs. Bailey was intensely devoted to her family, to Connecticut, and to the Democratic Party. She and her husband led the state, and the national party, with class and distinction. In all her years her interest and love of people willing to serve in public office never wavered.

Throughout her life, Mrs. Bailey never held public office, yet she was indeed a public servant. She served the public through her immeasurable commitment to her family and the causes she truly believed in—including the rights of women and the struggle of the disadvantaged. She served on the board of Trustees for the University of Connecticut for 10 years and received numerous honors and accolades for her civic work. Over the years, the Bailey's hosted presidential candidates, ambassadors, and dignitaries from all over the world. Mrs. Bailey's trademark was her grace, her dignity, and the way she made everyone around her feel welcome and at home.

She was part of an age in Democratic politics that saw the first Catholic elected President of the United States. She was the co-recipient, along with U.S. Senator Abraham Ribicoff, of the ''Keepers of the Flame'' award in 1988, which honored those who kept alive the memory and legacy of President John Kennedy.

Her love for the people of Connecticut and politics was superceded only by the devotion she had to her family. The legacy Mrs. Bailey leaves is everlasting and is carried on through her children and grandchildren who continue to serve the state with distinction.

Mrs. Bailey was an exceptional person whose humanity, class and grace touched everyone she came in contact with. The nation, the State of Connecticut, and most of all her family, will truly miss her.

HONORING THE DISTINGUISHED CAREER OF DICK QUINLIN UPON HIS RETIREMENT

HON. ROBERT W. NEY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 13, 2001

Mr. NEY. Mr. Speaker, I commend the following article to my colleagues:

Whereas, Dick Quinlin has spent his life serving the people of Belmont County; and

Whereas, He began his career with the Emergency Management Agency in 1985 as EMA Coordinator, and was named full time coordinator in 1994; and,

Whereas, during his tenure in office, Belmont County repeatedly benefitted from his expertise as nature saw fit to test his skill with the 1990 Flood of Wegee and Pike Creeks, the snow emergency of 1994, and the flash flood of June 1998; and,

Whereas, Dick Quinlin was ever present to guide our community out of disaster, and was duly recognized by the Governor of Ohio as he was presented with the Ohio Commendation Medal, by the Ohio National Guard, and by the Belmont County Bar Association with the Liberty Bell Award; and

Whereas, I desire to add my voice to the chorus of well wishers who have repeatedly expressed admiration, respect and friendship, for Dick Quinlin;

Therefore, Mr. Speaker, I ask that my colleagues join me in honoring the career of Dick Quinlin. His lifelong service and commitment to Belmont County is to be commended.

HONORING CAMERON VETERANS' HOME

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 13, 2001

Mr. GRAVES. Mr. Speaker, I rise today to recognize the importance of the Missouri Veterans' Home located in Cameron, Missouri. A landmark in the community, the Cameron Veterans' Home provides a healing hand to those honored Americans that have fought to preserve the privileges of freedom we all enjoy today.

In April of 2000, Missouri's sixth veterans home admitted its first resident. The Cameron Veterans' Home today is a 200-bed facility committed to providing a service to Missouri's Veterans.

Cameron Veterans' Home is dedicated to providing quality healthcare to veterans and assists them in achieving their maximum level of independence. The Cameron Veterans' Home works to ensure a safe, comfortable environment to its residents conducive to personal dignity and happiness in a community living setting.

In recognition to the staff of the Cameron Veterans' Home and the City of Cameron which supports our Veterans so well, I commend the Cameron Veterans' Home for the unconditioned level of support and compassion they extend to those brave Americans that have sacrificed their lives for this great nation.

TRIBUTE TO DR. CLARENCE STRAHAM

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 13, 2001

Mr. KILDEE. Mr. Speaker, as a former teacher, I am happy to rise before you today on behalf of the school district of my hometown, Flint, Michigan. On July 13, members of Flint Community Schools will join family and friends to honor the career of Dr. Clarence Straham, who is retiring after 35 productive years.

Originally from Moffett, Oklahoma, Clarence Straham's path to greatness began in 1956, when he joined the United States Air Force, where he served as an Academic and Drill Instructor/Counselor in San Antonio. Honorably discharged in 1962, Clarence attended the University of Arkansas at Fayetteville, where he received a Bachelors Degree in Mathematics and Science in 1964. In 1971 he received a Masters Degree from Eastern Michigan University, and furthered his education with a Doctorate from the University of Michigan.

Clarence's career as a teacher began following his graduation from the University of Arkansas, where he became a mathematics teacher at Merrill Junior/Senior High in Pine Bluff. After moving to Michigan, he taught at Bryant Community Junior High and later moved to Northwestern Community High, where he remained from 1968 to 1976. During that time, Clarence also taught at C.S. Mott Adult High School and Mott Community College. In 1976, Clarence moved to Flint Southwestern Academy, where he has remained to this day. In addition to his tenure at Southwestern, he spent two years as a member of the part-time faculty at the University of Michigan-Flint.

For more than four decades, Clarence has selflessly worked to improve Flint Community Schools. An 11-year member of the Four North Central Evaluation Team in mathematics, he saw to it that the curriculum for high schools in four different cities was kept to a high quality of standards. He has also been the co-chairperson of the Flint NAACP Scholarship Committee, and a member of the Flint Multi-Cultural Community Education Task Force, among many other accomplishments. Clarence is a member of the National Council of Teachers of Mathematics, Urban League, and is a Life Member of the NAACP.

Mr. Speaker, Dr. Clarence Straham is a tremendously respected individual. Thousands of his students, past and present, have greatly benefited from his insight, as has the entire Flint community over the course of the last 35 years. He has always been a fighter for education for he believes that a strong educational background is the basis toward improving the quality of life. I ask my colleagues to please join me in congratulating him on his retirement, and wishing him the very best in his future endeavors.

FAITH-BASED INITIATIVES

HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 13, 2001

Mr. PAUL. Mr. Speaker, I recommend to my colleagues the attached article, "The Real Threat of the Faith-Based Initiative" by Star Parker, founder and president of the Coalition on Urban Renewal and Education (CURE). Miss Parker eloquently explains how providing federal monies to faith-based institutions undermines the very qualities that make them effective in addressing social problems. As Miss Parker points out, religious programs are successful because they are staffed and funded by people motivated to help others by their religious beliefs. Government funding of religious organizations will transform them into adjuncts of the federal welfare state, more concerned about obeying federal rules and regulations than fulfilling the obligations of their faith.

If religious organizations receive taxpayer monies, they will have an incentive to make obedience to the dictates of federal bureaucrats their number-one priority. Religious entities may even change the religious character of their programs in order to avoid displeasing their new federal paymaster. This will occur in large part because people who currently voluntarily support religious organizations will assume they "gave at the (tax) office" and thus will reduce their level of private giving. Thus, religious charities will become increasingly dependent on federal funds for support. Since "he who pays the piper calls the tune" federal bureaucrats and Congress will then control the content of "faith-based" programs.

Those who dismiss these concerns should consider that funding religious organizations will increase federal control of religious programs; in fact the current proposal explicitly forbids proselytizing in federally-funded "faith-based" programs. While religious organizations will not have to remove religious icons from their premises in order to receive federal funds, I fail to see the point in allowing a Catholic soup kitchen to hang a cross on its wall or a Jewish day center to hang a Star of David on its' door if federal law forbids believers from explaining the meaning of those symbols.

Miss Parker points out that the founding fathers recognized the danger that church-state entanglement poses to religious liberty, which is why the First Amendment to the United States Constitution protects the free exercise of religion and forbids the federal government from establishing a national church. As Miss Parker points out, the most effective and constitutional means for Congress to help those in poverty is to cut taxes on the American people so that they may devote more of their resources to effective, locally-controlled, charitable programs.

In conclusion, Mr. Speaker, I hope all my colleagues will read Miss Parker's article and join her in supporting a return to a constitutional policy that does not put faith in federal programs but instead in the voluntary actions of a free and compassionate people.

[From GOPUSA.COM, May 25, 2001]

THE REAL THREAT OF THE FAITH-BASED INITIATIVE

(By Star Parker)

The faith-based initiative is our latest proof that politicians are great entrepreneurs in finding ways to expand the scope of government, their own power and control over our lives. This particular initiative should be of concern to all because, in the best scenario, it will only waste money. In the worst case, however, it will be destructive to our nation.

Although for President Bush this initiative is a crusade to reach minorities, welfare programs have already done enough damage in black America. Government dependency has created an environment in which black illegitimacy rates have soared seventy percent. This time the victim of government intervention will be the black church.

However, there is an even deeper concern facing us than this.

Those who claim that the faith-based initiative merely saves charitable programs of religious organizations from discrimination miss the most basic point. The main reason faith-based programs are successful is the fact that free people choose to fund them and that free people choose to participate in them.

The truth is that we all are already participating in a great faith-based initiative. It is called the United States of America and its principles and rules are in the Declaration of Independence and the Constitution.

When we examine these great documents, we see that the founders referenced our most fundamental rights to our Creator and then defined the role of government to secure these rights. Our great and blessed country, has been a story of unprecedented success because of the crucial premise that man is and must be free to exercise his God-given rights.

It is worth noting that although the founders declared this; they then prohibited, in the very first amendment to the Constitution, the establishment of religion by government. Clearly, they did not make haste to keep government out of religion because they were not religious men or because they were opposed to religion or religious activity. They did this because they understood that faith, freedom, and choice cannot be separated and that it is critical to preserve and protect these core elements of our society.

Our goal should be to eliminate government from those aspects of our society that have been politicized: not to politicize the very faith and freedom that have made our country great. The very idea of welfare is the antithesis of both faith and freedom.

A true faith-based initiative is one defined by freedom and not one defined by politics. Humankind already has a tragic history of incidents where governments and politicians have gotten into the business of defining faith and religion.

I respect our President, but he is dead wrong on this one. We still have billions of unused dollars in our welfare budgets. Let us return these funds to our citizens and exercise true faith that they will make the right decisions regarding charitable giving. Let us remember the simple wisdom of Ronald

Reagan that government is the problem, not the solution.

A PROCLAMATION RECOGNIZING BISHOP GILBERT J. SHELDON

HON. ROBERT W. NEY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 13, 2001

Mr. NEY. Mr. Speaker, I invite my colleagues to join with me and the citizens of Ohio in celebration and commemoration of the Twenty-Fifth year of Bishop Gilbert J. Sheldon's ordination as Bishop in the Catholic Church.

Whereas, Bishop Sheldon's journey began on February 28, 1953 when he was ordained to the priesthood by Archbishop Edward Hoban; and,

Whereas, Bishop Sheldon was ordained Bishop on June 11, 1976 by Most Reverend James A. Hickey; and,

Whereas, Reverend Sheldon has tirelessly dedicated himself in service to God and to his fellow man as he served as Bishop of the Diocese of Steubenville; and,

Whereas, such institutions of God's will as Saint Rose Church in Cleveland, Saint Clare in Lynhurst, and Sacred Heart Church in Oberline have all benefited and prospered under his guidance;

Therefore, I invite my colleagues to join with me and the Citizens of Ohio in celebration and commemoration of Most Reverend Gilbert J. Sheldon's twenty-fifth anniversary of his Episcopal Ordination.

AMERICAN LEGION PONY EXPRESS POST #359

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 13, 2001

Mr. GRAVES. Mr. Speaker, I rise today to recognize the importance of the American Legion Pony Express Post #359 in St. Joseph, Missouri.

The American Legion Pony Express Post #359, chartered on January 24, 1946, has a long history of providing aid to children's assistance organizations and charities as well as assisting needy veterans in the St. Joseph area.

The American Legion has been a patriotic organization dedicated to providing community service. They open their doors to assist those brave Americans that have served our country and instill a warm sense of pride in our nation that these men and women fought so hard to defend.

In honor of Flag Day, I rise to extend my appreciation to thank all the brave veterans, and the men and women in our Armed Forces for serving and protecting our nation from assaults on our freedoms and liberties. Because of your tireless efforts, this truly is the land of the free and the home of the brave, and I am honored that we can share and enjoy the peace and prosperity of this great nation.

TRIBUTE TO CHESSYE BAUGHMAN POWELL

HON. FLOYD SPENCE

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 13, 2001

Mr. SPENCE. Mr. Speaker, on Monday, April 30th, Chessye Baughman Powell retired from the United States House of Representatives, after thirty-four (34) years of devoted service. Chessye began her service to the people of the Second Congressional District of South Carolina in the Orangeburg Office of my predecessor, Congressman Albert Watson, on March 11, 1967. When I became a Member of Congress, in January 1971, I was glad that Chessye wanted to continue to assist the constituents who were being served through my Orangeburg Office.

From 1967 to 2001, Chessye dedicated herself to the various needs of the constituents of the Second Congressional District, as well as to those of persons from throughout our State. Chessye mastered the bureaucracy of the Federal Government and she was very adept at contacting the appropriate officials to address the many situations that were presented to her. Also, I was always proud of her representation of me at meetings and events in the Second Congressional District. In a 1997 profile in the (Orangeburg) TIMES AND DEMOCRAT, Chessye reflected on her career and the changes that have taken place over the more than thirty (30) years that she has served the citizens of the Second Congressional District. Chessye noted that, during her career, the UNITED STATES GOVERNMENT MANUAL has become ''probably ten (10) times the size that it was twenty-five (25) years ago.'' Chessye also observed that she has been guided by the motto: ''When duty calls, you have to rise to the occasion.'' Chessye has always risen to the occasion, whatever the circumstances have been.

Chessye attended Newberry College, in South Carolina, and she began working for the (South Carolina) State Law Enforcement Division (SLED) at the time that it was being developed by Chief J.P. ''Pete'' Strom. Chessye later was employed by SCM, an industry in Orangeburg, South Carolina, where she met her husband, Roy. Chessye and Roy have a son, Greg, who is a health care executive in Atlanta, and a daughter, Allyn, who is a graduate student at the College of William and Mary. In 1990, Chessye became a District Administrator on my staff, based in my Orangeburg Office.

Chessye has dedicated thirty-four (34) years of her life to helping others. She can be justifiably proud of her many accomplishments, and I am pleased to join her many friends in wishing her much happiness in her future endeavors.

B'NAI B'RITH INTERNATIONAL HONORS DAN S. WILFORD

HON. KEN BENTSEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 13, 2001

Mr. BENTSEN. Mr. Speaker, I rise today to honor a true leader in the field of health care, Mr. Dan S. Wilford. On Monday, June 18, 2001, Mr. Wilford will be recognized by B'nai B'rith International for his leadership and commitment to the public in the field of health care.

For the past 17 years Mr. Wilford has served as the President of Memorial Hermann Health Care System and its nine subsidiary corporations. He also serves as the Chief Executive Officer of a community-based, nonprofit hospital system, comprised of thirteen hospitals in the greater Houston area and two hospitals in Beaumont and Orange, Texas. The system also includes an outpatient center, two nursing homes, and a retirement community. Mr. Wilford's involvement in these organizations has set him apart as a leader and an activist in the health care community.

Dan Wilford is involved in many different professional organizations. He is active in the Texas Hospital Association, American Hospital Association, and serves on the Board of Directors of the Voluntary Hospitals of America, the Hospital Research and Development Institute, the United Way of Texas Gulf Coast, and the Greater Houston Partnership.

As a member of the University of Mississippi's class of 1962, he was inducted into the University's Alumni Hall of Fame in 1995. In 1966, Mr. Wilford received a Masters Degree in Hospital Administration from Washington University, in St. Louis, Missouri, and later was awarded the University's Distinguished Alumnus Award. He has countless recognition for his devotion to the health care industry, but the award he receives tonight truly stands out.

B'nai B'rith International's National Health Care Award is given to a health care professional who embodies their commitment to making our communities a better place to live. Through his community involvement and multiple leadership roles Mr. Dan Wilford exemplifies the goals B'nai B'rith sets to achieve. Mr. Wilford's sense of community activism helps to make the city of Houston a better place to live and I am proud to join B'nai B'rith in recognizing him for all that he has done.

TRIBUTE TO MS. JOYCE M. HAYES

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 13, 2001

Mr. KILDEE. Mr. Speaker, as a former teacher, I am happy to rise before you today to recognize Ms. Joyce M. Hayes, who is retiring from Flint Community Schools after 33 great years of teaching.

Armed with a desire to teach, Joyce Hayes began her college career in Marshall, TX, where she graduated in 1967 from Wiley College with a Bachelors Degree in English and

a minor in History. In 1968, she worked as an English teacher at Terrance Manor Middle School in Augusta, GA. Later she moved to Flint, where she began teaching Adult Education courses at C.S. Mott Adult High School and Beecher Community High School. She later became an English and Speech teacher at Jordan College in Flint, and at Longfellow Middle School, also in Flint.

In 1981, Joyce began a term with Flint Northern High School, one that has lasted to this day. In addition to English, Joyce taught World, American, and Modern Literature, Mythology, Grammar and Composition, and Successful Writing and Reading to hundreds of students from ninth to twelfth grades. She also served as the Instructor for the school's Honors/Gifted Student Program, Class Advisor, and Student Council Advisor. In 1992, Joyce became English Department Head, a position she has also held to this day. The same year, Joyce successfully completed her Masters Degree in Education from Eastern Michigan University. Two years later, she completed another degree from Eastern Michigan, this time a Masters in Guidance and Counseling.

For many years, Joyce has been dedicated toward working to improve our schools, not just in Flint, but also throughout the State and the Nation. She is a member of the Michigan Education Association, National Education Association, and the National Council of Teachers of English, among many other groups. She has been an important part of many citywide and statewide committees designed to further educational and emotional growth among our students. Joyce has been recognized for her efforts by inclusions in Who's Who Among High School Teachers, American Educators, and American Women, and was recently chosen as the 2001 Saginaw Valley Teacher of the Year.

Mr. Speaker, Joyce Hayes is a tremendously respected individual. Many of her students, past and present, have greatly benefited from her insight, as has the entire Flint community over the course of the last 33 years. She has always been a fighter for education, for she believes that a strong educational background is the basis toward improving the quality of life, I ask my colleagues to please join me in congratulating her on her retirement, and wishing her the very best in her future endeavors.

A TRIBUTE TO THE CARPENTERS LOCAL UNION NO. 845

HON. ROBERT A. BRADY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 13, 2001

Mr. BRADY of Pennsylvania. Mr. Speaker, I rise to honor the Carpenters Local Union No. 845 in Delaware County. Founded a century ago, three Local Unions from Pennsylvania united to form the Delaware County District Council. Over the next 75 years, Local Union No. 845 evolved to become the largest of the three locals in Delaware County, Pennsylvania.

Carpenters Local Union No. 845 has established itself as one of the most distinguished organizations of its kind. The members of this organization, and their families, have made innumerable sacrifices in order to help future generations of Americans. Furthermore, many of the members of Local 845 have served in the armed forces for our great nation. These individuals have demonstrated impeccable American values, and have participated in countless works of charity. The Union has stood as the backbone of thousands upon thousands of its members by providing decent wages, and a better standard of living for themselves and their loved ones.

Mr. Speaker, as a carpenter myself, I know that Local No. 845 has benefitted the Philadelphia community, and will continue to do so for years to come. On its 100th anniversary, members of the Local 845 are leading through example by hard work and dedication. They have been the pioneers for the working class, and will continue to make new advancements and achievements through their endurance, commitment, and leadership.

TRIBUTE TO BOB AND GAY SMITHER

HON. NICK LAMPSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 13, 2001

Mr. LAMPSON. Mr. Speaker, today I rise to congratulate my constituents, Bob and Gay Smither, on receiving the Texas Young Lawyers Association Liberty Bell Award on behalf of their work with the Laura Recovery Center Foundation. I couldn't think of two more worthy people to receive this award.

I met the Smithers just over four years ago, after the disappearance of their daughter, Laura Kate. Sadly, Laura's body was recovered a couple of weeks later. The Smithers chose to turn this terrible tragedy into something positive, the founding of the Laura Recovery Center. It is because of Laura and her parents' inspiration, that I founded the Congressional Caucus on Missing and Exploited Children.

Through this harrowing experience, we have learned of thousands of families who suffer this same tragedy every year in this nation. Bob and Gay have dedicated their lives to protecting our children and keeping our families safe. So many in their community worked so hard to bring Laura home that I can't imagine a stronger outpouring of love and support by a community.

The Smithers have told me that they intend to accept it on behalf of all of their volunteers. This is just one more indication of their commitment to their community and their selflessness—they choose to share this honor rather than accept it only on behalf of themselves.

The Foundation has recently received Texas Commission on Law Enforcement Officer Standards and Education certification for their training program on rapid response to child abduction and have been invited to present monthly training courses at the Houston Police Academy and Galveston County Sheriff's Department.

I am honored to call Bob and Gay Smither my constituents, and am honored that they have been selected to receive the Liberty Bell Award.

HONORING CENTRAL CONGREGATIONAL CHURCH

HON. KEN BENTSEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 13, 2001

Mr. BENTSEN. Mr. Speaker, I rise today to honor the 150th Anniversary of "The First German Evangelical Lutheran Church," presently known as Central Congregational Church, located at 1311 Holman, Houston, Texas. In 1851, Pastor Casper Braun arrived in Houston to help German speaking settlers transition to their new home. He was responsible for founding the congregation in September of 1851.

Over the years, the church has built three permanent facilities; a white wooden colonial style structure, a red brick building with a Gothic style white sandstone trim, and its most recent structure, built in 1927, a tan brick with red terra cotta roof directly from northern Italy. The church currently houses the Houston chapter of Habitat for Humanity and the Houston Graduate School of Theology, and is also responsible for financing five new Lutheran churches in the Houston area.

The 87 members of the Central Congregational Church, under the leadership of Pastor Dr. W. Clark Chamberlain have been involved in many community outreach programs in hopes of attracting new parishioners. Since 1975, Central Congregational Church has participated in the Christian Community Services Center of Houston. This service organization is an interfaith alliance of more than three dozen congregations, who work together for betterment of the community. The alliance provides job training, job placement, emergency relief, clothes, back-to-school programs, a thrift shop, day care services, and delivers meals to senior citizens who are shut in. Currently, the church prepares more than 100 meals a day for home-bound individuals.

Mr. Speaker, the Central Congregational Church has a long history of faithful service to the Houston area. The tireless efforts of the leaders and parishioners at Central Congregational Church has made them a shining example for other community groups to emulate. I applaud the parish and its members for their commitment to the community and wish them success in the forthcoming years.

TRIBUTE TO MARCEL GROEN

HON. JOSEPH M. HOEFFEL

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 13, 2001

Mr. HOEFFEL. Mr. Speaker, I rise today to honor Marcel Groen of Montgomery County, Pennsylvania. Marcel has been awarded the first Mark E. Goldberg Memorial Award which recognizes individuals for their commitment to Jewish culture and civic life and also for participating in the Israel Bonds Program. The

Mark E. Goldberg Memorial Award was established in memory of Mark E. Goldberg and his strong devotion to the Jewish community.

Marcel is a founding partner in the law firm of Groen, Laveson, Goldberg & Rubenstone in Bensalem, Pennsylvania. He is extremely active in his community as a former chairman of the Bucks County International Trade Council, a board member of the Bucks County Male Teen Conference, and he was former counsel to the Lower Bucks County Chamber of Commerce. Marcel has served as a special counsel to numerous municipalities and their agencies.

Marcel has long been an active supporter of the Democratic party. He is the Chairman of the Montgomery County Democratic Committee and is a member of the Pennsylvania Democratic State Committee. He was also the former Finance Chairman of the Bucks County Democratic Committee.

Marcel has dedicated much time and efforts to Jewish causes. He is an officer of the board of Beth Shalom Congregation, served as past-president of the Philadelphia ORT and the Bucks County Jewish National Fund, and a former vice president and board member of the Philadelphia Solomon Schechter Day School.

Marcel and his wife Bernice are the proud parents of four children: Marlon, Jennifer, Rachel, and Justin. Their family also includes son-in-law Ami Dolev and future son-in-law, Elad Yagur.

Marcel is my close friend. He is a good man committed to public service and civic leadership. I am pleased to congratulate Marcel for this distinguished award.

THE SAVINGS FOR WORKING FAMILIES ACT

HON. JOSEPH R. PITTS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 13, 2001

Mr. PITTS. Mr. Speaker, the last decade has seen some of the greatest prosperity in American history. This has provided new opportunities not only for the savvy Wall Street investor, but also for those who are gainfully employed for the first time. And while some economic indicators are down a bit, we still have a great opportunity to help those who once had few opportunities. We have the chance to help them find new ways to gain a permanent foothold in the financial mainstream.

Today, Congressman Charlie Stenholm and 33 other bipartisan cosponsors are joining me to re-introduce The Savings For Working Families Act. This legislation will provide tax credits to banks providing matching funds for Individual Development Account (IDA) savings. IDAs are savings accounts that may be used for education, housing, or to start a small business.

IDAs are a proven success in my home state of Pennsylvania. For example, Jacqui Fulton, a 66-year-old woman from Philadelphia told the Philadelphia Daily News recently that when she used to get depressed about her circumstances, she would raid the cookie jar where she kept her money and go buy herself a manicure. It made her feel better for a short time. But now, she goes to the bank every week and deposits another twenty dollars into her IDA account. She now says that she ''almost skips to the bank''—it makes her feels so good. Jacqui started saving in her IDA account in July of 1997. She saved over 12 hundred dollars and received her saving match of six hundred dollars in August of 1999. She used the money to expand a talent search business called Direction and Exposure.

She says, ''This is one of the smart moves I made to have more money to invest in my business.'' She feels good about herself, and she's saving money to make a dream come true. And she's no longer raiding her cookie jar.

Jacqui's is just one success story among many. This program is working in Pennsylvania. Pennsylvania has one of the largest IDA programs in the country. The Commonwealth has appropriated $4.5 million dollars to the program to date, and another $1.5 million is included in this year's budget. Right now, there are 2584 contracted accounts divided among 15 financial institutions around the state. At the end of last year, IDA investors in Pennsylvania had saved almost three-quarters of a million dollars.

IDAs are a proven success in many other states too. But they are under utilized. Where they have been made available, they have worked. They are meant to be a springboard to continued prosperity. Making higher education possible makes prosperity possible. Helping people start small businesses makes prosperity possible. But without hopeful that will be very soon. I look forward to working with the President, House Leadership, and all of the cosponsors of this legislation to make this dream come true.

A TRIBUTE TO THE FATHER'S DAY GALA

HON. ROBERT A. BRADY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 13, 2001

Mr. BRADY of Pennsylvania. Mr. Speaker, I rise to pay tribute to a great institution that is serving the needs of families in my district and the entire Delaware Valley.

For the past two years, the Father's Day Gala Program Committee, led by Karen Burton, has honored that most important of all men, the father. As Father's Day approaches, all of us are compelled to think of our fathers and the role they played in our lives. Those of us who are privileged to have had the support of strong fathers know that our paths were made easier by the love, the advice, the nurturing and the discipline they gave us. Those who have not had that privilege know well the void that lack left in their lives.

Unfortunately, Mr. Speaker, we don't often take the time to honor our fathers, or step fathers. Most Dads are too busy being Dads to worry about that. But it is wonderful that a group of citizens would come together as volunteers to say thank you to all the fathers out there. I must say that I am especially proud of this gala, since so much of the work on this event was done by Karen Burton, who was born and raised in my district. Ms. Burton, her mother Sara, and her entire family have worked tirelessly to make my district a better place. This event is in keeping with their family tradition.

And so, to all the fathers at the Gala, and to all the women and children who love them, I say Happy Father's Day and keep up the good work.

INTRODUCING THE CHILD POVERTY REDUCTION ACT

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 13, 2001

Mr. STARK. Mr. Speaker, I rise today to introduce the Child Poverty Reduction Act. Senator CHARLES SCHUMER is introducing companion legislation in the Senate.

During the welfare debate of 1995–96, I had concerns that too much emphasis was placed on kicking people off of welfare rolls rather than reducing poverty. Unfortunately, my concerns—and those of several of my colleagues and administration officials who quit their jobs in protest of welfare reform's passage in 1996-proved accurate.

The emphasis on reducing welfare caseloads has caused welfare caseloads to drop faster than the poverty rate. From 1996–99, the number of people receiving welfare dropped 41 percent, while child poverty was reduced only 16.3 percent in the same period. As a result, almost one in six children (12 million) continue to live in poverty.

Child poverty can have devastating impacts that last a lifetime. Studies show that poverty has harmful affects on children's cognitive ability and school performance and can contribute to early sexual activity and pregnancy, crime and incarceration, and unemployment.

To encourage states to use funds to improve the well-being of our nation's children, this bill amends the Temporary Assistance for Needy Families (TANF) program by making reducing child poverty an explicit goal of the welfare law and creating a $150 million high performance bonus grant to states that reduce child poverty.

To receive this new TANF high performance bonus, states would have to reduce their child poverty rate from the previous year's poverty rate. To ensure that states sustain their efforts to reduce child poverty, the high performance bonus is only awarded to states whose most recent child poverty rate does not exceed their lowest poverty rate since the beginning of this bonus program.

I find it even more troubling that almost 5 million children live in extreme poverty in which their families' incomes are less than 50 percent of poverty ($8,731.50 annually for a family of four, or just $728 a month). This bill attempts to help those especially needy children by only rewarding states that reduce poverty for children at all levels of need.

Thus, the high performance bonus is only given to states that both reduce the overall poverty rate and prevent any increase the percentage of poor children living in extreme poverty.

Children have no choice as to whether they are on welfare and I will continue to look for methods to protect them from the effects of TANF. While this legislation is not the overall solution to reducing child poverty, it is a clear step in the right direction.

Reducing child poverty is one of the smartest policy initiatives that this Congress can embark on since children are our nation's future. I urge my colleagues to please join me in this small, but important, investment to reduce child poverty and improve child well being by enacting the Child Poverty Reduction Act.

IN MEMORY OF TIMOTHY LAWSON

HON. MIKE THOMPSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 13, 2001

Mr. THOMPSON of California. Mr. Speaker, I rise today to recognize Timothy Lawson, a young man who lived a life of honor, patriotism, and had a keen sense of service to our nation.

I was deeply saddened when I heard of Timothy's passing. However, we can take comfort in this trying time by knowing that he served our country courageously. Timothy embodied a truly dignified manner during his service to our country.

While enlisted in the Navy during the Persian Gulf War, he received a Navy Achievement Medal for saving two people out of a liquid oxygen fire. After returning to California from the Persian Gulf, he studied criminal justice together with his brother, Gary, at California State University, Sacramento. Before enlisting in the Marines, Timothy held a position in the United States Secret Service while attending California State University, Sacramento.

Not only did Timothy emanate dignity in his professional life, but he also strove to lead a life modeled on the lessons he learned from his family. His parents instilled this sense of service during his childhood in Northern California and Clinton, Iowa.

During a training mission Timothy's plane went down in the desert in California's San Joaquin Valley. He and Navy Lt. Timothy Gilbreth were flying a T–34C Turbo Mentor about three miles north of the El Centro Naval Air Station.

During my time in the United States Army I witnessed the passing of many of my fellow soldiers. Whether during peacetime or in times of conflict, when a member of our Armed Services passes away in the line of duty, we should not fail to recognize the sacrifices they made.

Mr. Speaker, please join me in recognizing the service and patriotism Timothy Lawson. It is appropriate, during a week in which we are remembering Americans who lost their lives in the Armed Services, that we all acknowledge and appreciate the sacrifices that Timothy made for our country.

EUGENE AND CONNIE ROTH HONORED WITH SHOFAR AWARD

HON. PAUL E. KANJORSKI

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 13, 2001

Mr. KANJORSKI. Mr. Speaker, I rise today to pay tribute to my very good friends Gene and Connie Roth, who will receive the Shofar Award on June 14 from the United Hebrew Institute of Kingston, Pennsylvania.

The shofar, or ram's horn is a religious musical instrument having profound significance in the Jewish religion. It constitutes an important part of the Jewish prayers in the synagogue during the festivals of Rosh Hashana, the Jewish New Year, and Yom Kippur, the Day of Atonement.

The name of this award is certainly fitting. Just as the shofar plays an integral role in the Jewish faith, so too have Gene and Connie been an integral part of the United Hebrew Institute family for more than 40 years. All of their children, Joan, Steven, Jeffery and Larry, are graduates of LJHI. Both Gene and Connie have served and still serve on the Board of Trustees, including Gene's service as chairman from 1967 to 1969. In addition, Connie served as president of the PTA from 1971 to 1973 and still serves as president of the Ladies Auxiliary of Talmud Torah.

But UHI is far from the only Wyoming Valley institution to benefit from the services and talents of this dedicated couple. Among the organizations which have benefited from their expertise and commitment are the Gelsinger Wyoming Valley Medical Center, Wilkes University, the Jewish Community Center, Wilkes-Barre Industrial Fund, Congregation Ohav Zedek and its Sisterhood, the Jewish Federation, United Jewish Appeal, the United Way, the Osterhout Library, the Jewish Home, Queen Esther Hebrew Ladies Aid Society, Jewish Family Service, Martin Luther King Committee for Social Justice and Hospice St. John.

Mr. Speaker, both Gene and Connie are pillars of the community. Gene has been honored many times by groups including B'nai B'rith, the Boy Scouts of America, and Who's Who, among several outstanding organizations. For her part, Connie was named the Woman of Valor by Congregation Ohav Zedek and was honored by the Women's Division of the Jewish Campaign and by B'nai B'rith Lodge.

The primary focus for Gene and Connie has always been their family, their community and the preservation of Jewish heritage. Their longstanding efforts on behalf of the school, their synagogue and the community are truly inspirational. I am pleased to call to the attention of the House of Representatives this well-deserved award being presented to Gene and Connie Roth as well as their many good works, and I wish them all the best.

RECOGNIZING THE CONTRIBUTIONS OF FRANK MOLINA

HON. HILDA L. SOLIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 13, 2001

Ms. SOLIS. Mr. Speaker, I rise today to mark the departure of a key member of my staff, Frank Molina, a field representative in my El Monte office who is leaving this Friday to pursue his life-long dream of attending law school.

The single child of working-class parents, Frank became one of the first members of his family to earn a college degree when he graduated from the University of California at Los Angeles last year. Armed with a major in International Development Studies and minors in Latin American Studies and Spanish Literature, Frank set out to give back to the community that had already given him so much.

He started as a field representative in my California State Senate office in August 2000 and moved to the U.S. House of Representatives in January. Beyond helping constituents with casework, Frank assisted with higher education, transportation, immigration and economic development issues in my district office. The residents of my district are better off because of him.

Frank's fluency in Spanish was an extremely important asset for our office. He routinely communicated with constituents in their native tongue and wrote many of my Spanish-language speeches and position papers.

His biggest asset, though, was his dedication to the residents of the 31st Congressional District. Day after day, Frank worked to ensure that small businesses prospered in our area, that recent immigrants settled into their new community and that high school students benefitted from the advantages of higher education.

And now Frank is hoping to reap those same benefits. He plans on spending these next few months studying for the Law School Admission Test and hopes to attend an Ivy League university for law school. Although I and the constituents of the 31st Congressional District will miss Frank, we wish him the best.

INTRODUCTION OF LEGISLATION TO WAIVE FEDERAL WEIGHT LIMITS ON THE MAINE INTERSTATE

HON. JOHN ELIAS BALDACCI

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 13, 2001

Mr. BALDACCI. Mr. Speaker, I rise today to introduce legislation to exempt commercial vehicles traveling on the Maine Interstate from federal weight limits. Maine finds itself in a rather unique and dangerous situation. Canada and states surrounding Maine have much higher weight limits for trucks than those on Maine's Interstate. As a result, when they enter Maine, these heavy trucks are diverted onto smaller state and local roads. This diversion has caused two major problems.

First, the diversion of these trucks onto state and local roads is destroying these roads, Most are not built to handle the wear and tear caused by heavy trucks which would not normally be driven on secondary roads. As a result, the State and local governments are forced to use scarce funds to meet high repair and maintenance costs. In a geographically large state where every transportation dollar counts, such expenditures drain funds away from other high priority projects. By contrast, the Interstate is designed to absorb the wear and tear caused by heavy vehicles, and I believe that is where they should be driving.

Second, having these trucks on secondary roads causes an extreme safety hazard. Heavy vehicles, such as tanker trucks carrying hazardous material and fuel oil, simply should not be traveling through communities with small roads, narrow intersections and difficult rotaries. Regrettably, there have been many accidents—some fatal—between large trucks and private vehicles on these smaller roads. The roadways are not designed to accommodate heavy trucks, whereas the Interstate system clearly is. I believe that getting these trucks back on the Interstate where they belong will enhance safety.

My bill will institute a 3-year pilot program during which time the federal weight limits will not apply to Maine's Interstate. During this waiver period, traffic data will be collected and reviewed by a Safety Committee headed by the Maine Department of Transportation. If the Committee finds that the waiver in fact has not negatively impacted safety, then the waiver will become permanent.

This important bill represents a good first step in solving this very real and very dangerous problem for Maine's people and Maine's roads.

INTRODUCTION OF SAFE PLAYGROUNDS ACT

HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 13, 2001

Mr. PALLONE. Mr. Speaker, I rise today to ask that my colleagues join me in supporting legislation I introduced today that would ensure that our nation's playgrounds are safe and properly constructed throughout America.

As the school year ends and summer begins, children all around the United States will be spending more time outside playing with friends at our community playgrounds. While most kids enjoy horsing around at the playground, it can be a dangerous place if the equipment is either broken or not up to code. Every year more than 200,000 children are injured on America's playgrounds, and, according to the U.S. Consumer Product Safety Commission (CPSC), 147 children died between 1990 and 2000 from playground equipment-related injuries.

In a 1998 survey, U.S. playgrounds received an overall grade of C− when rated on the presence of physical hazards and behavioral elements, including supervision and age-appropriate design. Mr. Speaker, many may think that this is an acceptable grade because states, counties and local communities don't have any specific standards to follow when building playgrounds.

However this is not true. For the past several decades, the CPSC has written a very detailed national code to help states and local governments build the safest possible playgrounds. Unfortunately, only five states require that all public playgrounds in their respective communities abide by these standards.

My legislation, the Safe Playgrounds Act, would urge states to pass a law that assures that all playgrounds are safe for our kids.

The Safe Playgrounds Act will provide $1 million grants to states that enact statewide laws regulating public playgrounds according to the CPSC's Handbook for Public Playground Safety. States could use these funds to either build new playgrounds or bring older ones up to code.

Mr. Speaker, I urge my colleagues to join me in protecting our kids from playground accidents by cosponsoring this bill. Playground accidents will always be a reality, but by making these grounds as safe as possible, we can reduce those accidents that are not the fault of the child but of the playground itself.

MAGNOLIA JUNIOR HIGH SCHOOL

HON. KEVIN BRADY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 13, 2001

Mr. BRADY of Texas. Mr. Speaker, I would like to take this opportunity to welcome the students and faculty of Magnolia Junior High School of Magnolia, Texas to Washington, DC. I would also like to recognize the students from Maywood Middle School who are visiting with them from my colleague, Congressman DOUG OSE's, district in California. These students have traveled over great distances to enjoy the many national museums and learn the significance behind the many historic monuments that are in this great city. I would like to wish them all the best and hope they relish this tremendous educational opportunity.

TRIBUTE TO FRANCIS M. FULKERSON, JR.

HON. IKE SKELTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 13, 2001

Mr. SKELTON. Mr. Speaker, today, I wish to pay tribute to Francis M. Fulkerson, Jr. who has retired from the Army Corps of Engineers in Napoleon, MO.

In 1956, Mr. Fulkerson began his Federal career as a student trainee with the Corps. Mr. Fulkerson accepted a full time position in 1958 as a Surveying Technician at the Napoleon Office Area. During his career, Mr. Fulkerson served the Glasgow Area Office, the New Orleans District, the Kansas City District Office, the Jefferson City Resident Office, and then returned to Napoleon in July, 1988. Mr. Fulkerson has served for over 40 years.

Mr. Speaker, Francis Fulkerson's federal career has been far reaching. I know the members of the House, please join me in expressing appreciation for his years of service.

AMERICAN BREAKTHROUGH RESEARCH ACT OF 2001

HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 13, 2001

Mr. CRANE. Mr. Speaker, I am pleased to announce that I, along with my friend and Colleague Congressman BOB MATSUI, are introducing the American Breakthrough Research Act of 2001. This important legislation remedies a shortcoming in the federal income tax incentives available for research and development activities. To a considerable extent, our country's competitive position in the world economy and our citizens' standard of living are dependent on maintaining and enhancing our leadership in pure science and in the equally important commercialization of the fruits of scientific discovery. Over many years, the Congress and administrations across political parties consistently have supported tax incentives for those crucial activities.

Much of the risky and capital intensive work of developing the commercial potential of scientific findings is undertaken by relatively small and even start-up businesses. It often takes many years and many millions of dollars of investment to turn discoveries into products, and along the way these entrepreneurs tend to have few if any products to sell and little or no revenues. The U.S. bioscience industry, for example, which many call the industry of the 21st century is comprised of about 1200 companies, most of which are relatively small. While the medicines and treatments that these companies are developing hold great promise to reduce or eliminate major diseases such as cancer and cystic fibrosis, few companies can go to the market with products to sell.

A key goal of Congress in enacting and reenacting the research tax credit and expensing provisions of the Code has been to foster this long-term intensive R&D work. Yet the fact is that many such companies derive no benefit from these provisions. As estimated by a major U.S. accounting firm, 95 percent of the Nation's biotechnology firms did not earn any profits in 2000. The existing research tax incentives thus fail to reach these companies because the incentives can be utilized only by companies that have significant profits and taxable income.

This is a fundamental problem that we need to address now. This defect in existing law puts these companies, which are critically dependent on investment to sustain their research, at a disadvantage in raising capital compared with other, often larger companies that do have current income. Without current access to these tax incentives, these smaller companies whose research activities are so vital to our Nation, are hard pressed to find needed capital.

The Crane-Matsui legislation fixes this shortcoming. It provides eligible long-term research companies with the opportunity to obtain a current benefit from these tax attributes through an election to claim a refundable tax

credit in exchange for relinquishing the research-related losses and credits. There is growing precedent for this type of proposal among the States, several of which have enacted or are considering similar provisions to provide research companies with a current benefit from otherwise unusable tax incentives. We hope our colleagues will join us in supporting this important legislation.

A TRIBUTE TO ANNE BLUE

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 13, 2001

Mr. TOWNS. Mr. Speaker, I rise today to pay tribute to a remarkable young woman who spent a brief sojourn on this earth, but who has left giant footprints ''on the sands of time.'' The life of Anne Blue reminds us that the measure of a person's life is not the quantity of years, but the quality of years on this earth.

Anne Elizabeth Candace Blue was born in Georgetown Guyana on June 14, 1956 and departed this life July 5, 1993. In her 37 years of existence, she rose to the heights of academic and professional achievement. She passed the Common Entrance Examination in Guyana and attended Bishop's High School. She migrated to England and entered the London Hospital School of Nursing where she graduated as a State Registered Nurse. She migrated to the United States where she obtained the Bachelor of Science degree in Nursing from Hunter College and the Juris doctor degree from Hofstra Law School. She was active in various social, cultural and professional associations. She was a member of the Bishop's High School Alumni Association; founding member of the Caribbean American Bar Association; founding member of New York Reggae Music Festival Inc. She was a licensed Real Estate broker and Mortgage broker and, together with her parents John and Hyacinth Blue, she carried on a prosperous and successful Real Estate and Home Care business on Church Avenue.

Anne Blue ''walked with kings, nor lost the common touch.'' She never lost contact with her native land and visited Guyana on an annual basis. As tribute to her patriotic and humanitarian commitment, her parents have created four Anne Blue scholarships in her memory—The Anne Blue National C.X.C. scholarship, awarded to individuals who obtained outstanding marks on the C.X.C. examination; The Anne Blue University of Guyana Law student scholarship, awarded to second year law students who obtain outstanding grades in their first year of law school; A scholarship to St. Gabriel's Elementary School, her elementary school alma mater; and a scholarship to Bishop's High School, her high school alma mater.

In the United States, the Anne Blue Scholarship Fund is sponsoring Project Amethyst, an academic enrichment program designed to help students to help students prepare for the specialized High School Admissions examinations. The participants begin the program in the 7th grade and continue through the 8th grade. They attend classes for four hours on Saturday's where qualified teachers tutor them in the areas of English, Mathematics, Biology and Computer Science.

In paying tribute to Anne Blue, we also pay tribute to her remarkable parents, John Blue and Hyacinth Blue, who transformed their pain into triumph by preserving and perpetuating the memory of their remarkable daughter. They have named their Real Estate and Home Care business establishments in her honor, and have created a Scholarship fund, which opens the door of academic opportunity to underprivileged young people in Guyana and Central Brooklyn. In the words of Horace, ''exegit monumentum, perennius aere''—they have built a monument more lasting than bronze.

FEDERAL FIRE FIGHTERS DESERVE HEALTH BENEFITS

HON. CIRO D. RODRIGUEZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 13, 2001

Mr. RODRIGUEZ. Mr. Speaker, I rise on behalf of thousands of federal fire fighters and emergency response personnel nationwide who, at great risk to their own personal health and safety, protect America's defense, our veterans, Federal wildlands and national treasures. Although the majority of these important federal employees work for the Department of Defense, federal fire fighters are also employed by the Department of Veteran Affairs, and the United States Park Service. From first-response emergency care services on military installations around the world to frontline defense against raging forest fires here at home, we call on these brave men and women to protect our national interests.

Yet under federal law, compensation and retirement benefits are not provided to federal employees who suffer from occupational illnesses unless they can specify the conditions of employment which caused their disease. This onerous requirement makes it nearly impossible for federal fire fighters, who suffer from occupational diseases, to receive fair and just compensation or retirement benefits. The bureaucratic nightmare they must endure is burdensome, unnecessary and, in many cases, overwhelming. It is ironic and unjust that the very people we call on to protect our federal interests are not afforded the very best in health care and retirement benefits our federal government has to offer.

Today, Representatives CONNIE MORELLA (R–MD), JO ANN DAVIS (R–VA), and LOIS CAPPS (D–CA) joined me to introduce bipartisan legislation, the Federal Firefighters Fairness Act of 2001, which amends the Federal Employees Compensation Act to create a presumptive disability for fire fighters who become disabled by heart and lung disease, cancers such as leukemia and lymphoma, and infectious diseases like tuberculosis and hepatitis. Disabilities related to the cancers, heart, lung and infectious diseases enumerated in this important legislation would be considered job related for purposes of workers compensation and disability retirement—entitling those affected to the health care coverage and retirement benefits they deserve.

Too frequently, the poisonous gases, toxic byproducts, asbestos, and other hazardous substances with which federal firefighters and emergency response personnel come in contact, rob them of their health, livelihood, and professional careers. The federal government should not rob them of necessary benefits.

The bipartisan effort behind the Federal Firefighters Fairness Act of 2001 marks a significant advancement for fire fighter health and safety. Federal firefighters deserve our highest commendation and it is time to do the right thing for these important federal employees.

Thirty-eight states have already enacted a similar disability presumption law for federal firefighters' counterparts working in similar capacities on the state and local levels. The Federal Firefighters Fairness Act of 2001 is about parity for federal fire fighters; the same level of support provided to other important groups, such as teachers and police officers, should also be granted to these dedicated federal employees.

Mr. Speaker, the job of fire fighting continues to be complex and dangerous. The nationwide increase in the use of hazardous materials and the recent rise in both natural and man-made disasters pose new threats to fire fighter health and safety. The Federal Fire Fighters Fairness Act of 2001 will help protect the lives of our fire fighters and it will provide them with a vehicle to secure their health and safety.

I urge my colleagues to embrace this bipartisan effort and support the Federal Firefighters Fairness Act of 2001 on behalf of our nation's federal fire fighters and emergency response personnel.

SENSATIONAL SOCCER IN THE 6TH DISTRICT OF NORTH CAROLINA

HON. HOWARD COBLE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 13, 2001

Mr. COBLE. Mr. Speaker, On May 26, the Sixth District of North Carolina became the home of the 3–A state championship girls soccer team—Southwest Guilford High School. The Cowgirls completed their victory run with a season record of 24–3. After winning state championships in 1995 and 1997, the team brought the title home again when they beat T.C. Robeson 4–1.

With a team that has the Regional Player of the Year Erin Sides, All-State Player and leading goal scorer Kelly Whitaker, Conference Defender of the Year Lauren Field, and Erin Gonzalez as the All-State Stopper, Southwest Guilford had a leading advantage in capturing the 3–A state title.

The Cowgirls won all five state championship title games. The final game was a scoreless tie at halftime. But the team remained united and was ready for the second half.

''We said at halftime, whoever scored that first goal is going to win the game,'' sweeper Lauren Field, one of three captains, told the High Point Enterprise.

The Cowgirls' Erin Sides, scored their first goal, only two minutes into the second half. Laura Allen drilled another goal three minutes

later. The final two goals that sealed the victory were by Kelly Whitaker, who was the championship game MVP.

Congratulations are in order for Head Coach Mike Fitzpatrick along with his Assistant Coach Gary Sabo, Goalkeeper Coach Chris Barrett and JV Coach Jim Coggins.

Members of the championship team included Laura Allen, Deanna Carr, Sara Crowder, Lisa Demeyer, Lauren Field, Erin Gonzalez, Natalie Henderson, Melissa Hunter, Andrea Lance, Bevan Menamara, Jolie Reed, Erin Slides, Marty Thompson, Marianne Trexler, Claire Walley, Kelly Whitaker, and Wendy Williams.

Everyone at Southwest Guilford High School can be proud of the Cowgirls. On behalf of the citizens of the Sixth District, we congratulate Athletic Director Brindon Christman, Principal Wayne Tuggle and everyone at Southwest Guilford for winning the state 3–A girls soccer championship.

INTRODUCTION OF THE AIRCRAFT CLEAN AIR ACT OF 2001

HON. JERROLD NADLER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 13, 2001

Mr. NADLER. Mr. Speaker, today I am introducing the Aircraft Clean Air Act of 2001 along with Senator DIANE FEINSTEIN who has introduced the companion bill in the Senate. This legislation is intended to create a procedure within the FAA to record cabin air quality incidents on commercial flights and to require airlines to turn over certain information regarding those complaints to the FAA.

The problem, Mr. Speaker, is that there is no way for passengers and crew members to register complaints about poor air quality they may have experienced on a commercial flight in the United States. Airlines are not required to save, or make available, valuable maintenance records of the flights where air quality problems are reported. Nor are they required to make available the chemical constituents present to which a person on the plane may be exposed. As a result, we have very little information as to the frequency or nature of cabin air quality incidents.

The Aircraft Clean Air Act of 2001 addresses this problem by allowing passengers and crew members to register cabin air quality complaints directly with the FAA. The FAA is then required to pass the complaint on to the appropriate airline, and to keep records of all complaints for ten years. Further, a passenger or crew members may request that the airline named in their complaint turn over the applicable mechanical and maintenance records of the flight in question if they have had a medical professional verify their symptoms. Airlines would have 15 days to turn over this information, after which a civil penalty of $1,000 per day would be levied on the airline for every day they do not turn over the requested information.

The Aircraft Clean Air Act of 2001 addresses another issue as well, the level at which aircraft are pressurized in flight. Currently airplanes are pressurized at 8,000 feet while they are in the air. This means that for the duration a flight is in the air, it feels to the passengers as if they are at 8,000 feet above sea level, regardless of the actual altitude of the aircraft. The 8,000 foot standard was based on outdated research that used an unrepresentative sample of the population. Recently, there have been questions regarding the safety of the 8,000 foot level. As a person goes higher above sea level, the rate at which oxygen is absorbed into the body decreases. This could cause problems such as shortness of breath and numbness in limbs, and lead to other health related problems.

The Aircraft Clean Air Act of 2001 authorizes the FAA to sponsor a study to determine if the cabin altitude rate, as currently defined by existing government regulation, should be lowered. The study would examine the affects of altitudes between 5,000 and 8,000 feet on various types of people that broadly represent the public. The bill allows universities to compete to conduct the study, and allows the National Academy of Sciences' "Committee on Air Quality in Passenger Cabins of Commercial Aircraft" to select the winner.

Mr. Speaker, airlines should be required to record all air quality complaints from passengers and crew members and to turn over the requested maintenance information in order to insure that our airlines remain the safest in the world. This is a matter of extreme importance for the flying public as well as those who work in the industry, and I urge my colleagues to support this legislation.

ELIMINATE PENALTY FOR IMMIGRANT CHILDREN—H.R. 1209

HON. PATSY T. MINK

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 13, 2001

Mrs. MINK of Hawaii. Mr. Speaker, I rise in strong support of H.R. 1209—The Child Protection Act of 2001. Too many injustices affect immigrants as a result of how the current Immigration and Nationality Act is written. H.R. 1209 is but one way to ensure that children of citizens are not penalized because it takes the INS an unacceptable length of time to process their adjustment of status petitions.

Alien children of U.S. citizens are eligible for admission as an immediate relative. They are not subject to any numerical limitations on visas. The only wait time for these children is the actual time the INS takes to process their petitions.

However, when these children turn 21 years of age, their status shifts from immediate relative status to the status of family-first preference. This category is subject to a limited number of visas per year.

If these children turn 21 after their immediate relative petition is filed, they are moved to the bottom of the wait list for the family-first preference category. Since this category is backlogged for many countries, the child's wait time for processing unfairly increases.

H.R. 1209 would ensure that an alien child of a U.S. citizen shall remain eligible for immediate relative status as long as an immigrant visa petition was filed before the child turned 21. The date the petition was filed, and not the date the petition is processed, shall apply.

I urge my colleagues to support this piece of legislation to correct this inequitable outcome.

IRRELEVANT WEEK 26TH ANNIVERSARY

HON. CHRISTOPHER COX

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 13, 2001

Mr. COX. Mr. Speaker, I rise today to commemorate an unusual community event that takes place in my district each year. "Irrelevant Week," now being celebrated for the 26th year in a row, was the vision of former National Football League player Paul Salata.

Founded on the premise of "doing something nice for someone for no reason," Irrelevant Week has inspired generous acts that have made this popular event one of the most relevant altruistic programs held in Orange County. The honoree of the week is, by tradition, the person chosen last in the National Football League draft. Whether first or last in the NFL draft, Paul Salata knows that beyond pure talent, it is the character and drive of the player—even if the last one picked—that will determine how successful he will be on the field. Proceeds from the week's events are donated to charities in Southern California, including this year's beneficiaries: the Orange County Youth Sports Foundation and Save Our Youth.

This year's honoree is future Arizona Cardinal Tevita Ofahengaue. He was the 246th pick in the NFL draft this year. Born in Tonga and raised in Laie, Hawaii, he is a 6′2″ 251-pound tight end from Brigham Young University.

Tevita, along with his wife and four children, will undoubtedly enjoy celebrating his reign as "Mr. Irrelevant" during the week's festivities. On behalf of the United States Congress and the people of Orange County whom it is my privilege to represent, congratulations to Tevita, his family, Paul Salata, and everyone associated with Irrelevant Week XXVI.

HONORING HOWARD SCHARLIN

HON. PETER DEUTSCH

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 13, 2001

Mr. DEUTSCH. Mr. Speaker, I rise today to honor a man who will be greatly missed by all who knew him. A man who served his country proudly in its hour of need, and a man whose love for his work and his life are only eclipsed by his immeasurable love of family. It brings me great sadness to report that Howard Scharlin of Coconut Grove, Florida, passed away last Tuesday at the age of 73.

Howard Scharlin attended school at Brooklyn College and later at Brooklyn Law School. He was admitted to the New York State Bar Association in 1951. Before entering the practice of law, he joined the Navy and attended Officers Training School from which he eventually became a line officer on the *Battleship*

Wisconsin. It was on the *Wisconsin* where Howard began service to his country during the Korean War.

After the war, Howard Scharlin moved to Miami in 1955. It was in Florida that he began his legal career as a real estate attorney and also a real estate developer. As a developer, Howard used his intellect and creativity to play a great role in the development of the City of Hialeah. Other accomplishments in the field include the co-creation of Palm Springs Mile, the creation of Anchorage Way and Commodore Plaza, and more notably, the development of the first townhouses in Florida and the laws creating condominiums.

However, Howard may best be known for his intense involvement in community service and his most generous philanthropy. He was a major supporter of the Boys and Girls Club, the United Way, and a myriad of Arts associations both in Florida and Aspen Colorado, where his family spent a considerable amount of time. He showed a great interest in educational institutions as well, as he was on the Board of Trustees for the Coconut Grove Playhouse and the Ransom Everglades School, as well as endowing the I Have a Dream Foundation at the Drew Elementary School.

In addition, Howard was an outstanding member of the Jewish community and a passionate supporter of the State of Israel. He was a board member on the American Jewish Committee, board member and Past President of the Miami Jewish Federation, President of the local chapter of AIPAC, participant in a number of missions to Israel, influential member on the boards of several Temples, and a number of other organizations.

Mr. Speaker, Howard Scharlin was both well-loved and widely respected by all those blessed to have known him, especially his wife, three children, and six grandchildren by whom he is survived. He selflessly served his country. His life's work was his dream. And his family was a source of admiration and great pride. Today we celebrate Howard's life which serves as a wonderful example to all who follow in his footsteps.

TRIBUTE TO MR. FRED WENGER

HON. MIKE PENCE

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 13, 2001

Mr. PENCE. Mr. Speaker, I rise today to honor the life of the late Mr. Fred Wenger, an outstanding citizen and dedicated community leader in Delaware County, Indiana for three decades. I join his lovely wife Karen and three children in expressing gratitude for his loyal service as an Indiana State Representative.

Mr. Speaker, ask everyone in the Indiana General Assembly about the legacy of Mr. Wenger and they will unanimously refer to his gentle soul. He was dedicated to building strong constituent relationships and stronger Christian values.

Mr. Wenger's powerful faith influenced all of his work at the State House. He routinely voted his conscious for each of his three years in office. His passion for public service made him an inspiration to all of his colleagues. He is not only deeply regarded, but also deeply loved.

Mr. Speaker, I respectfully ask my colleagues to join me in paying tribute to this respected man who helped make selected communities of east central Indiana the pleasant places they are today. Indiana will miss Mr. Fred Wenger.

INTERNET FREEDOM AND BROADBAND DEPLOYMENT ACT OF 2001

HON. TOM SAWYER

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 13, 2001

Mr. SAWYER. Mr. Speaker, I rise in support of H.R. 1542, the Internet Freedom and Broadband Deployment Act of 2001. While this bill is controversial, I believe that it is fundamentally headed in the right direction. In fact, I authored an amendment to this bill to assure that, if the Bell Operating Companies receive relief to deliver high-speed Internet services, they would be required to deliver Internet services to underserved areas.

The bill would free the Bells of regulation to compete freely with long-distance providers and cable companies for high-speed Internet services. Of course, those companies which are already unregulated in providing high-speed Internet services oppose putting the Bells on an equal playing field.

I am less interested in the great turf wars among competitors than I am in how fair competition benefits the consumer, and whether technical advances—especially high speed Internet services, or broadband—will be made available across America.

Broadband access, along with the content and services it might enable, has the potential to transform the Internet—both what it offers and how it is used. For example, a two-way high speed broadband connection could be used for interactive applications such as online classrooms, showrooms, or health clinics, where teacher and student (or customer and salesperson, doctor and patient) could see and hear each other through their computers. An "always on" connection could be used to monitor home security, home automation, or even patient health remotely through the Internet.

The high speed and high volume that broadband offers could also be used for bundled service where, for example, cable television, video on demand, voice, data, and other services are all offered over a single line. In truth, many of the applications that will best exploit the technological capabilities of broadband, while also capturing the imagination of consumers, have yet to be developed.

My amendment, which was adopted by the House Committee, requires the Bells to make 20 percent of their central [switching] offices capable of carrying high speed data within the first year after enactment. In the second year, that number would rise to 40 percent of the central offices, and in the third year, 70 percent. After five years after enactment, 100 percent of the offices must be able to provide high-speed Internet access. While this does not mean that 100 percent of the nation will be hooked up, it will make an enormous leap in availability.

The amendment is flexible in that it allows the Bell Operating Companies to provide service through alternative technologies other than Digital Subscriber Lines (DSL), which utilize copper and fiber telephone infrastructure, in meeting this requirement. If a company would like to provide wireless or satellite as an alternative to DSL, they can under my amendment. A failure to comply with the requirements could trigger substantial Federal Communications Commission (FCC) fines.

Finally, the amendment requires the affected companies to report annually to the FCC on progress in deployment of these services to the underserved communities.

I believe this is a reasonable approach, that simply holds the Bells accountable for what they have promised if they get relief.

The bill, with my amendment, was accepted by the Energy and Commerce Committee on May 9, 2001. The Judiciary Committee has also held a hearing on the bill and plans to consider it before it comes to the floor of the House for a vote later this summer.

The future of telecommunications is full of uncertainty as competing companies and industries try to anticipate technological advances, market conditions, consumer preferences, and even cultural and societal trends. Congress should work to ensure industry competition and to provide for service to all sectors and geographical locations of American society. I believe the bill, with my amendment, has the potential to reach this public policy goal.

STATE DEPARTMENT LETTER DESCRIBING RELIGIOUS PERSECUTION IN CHINA

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 13, 2001

Mr. WOLF. Mr. Speaker, as co-chairman of the Congressional Human Rights Caucus, I want to share a letter I recently received from the State Department regarding religious persecution in China. The letter notes that the State Department currently estimates that, "roughly ten Catholic Bishops, scores of Catholic priests and house church leaders, 100–300 Tibetan Buddhists, hundreds (perhaps thousands) of Falun Gong adherents, and an unknown but possibly significant number of Muslims are in various forms of detention in China for the expression of their religious or spiritual beliefs." An illustrative list of religious prisoners in China notes that many have been tortured to death or are serving sentences of up to 21 years for simply practicing their religion.

I look forward to the day when the citizens of China will be free to worship the religion of their choosing and enjoy the basic human right of religious freedom.

U.S. DEPARTMENT OF STATE,
Washington, DC, May 31, 2001.

Hon. FRANK WOLF,
Co-Chairman, Human Rights Caucus,
House of Representatives.

DEAR MR. WOLF: This is in response to your request of Acting Assistant Secretary Michael Parmly for additional information during his testimony before the Human Rights Caucus on May 15 on the status of religious freedom in China. We appreciate your concern about the recent deterioration of religious freedoms in China and the large number of persons held in China for the peaceful expression of their religious or spiritual views. We regret the delay in responding to your request for information, but we wanted to provide as comprehensive a list of these individuals as possible.

We currently estimate that roughly ten Catholic Bishops, scores of Catholic priests and house church leaders, 100–300 Tibetan Buddhists, hundreds (perhaps thousands) of Falun Gong adherents, and an unknown but possibly significant number of Muslims are in various forms of detention in China for the expression of their religious or spiritual beliefs. The forms of detention range from de facto house arrest to imprisonment in maximum security prisons. As you know, we regularly raise cases of religious prisoners with Chinese officials both here and in China. Our information about such cases comes from sources as diverse as religious dissidents, human rights NGOs, interested Americans and, most importantly, regular reporting from our embassies and consulates. Unfortunately, the opaqueness of the Chinese criminal justice system and absence of any central system that provides basic information on who is incarcerated and why makes it exceedingly difficult to determine the exact number of religious prisoners currently being held in China. We have, however, attached lists of cases of particular concern that we have raised with Chinese authorities or have included in our human rights and religious freedom reports.

We recognize the importance of compiling and maintaining a database of political and religious prisoners from additional sources such as Chinese newspapers and government notices and appreciate Congressional interest in providing us additional resources to fund such activities. At present, the Bureau for Democracy, Human Rights and Labor is discussing with the International Republican Institute a proposal which will be submitted through the National Endowment for Democracy. This proposal will be for a Human Rights and Democracy Fund grant specifically for the purpose of funding a U.S. NGO's efforts to develop and maintain a list of political and religious prisoners in China.

Such a database will be extremely valuable to the human rights work done not only by this bureau but also by other government agencies, the Congress, and NGOS. We welcome your interest in and support of this effort and look forward to cooperative efforts to develop and fund a comprehensive record of religious prisoners in China.

In the meantime, we hope the information in this letter and the attached lists are helpful to you. We would welcome any case information that you might have available that could improve the quality of this list.

Sincerely,

MICHAEL E. GUEST,
Acting Assistant Secretary,
Legislative Affairs.

Enclosure: Listing of Religious Prisoners in China.

ILLUSTRATIVE LIST OF RELIGIOUS PRISONERS IN CHINA

Note: See comments in cover letter. The following illustrative list is compiled from various sources, including information provided to us by reputable non-governmental organizations and from the State Department's annual reports on human rights and on religious freedom. We cannot vouch for its overall accuracy or completeness.

STATUS

MUSLIMS

Xinjiang Abduhelil Abdumijit, tortured to death in custody.
Turhong Awout, executed.
Rebiya Kadeer, serving 2nd year in prison.
Zulikar Memet, executed.
Nurahmet Niyazi, sentenced to death.
Dulkan Rouz, executed.
Turhan Saidalamoud, sentenced to death.
Alim Younous, executed.
Krubanjiang Yusseyin, sentenced to death.

PROTESTANTS (MISC.)

Qin Baocai, reeducation through labor sentence.
Zhao Dexin, serving 3rd year in prison.
Liu Haitao, tortured to death in custody.
Miao Hailin, serving 3rd year in prison.
Han Shaorong, serving 3rd year in prison.
Mu Sheng, reeducation through labor sentence.
Li Wen, serving 3rd year in prison.
Yang Xian, serving 3rd year in prison.
Chen Zide, serving 3rd year in prison.

EVANGELISTIC FELLOWSHIP

Hao Huaiping, serving reeducation sentence.
Jing Quinggang, serving reeducation sentence.
Shen Yiping, Reeducation; status unknown.

COLD WATER RELIGION

Liu Jiaguo, executed in October 1999.

FENGCHENG CHURCH GROUP

Zheng Shuquian; reeducation; status unknown.
David Zhang; reeducation; status unknown.

CATHOLICS

Bishops

Bishop Han Dingxiang; arrested in 1999, status unknown.
Bishop Shi Engxiang; arrested in October 1999.
Bishop Zeng Jingmu; rearrested on September 14, 2000.
Bishop Liu; house arrest in Zhejiang.
Bishop Jiang Mingyuang; arrested in August 2000.
Bishop Mattias Pei Shangde; arrested in early April 2001.
Bishop Xie Shiguang; arrested in 1999; status unknown.
Bishop Yang Shudao; arrested Feb. 2001; status unknown.
Bishop An Shuxin; remains detained in Hebei.
Bishop Li Side; house arrest.
Bishop Zang Weizhu; detained in Hebei.
Bishop Lin Xili; arrested Sept. 1999, status unknown.
Bishop Su Zhimin; whereabouts unknown.

Priests

Fr. Shao Amin; arrested September 5, 1999.
Fr. Wang Chengi; serving reeducation sentence.
Fr. Wang Chengzhi; arrested September 13, 1999.
Fr. Zhang Chunguang; arrested May 2000.
Fr. Lu Genjun; serving 1st year of 3 year sentence.
Fr. Xie Guolin; serving 1st year of 1 year sentence.
Fr. Li Jianbo; arrested April 19, 2000.
Fr. Wei Jingkun; arrested August 15, 1998.
Fr. Wang Qingyuan; serving 1st year of 1 year sentence.
Fr. Xiao Shixiang; arrested June 1996, status unknown.
Fr. Hu Tongxian; serving 3rd year of 3 year sentence.
Fr. Cui Xingang; arrested March 1996.
Fr. Guo Yibao; arrested April 4, 1999.
Fr. Feng Yunxiang; arrested April 13, 2001.
Fr. Ji Zengwei; arrested march 2000.
Fr. Wang Zhenhe; arrested April 1999.
Fr. Yin; serving 1st of 3 year sentence.
Fr. Kong Boucu; arrested October 1999.
Fr. Lin Rengui; arrested Dec. 1997, status unknown.
Fr. Fr. Pei Junchao, arrested Jan. 1999, status unknown.
Fr. Wang Chengi; arrested Dec. 1996, status unknown.

TIBETAN BUDDHISTS

Lamas

Gendun Choekyi Nyima; house arrest.
Pawo Rinpoche; house arrest.

Nuns

Ngawang Choekyi; serving 9th year of 13 year sentence.
Ngawang Choezom; serving 9th year of 11 year sentence.
Chogdrub Drolma; serving 6th year of 11 year sentence.
Jamdrol; serving 6th year of 7 year sentence.
Namdrol Lhamo; serving 9th year of 12 year sentence.
Phuntsog Nyidrol; serving 12th year of 17 year sentence.
Yeshe Palmo; serving 4th year of 6 year sentence.
Ngawang Sangdrol; serving 9th year of 21 year sentence.
Jigme Yangchen; serving 11th year of 12 year sentence.

Monks

Ngawang Gyaltsen; serving 12th year of 17 year sentence.
Ngawang Jamtsul; serving 12th year of 15 year sentence.
Jamphel Jangchub; serving 12th year of 18 year sentence.
Ngawang Kalsang; serving 6th year of 8 year sentence.
Thubten Kalsang; sentence not reported.
Lobsang Khetsun; serving 5th year of 12 year sentence.
Phuntsok Legmon; sentenced to 3 years in prison.
Namdrol; sentenced to four years in prison.
Yeshe Ngawang; serving 12th year of 14 year sentence.
Ngawang Oezer; serving 12th year of 17 year sentence.
Ngawang Phuljung; serving 12th year of 19 year sentence.
Lobsang Phuntsog; serving 6th year of 12 year sentence.
Sonam Phuntsok; arrested in October 1999.
Phuntsog Rigchog; serving 7th year of 10 year sentence.
Lobsang Sherab; serving 5th year of 16 year sentence.
Sonam Rinchen; serving 15 year sentence.
Ngawang Sungrab; serving 9th year of 13 year sentence.
Jampa Tenkyong; serving 10th year of 15 year sentence.
Ngawang Tensang; serving 10th year of 15 year sentence.
Lobsang Thubten; serving 7th year of 15 year sentence.

Agya Tsering; arrested in October 1999.

Trinley Tsondru; serving 5th year of 8 year sentence.

Tenpa Wangdrag; serving 13th year of 14 year sentence.

HONORING CINDY CALERICH FOR HER DEDICATION AND HARD WORK

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 13, 2001

Mr. McINNIS. Mr. Speaker, I would like to take this opportunity to ask Congress to pay tribute to one of Colorado's leading citizens. Earlier this year 41-year-old Cindy Calerich of Monte Vista passed away unexpectedly. Throughout her life, Cindy donated her time to help others. For that she was named its ''Hero'' for the past year, an award given as an honorary memorial tribute by the San Luis Valley Red Cross.

A Colorado native, Cindy moved to the San Luis Valley 5 years ago. For the last two and a half years she volunteered at the San Luis Valley Red Cross. She spent most of her time on call for disaster services and assisted families in the San Luis Valley during emergency situations. Several times a week, coupled with her on call status, she went into the Red Cross office and helped answer phones and entered computer data.

During the Sand Dunes fire, Cindy worked three days straight without any sleep to assist in feeding and caring for the families who were relocated, and the firefighters involved in the disaster. Cindy also volunteered for the Alamosa Search and Rescue Service. According to the Red Cross, Cindy will always be remembered as ''someone who was always on call and willing to help.''

Cindy donated a great deal of her time to the Red Cross to help those in need, while managing to raise her son Ben. Mr. Speaker, Cindy is a role model to her friends and family for all that she has done for those families that needed a helping hand. Family, friends, coworkers and the community will miss her. Cindy touched many lives and for that Congress should take a moment to remember her and thank her for her helping hand.

7 DAYS IN JUNE

HON. ANTHONY D. WEINER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 13, 2001

Mr. WEINER. Mr. Speaker, I rise today to send a simple message: employer interference with workers' choices is unacceptable. When working people join together to form unions with the hope of improving their standard of living, their community and their jobs, harassment, coercion, firings and other attempts by employers to block the efforts of workers will not be tolerated.

This message is at the heart of the AFL–CIO's ''7 Days in June'' campaign. ''7 Days in June'' is a week long series of activities around the country sponsored by the AFL–CIO to shine the spotlight on how hard it is for people to form legal unions in the United States. I am pleased to participate in today's special order and to be a part of this campaign. And I thank my Colleague, Mr. BONIOR for organizing this event today.

Whenever I hear the term union-busting, I think back to my high school history book, with black and white pictures of men with fedoras and billy clubs hopping out of old trucks and rushing picket lines to break up strikes in the 1920s and 30s. But the sad reality is that union busting is not relegated to the history books. It is a practice that is alive and well.

Today, the men in fedoras have been replaced with lawyers in Armani suits. The billy clubs have been replaced with lawsuits, company-sponsored sham-unions, and other tactics intended to harass or intimidate employees. These new tactics may not be as brazen as they once were, but they are just as effective in squelching the rights of workers to organize.

I had the unfortunate opportunity to see these new tactics first hand earlier this year. On March 5, 2001, I was joined by 63 of my colleagues in the House of Representatives in sending a letter to the Chairman and CEO of Delta Airlines, Leo Mullen, a copy of which I will submit to the record. In this letter we simply asked him to allow the flight attendants at Delta to decide for themselves whether to support union representation.

The genesis of this letter was a meeting I had with constituents from Kew Gardens, New York, who are flight attendants at Delta. They told me of the difficulties that they were having in organizing at Delta due to interference by supervisors and other employees who opposed the union's efforts. When I heard their stories, I offered to send a letter to Delta's CEO, asking him to sign the Association of Flight Attendants' ''Appeal for Fairness,'' a six-point pact aimed at creating an atmosphere that will allow for a free and positive discussion, void of intimidation, threats and harassment.

When word got out that I was sending this letter, I was overwhelmed by the amount of letters, e-mails, phone calls and faxes that my office received. From all over the country, flight attendants at Delta were contacting me to let me know of their own personal stories of intimidation, harassment and interference by supervisors and other employees at Delta Airlines who were opposed to the union's organizing efforts.

The stories I heard were textbook cases of modern union-busting activities. Flight attendants in Boston who told me of a supervisor's effort to deny them meeting space in the airport. The supervisor even attempted to get them thrown out of the food court when he saw AFA literature on a table where three activists happened to be sitting. I also heard from flight attendants in Orlando whose supervisors were keeping lists of union supporters. And I hear from flight attendants in New York who were told that they weren't allowed in their own crew lounge if they were going to distribute AFA literature.

Mr. Speaker, unfortunately, the experiences of the flight attendants at Delta are not isolated incidents. All over the country there are companies that foster such an anti-union corporate culture that encourages these familiar union busting activities. I believe that it is our responsibility as Members of Congress to stand-up and lend our voices in criticizing this behavior, which is why I am participating in this ''7 Days in June'' special order tonight.

Working men and women who undertake union organizing drives do so for many different reasons. But at the heart of every organizing drive is a desire to improve their lives and the lives of their co-workers. Employer tactics that block the freedom to choose a voice at work are wrong. We should begin to change the way employers behave by passing laws that provide for stiff punishments for such acts and allow these workers the chance to express their views without the fear of company reprisals.

In closing I want to commend the work of the flight attendants at Delta Airlines and the Association of Flight Attendants who are trying to improve their standard of living, their community and their jobs and wish them luck in their continuing efforts.

Mr. Speaker, I submit for the RECORD a letter to the chairman and CEO of Delta Air Lines by me and several of my colleagues.

CONGRESS OF THE UNITED STATES,
Washington, DC, March 5, 2001.

LEO F. MULLIN,
Chairman and CEO, Delta Air Lines, Atlanta, GA.

DEAR MR. MULLIN: It has come to our attention that the Delta Air Lines flight attendants are attempting to form a union. We write to urge you to allow the flight attendants at Delta Air Lines to decide for themselves whether to support union representation.

For nearly 75 years the policy of this country, as expressed in our national labor laws, has been to encourage employees to choose whether to join a union without interference or coercion by their employer. Collective bargaining is the time-honored method for resolving issues between management and employees in the American workplace. Workers have a right to a voice on the issues that affect their careers and their working conditions.

The Association of Flight Attendants' six-point pack, ''Appeal for Fairness,'' is well-designed to ensure that both the union and management conduct themselves fairly. It not only calls on both management and the union to refrain from coercive tactics but also provides for balanced meetings in which both points of view can be expressed openly. And, in the end, it calls for both management and the union to respect the employees' final choice.

We urge you to approach this, and every union organizing drive, in a fair and balanced manner. We encourage you to sign the ''Appeal for Fairness'' on behalf of Delta management, to demonstrate to the Delta flight attendants that the company is committed to respecting their rights under the law and will honor their decision regarding whether to join a union.

Sincerely,

Anthony Weiner, William O. Lipinski, John E. Sweeney, David E. Bonior, Jerry F. Costello, Robert A. Borski, Jerrold Nadler, Corrine Brown, Eddie Bernice Johnson, Juanita Millender-McDonald, Nick J. Rahall II, Peter A. DeFazio, Robert Menendez, Bob Filner, Frank Mascara, Earl Blumenauer.

Bill Pascrell Jr., Tim Holden, Steve Israel, Jose E. Serrano, Carolyn McCarthy, Gregory W. Meeks, James P. McGovern, Shelley Berkley, Nita M. Lowey, Nydia M. Velazquez, Maurice D. Hinchey, Joe Baca, Jay Inslee, Carolyn B. Maloney, Robert Wexler, Cynthia A. McKinney, Carrie P. Meek, Rush D. Holt, Earl F. Hilliard, Lucille Roybal-Allard, Martin Frost, Sam Farr, William J. Coyne, Ron Kind.

Patsy T. Mink, Fortney Pete Stark, Mike Thompson, Tom Sawyer, Mike Ross, Dennis Moore, John J. LaFalce, Barney Frank, Dennis J. Kucinich, Ed Pastor, David Wu, Steven R. Rothman, Nancy Pelosi, William Lacy Clay, Melvin L. Watt, John B. Larson, Neil Abercrombie, Julia Carson, Hilda L. Solis, Carolyn C. Kilpatrick, Michael E. Capuano, Rod R. Blagojevich, Jim Matheson, Karen L. Thurman.

MOTOR CARRIER FUEL COST EQUITY ACT OF 2001

HON. NICK J. RAHALL II

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 13, 2001

Mr. RAHALL. Mr. Speaker, I am pleased to introduce the bi-partisan ''Motor Carrier Fuel Cost Equity Act of 2001'' with my colleagues Mr. BLUNT of Missouri, Mr. MOLLOHAN of West Virginia, Mr. NEY of Ohio, Mr. PETERSON of Minnesota, Mr. STRICKLAND of Ohio, Mr. LIPINSKI of Illinois and Ms. BROWN of Florida.

In the 106th Congress, the House passed this bill by suspension of the rules on October 10, 2000 because Members recognized the hardship small business truckers suffer when they must pay for price spikes in the cost of diesel fuel. However, the bill was received in the Senate the next day and no further action was taken. Today, my colleagues and I re-introduce this bill with the hope that it will be enacted into law. Our goal is to ease the financial burden on small business truckers who need relief from diesel fuel price spikes.

Small business truckers are the Owner-Operators, approximately 350,000 men and women throughout the United States who own, operate and maintain their own 18-wheelers for their livelihood. They comprise about 67 percent of our nation's trucking force. They pay for their own diesel fuel, taxes, highway tolls and permits. These men and women do not work for the large trucking companies which negotiate long term fuel contracts and can defray part of the cost of skyrocketing fuel prices. Unlike the large trucking companies, the Owner-Operators are at the mercy of diesel fuel price spikes. They simply do not have the market clout to negotiate fuel contracts.

In the last 18 months, the price of diesel fuel has risen more than fifty cents a gallon over the 1999 levels. While the price spikes have hurt the entire trucking industry, no one is hurt like the little guy. Fuel is the single biggest operating cost of a small business trucker and accounts for up to one-third of their budget. According to an analyst with A.G. Edwards, almost 200,000 trucks have been repossessed since January of 2000 because small business truckers could not make ends meet.

In the third quarter of 2000 over 1,350 companies owning five trucks or less went bankrupt. This is nearly double the record set in the previous quarter. The price of diesel fuel prices was the primary factor in causing these bankruptcies. Just-in-time deliveries are being threatened, fewer transportation alternatives for shippers are available and consumers could face a rise in the price of various goods and commodities resulting in a national economic downturn.

The ''Motor Carrier Fuel Cost Equity Act of 2001'' gives a safety net of relief to owner-operators, shippers and consumers by ensuring that a fuel surcharge will be assessed at times of diesel fuel price spikes. Under terms of a surcharge, a shipper pays to the trucking companies the difference between what is deemed to be a baseline cost of diesel fuel and the sudden, dramatic increases in the cost of that fuel. The legislation provides that the fuel surcharge must be itemized on the freight bill or invoice to trucking customers. The fuel surcharge arrangement will be enforced solely by the parties themselves through private action. The federal government will have no regulatory or enforcement authority.

The bill will not abrogate existing fuel surcharge arrangements. Customers who already pay a fuel surcharge will not be affected by this legislation. Nothing in the bill will prevent parties in the future from establishing a fuel surcharge agreement that is different from this pending legislation. All past, current and future privately negotiated fuel surcharge agreements are fully respected.

In calculating a diesel fuel surcharge, pricing will be based on the National Average Diesel Fuel Index which is published by the Energy Information Administration of the United States Department of Energy. Whenever fuel costs return to normal levels, the surcharge will no longer be applied.

America watched the economies of Britain and France thrown into chaos on the issue of diesel fuel prices. A lack of relief from diesel fuel prices is a formula for disaster in the making, considering the large number of bankruptcies we have recently witnessed in the United States.

The essential feature of the Motor Carrier Fuel Cost Equity Act of 2001 is that it provides a private right of action as a means to ensure that the entity which actually pays for the fuel receives the surcharge. No Federal Government enforcement. No cost to the taxpayers. Just simply equity and fairness.

High diesel fuel prices have also had a devastating effect on our nation's port drivers. Their poor working conditions have come to the attention of the International Brotherhood of Teamsters, which is involved in an ongoing effort to organize port truck drivers and to bring national attention to their plight.

It is time that we go to bat for the little guy, the small businessperson, and for the integrity of our economy by enacting the Motor Carrier Fuel Cost Equity Act of 2001.

THE HONORABLE MAERSK MOLLER, A MARITIME VISIONARY

HON. JAMES L. OBERSTAR

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 13, 2001

Mr. OBERSTAR. Mr. Speaker, I rise to pay tribute to a most extraordinary maritime leader, Mr. Maersk Mc-Kinney Moller, a true visionary of the international shipping community and owner of the A.P. Moller Group. Mr. Moller's company, Maersk-Sealand, is a global transportation provider whose fleet of ships make it the world's largest shipping company. I am also very pleased to note that Maersk Moller's ships fly the American flag and generate much needed jobs for U.S. maritime labor. In fact, Maersk-Sealand directly generates employment for approximately 9000 people in its United States shipping business and it also serves more than 30,000 U.S. based companies engaged in international trade.

Maersk is truly a remarkable company, Mr. Speaker, and Maersk Mc-Kinney Moller is an exceptional person. Mr. Moller's family history is rooted in the United States. His mother was an American, born in Kansas City. During the time spent in this country during World War II, Mr. Moller developed a keen appreciation of the many sacrifices Americans made during that great struggle. Many of the ships in the A.P. Moller fleet were used by the United States and our allies. Following World War II, Maersk Moller, his father, and many other people worked hard to rebuild their civilian shipping enterprise into the world-class company it is today.

I would like to cite a few of the significant Maersk milestones.

The company's United States headquarters was founded in 1943.

Today Maersk has 10 United States corporate entities dedicated to ship management, terminal operations, trucking, rail transportation, and third party logistics and, as mentioned, it generates employment for approximately 9000 Americans.

In 1947, a prominent affiliate, Maersk Line, Limited, was chartered in Delaware.

Maersk Line, Limited is the largest U.S.-flag carrier serving the foreign trades of the United States.

53 vessels documented under the U.S.-flag are owned, operated or chartered by Maersk Line, Limited.

29 of these ships are dedicated to service for the U.S. government.

Maersk Line, Limited has become a critical partner in the preposition ship program for the Marine Corps and U.S. Army.

Maersk Line, Limited ships were the first vessels to arrive in Desert Storm and off-load critically needed Marine Corps supplies and equipment.

Space on Maersk commercial ships was provided free of charge to the U.S. government so the government could load much needed supplies for our troops during the sustainment phase of the operation.

Mr. Speaker, during a recent discussion with Mr. Maersk Moller, I was impressed with his deep desire to maintain a competitive U.S.-

flag presence in the international trade. Mr. Moller is a true believer in United States flag shipping and our maritime interests are the better for his support of a U.S.-flag fleet.

I believe that we need new initiatives to stimulate an international U.S.-flag presence. A tax-based methodology, for instance, has been used in other countries to encourage growth in their merchant fleets; we should have similar incentives for American workers to attract talented people to this important industrial base.

I am working on legislation to provide such incentives for our U.S.-flag operations, under the Maritime Security Program. Companies like Maersk are very willing to invest in U.S.-flag shipping and make a contribution to the national security interests of the United States. We must give them encouragement to do so.

I congratulate Mr. Maersk Mc-Kinney Moller on his many personal accomplishments, his longstanding desire to maintain a U.S.-flag presence, and the numerous contributions he has made to foster trade in the foreign maritime commerce of the United States.

HONORING WORLD WAR II VETERAN ALFORD LEE GRAY—

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 13, 2001

Mr. McINNIS. Mr. Speaker, I would like to take this moment to honor World War II veteran Alford Lee Gray of Olathe, Colorado. Alford endured the terrors of the War, including the Battle of Leyte, in order to help ensure a victory on the side of justice. While mere words cannot express Alford's heroism, I am proud to have this opportunity to honor the valor he exhibited during the war.

Even before World War II, Alford was well aware that sacrifice and persistence are sometimes needed for survival. A witness of the Depression, Alford also discovered the necessity of teamwork. He says, ''You relied on your neighbor and he relied on you. Without knowing it, I think we took that feeling into the war with us,'' said Alford in a article from the Montrose Daily Press. Indeed, these lessons seem to have provided him with the means not only to survive, but also to help ensure an American victory. Alford demonstrated remarkable heroism when it was most needed of him.

Before the Battle of Leyte, Japanese Vice Admiral Takeo Kurita expected to stamp out the American resistance, and he armed himself with weapons to complete that feat. Kurita's 18-inch guns, Japanese Zeros, and incendiary bombs destroyed several of American Admiral William F. Halsey's ships, including the U.S.S. Kitkun Bay, on which Alford resided. Then, according to Alford, ''A Kamikaze came out of nowhere and exploded on deck,'' resulting in such terrible damage that the men were given permission to abandon ship. Even in this precarious state, however, Alford and others followed the captain's commands to extinguish the fires and somehow got the ship back to Pearl Harbor. ''After the Battle of Leyte, I counted 270 holes punched through the side of our ship. Some of the shells had gone completely through the Kitkun Bay. I don't know why we were still floating after that fight,'' said Alford.

In spite of the severe damage to Halsey's ships, American forces destroyed ten Japanese cruisers, four carriers, three battleships, and nine destroyers. Thanks to the teamwork and courage of men like Alford, what the Japanese expected to be an easy victory turned into a cruel defeat. In fact, the Japanese would never recover from this crucial defeat.

In recognition of his valor, Alford Gray has been honored with a Good Conduct Medal, an Asiatic Pacific Ribbon with five stars, a World War II Victory Medal, a Philippine Liberation Medal, and a Presidential Citation. Today, Mr. Speaker, I ask Congress to also recognize and honor Alford Lee Gray for his legendary bravery and sacrifice. He is a great American who plainly deserves the thanks and esteem of this body.

TRIBUTE TO COURTNEY JOHNSON, ELIZABETH JACKSON AND ERIK GREB

HON. STEVE ISRAEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 13, 2001

Mr. ISRAEL. Mr. Speaker, it is with great pride that I rise today to recognize three of New York's outstanding young students, Courtney Johnson, Elizabeth Jackson, and Erik Greb. Tomorrow, on June 14th, the women of Girl Scout Troop 1909, Service Unit 19 will recognize Courtney and Elizabeth for receiving their gold awards, and on June 15th, Troop 284 will recognize Erik on his Eagle Scout Court of Honor.

Since the beginning of last century, the Girl and Boy Scouts of America have provided thousands of young men and women each year with the opportunity to make friends, explore new ideas, and develop leadership skills while learning self-reliance and teamwork.

These awards are presented only to those who possess the qualities that make our nation great: commitment to excellence, hard work, and genuine love of community service.

I ask my colleagues to join me in congratulating the recipients of these awards, as their activities are indeed worthy of praise. Their leadership benefits our community and they serve as role models for their peers.

Also, we must not forget the unsung heroes, who continue to devote a large part of their lives to make all this possible. Therefore, I salute the families, scout leaders, and countless others who have given generously of their time and energy in support of scouting.

It is with great pride that I recognize the achievements of Courtney, Elizabeth, and Erik, and bring the attention of Congress to these successful young men and women on their day of recognition.

PERSONAL EXPLANATION

HON. JOHN B. LARSON

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 13, 2001

Mr. LARSON of Connecticut. Mr. Speaker, for Roll Call Vote No. 161, on final passage of H. Con. Res. 145, condemning the recent order by the Taliban regime of Afghanistan to require Hindus in Afghanistan to wear symbols identifying them as Hindu, I was unable to be present and voting in the Chamber as I was on my way to Connecticut to attend funeral services for Mrs. Barbara L. Bailey, the mother of my predecessor, former Congresswoman Barbara B. Kennelly. Had I been present and voting in the Chamber, I would have joined my colleagues in voting in favor of condemning the Taliban for their atrocious policies.

EXPRESSING SORROW OF THE HOUSE AT THE DEATH OF THE HONORABLE JOHN JOSEPH MOAKLEY, A REPRESENTATIVE FROM THE COMMONWEALTH OF MASSACHUSETTS

SPEECH OF

HON. JAMES P. McGOVERN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 6, 2001

Mr. McGOVERN. Mr. Speaker, on Thursday, May 31st a vigil service honoring our friend and colleague JOE MOAKLEY was held at the Massachusetts Statehouse in Boston.

During the service, Father J. Donald Monan and Senator EDWARD M. KENNEDY both gave moving tributes to JOE. I'd ask that both sets of remarks be included at an appropriate place in the RECORD.

VIGIL SERVICE IN HONOR OF JOHN JOSEPH MOAKLEY, 1927–2001

STATE HOUSE, BOSTON, MASSACHUSETTS, MAY 31, 2001

(Homily by J. Donald Monan, S.J.)

''Amen I say to you, whatever you did for one of these least brothers of mine, you did for me.''

Both here in Boston and in the tiny Central American country of El Salvador, this is the final week of the Easter Season, the season when Christ's death is still fresh in our memories, but when we celebrate in faith our confidence in newly-risen life. In the three short days since Memorial Day, the word of Joe's passing has kindled not only the brilliance of the City's writers and its cameramen; it touched their hearts as well. Every step along the route of his public career, from the streets of South Boston to the halls of Washington, has been faithfully, even lovingly portrayed.

Those portraits I will not attempt to retrace this evening. I believe that there is one reason why Congressman Moakley suggested that I have the privilege of speaking this evening. Joe frequently and publicly said that of all the accomplishments that were his in over forty years of public service, his proudest accomplishment was in bringing to light the truth about the atrocious murders of six Jesuit priest-educators and their

housekeepers at the University of Central America in El Salvador. It was that thin but sharp ray of light that was the beginning of the return of peace and justice to that troubled land.

As one who stood on the ground in El Salvador during Joe's work there, I would like to recreate, as much as I can ten years later, the circumstances that made what he did so important to the world and so proud an accomplishment to Joe. Why did a gruesome murder three thousand miles away stir Joe Moakley to what he considered his greatest accomplishment?

The persons murdered were Jesuit priests and two of their housekeepers. People the world over, if they know of the existence of Jesuits, think of us as educators. But Jesuit education, especially at the University of Central America, has never pursued knowledge merely for its own sake, but always as a cultural force to bring about greater equality among people, as an instrument to improve the condition of the human family, to ease the oppression that comes from poverty, at times, even the oppression of political leaders who use well-trained armies to enforce their oppression.

Such was the case in El Salvador in the decade of the '80s. As Ignatio Ellacuria, the murdered Jesuit President of the University of Central America expressed it: ''The reality of El Salvador, the reality of the Third World, that is, the reality of most of this world—is fundamentally characterized by the—predominance of falsehood over truth, injustice over justice, oppression over freedom, poverty over abundance, in sum, of evil over good—that is the reality with which we live—and we ask ourselves what to do about it in a university way. We answer—: We must transform it, do all we can to ensure that—freedom (predominates) over oppression, justice over injustice, truth over falsehood, and love over hatred. If a university does not decide to make this commitment, we do not understand what validity it has as a university. Much less as a Christian-inspired university.''

It was because of this message successfully being communicated that at 1 o'clock in the morning of November 16, 1989, a battalion of troops entered the campus of the Jesuit University in El Salvador, roused the Jesuit President and five of his brother professors from their sleep, forced them onto a little plot of grassy land behind their simple residence, and then dispatched them on the spot. They then proceeded to shoot up the surrounding buildings with machine guns to make the murders look as though they were perpetrated by guerrilla forces.

It all appears so clear-cut and transparent today. But when it happened, the Military High Command issued a statement declaring that it had been guerrillas that were responsible for the murders. The American Embassy, whose government had trained here in the States some of the very trigger men who committed those murders, pointed the finger of blame not at the military, but at the guerrillas.

In January of 1990, the Speaker of the House appointed Congressman Joe Moakley to an extraordinary, select committee to investigate the crimes in El Salvador. In some ways, that appointment changed Joe Moakley's life forever. But for all who knew him best, from the Speaker who appointed him to the former Speaker who encouraged him, that appointment simply tapped into the rich veins of faith and determination and courage, veins of optimistic hope and of care for those most in need that had been his since childhood.

Faith was not something that Joe wore on his sleeve or that made people uncomfortable, yet it was a perspective that he brought to everything he did in public and private life. It was a lifelong perspective on himself and on the people around him. In that perspective, he saw the inviolable dignity of every human person and the irresistible call of those in need; faith gave a new dimension to his sense of justice and of fairness; it made him unswerving when the powerful served themselves at the expense of the weak. It was this faith and his courage and sense of justice Joe Moakley brought to El Salvador.

The measure of Joe Moakley's faith and of his courage in carrying out his charge is the measure of the forces that opposed him—not a few ruthless individuals, but the US-trained military establishment of a sovereign nation that could enforce silence on witnesses as effectively as it had committed murder. Perhaps most difficult of all, Joe also faced the embarrassing efforts of some of his own governmental colleagues to set false trails away from the guilty and to withhold keys to the truth that they themselves held.

There is no doubt but that the authoritative voice of one man and his courage to use it ultimately broke the dam of silence and kindled hope that peace and justice could again be realities. Within a year of his appointment, criminal investigations in El Salvador were raised to the level of full trials. For the first time in history, two military officers were convicted for their part in the crime. Within another year, peace accords were signed in the U.N. between the government and its warring opponents. And although those suspected of ultimately ordering the murders were never tried, and men who confessed to killing the University Jesuits were exonerated for acting under orders, the system of governmentally-organized oppression and murder had been broken. Thanks to Joe, the truth had come to light; the nation itself has begun to taste the first fruits of peace. And in the light of that truth and that peace, a whole people have realistically begun to live again.

What made this story the greatest accomplishment of Joe's public life? It was its straight-line continuity with what Joe had done all his life. It simply played out on a world stage Joe's lifelong faith in the inviolable dignity of every human being, his unique sense of justice and fairness and the unswerving courage he had always shown on behalf of those who were weak and in need. That was what Joe had been for forty years in South Boston and in the halls of Congress, and most of all, it was what he had believed from the first time he heard the Gospel message in his Parish Church, ''Whatever you did for one of these least brothers of mine, you did for me.''

REMARKS OF SENATOR EDWARD M. KENNEDY VIGIL SERVICE FOR CONGRESSMAN JOE MOAKLEY, STATE HOUSE, BOSTON, MAY 31, 2001

It's an honor to be here with all of you this evening to pay tribute to our dear friend Joe Moakley, a remarkable Congressman, an outstanding leader and one of the best friends Massachusetts ever had.

Joe tried so hard in recent months to prepare us for this moment, but none of us was ready for this loss. It was simply too hard to contemplate. But as Shakespeare wrote, our ''cause of sorrow must not be measured by his worth, for then it hath no end.'' And Joe's worth, his decency, his legacy truly do have no end.

Joe Moakley's life was a life of service to his country and to his community, and he was one of the most beloved political leaders of our time. He had a zest for life and a love of Congress not for the glory it might bring to him, but for the good he could do for the people.

All of us who served with Joe admired his strength, his wisdom, his dedication to public service, and his incredible common touch that inspired the people he served so well and made them love him so deeply in return. The Irish poet could have been talking about Joe when he said that there were no strangers, only friends he didn't met.

Joe was a patriot in the truest sense of the word. He joined the Navy at 15 to serve his country in World War II, and he served honorably and well.

He returned home and pursued higher education under the G.I. Bill, eventually earning a law degree. And as it should be in this great land, Joe Moakley's future was limitless—from the Boston City Council to the Massachusetts Legislature to the halls of Congress, where he earned the respect and admiration of colleagues on both sides of the aisle. Joe worked long and hard and well, and always in the service of the people.

And what a beautiful team Joe and his wife Evelyn made. We loved them both so much, and now, they are together again.

We were never surprised to hear that Joe was a boxer in college, because in all the years we worked with him in Congress, he was always fighting for the underdog, constantly helping those who needed help the most, battling skillfully and tirelessly for better jobs, better education, better health care, better lives and better opportunities for the people he so proudly served. How fitting that it was our Joe Moakley who shined the light of truth and justice on the atrocities in El Salvador and changed our national policy to protect human rights and promote democracy in that country. Yes, Joe's life was a life of constant service.

When I think of all Joe has done for Boston and Massachusetts, I recall how brilliantly he fought for support to build the South Boston Piers Transitway, to clean up Boston Harbor, to modernize the Port of Boston, to preserve so many Massachusetts historic sites—the Old State House, the Old South Meeting house, the USS Constitution, Dorchester Heights, our world-renowned marketplace, Faneuil Hall—and, of course, the new federal courthouse that now proudly bears his name. Because of Joe Moakley's leadership in protecting and preserving and creating these extraordinary aspects of our heritage, they will always be part of our state's history and our nation's history too—and so will Joe.

Even in recent months, even in recent days, even while Joe struggled so bravely with the illness that finally took his life, he continued to do the work of the people he loved so dearly.

And at a stage when others might be winding down or turning inward, Joe continued to turn outward, establishing a charitable foundation to make the dream of education a reality for young people. The G.I. Bill had given Joe a chance to reach for the stars, and Joe's commitment, through his foundation, will give countless young people a chance to reach for the stars too. Joe never forgot where he came from, and he never stopped working to serve the people he loved so much.

He was elected to the Massachusetts House in 1952—the same year that a young Congressman named John F. Kennedy was first

elected to the Senate. And now, the Moakley Public Speaking Institute—to be launched this summer at the Kennedy Library to teach public speaking skills and public service to local low-income high school students—will forever link Joe Moakley to President Kennedy.

As my brother said so eloquently on the eve of his inauguration, in his farewell address here to the State Legislature:

''When at some future date the high court of history sits in judgment on each of us, our success or failure will be measured by the answers to four questions:

—Were we truly men of courage?

—Were we truly men of judgment?

—Were we truly men of integrity?

—Were we truly men of dedication?

Measured by those four high standards, Joe Moakley was ''four for four''—he batted a thousand in the annals of public life.

Service to his nation. Service to his State. Service to his District. Service to his people. Service. Service. Service.

It's no wonder that God chose to call him home on Memorial Day—the national day of honor for those who served the nation so well. We miss you, Joe, and we always will.

Near the end of Pilgrim's Progress, there is a passage that tells of the death of Valiant, and it could well have been written about Joe Moakley:

''Then, he said, I am going to my Father's; and though with great difficulty I am got hither, yet now I do not regret me of all the troubles I have been at to arrive where I am. My sword I give to him that shall succeed me in my pilgrimage, and my courage and skill to him that can get it. My marks and scars I carry with me, to be a witness for me, that I have fought his battle who now will be my rewarder.

''When the day that must go hence was come, many accompanied him to the riverside, into which as he went he said, 'Death, where is they sting?' and as he went down deeper, he said, 'Grave, where is thy victory?' So he passed over, and all the trumpets sounded for him on the other side.

HONORING ''THE GRAMMY MAN'', JOHN BILLINGS

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 13, 2001

Mr. McINNIS. Mr. Speaker, it is my honor to stand before you today and pay tribute to the shinning star of the Western Slope of Colorado. That's where John Billings the Grammy Man resides. He is only the second man ever to create, by hand, each gold gramophone statue that is presented at the GRAMMYs.

Every year since 1958, that gold gramophone has been handed to some of the biggest recording stars in the industry. John is the only person allowed by the National Academy of Recording Arts and Sciences to make what is arguably the industry's highest honor—the Grammy statuette. When John started in 1977, there were only 51 categories, today there are 100. John spends five months a year casting about 300 awards. ''Its kind of unique that in just 43 years, two of us have made them,'' John said. ''It's a dying art and a lost craft, and somebody's got to keep it alive.''

John grew up in Van Nuys, California during the 1960's, where he used to hang around the garage workshop of his neighbor Bob Graves, the original maker of the Grammy statuette. After Bob began to lose his eyesight making the creation of the statues difficult, he asked John if he would like to become the next craftsman. He would spend the next 7 years learning the craft. ''One of the last things he said to me was 'Don't ever let anyone get those Grammys away from you'.'' When John cannot make the award any longer, he will pass the tradition to his son.

For the last 25 years John has perfected its design. ''I have sat in the audience for so many years, and I sit there and cry. To see something that I have made to honor this person, and they're standing there holding it up in the air like it's an Olympic medal. There is really a lot of pride in that, and I think that's what keeps me going.''

Mr. Speaker, the statue is a labor of love and a matter of pride for John. Los Angeles may be the real home of the Grammy Awards, but Ridgeway, Colorado is much bigger in the eyes of the music industry. He is truly one of a kind.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, June 14, 2001 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

JUNE 15

9:30 a.m.

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 19

9:30 a.m.

Energy and Natural Resources

To hold hearings on S. 764, to direct the Federal Energy Regulatory Commission to impose just and reasonable load-differentiated demand rates or cost-of-service based rates on sales by public utilities of electric energy at wholesale in the western energy market; and S. 597, to provide for a comprehensive and balanced national energy policy.

SD–366

Commerce, Science, and Transportation

To hold hearings to examine local telecommunication competition issues.

SR–253

Banking, Housing, and Urban Affairs

Housing and Transportation Subcommittee

To hold oversight hearings to examine the implementation of the Multifamily Assisted Housing Reform and Affordability Act of 1997.

SD–538

10 a.m.

Indian Affairs

To hold oversight hearings to receive the goals and priorities of the member tribes of the Midwest Alliance of Sovereign Tribes/Inter-tribal Bison Cooperative for the 107th Congress.

Room to be announced

Health, Education, Labor, and Pensions

Aging Subcommittee

To hold hearings to examine geriatrics, focusing on meeting the needs of our most vulnerable seniors in the 21st century.

SD–430

2:30 p.m.

Banking, Housing, and Urban Affairs

International Trade and Finance Subcommittee

To hold hearings on proposed legislation authorizing funds for the United States Export-Import Bank.

SD–538

JUNE 20

9:30 a.m.

Governmental Affairs

To hold hearings to examine the role of the Federal Energy Regulatory Commission associated with the restructuring of energy industries.

SD–342

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

Banking, Housing, and Urban Affairs

To hold hearings to examine the condition of the United States banking system.

SD–538

Foreign Relations

To hold hearings to examine United States security interests in Europe.

SD–419

JUNE 21

9:30 a.m.

Appropriations

Labor, Health and Human Services, and Education Subcommittee

To hold hearings to examine issues regarding blood cancer.

SD–124

10 a.m.

Indian Affairs

To hold oversight hearings to examine Native American Program initiatives.

SR–485

Commerce, Science, and Transportation
To hold hearings to examine international trade issues.
SR–253

2:30 p.m.
Governmental Affairs
To hold hearings on the nomination of Kay Coles James, of Virginia, to be Director of the Office of Personnel Management; and the nomination of Othoneil Armendariz, of Texas, to be a Member of the Federal Labor Relations Authority.
SD–342

JUNE 26

10:30 a.m.
Indian Affairs
To hold oversight hearings to receive the goals and priorities of the Great Plains Tribes for the 107th Congress.
SR–485

JUNE 27

10 a.m.
Judiciary
To hold hearings to examine the protection of the innocent, focusing on competent counsel in death penalty cases.
SD–226