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Senate

The Senate met at 9:30 a.m. and was called to order by the President pro tempore [Mr. THURMOND].

The PRESIDENT pro tempore. Today's prayer will be offered by our guest Chaplain, Rev. Craig Barnes, Washington, DC.

We are pleased to have you with us.

PRAYER

The guest Chaplain, Rev. Craig Barnes, senior pastor, National Presbyterian Church, Washington, DC, offered the following prayer:

Let us pray.

Almighty God, before any more work is done this day, before anyone stands up in leadership over the Nation, we bow our heads in humble confession that we are completely dependent upon You.

Even the greatest among us is but flesh, and lighter than a breath in Your holy presence. So use our leaders this day, not because they are necessary, but because in Your hands they can become instruments for building Your holy kingdom on Earth.

When our leaders are tempted to despair, give them Your hope. When they are hurt, give them Your protecting angels. And when they are discouraged, give them great visions and dreams of that coming day when, throughout the land, we shall all do justice, love kindness, and walk humbly with You, our God. Amen.

PLEDGE OF ALLEGIANCE

The Honorable BILL FRIST, a Senator from the State of Tennessee, led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RECOGNITION OF THE ACTING MAJORITY LEADER

The PRESIDENT pro tempore. The able Senator is recognized.

SCHEDULE

Mr. WARNER. Mr. President, today the Senate will immediately begin debate on the Department of Defense authorization conference report with the vote on adoption ordered to take place at approximately 9:45 a.m.

Following the vote, the Senate will begin consideration of the VA-HUD appropriations bill. It is hoped that Senators who have amendments to the bill will work with the chairman and ranking member so that they may offer those amendments in a timely fashion. Senators can expect votes throughout the day in an effort to make significant progress on this legislation.

I thank my colleagues for their attention.

MEASURE PLACED ON CALENDAR—S. 1606

Mr. WARNER. I understand there is a bill at the desk due for its second reading.

The PRESIDING OFFICER (Mr. FRIST). The clerk will read the bill for the second time.

The bill clerk read as follows:

A bill (S. 1606) to reenact chapter 12 of title 11, United States Code, and for other purposes.

Mr. WARNER. Mr. President, on behalf of the distinguished majority leader, I object to further proceedings on the bill at this time.

The PRESIDING OFFICER. The bill will be placed on the calendar under rule XIV.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2000—CONFERENCE REPORT

The PRESIDING OFFICER. Under the previous order, the Senate will now

resume consideration of the conference report accompanying S. 1059, which the clerk will report.

The bill clerk read as follows:

Conference report to accompany S. 1059 to authorize appropriations for fiscal year 2000 for military activities of the Department of Defense, and for other purposes.

The PRESIDING OFFICER. Under the previous order, there will now be 15 minutes for debate equally divided in the usual form prior to the vote on the conference report.

Mr. WARNER. Mr. President, the Senate worked well into the evening last night, and we had about an hour and a half of deliberations regarding this bill. We are prepared this morning, the distinguished ranking member and myself, to conclude that debate.

Once again, I pay my heartfelt tribute to my distinguished ranking member and the staff of the committee for a job well done. We have produced a work product in which I believe this institution can take great pride.

Mr. President, the Senate is a constant learning experience, and although I have been privileged to have represented the Commonwealth of Virginia for some 21 years in the Senate, I experienced last night an event which I shall always remember. We had concluded our debate, and I was proceeding to do the wrapup on behalf of the majority leader, and when the Senate concluded its work, I was suddenly surrounded by the pages, shaking hands, and expressing their great appreciation. It then took me a minute to realize that we had concluded debate beyond the hour of 9 p.m., thereby foreclosing any requirement that they perform their homework. That was a tribute that I shall long remember.

The other experience last night was my distinguished good friend and ranking member, the senior Senator from Michigan, announcing that he would support this bill. I recognize it has been a serious struggle for him and others occasioned by the amendment

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



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on the bill regarding the reorganization of the Department of Energy.

I feel very strongly that the Senate did its duty on behalf of the country and put on that bill legislation in the course of the conference that is badly needed to reorganize that Department. I am confident the current Secretary has the ability within this statute to lead that Department, restructuring it in a manner that it can continue to serve the United States and at the same time protect the vital security matters that come before that Department.

The bill before us now marks a necessary turning point in reversing the dangerous trends that we have witnessed in our military after 15 years of declining defense spending. While the world has changed in many ways since the end of the cold war, what has not changed is that America's Armed Forces are bearing our commitments as they have always done. There are, however, limits to that commitment by the men and women who proudly serve in uniform. Our forces are clearly overstressed in commitments throughout the world, the most recent being East Timor, where there was clear justification for U.S. participation.

Over the past decade, our military manpower has been reduced by one-third, from 2.2 million to 1.4 million, and during this same period our troops have been involved in 50 military operations worldwide. As the force levels have been brought down, as the defense spending in that same period was brought down, up went the number of times that President Clinton and, indeed, President Bush sent our troops beyond our shores—50 times. Compare that period of 10 years to the end of the Vietnam war, in 1975, when we had a bipolar world—the Soviet Union and the United States. In that period from 1975 until roughly 1990, a 15-year period, U.S. military forces were engaged in only 20 deployments beyond our shores. Therein is the reason why our committee, with the strong support of the leadership—certainly Senator LOTT initiated the correspondence that began to bring to the attention of the President, and indeed this body, the need for increased defense spending. Eventually the President did recognize that need and indicated a willingness to increase that spending.

Our committee, I am very proud to say, even went beyond the President's number for defense spending. We did so with the very able help and assistance of the members of the Joint Chiefs of Staff. On two occasions they came before our committee and clearly told us their own personal views regarding the need for additional pay for the men and women in the Armed Forces, additional money for research and development and procurement, and, indeed, it was their testimony that laid the solid foundation on which we come before the Senate today, proudly, with a bill, for the first time in 15 years, increasing defense spending.

I yield the floor at this time to my distinguished colleague.

The PRESIDING OFFICER. The Senator from Michigan is recognized.

Mr. LEVIN. Mr. President, first, let me thank again the very able, very distinguished chairman of our committee for the bipartisan approach with which he leads our committee. It has been a consistent pattern for him since he has been in the Senate. We came here together, so we have a lot of knowledge and awareness of each other. He has really made an extraordinary contribution to this body and to the well-being of the Nation. I commend him for it.

This bill is an important bill. It is really two bills. It is the Department of Defense bill, an authorization bill, but it is also a Department of Energy reorganization bill. It is the second bill that is the troubling one. I have resolved to vote for this bill because I believe, on balance, it is at least possible that the reorganization can be workable and that the Secretary of the Department of Energy will be able to manage the Department and we will be able to hold him accountable. I am going to go into that a little more in a few moments, but before I do, I want to talk a bit about the Department of Defense part of this bill because, as the chairman says, this is a very important contribution to the security of this Nation.

By increasing pay, by improving retirement, by enhancing retention, we are making, we hope, a significant contribution to the security of this Nation. The morale of our troops will be given a boost when they see a bigger pay raise than they expected. The morale of our troops will be boosted when they see a better retirement package than they previously had. The morale of our troops, and indeed of all of our citizens, should be boosted when they see that the readiness of our forces is given a boost from this bill. So the defense part of this bill, I believe, makes a significant contribution to the well-being of the men and women in the military and to the security of this Nation.

The problem we had on this bill came from the DOE reorganization because the conference report is significantly different from what passed the Senate. What passed the Senate, after a great deal of debate, was a reorganization of the Department of Energy which reflected the recommendation of the Rudman panel that there be a semi-autonomous Department of Energy. I think most of us favored that. I surely do. But in a number of respects, this conference report goes beyond what the Senate passed by an overwhelming vote. And when we referred the language in the conference report to the Congressional Research Service and asked them to do an analysis for us, to tell us what the differences were and whether or not they really were relevant, whether or not they really were significant, whether or not they really limited the ability of the Secretary of

Energy to run his Department, the CRS gave us their objective view of the conference report language. There are some parts of that CRS review which should make us all pause, and which made me pause.

The Congressional Research Service concluded, for instance, that the Secretary's authority over this new nuclear security administration, "may be problematic, in view of the overall scheme of the proposed legislation."

The CRS said the language in the conference report raises questions about "whether it is possible, or desirable in practice, to split policy and operations in organizational terms." And the CRS report asks whether the practice of insulating the staff offices of this new entity from the departmental staff offices "effectively vitiates the meaning of the earlier provisions assigning the Secretary full authority and control over any function of the Administration and its personnel."

Those are significant questions and potentially significant problems. On the other hand, there is language in this conference report which says that this new entity is established "within the Department of Energy," and therefore it is subject, obviously, to the direction and control of the Secretary. The conference report says that the Secretary of Energy—not the new head of this entity, an Under Secretary, but the Secretary himself—is responsible for "developing the security, counterintelligence, and intelligence policies of the Department."

The conference report says that the Secretary of Energy—not the new head of the entity, who is an Under Secretary, but the Secretary—is given continuing responsibility for the security and counterintelligence problems within the Department's nuclear energy defense programs. And there are a number of other provisions similar to that.

So it seems to me one can at least fairly argue that, given that authority to establish policies, one will then have the authority to ensure that policies are carried out. So we are going to have to monitor very carefully this new entity as it is implemented, assuming the President, of course, does not veto it. If the President does veto it, there is no certainty by any stretch of the imagination that the veto would be sustained. I am voting for this bill. I am always open to the argument of a President, if he decided to veto it, as to why the veto, in fact, was dealt.

But based on what is before us, it seems to me there is at least a reasonable prospect that the Secretary of Energy will be able to manage this Department. We intend to create a semi-autonomous entity—not a semiaccountable entity but a semi-autonomous entity. We intend to create here a semiautonomous entity, not a semiaccountable Secretary of Energy. We want that Secretary to be fully accountable, which means he must be able to manage, control, and

direct his Department, the policies in that Department, and the implementation of those policies.

So I close by thanking our staff. I will not thank the pages since they apparently owe us one, since we kept them here late enough last night so they were relieved from some other duties. But I thank our staff for their great work in making this bill a reality.

I shall vote for this bill. I, again, thank the chairman for his reaching out to all members of the committee for contributions.

I yield the floor.

Mr. WARNER. Mr. President, I thank my distinguished colleague. This is a committee that works together as a team under our joint leadership.

The House of Representatives sent a strong signal which I hope, within the next 30 minutes, will likewise be sent by the Senate. That signal went worldwide to the men and women of the Armed Forces, many of whom are serving in harm's way to defend the very flag to which we pledged our allegiance today. That vote was 375 to 45. I urge all Senators to give, likewise, support to this bill.

As I close my remarks and say that this bill is for those men and women of the presence on the floor of our distinguished former chairman, Senator THURMOND. There is no braver soldier who ever served in the Senate than our distinguished chairman.

Mr. THURMOND. Thank you very much.

Mr. WARNER. He will, I assume, be casting one of the very first votes for this bill.

I yield the floor.

Mr. BINGAMAN. Mr. President, I rise to offer my views on this year's Defense authorization conference report. I plan to vote for the conference report. It is a bill that, like other defense bills of the past, contains a great many excellent provisions that enhance our military capability and the quality of life for our service personnel and their families. My normal enthusiasm for the Defense bill this year is tempered, though, by a number of provisions that, in my view, do not serve the interest of national security well. I would like to review the positive aspects of the conference report first, though, before discussing its troubling aspects.

As a member of the Armed Services Committee, I have worked very hard to see that issues and programs that I care about were addressed in this conference report. I am pleased to say that many of the concerns that I raised in subcommittee, full committee, the floor, and finally, in conference have been met.

A few examples are worth emphasizing:

This conference report does a lot of very good things for the men and women in the military and their families. The services reported difficulties in recruiting and retaining key per-

sonnel during the past year—raising concerns that this might grow more serious in years to come.

In response, the conference report includes a 4.8 percent pay raise for military personnel, and raises the annual increase for service people by a half a percentage point above increases in the cost of living over the next five years. That's good news.

The conference report extends, and, in some important instances, increases special pay and bonuses for key skill categories that were due to expire at the end of this year.

Of particular interest to many New Mexico families at our Air Force bases at Holloman, Kirtland, and Cannon, junior and mid-career Air Force aviation officers could qualify for additional bonuses of \$25,000 for each year they promise to extend active duty service. That is good news in our State and for the Nation.

The conference report also increases authority for re-enlistment bonuses from \$45,000 to \$60,000.

For retirees and folks in the military contemplating retirement, the conference report fixes the inequity that penalized those who came under the Redux system after 1986. Those military personnel may now elect to transfer to the old system, or to accept a \$30,000 bonus while remaining under the Redux program. Recent retirees and those soon to retire in New Mexico enthusiastically welcome this provision.

Veterans and their families will also benefit from a very important measure in this year's conference report—a change that have been advocating for the last couple of years. Any veteran's family seeking an honor guard at the funeral of one of our veterans is now guaranteed to have one. Uniformed personnel, the presentation of an American flag, and the playing taps will be provided in recognition for service to the nation whenever requested. That is good news for our veterans community.

There is another initiative for veterans that I strongly support in this conference report. It could lead to authorization for veterans to use National Guard armories to receive services and counseling regarding a wide spectrum of veterans' benefit programs. This measure could go a long way toward making it easier for our veterans to receive the benefits that they are due.

That is a bit about the "people part" of the conference report—an area where I think it has quite a bit to offer.

The conference report also makes some important contributions on key policy matters—for example, programs that have to do with preventing the proliferation of weapons of mass destruction, particularly through cooperative programs with Russia and other countries of the Newly Independent States.

The conference report includes, for example, \$475 million for the Cooperative Threat Reduction Program to ac-

celerate the disarmament of Russian strategic weapons, assist in chemical weapons destruction, and support efforts to increase security for Russian nuclear materials in order to prevent them from being smuggled aboard. I urge the Congress to fully support this program through authorization and appropriation of the necessary funds. It remains fully in our own security interests to do so.

There is also funding for programs to prevent Russian weapons scientists from selling their skills to the higher bidder. The Initiatives for Proliferation Prevention and the Nuclear Cities Initiative will help us to keep that from happening, while at the same time building important people to people relationships that we hope will sustain improved relations between our nations during coming decades.

Again, although I believe these programs are worthy of more funding than they received, I am pleased that funding has been authorized and I urge the Congress to appropriate those funds as well.

This conference report also authorizes funds for another important cooperative program that will serve our security interest well—the Russian-American Observation Satellite program (RAMOS). RAMOS is being designed to take the uncertainty out of early warning of missile attacks. It is meant to ensure that in case a missile firing is detected, a military order to respond with nuclear missiles is not made in error. Fully funding a robust RAMOS program will greatly serve our nation's nuclear security. I urge the defense appropriators to ensure that those funds are available.

Looking toward the future of the Nation's military capability, this conference report includes funding for basic science and technology research in accordance with my hopes and intentions to increase that level of funding by 2 percent in real terms. That level of funding was not won without a fight, however, and I remain concerned that future defense budgets may fall short in this area. If that happens, the technological advantages that we have witnessed in the Persian Gulf and in the Balkans will erode quickly, and international military challenges could result in significant casualties and losses of expensive military equipment.

As you know, the conference report also authorizes funding for defense programs within the Department of Energy (DOE). This bill authorizes \$4.5 billion for DOE weapons programs including the science-based stockpile stewardship that enables the Department to certify the safety and reliability of our nuclear weapons without having to test them.

Stockpile Stewardship is providing challenging science to a new generation of scientists employed at the labs that will not only certify the stockpile, but assure the nation that the best scientific talent available continues to

support science programs at our national laboratories such as those in my State, Sandia and Los Alamos.

These aspects of the Defense conference report are all very favorable, and normally I would vote for such a report with the greatest enthusiasm. My enthusiasm, though, is diminished by the provisions of the conference report dealing with the management of the Department of Energy. These provisions cause me deep concern, as I believe they will be damaging to our national security in the long term.

These troublesome provisions are largely found in Title 32 of the conference report. This is a wholly new Title that was inserted in conference. It was not part of the original Defense bill passed by the Senate or by the House. It differs substantially, in a few crucial respects, from the DOE reorganization proposals considered and agreed to by the Senate in the intelligence authorization bill.

Title 32 contains the most sweeping revisions in DOE organization since the founding of the agency in 1977. Yet, there was not a single Members' meeting throughout the entire conference to discuss its provisions. When you consider the importance of our nuclear arsenal, the lack of a role for Members in fixing the terms of its reorganization is striking and very hard to justify.

The result is a statute that, in my view, will be exceptionally difficult to implement. Coping with the ambiguities and internal contradictions of Title 32 will needlessly distract the new administration and the Department of Energy from the mission of maintaining the safety and reliability of the nuclear stockpile. This is not just my personal view. The ranking member of the Senate Armed Services Committee commissioned a study of title 32 from the experts in law and government organization at the Congressional Research Service (CRS), after the conference report was filed. The CRS produced a sobering assessment of this new title, highlights of which my colleague has shared with us. I have also received an expression of deep concern from 43 State attorneys general about the impact of the changes that were made in Title 32 on the applicability of the Federal Facilities Compliance Act to the new administration. Their concern merits our attention, and I hope that the Armed Services Committee arranges for hearings at which they can present their views directly for our consideration.

In addition to these issues, the new title 32 creates what looks to me to be a complete muddle in the area of counterintelligence and responsibilities and authorities. The problems that the conference report create for DOE counterintelligence programs can best be described by looking at before-and-after organizational charts of counterintelligence responsibilities related to one of DOE's facilities, the Los Alamos National Laboratory.

Chart 1 shows the current flow of responsibility and authority for counterintelligence at DOE and Los Alamos. It is very simple, and Secretary Richardson is to be commended for putting it in place. The DOE Chief of Counterintelligence, Ed Curran, is in charge. He has hire-and-fire authority over the Chief of Counterintelligence at DOE facilities like Los Alamos. If we discover a loss of classified information at Los Alamos tomorrow, we know where to look for answers.

Chart 2 depicts the lines of authority that will exist under title 32. Secretary Richardson's reforms will be completely reversed. Under title 32, DOE will have two competing centers of control over counterintelligence in the nuclear weapons complex. Which of these individuals is in charge of counterintelligence? If you define "being in charge" as being able to issue direct commands to the labs, where the counterintelligence threat exists, it would appear that neither person is in charge.

The Director of DOE-wide Counterintelligence is statutorily forbidden from exercising any direct control over the laboratories. He can issue policy pronouncements, and has to go up through the Secretary of Energy and then down through 4 layers of bureaucracy to get in touch with a lab like Los Alamos.

And the Chief of Defense Nuclear Counterintelligence is not in a much better position, either. He also has to go up through his boss and down through a lateral chain of command to impose his will on anyone at the laboratories. He can talk to everyone, hence the dotted lines, but he cannot tell anyone anything definitive on his own authority.

The lack of clarity for counterintelligence responsibility in title 32 is perhaps the most ironic and distressing aspect of the whole DOE reorganization scheme. Right now, these responsibilities in the Department are clear, thanks to Secretary Richardson's reforms. When we started debating changes to DOE organization, the one change that everyone seemed to agree on was the need to have clarity on matters of counterintelligence. Yet, after this Defense bill is enacted, we will be back to the days of diffuse responsibility for counterintelligence.

I have no illusions that we are going to vote down this conference report because of the defects in title 32. There are too many other important things that got done right in this bill. But we have created a real muddle at the Department of Energy in the area of nuclear weapons and their management. We will have to come back in next year's Defense bill to fix it.

There is one other issue that we will have to address next year. That is the issue of polygraphs. The section on counterintelligence polygraphs in the conference report is a slight improvement over the corresponding provision in the Senate-passed Defense bill. But there are still fundamental problems

with what we are asking DOE to do. We are asking DOE to use polygraphs as a screening tool—the one application where the scientific validity of polygraphs is most suspect. I don't have a big problem with using some forms of polygraphs in the context of an investigation, where there is already evidence of wrongdoing. There is scientific support for that sort of polygraph test. But polygraphs as a screening tool have little or no track record in the scientific literature. We shouldn't be using them in the nuclear weapons complex. And the way that DOE has proposed to use polygraphs in its recent Federal Register notice goes beyond what we actually call for in this bill. I have taken a public position in opposition to this proposed DOE rule on polygraphs, because it is not based on sound science and does not represent reasoned decision making, in my view.

I hope that DOE will rethink its proposed rule. This conference report, although it encourages the use of screening polygraphs, also gives DOE the flexibility to study the matter further. I hope that DOE will seek review from the National Academy of Sciences on the reliability of the types of polygraph screening it plans to implement. I also recommend that the DOE reconstitute and reconvene the Chiles Commission to study the rule's likely impact on the critical human resources needed to ensure the safety and reliability of the nuclear weapons stockpile. The Senate could, in my view, profit from such studies in revisiting this issue in next year's Defense bill.

In the end, then this year's conference report is more of a mixed bag than in most years. What we have done through the normal committee and conference process, on a bipartisan basis, has been done well, and we can be justly proud of it. What was done in a rushed and less cooperative fashion is much less satisfactory. I support the conference report overall, and I expect that the problems that have been needlessly created will manifest themselves for corrective action in fairly short order. I hope that when they do arise, we are able to address them in a more bipartisan and thoughtful way.

Mrs. MURRAY. Mr. President, I am very concerned about the provisions in this bill reorganizing the Department of Energy. In particular, I fear we are returning to the days of DOE "self regulation", which has historically translated into "no regulation" for environment, health and safety laws.

Senator WARNER and I will enter into a colloquy later that I hope will clarify the intent of this legislation regarding provisions critical to the safety of our workers and communities. We are particularly concerned about the autonomy of the newly-created, largely independent "National Nuclear Security Administration." We fear the creation of NNSA will recreate the institutional conditions that resulted in 50 years of

environmental, safety, and health mismanagement at DOE facilities—estimated to cost up to \$200 billion to clean up. Hanford alone now receives appropriations of about \$1 billion/year to clean up the legacy left from decades of the Atomic Energy Commission and/or Department of Energy self-regulation.

I am heartened by Senator DOMENICI's statements in the press that we have little to fear in this regard. He is quoted in USA Today (9/16/99) as saying: "Nowhere does the legislation waive the application of environment or safety laws. What this legislation changes is not the statutory requirements, just the management structure responsible for complying with them." I will take him at his word that that is the intent. I ask unanimous consent to have the USA Today article printed in the RECORD.

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

[From USA Today, Sept. 16, 1999]

NUCLEAR SECURITY SCARE COULD PUT SAFETY SECOND—DRIVEN BY SPY SCANDAL, LEGISLATION WOULD TAKE WEAPONS SITES OUT OF THE HANDS OF REGULATORS

[By Peter Eisler]

WASHINGTON.—U.S. nuclear weapons plants and labs, notorious as toxic and radioactive polluters, could be left outside the reach of environmental, health and safety regulators under management changes Congress is pushing to deal with security concerns.

Spurred by a spy scandal at the Los Alamos (N.M.) National Laboratory that highlighted security problems at weapons facilities nationwide, the House passed legislation Wednesday to put eight of the Energy Department's plants and labs under a new, semi-autonomous National Nuclear Security Administration (NNSA). Senate approval is expected soon.

The plan aims to free the sites from a mammoth Energy Department bureaucracy criticized for diluting protections against spies, thieves and saboteurs.

But it also leaves the NNSA largely on its own to make sure plants and labs meet environmental, health and worker safety laws. Federal oversight programs set up in the late '80s to address longtime contamination problems would lose virtually all jurisdiction over the facilities. And the states, which also have gained regulatory power over the weapons sites in recent years, complain that they, too, could lose authority.

The plan is reviving debates that have burned since the first atomic bombs rolled out of Los Alamos in 1945.

On one hand, recent reports that Chinese spies penetrated key facilities to steal an array of U.S. nuclear secrets highlight the program's need for secrecy and insularity. On the other, the program has a record of poisoning workers and communities with toxic and radioactive material when left on its own.

"For over four decades, (the nuclear weapons program) operated with no external and little internal oversight of environment, safety and health . . . (with) disastrous consequences," says a recent letter to lawmakers from the attorneys general of 45 states. "We should not return to (that) era."

The National Governors' Association and former Energy officials from the Clinton and Bush administrations also oppose the reorganization plan. And Energy Secretary Bill

Richardson says he probably will urge a presidential veto.

But a veto would be politically and practically difficult, in large part because the plan is folded into a bill authorizing unrelated but popular defense programs, including a military pay raise. President Clinton would have to reject the entire bill, and aides concede that would be a tough call.

"The bottom line is we have a 20-year-old problem" with security at weapons plants and labs, says Rep. Mac Thornberry, R-Texas, a chief backer of the reorganization plan. Those problems, he says, lie in Energy Department management that is "cluttered up worrying about refrigerator coolant standards" and other missions—not about weapons production and safeguarding secrets.

"I don't think the Congress or the administration wants to end this year without making some reforms," Thornberry says.

CHANGING MISSIONS

In the scramble to win the Cold War arms race, the U.S. nuclear weapons program operated largely in secret, churning out warheads with a doggedness that left little room for environmental, health and safety concerns. With almost no outside supervision, weapons facilities put workers in harm's way without telling them and illegally dumped millions of tons of toxic and radioactive waste on and around their sites.

In communities from Richland, Wash., to Oak Ridge, Tenn., soil and groundwater contamination is widespread. Several communities have sued the Energy Department, claiming health problems.

Since the United States halted nuclear arms production in 1989, the focus at many sites has shifted to environmental restoration. Even those facilities still doing weapons work—refining the current nuclear arsenal and disassembling weapons eliminated by global treaties—spend up to half their money on cleanup. The work is expected to take decades and cost up to \$200 billion.

Beginning in the late '80s, environmental, health and safety officials who oversee that work gained far more sway over the plants and the labs. States, in particular, picked up vast new powers in 1992, when Congress stripped weapons sites' immunity from local regulation.

Now, the spy scandal that erupted this spring at Los Alamos raises questions about whether weapons sites lost track of security concerns amid their changing missions.

A congressional report in May suggested that China stole information throughout the 1980s and perhaps into the early '90s on every U.S. warhead. Los Alamos scientist Wen Ho Lee was pegged as a suspect and fired for alleged security violations, though no criminal charges have been filed and he denies wrongdoing.

The episode drew attention to security problems at weapons facilities nationwide, leading to a damning investigation by a presidential board.

"Never before has this panel found such a cavalier attitude toward one of the most serious responsibilities in the federal government—control of the design information related to nuclear weapons," the President's Foreign Intelligence Advisory Board reported.

Throughout the '90s, senior management at the Energy Department failed repeatedly to act on security officials' reports that budget cuts and institutional inattention were weakening safeguards at weapons sites.

Supporters of Congress' restructuring plan say the problem is a lack of clear responsibility for facilities' security and argue that the weapons sites must be put on their own, for everything from security to environ-

mental restoration, so they're clearly accountable for all aspects of their operation.

The plan puts the new weapons agency on its own with the Energy Department, giving it autonomy in key areas:

All policy matters, including personnel, legal affairs and budget decisions; security, intelligence and counterintelligence operations; and environmental, health and safety programs.

"Nowhere does the legislation waive the application of environment or safety laws," says Sen. Pete Domenici, R-NM., a chief sponsor. "What this legislation changes is not the statutory requirements, just the management structure responsible for complying" with them.

BAD OMENS

Opponents of the congressional plan note that weapons plants and labs have been on their own before, and their environmental, health and safety records were abysmal.

"Production of nuclear weapons has always been their whole role in life; everything else is secondary," says Leo Duffy, assistant Energy secretary in the Bush administration.

"All the environmental damage, the jeopardy to employees' safety and health, almost none of this was identified until 1988," when outside regulators went in, says Duffy, who ran those early oversight programs.

Duffy and other critics of Congress' plan suggest the answer is to set up clearer responsibility for security within the Energy Department. But they say oversight on environmental, safety and health matters should remain outside the purview of those running weapons programs. They also want the legislation's language to more clearly retain states' jurisdiction over the sites.

Proponents dismiss such concerns as unfounded. And they note that many of the plants and labs with the worst records on pollution and worker safety no longer do much weapons work, so Congress' plans wouldn't necessarily change their oversight.

Among them: the Hanford nuclear reservation in western Washington, where poorly stored waste has fouled water supplies; the Rocky Flats plant outside Denver, where large tracts of land suffer from radioactive contamination; and uranium processing plants in Cincinnati and Paducah, Ky., where workers were unknowingly exposed to radioactivity.

But sites that would come under new management also have their share of problems.

Just this month, for example, the Department of Energy's office of environment, safety and health cited the Los Alamos lab for two incidents in which workers were exposed to radioactive material that wasn't stored or handled properly. In 1998, the Lawrence Livermore lab was forced to shut down a plutonium storage facility after repeated failures to follow procedures meant to prevent an uncontrolled nuclear reaction.

Congress' plan to have those sites regulated by an agency primarily devoted to weapons work "would undermine over a decade of progress to improve environment and safety standards," Richardson says.

The reorganization would leave the Energy secretary with power to fire the head of the weapons agency, but neither he nor any other Energy officials would have direct control over operations.

If the secretary suspected wrongdoing at a facility, he could assign outside inspectors and order the agency director to implement their recommendations. But if the director refused, the secretary's only recourse would be to replace him, a proposition that would require congressional consent and could take months.

The Congressional Research Service, Congress' nonpartisan research arm, reported

last week that such an arrangement "may be problematic" because it "tends to make secretarial authority less direct."

Sen. Carl Levin, D-Mich., who requested the study, wants Congress to rework the plan.

Officials in the states also want changes, arguing that the legislation's language could return weapons plants and labs to the pre-1992 era when they were immune from state environmental and safety laws.

The bill's proponents say it does no such thing, suggesting that foes are nitpicking the plan simply because they don't want to oppose it outright.

"This is a chance to fix a serious (security) problem," says Thornberry, "and I don't think turf disputes or jurisdictional disputes should get in the way."

Mrs. MURRAY. Unfortunately, 46 State Attorneys General have written voicing their "serious concerns" with many of this bill's provisions. They fear title XXXII of the bill would "weaken the existing internal and external oversight structure for DOE's environmental, safety and health operations."

I am very concerned about the DOE restricting provisions of this bill and so am tempted to vote against it. However, there are many provisions in the DOD authorization bill that will strengthen our country, our national defense, and our cleanup programs at DOE sites. I am particularly proud to support our belated efforts to increase the pay of our military personnel.

In addition, I very much appreciate Chairman WARNER's agreement to enter into the colloquy that follows. Therefore, I will support this bill in the hopes that this colloquy and the public comments made by drafters of title XXXII will ensure continuing compliance with environment, safety, and health laws and orders by the NNSA.

I hope we can go back to the drawing board on the DOE restructuring provisions either through a veto of the bill this year or a new attempt to craft a better solution next year.

Thank you, again, Chairman WARNER for your work on the overall bill and your colloquy with me on the important subject of protecting our communities and environment at DOE facilities.

TITLE XXXII

Mrs. MURRAY. Mr. President, I would like to enter into a colloquy regarding Title XXXII of the bill regarding Department of Energy restructuring. I understand the intent of this title was to improve security at Department facilities. Unfortunately, I am concerned that some of the language might cause confusion with regard to the obligation of the National Nuclear Security Administration to comply with environmental laws. From remarks I have seen in the popular press, I understand this was not the author's intent and I would like to clarify several provisions.

Mr. WARNER. I thank the Senator for her interest in helping clarify these important provisions. I agree we must continue to protect the environment, safety and health at DOE facilities.

Mrs. MURRAY. First, Title XXXII of the Defense Authorization bill has not been drafted to impair state regulatory authority or to eliminate DOE's internal oversight of environment, safety and health. Correct?

Mr. WARNER. That is correct. Section 3261 provides: "COMPLIANCE REQUIRED.—The Administrator [of the National Nuclear Security Administration] shall ensure that the Administration complies with all applicable environmental, safety, and health statutes and substantive requirements. PROCEDURES REQUIRED.—The Administrator shall develop procedures for meeting such requirements. RULE OF CONSTRUCTION.—Nothing in this title shall diminish the authority of the Secretary of Energy to ascertain and ensure that such compliance occurs." Section 3261 was included to make clear NNSA's obligation to continue to comply with environmental laws and DOE environmental orders.

Mrs. MURRAY. It is clear then that this provision does not affect the obligation of the Administrator of the NNSA and the Secretary of Energy, to comply with existing environmental laws and DOE environmental orders. Indeed, it makes explicit NNSA's legal obligation to comply with all applicable environmental laws and regulations, and provides that the Administrator of the NNSA has primary responsibility and accountability for environmental compliance programs at NNSA facilities. Furthermore, Section 3261 does not affect or abrogate existing waivers of sovereign immunity in environmental laws. Finally, Section 3261 retains the Secretary of Energy's existing authority over environmental compliance issues at the nine sites that will be incorporated into the NNSA. If compliance problems arise, the Secretary may investigate them, which can include requesting the assistance of staff from DOE's Environmental Management or Environmental, Health & Safety programs, and impose corrective actions when the Secretary identifies deficiencies. Is this a correct interpretation?

Mr. WARNER. This is the correct interpretation of Section 3261. Retaining Secretarial authorities over environmental compliance is an essential element of Title XXXII.

Mr. DOMENICI. Mr. President, I rise in support of the National Defense Authorization Act for Fiscal Year 2000 Conference Report before us today. Chairman WARNER and his Committee have done an excellent job in prioritizing available funds to provide for our national defense.

Any deficiencies in this authorization bill are a result of overall budget constraints and expanded commitments rather than inattention to our nation's vital security needs. I appreciate the Committees efforts to bring direct spending under control in this bill and conform to the Budget Act limitations.

As Chairman of the Budget Committee and a member of the Defense

Appropriations Subcommittee I know how difficult the exercise of prioritizing funds is. Every year all of the Congressional Defense Committees face tough choices as to how to best allocate funding so as to meet our immediate defense needs without sacrificing our future. As budgets shrink and global commitments swell, this task becomes increasingly difficult.

Mr. President, I would like to underscore the problems Congress currently faces. Here my message is two-fold: first, we do not live in a peaceful world; and, secondly, we cannot defend our national interests if we are not committed to a strong military.

I, and many of my colleagues, believe that U.S. prosperity rests on a strong, dedicated military. Everyone has heard the phrase "peace through strength." Perhaps some believe that having been coined during the Cold War, this adage is anachronistic. I strongly disagree.

Continued economic growth and the absence of a tangible, imminent threat to our security breed complacency. Complacency characterizes the current attitude toward our national security.

As victors of the Cold War we appear to have a false sense of security about this new era. Thus far, the results of U.S. military intervention have not offered evidence that we should worry.

However, our current military superiority is a product of the massive investments made during the Cold War. This Administration has not sustained the necessary investments. At the same time, they've increased U.S. military commitments overseas—often without clearly defining the strategic objective of those deployments.

Complacency regarding our nation's strategic interests sends a message that ripples through every level of our national security apparatus—from our current inability to recruit the requisite talent to the trained pilots, technicians, and mid-career military professionals leaving for private sector jobs.

Although diffuse and more difficult to discern, threats to our national security do exist.

Instability in numerous regions throughout the world create security risks with adverse economic, and potentially strategic, impact. Proliferation of weapons of mass destruction also presents a grave threat. NATO intervention in Kosovo further aggravated potential threats to our national security—specifically, damage to our relations with Russia and China. In addition, Kosovo deployments will stretch an already overextended military to its limits—not to mention a limited, but not insignificant, contribution to peacekeeping efforts in East Timor.

Peace through strength is still an appropriate theme. Complacency erodes our potential. If we demonstrate a strong commitment to the men and women in uniform, they will have a good reason to join and to stay.

Mr. President, with those thoughts in mind, I would like to briefly discuss

the work of Senator WARNER's Committee on the Conference Report before us today.

First, a critical initial step in meeting our commitment to the men and women in uniform is found in the pay raises, incentive pay, and pension reforms found in this bill. As of January 1 next year, all members of the uniformed services will receive a 4.8% increase in their monthly pay. Furthermore, pay increases beyond that date will be one half a percent above inflation.

The Conference Report outlines special incentive pay and enlistment bonuses to a variety of needed specialists or highly-trained personnel in our armed forces.

Lastly, improvements to military retirement pay and eligibility in the Thrift Savings Plan will provide additional reasons to join and continue serving in our military services.

According to a GAO study requested by myself and Senator STEVENS military pay and retirement packages are not the core reasons for our retention problems. However, these improvements offer an important first step toward addressing quality of life shortfalls in the lives of our military men and women.

The Committee also increased readiness funding beyond the Administration's request. In addition to the \$2.25 billion of emergency money, this conference report adds about \$1.6 billion in readiness-related accounts.

The President's budget only included \$5.4 billion in military construction to fund \$8.5 billion worth of projects. This "split funding" approach was to be a one-time accounting gimmick to create room for other spending and still remain under the budget caps. I applaud the Authorization Committees' decision not to use this approach for military construction.

The pay and pension reforms as well as additional funding for military readiness and military construction will alleviate some of the problems in the immediate term.

Necessary still is to address the foreign policy decisions that have led to the high operational tempo. More money cannot resolve questions regarding overseas operations or the organizational ability of any one military branch to respond to post-Cold War deployments.

These are systemic problems borne of both domestic and foreign policy decisions. Unless and until we clarify the U.S. position and responsibilities in this new era, we will not know the rules for engagement or intervention. This dilemma has profound implications for the size, structure, and capabilities of our military.

There are several items of significant impact on the state of New Mexico included in this authorization bill. I would like to briefly discuss a few of them.

Although foremost a matter of national security, the provisions on the

Department of Energy restructuring also will have a substantial impact on thousands of workers in New Mexico. These provisions ensure that brilliant science and tight security are compatible within our nuclear weapons infrastructure.

Mr. President, I remind my colleagues that the President's Foreign Intelligence Advisory Board (PFIAB) Report demanded legislative changes. It clearly stated, "The Department of Energy is a dysfunctional bureaucracy that has proven incapable of reforming itself." The PFIAB Report's specific recommendations included:

Creation of a new, semi-autonomous Agency for Nuclear Stewardship.

Streamline the Nuclear Stewardship management structure.

Ensure effective administration of safeguards, security, and counterintelligence at all the weapons labs and plants by creating a coherent security/CI structure within the new agency.

I and my colleagues, Senator KYL and Senator MURKOWSKI, followed these recommendations closely in drafting the legislation for DOE restructuring. The creation of a semi-autonomous agency for our nuclear weapons work will implement a true "Chain of Command" approach, with all the discipline this entails. I truly believe that this approach, if it had been used in the past, may have avoided some of these security problems and will help us avoid them in the future.

These changes are desperately needed at the Department of Energy, and they must be made now.

Another national defense issue that has substantial implications for New Mexico is the McGregor Range withdrawal.

McGregor Range is one of six military parcels withdrawn from public domain in 1986. These parcels comprise nearly 30 percent of the Department of Defense's 25 million acres. McGregor Range comprises nearly 700,000 of Fort Bliss's 1.12 million acres. The Fort Bliss garrison is adjacent to El Paso, Texas, but McGregor Range is located entirely in New Mexico.

McGregor range is vital to military training and readiness. Fort Bliss has a critical role as a national center for air defense, and McGregor Range is essential for fulfilling that role. McGregor Range is the only range in the United States capable of training America's air and missile defense forces. Because all CONUS Patriot forces are stationed at Fort Bliss they depend on McGregor for the training needed to ensure their full readiness prior to deployment.

There is strong regional support for this renewal. 176 public comments expressed support for the Army's preferred alternative. An additional 26 expressed support for one of the other alternatives. The provisions in this bill will continue historic non-military uses of the range which include livestock grazing and hunting for 25 years.

Military training and testing requirements for McGregor Range are foreseen

for at least the next 50-years based on weapons systems that are either currently fielded or are planned for fielding in the near future. For this reason, the Army's Environmental Impact Statement preferred a 50-year withdrawal.

My amendment to the Senate Defense Appropriations bill includes a 50-year withdrawal. I am pleased with the work of the Authorization Committee, but I still firmly believe that 25 years is not an adequate period of time for withdrawal of the McGregor Range.

Many important programs for the Air Force Research Laboratory at Kirtland were authorized by the conferees. Aerospace propulsion programs at Phillips were increased by \$6 million. An increase of \$28.6 million above the \$115.3 million budget request was authorized for Phillips' Exploratory Development programs. Advanced Spacecraft Technology programs received an additional \$19.5 million authorization, including \$5 million for the Scorpius Low-Cost Launch program.

Directed energy programs comprise a substantial proportion of New Mexico's defense related research, development, and testing initiatives. Different services are working on a variety of laser weapons to achieve better and cheaper cost-per-kill defenses against missiles. Chemical lasers development for the Airborne and Space Based Laser programs are authorized at almost \$500 million annually. The pioneering work and ongoing basic research for these systems is at Phillips in Albuquerque.

With a view toward the future of laser weapons, this conference report requires the Secretary of Defense to develop a unified DoD laser master plan. The objective is to maximize the return on our investment in these important technologies by coordinating these efforts across the services and provide a roadmap for future development. I strongly support this effort.

The conferees also provided an additional \$20 million authorization for solid state laser development and \$10 million for the Tactical High Energy Laser (THEEL), programs which are tested at the High Energy Laser Test Facility (HELSTF) at White Sands Missile Range. HELSTF is also designated as the Army's Center of Excellence for all Army test and evaluation activities.

An additional \$4 million is authorized for the Counterterror Technical Support program. This funding will support the cutting-edge research in blast mitigation materials and structures at New Mexico Tech.

Although the President's request included no funding for military construction at New Mexico's defense installations, the conferees added \$9.8 million to renovate 76 units of housing at Holloman Air Force base and \$14 million to replace cracked and deteriorating airfield ramps at Kirtland. Another \$8.1 million is authorized to repair one of the main runways at Cannon Air Force base. In addition, the

New Mexico Air National Guard's Composite Support Complex at Kirtland is authorized at \$9.7 million. All of these projects address quality of life or operational needs of the utmost importance to personnel at these installations.

Mr. President, again, I would like to thank Senator WARNER and the members of his Committee for their diligent work in allocating tight resources in the best feasible manner.

At the same time, I would like to reiterate my view that many of the problems we currently face in our Defense Committees result from inadequate definition of U.S. interests.

The systemic problems—retention, readiness, operational tempo—are a product of domestic and foreign policy decisions. We have neither clarified the U.S. position in the current international environment nor have we established relevant rules for U.S. engagement. Instead, we rely more and more on our military to compensate for failed diplomacy. Or we ask our soldiers to play referee in regions of the world teeming with ethnic conflict and territorial disputes.

Without first defining our national interest in this new era, we cannot pretend to downsize, right-size, or structure our military to adequately defend U.S. interests throughout the world. More importantly, without a clear picture of the appropriate military structure and necessary force capabilities we cannot answer the \$280 billion question: How much is enough?

Mr. KENNEDY. Mr. President, I support the Department of Defense authorization conference report for fiscal year 2000, and I congratulate our new chairman, Senator JOHN WARNER, on completing this first conference report as chairman. While I am disappointed that some provisions in the Senate version of the bill were dropped, on the whole it is an excellent piece of legislation and I am pleased to support it.

My most important concern is over the changes made in Title 32, which establishes the National Nuclear Security Administration and reorganizes the Department of Energy's nuclear laboratories. When we first considered this issue on the intelligence authorization bill in July, the Senate passed the Kyl amendment, which reorganized these nuclear labs by a vote of 96-1. Unfortunately, during conference deliberations, these provisions were substantially rewritten. Secretary Richardson has expressed his strong objections to these provisions, and states that they will make it more difficult for the Secretary of Energy to oversee the labs. I hope that the Armed Services Committee will work with Secretary Richardson to address his concerns in the fiscal year 2001 Defense authorization bill.

America has faced many global challenges this year that have re-emphasized the need for our Nation to maintain a well-trained and well-equipped military. This year's crisis in Kosovo was particularly challenging and re-

quired the Nation's Armed Forces to perform a wide variety of duties, including peacekeeping and humanitarian activities, in addition to sustained combat operations. Our service men and women performed superbly in all that was asked of them, and I commend them on their dedication, professionalism, and unwavering devotion to duty. Without their skill, we would not be as close to peace in the Balkans as we are today.

It is the duty of Congress to ensure that we provide our military with what is needed to meet the international challenges common in the post-cold-war era. America must be ready, when necessary, to protect its vital interests and encourage global stability. The fiscal year 2000 Defense conference report is a positive step toward ensuring that the Nation's military is prepared to meet the challenges of the years ahead.

The cornerstone of the military's preeminence rests on its most critical component, its people. Without adequate number of men and women willing to serve in the military, the Nation would not be able to respond to crises around the globe. We need cutting-edge weapon systems, but we also need dedicated men and women to operate these systems. The conference report contains many new initiatives and constructive changes in personnel policies that will help to ensure that we adequately provide for our servicemen and women and their families.

Specifically, the conference report provides a fully-funded and well-deserved 4.8 percent pay raise for military personnel, as well as expanded authority to offer additional pay and other incentives to retain service members in critical military specialties. The conference report also improves retirement benefits by addressing service members' concerns with the current system and approving their participation in the Thrift Savings Plan.

I am very disappointed, however, that Senator CLELAND's amendment to improve and expand GI bill benefits for servicemen and women was not included in the conference report. The Montgomery GI bill has been a very successful and important program for the military. But, in order for the GI bill to continue to be a valuable program, it must evolve as our military forces evolve. Access to higher education is an increasingly important issue for our servicemen and women in today's all-volunteer, professional military. Senator CLELAND's GI bill provisions, included in the Senate version of the bill, made needed improvements in the GI bill that would have enhanced the program's value and benefit to our troops, and would have improved its effectiveness as a recruiting tool. I commend Senator CLELAND on his leadership on these provisions and I urge my colleagues to reconsider these innovative ideas next year.

The DOD authorization conference report also reauthorizes and enhances the very successful Troops-to-Teachers

program. Over the next ten years, the Nation's schools will need to hire two million new teachers to fill their classrooms. Troops-to-Teachers is helping to meet that challenge by recruiting and training servicemen and women to become teachers in public schools. This program was established by Congress in 1993 and has already placed over 3,000 servicemen and women in elementary and secondary schools in 48 states. The conference report also provides for the transfer of this program to the Department of Education, so that it will be coordinated with other federal education programs that are helping communities to improve their public schools.

Concern for our military personnel doesn't end with the active duty servicemember, but with the whole military family. Well over half of the members of today's military are married, and in many cases both parents are employed. The military also contains many single mothers and fathers. All of these individuals have unique characteristics and needs that must be recognized so that we can encourage their continued service and careers in the armed forces.

The conference report contains a provision, which I strongly supported, authorizing the Secretary of Defense to provide financial assistance for child care services and youth programs for members of the Armed Forces and their families. These expanded child care provisions will ensure that many more military families have access to quality childcare and after-school care for their children.

Also, military families are not immune to the epidemic of domestic violence that confronts the rest of America. We have a responsibility to military families to help prevent domestic violence, and to protect the victims when abuse occurs.

An important provision in this year's conference report requires the Secretary of Defense to appoint a military-civilian task force to review military policies on domestic violence. This task force, comprised of military, DOD, law enforcement personnel, and civilian advocates for battered women and children, will work with the Secretary of Defense to establish Department-wide standards for combating domestic violence.

These initiatives will include standard formats for memorandums of understanding between the armed services and local law enforcement authorities for responding to domestic violence; a requirement that commanding officers must provide a written copy of any no-contact or restraining order to victims of abuse; standard guidance for commanding officers on considering criminal charges in cases of domestic violence; and a standard training program for all commanding officers on domestic violence.

This provision also requires the Department to establish a database, the contents of which will be annually reported to Congress. The information

will include each domestic violence incident reported to military authorities and how that incident was resolved. This provision also requires the military-civilian task force to report to Congress annually about the progress made in combating domestic violence in the military.

The conference report also takes a number of worthwhile steps to address equipment modernization requirements that have been deferred for too long. The chairwoman of the Seapower Subcommittee, Senator SNOWE, took the lead this year in advocating a strong shipbuilding budget, as well as a strong research and development budget, for the Navy and Marine Corps. It was a privilege to work with her this year, and, I am pleased that this conference report takes these important steps to ensure that the Navy has the ships, submarines, and other equipment needed to sustain its operations throughout the world.

The conference report authorizes the extension of the DDG-51 Destroyer multi-year procurement into fiscal years 2002 and 2003 and increases the number of ships to be built from 12 to 18 ships. The conference report also authorizes the Navy to enter into a five-year multi-year procurement contract for the F/A-18E/F Super Hornet, and increases the number of Marine Corps MV-22 Osprey tilt-rotor aircraft from 10 to 12. These are all strong steps in strengthening the readiness of the Nation's Navy-Marine Corps team.

Procurement isn't the only area where we need to strengthen our investment. We also need to strengthen investment in science and technology. Last year, the Defense authorization bill called for a 2 percent annual increase, above inflation, in military spending on science and technology from 2000 to 2008. Unfortunately, the Department's proposed fiscal year 2000 budget reduced spending on science and technology programs. The Air Force alone was slated for \$95 million in cuts in science and technology funding. Such a decline would have been detrimental to national defense, particularly when the battlefield environment is becoming more and more reliant on high technology.

Fortunately, thanks in great part to the chairman of the Emerging Threats and Technology Subcommittee, Senator ROBERTS, and his ranking member, Senator BINGAMAN, Congress restored much of this Air Force science and technology funding. This restoration will help to ensure that high quality scientists and engineers are available to conduct research to address the Department's technology needs for the future. Congress has taken a clear position in support of maintaining sound investments in Defense science and technology programs. I urge the Department to request a strong science and technology budget next year, one that will ensure the future of these important programs.

One of the most significant of these science and technology fields is cyber-

security. The growing frequency and sophistication of attacks on the Department of Defense's computer systems are cause for concern, and they highlight the need for improved protection of the nation's critical defense networks. This conference report includes a substantial increase in research and development for defenses against cyber attacks, and this increase will greatly improve the Department's focus on this emerging threat.

Existing threats from the cold war are also addressed in this legislation. Financial assistance to the nations of the former Soviet Union for non-proliferation activities such as the Nunn-Lugar Comprehensive Threat Reduction programs is essential for our national security. I commend the administration's plans to continue funding these valuable initiatives, and I commend a Congress' support for them.

One of the most serious threats to our national security is the danger of terrorism, particularly using biological, chemical or nuclear weapons of mass destruction. We must do all we can to prevent our enemies from acquiring these devastating weapons, and do all we can to keep terrorists from being able to conduct an attack on our nation. Significant progress has been made to strengthen the nation's response to such attacks, but more must be done. The conference report strengthens counter-terrorism activities and increases support for the National Guard teams that are part of this important effort.

Again, I commend my colleagues on the Armed Services Committee for their leadership on these important national security issues. This conference report is essential for our national security in the years ahead, and I urge the Senate to approve it.

Mr. DEWINE. Mr. President, I rise today to discuss a very important issue concerning the Department of Energy and its ability to secure nuclear information. Nuclear security is imperative to this nation, and after the scandals in the last year, Americans have questioned the ability of the Department of Energy to keep nuclear information secure. As a result, Senator WARNER, Chairman of the Armed Services Committee and Ranking Member LEVIN included legislation in the Defense Authorization Conference Report that creates a new division within the Department to restore nuclear security. I applaud their efforts.

However, Mr. President, I am concerned about the potential for unintended consequences as a result of the Department of Energy reorganization. Specifically, the attorneys general of 46 states, including the State of Ohio, wrote to Congress stating that the 1992 Department of Energy reforms which clarify that states have regulatory authority of the Department of Energy's hazardous waste management and cleanup could be undermined by this legislation. The attorneys general believe that this legislation could allow

the Federal Government to abandon its commitment to "environmental, health and safety requirements" at Energy Department facilities nationwide. This is troubling for the State of Ohio, which has three former Department of Energy nuclear facilities—the Portsmouth Gaseous Diffusion Plant, Fernald, and the Mound Nuclear Facility. Each facility is at a different stage of cleanup, and recent revelations of plutonium contamination at the Portsmouth facility only emphasize the need for strong environmental, health, and safety requirements at these DOE facilities.

While I have heard the concerns of the attorneys general, I am assured by the Armed Services Committee that the intent of this legislation is not to exempt nuclear facilities from state environmental regulations and requirements or worker safety and health regulations. I am further assured that if there are any unintended consequences, Congress will rectify these problems.

Mr. ROBB. Mr. President, the Conference Report on the National Defense Authorization Act before us today makes a healthy increase of over 8 billion dollars to the President's request. This reflects concerns by the Congress that readiness has eroded to a point where our military is having to take significant risks in its day-to-day operations.

Many of our colleagues are aware that we have sized our armed forces to engage not only in two major theater wars that break out nearly simultaneously, but also to handle the Bosnias, Kosovos and other smaller-scale contingencies that challenge our interests overseas. For the first time since we adopted our 2-war strategy not long after the end of the Cold War, the commanders in charge of our warfighting forces are warning the Congress—again for the first time in the post Cold War era—that the risks in our ability to fight in that second theater have gone from moderate to high.

This risk is not merely some esoteric metric that only some military strategist can comprehend. Rather, the dangers are that we will lose an unacceptable number of men and women in battle, that we will lose excessive territory in the initial phases of battle, and that battles will last much longer than they would with a more capable force.

This is a serious warning—not one we should take lightly. The military challenges to the U.S. in the decades ahead are ill-defined and very difficult to predict. While the Chairman of the Joint Chiefs has signaled a significant drawdown in Bosnia in the near future, while our commitment of troops to Kosovo is relatively small compared to those of our European allies, and while signs of progress on the Korean peninsula are making news this week, we also see the tragedy in East Timor, renewed Chinese threats against Taiwan, and rebel action in Russia, all of which

remind us of the extraordinary instabilities that we will face in the next century.

Whether we will see more or less conflict is unclear, but the growing competition for fixed resources in impoverished regions where populations grow unabated suggests that civil and interstate strife will only worsen. These strains will also spawn terrorists—including those embittered by their harsh circumstances and in particular those who feel they have nothing to lose.

Decisive action, as we saw by the U.S. and others in Bosnia and Kosovo, will, we hope, deter future conflicts and gross human rights violations. But the speed with which the tragedy in East Timor developed on the heels of NATO's victory in Kosovo tempers such optimism. Ultimately, a combination of resolute determination to defeat aggression, strong support for democracies, and effective means for improving the quality of life for all is the best path to ensure we don't have to send our young men and women into harm's way repeatedly in the twenty first century.

This conference report goes a long way toward ensuring we will be ready in the years to come. It invests in new weapons to the tune of three billion dollars over the FY 2000 Administration's request, and looks to the distant future with an increase for research and development of almost two billion dollars over the request. Readiness is increased by about 1.5 billion dollars. More importantly, this bill focusses on our greatest asset—our soldiers, sailors, airmen and marines—that ultimately make the defining difference between victory and defeat. With a significant pay raise and retirement reforms, the bill meets head on a continuing crisis in recruiting and retention. I was particularly pleased that the Senate and conferees agreed to provisions I had included in an earlier bill, S. 4, to focus pay increases on specialties—such as aviators—where retention and recruiting problems are particularly severe.

At a time when we are watching every defense dollar so closely, I am disappointed that we did not do much more in this bill to rid the Department of Defense of so many wasteful expenditures. Across the nation, we are now obligating in excess of 3 billion dollars a year to pay for utilities, to maintain buildings and roadways, and to operate equipment on bases that are unneeded by our military. We are likewise spending billions on weapons and research programs that the Department of Defense did not request but was forced to pursue by the Congress. We watch the Department waste hundreds of millions of dollars due to misguided acquisition policies, poor oversight of inventories, and service duplication of effort. These are difficult problems to fix—due either to political inertia or sheer organizational complexity, but nonetheless we should and can do much more.

Finally, Mr. President, I want to comment briefly on this bill's attempt to reorganize the entire Department of Energy. While PRC espionage has severely damaging consequences for long-term U.S. security, rushing to restructure a department with such vital responsibilities is not, in my view, prudent oversight on our part. In short, had the changes included here been instituted two decades ago, it is unclear that these changes would have had any impact on the PRC's ability to garner intelligence on our nuclear weapons. Indeed, one might even make the case that the bill will worsen this situation. I intend to track this matter closely in the years ahead and to support necessary modifications of this language as the reorganization proceeds.

Mr. President, on balance, this is a very good bill that does much to fix military readiness and other problems. I support its passage and urge my colleagues to support it as well.

Mr. MCCAIN. Mr. President, I would like to take this opportunity to offer some comments in support of the National Defense Authorization Act for Fiscal Year 2000. Since Operation Desert Storm in 1991, I have been extremely concerned with the drastic decline in funding for our Armed Services. We have all watched as the military lost more and more of its highly trained warriors, as the equipment aged year after year with few spare parts and no replacements, and as the infrastructure at our military bases fell into disrepair. Today, I am cautiously optimistic that we have finally, if belatedly, recognized serious readiness shortfalls and are taking steps to correct them. That this bill represents a 4.4 percent increase over the current fiscal year's level is a step in the right direction.

I am most heartened by the package of personnel benefits that are incorporated in this bill. Several identified shortcomings in pay and retirement benefits have been addressed. Pay table reform brings the focus of the pay raises to the middle leadership in both the officer and enlisted ranks. Repealing REDUX brings equity across the military for retirement benefits. Securing higher annual pay raises takes the first step to closing the pay gap between military personnel and their civilian counterparts. Implementing a Thrift Savings Plan for military personnel will help retain our dedicated soldiers, sailors, airmen, and marines.

Two critical areas of our military that begin to be addressed in this bill are the shortage of spare parts and the lack of replacement equipment. In every branch of the service, examples abound of equipment being utilized far in excess of its intended service life. In many cases the equipment is older than the operator and costs more and more each year to maintain. This bill funds spare parts programs to allow our equipment to be fully combat ready, and funds many follow-on systems that will directly benefit the war fighter.

This trend must continue in the years to come. Maintaining a viable military is a commitment, not a once-a-decade afterthought.

While I applaud the effort to bolster some of the areas of our military that have been under funded for the last 10 years, I am disheartened that, yet again, Congress has failed to take two of the most meaningful steps to free more dollars for our defense budget. The first of these is the continued and reprehensible practice of spending billions of dollars on programs that the armed services did not ask for and, in many cases, do not need. Allocating funding from an already tight budget for programs added primarily for parochial reasons continues to undermine honest efforts to adequately provide for the national defense.

I applaud the Committee chairman's effort to minimize the number of member adds not reflected on service Unfunded Priority Lists. Committee staff should be commended for their great efforts in carefully drafting legislation and checking amendments with the Service's Unfunded Priority Lists and the Future Years Defense Plan—ensuring that, in most cases, the Services' priorities were funded. There is no question, however, that enormous sums continue to be earmarked as much for political as for operational reasons. In fact, my concern about the continued viability of the Unfunded Priority Lists has grown in the face of questionable inclusions on those lists, such as executive and tactical airlift aircraft that clearly expand on existing inventory surpluses, and programs from the Future Years Defense Plans that are moved ahead more to accommodate powerful members of Congress than to address pressing funding shortfalls. That there is more than \$3 billion in questionable spending added by members for parochial reasons illustrates that the scale of the problem remains unacceptably high.

I also continue to find incomprehensible Congress's unwillingness to permit the military to divest itself of excess infrastructure. Literally billions of dollars can be saved over the course of a FYDP if the services are authorized to close unneeded installations and facilities. And let there be no mistake: Congressional opposition to another round of base closures is not predicated upon specious arguments about the supposed lack of cost savings and operational requirements that defy simple economics and common sense; this opposition grows solely out of the desire on the part of members of this body to avoid the politically painful process of defending hometown installations.

As one who saw a major installation in my state closed during the 1991 BRAC round, I can sympathize with that reluctance to undertake an unpleasant task. As one who also saw the rejuvenation of a community previously dependent upon that military installation after it was turned over to

local authorities, and as one more than a little concerned about our inability to fully address vital readiness and modernization problems, I must respectfully disagree with those who oppose another round of base closures.

The elimination of excess infrastructure is vital to allow the Department of Defense to focus resources on necessary support facilities rather than base structure from the Cold War era. Savings from previous BRAC rounds have been validated in the billions of dollars by every conceivable research foundation. There is just no excuse for continuing to require taxpayers to pay for infrastructure we do not need.

I am also distressed that the bill does not address a personnel issue I find an embarrassment and a tragedy. With over 12,000 military families on food stamps, and the potential of more than double that number eligible for the program, I cannot reconcile the lack of attention to this issue in this bill. I have been open to all suggestions for solutions to this problem. I have hoped for and worked toward a bipartisan response that would satisfy the Administration, Congress, and the Department of Defense. Although the Senate approved my legislation, I was greatly disappointed when this measure was rejected by conferees from the House of Representatives despite the strong support of Admiral Jay Johnson, the Chief of Naval Operations, and General Jim Jones, the Marine Corps Commandant.

I find it an outrage that enlisted families line up for free food and furniture while we pour hundreds of millions of dollars into C-130J, automatic grenade launcher, anti-ship decoy, hyperspectral research, and free electron laser programs. The insertion into the budget of hundreds of millions of dollars for an amphibious assault ship that the Navy does not want and that the Secretary of Defense specified diverts dollars from higher priority programs is difficult to reconcile with our professed concern for the welfare of military families.

What we have here is a situation in which certain members of the House are apparently unconcerned about having tens of thousands of military families eligible for food stamps. Yet, they raise no opposition to funding a gymnasium at the Naval Post-Graduate School or a \$15 million Reserve Center in Oregon that were not in the department's budget request. In fact, a vast majority of unrequested items costing many millions of dollars were added to the bill by the same body that opposed the food stamp provision. Sadly, politics, not military necessity, remains the rule, not the exception.

Although my legislative proposal would have been funded for the Department of Defense at approximately \$6 million annually, the Congressional Budget Office found that it actually would have represented a savings to taxpayers, since it would save more in the Agriculture Department by removing service members from the food

stamp rolls. I am at a loss to understand or explain how such a straightforward measure could be so easily rejected by the House of Representatives, particularly in a year when Congress voted to increase its own pay and also included a 15% annual pay raise for generals and admirals.

I will continue to press forward to resolve this tragic problem, and I believe that most Americans will support my effort. I will not stand by and watch as our military is permitted to erode to the breaking point by the President's lack of foresight and the Congress' lack of compassion. These military men and women—our soldiers, sailors, airmen, and Marines—are the very same Americans that the President and Congress have sent into harm's way in recent years in Somalia, Bosnia, Haiti, Kosovo, and currently East Timor. Our service members deserve better. They deserve our continuing respect, our unwavering support, and a living wage.

On another matter, I am very pleased that the bill contains provisions for the renewal of the withdrawal of the Goldwater Range.

The Goldwater Range is one of the most important military training ranges in the country, supporting activities of all services. It currently comprises approximately 2.7 million acres of desert land in southwest Arizona, with climate and weather conditions that allow flight and other training over 360 days a year. This range is vital to the continued military readiness of our Armed Forces.

It is also located in the heart of the Sonoran desert and contains one of the most undisturbed desert ecosystems in North America. The Sonoran desert ecosystem on the Goldwater Range is one of the few places in the nation that contains virtually all of the plant and animal species that were present before the continent was discovered by Europeans. The dozen mountain ranges and arid bajadas of the range are home to the desert bighorn sheep, the critically endangered Sonoran pronghorn antelope, and dozens of plant species found almost nowhere else in the U.S.

The challenge is to provide for necessary national defense training while protecting this natural treasure. In 1986, the Congress passed the Military Lands Withdrawal Act which formally authorized the Barry M. Goldwater Range. Included within the range was more than 860,000 acres of the Cabeza Prieta National Wildlife Refuge managed by the U.S. Fish and Wildlife Service and more than 1.8 million acres of lands administered by the Bureau of Land Management. The withdrawals established under the 1986 Act were for 15 years and were due to expire unless extended in 2001.

While the approach to the withdrawal of the Goldwater Range in this bill is different from what we did in 1986, the provisions will ensure the continued availability of this range for vital military training, while protecting and preserving the unique cul-

tural and natural resources of this part of Arizona.

The withdrawal provisions included in the conference report are based on the Administration's proposal. Because of the environmental protections included in the Administration's proposal and additional provisions added in the conference agreement, I am comfortable with the plan to transfer management of the natural and cultural resources within the range to the Air Force and the Navy, a decision which is fully supported by both the Interior Department and the President's Council on Environmental Quality. In practical effect, the Air Force and Marine Corps have been performing the management functions at the Goldwater Range for many years, and doing a superb job of it, according to most observers, while the efforts of the Bureau of Land Management and Interior Department have been widely criticized. In fact, the Department of Defense already dedicates significant resources to land and resource management of the Range. The decision to formally transfer management recognizes the superior fiscal and manpower resources available to the military Services, who also have the most compelling interest in maintaining future training access to the range, which can only be accomplished by effectively addressing environmental concerns regarding its use.

The Cabeza Prieta will no longer be included in the military lands withdrawal, and it will continue to be protected and managed by the Interior Department and the Fish and Wildlife Service as one of our Nation's crown jewels of wilderness areas.

President Franklin D. Roosevelt established the Cabeza Prieta refuge in 1939 in recognition of the tremendous natural resources of the area. Congress—with my strong support—designated about 803,000 acres of the 860,000-acre Refuge as wilderness in the Arizona Desert Wilderness Act of 1990, making it the largest and one of the most pristine wilderness areas managed by the U.S. Fish and Wildlife Service in the lower 48 states. I am very proud to have been a part of the effort to protect this unique wilderness area. The management of Cabeza Prieta should set the highest standard for the protection of wilderness and wildlife values.

This bill ensures that military aviation training can continue over the refuge pursuant to the Memorandum of Understanding in place between the Fish and Wildlife Service and the Air Force but ensures that the wildlife and wilderness conservation purposes of the refuge remain unaltered. The bill does not seek to add new purposes to the Refuge's management mandate.

Under the 1990 wilderness act, the Air Force was allowed to maintain a small number of ground instruments on the refuge within the Cabeza Prieta Wilderness. Man-made structures are not generally allowed within wilderness

areas. The bill before us allows the Air Force to upgrade, replace, or relocate the structures but only if doing so will have a similar or less impact on the wilderness and the environment than the existing structures.

The legislation also requires the Defense and Interior Departments to jointly develop a comprehensive integrated natural and cultural resources management plan for the Range, and to conduct a full environmental review, with public comment, every five years, including submission of a report to Congress. The Secretary of the Interior is given unilateral authority to take back the responsibility to manage the Range lands if the Secretary determines that the military is failing to adequately protect them. If at any time this authority is exercised, or if any of the five-year reports indicate degradation of the natural and cultural resources on the range, the Congress could and should take prompt action to redress those problems. I would certainly support such action.

The conference agreement also directs the Department of the Interior to work with all affected parties, including state, local, and tribal governments, to determine how best to manage and protect the natural and cultural resources of the four parcels of land, totaling 112,179 acres, that will no longer be withdrawn from public use for military utilization. The study will examine whether such lands can be better managed by the Federal Government or through conveyance of such lands to another appropriate entity. The prompt completion of this study will give the Department of the Interior an opportunity to plan for the most appropriate management strategies for these lands, which, because of the withdrawal, have not been subject to mining, livestock grazing, or heavy recreation use for a half-century. These lands include the spectacular, 83,554-acre Sand Tank Mountains area. I expect that the Department of the Interior will explore a number of management options for management of the Sand Tank Mountains (and the other parcels) including transfer to Native American peoples, as well as the potential to protect the important natural values of the area through the designation of qualifying lands as wilderness, or through the limiting of livestock grazing and mining. This area is home to the highly endangered Sonoran pronghorn antelope and I expect that the study will include provisions for this and other threatened and endangered species. The study is to be completed within one year from the date of enactment of this bill.

Finally, the bill establishes an Inter-governmental Executive Committee of federal, state, and tribal representatives for the purpose of exchanging information, views, and advice relating to the management of the natural and cultural resources of the range. I fully expect that this body will conduct its meetings in public, and will provide

ample opportunity for the public to participate in meetings and to review and comment on any proposals for the administration of the area that may be discussed by the committee.

I am very disappointed that the conferees did not include language for a comprehensive study of alternative management plans for the Goldwater Range. A proposal was made earlier this year to designate the range as a park or preserve, managed by the National Park Service, while permitting continued military training. In addition, several environmental groups registered concerns about the Administration's proposal for DOD management of the range and expressed concern that the military would be an ineffective manager of the natural resources at issue.

In response, I worked with the concerned individuals and groups to develop language directing the Department of the Interior to make recommendations on management of the range, including possible designation as a park, a preserve, a wilderness area, a nature conservation area, or other similar protected status. Simply studying alternative management schemes would not interfere with military training activities for which the range is essential. Rather, a comprehensive study would provide information to guide the Administration and the Congress in taking appropriate action to ensure that the cultural and natural resources on the range are preserved and protected.

It is incomprehensible that anyone could object to a study, but, unfortunately, significant opposition was raised by outside conferees on the House side. I will continue to pursue other avenues in this matter, because I am uncomfortable with the idea of locking in the Administration's proposal without ensuring that we could revisit that decision if the experts determined after studying alternative suggestions that some other form of management would be more appropriate.

In July, I wrote to the Secretaries of Interior and Defense, requesting that they independently undertake an assessment of alternative management plans for the Goldwater Range. They have the authority to do so, and I have urged them to begin a study immediately. In addition, I proposed an amendment to the FY 2000 Interior Appropriations bill to require such a study, and I am working to ensure such a study is included in legislation pending before the Energy and Natural Resources Committee to authorize new park areas. Once an alternative management study is completed, I will ensure that any recommendations for improved management of the Goldwater Range are considered and acted on, as necessary, by the Congress.

Despite shortfalls in the conference report before us today, I urge my colleagues to support its passage. On the whole, it is a step in the right direction

toward resuscitating an armed force suffering from the diverging pattern of expanding commitments and contracting resources. It includes tangible incentives for the men and women who defend our nation day and night, 365 days a year, at home and overseas. It paves the way for better equipment and higher equipment availability rates. It is imperfect, as, I suppose, a bill of this magnitude is destined to be, but our armed forces deserve the good that is included in it, even if they must also suffer the bad.

Mr. President, the full list of unrequested adds will be available on my website.

Mr. TORRICELLI. Mr. President, I rise today in strong support of the FY 2000 Defense authorization bill. This legislation demonstrates a strong commitment to America's defense and to our ability to meet future military challenges.

I am particularly pleased by the committee's inclusion of \$176.1 million to purchase 17 UH-60L Blackhawk helicopters. A coalition of eight companies in my state manufacture critical components for the Black Hawk, which is the Army's premier tactical transport helicopter. First produced in 1977, it is used for combat assault, combat resupply, battlefield command and control, electronic warfare and medical evacuation. This year, the Black hawk provided critical support functions for our armed services in the Kosovo. This funding will ensure that our military has the ability to continue its current operations and sustain readiness for future dangers.

I am also pleased by the committee's support for high school ROTC programs. The additional \$32 million for high school ROTC program will make a particular impact in my State where many programs have been approved for participation in ROTC but remain unfunded. Clark High School is an example of one such program which has remained on a waiting list of approved ROTC program but has been unable to participate because funding has not been available. I am hopeful that this funding will be appropriated, allowing the Department of Defense to immediately utilize this funding so that unfunded programs, like Clark High School, can begin operating as soon as possible.

Additionally, the additional benefits for all members of the military included in this bill deals with serious concerns I have had regarding quality of life and morale of our soldiers. The pay raise of almost five percent addresses serious inequities between military pay and civilian wages. In addition, the legislation creates a civilian-style 401(k) by allowing military personnel to contribute up to 5 percent of their pre-tax to a tax-shelter investment fund. These benefits will go a long way toward reaching our goals of recruiting and retaining highly trained personnel. Most importantly, it will give our soldiers and their families the quality of life they deserve.

I am also pleased by the \$10 million in procurement funding for secure terminal equipment for the military services and defense agencies. This versatile equipments is the cornerstone of our multi-media secure digital communication. The new generation of secure terminal equipment, produced by a defense company in my State, is more effective technology and generates significant operations and maintenance cost savings.

Finally, I am extremely pleased by the committee's inclusion of a provision regarding the Economic development conveyance of base closure property. When an installation is recommended for closure, it is imperative that the transfer of property benefit the local community. This provision will accomplish this goal by allowing a more efficient transfer of property to the local re-development authority for job creation and economic development.

I again thank Chairman WARNER, Ranking Member LEVIN and Ranking Member INOUE for their commitment and attention to these important issues.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The yeas and nays have been ordered. The clerk will call the roll.

The legislative clerk called the roll.

Mr. GORTON (when his name was called). Present.

Mr. NICKLES. I announce that the Senator from Arizona (Mr. MCCAIN) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber who desire to vote?

The result was announced, yeas 93, nays 5, as follows:

[Rollcall Vote No. 284 Leg.]

YEAS—93

Abraham	Edwards	Lugar
Akaka	Enzi	Mack
Allard	Feinstein	McConnell
Ashcroft	Fitzgerald	Mikulski
Baucus	Frist	Moynihan
Bayh	Graham	Murkowski
Bennett	Gramm	Murray
Biden	Grams	Nickles
Bingaman	Grassley	Reed
Bond	Gregg	Reid
Breaux	Hagel	Robb
Brownback	Hatch	Roberts
Bryan	Helms	Rockefeller
Bunning	Hollings	Roth
Burns	Hutchinson	Santorum
Byrd	Hutchison	Sarbanes
Campbell	Inhofe	Schumer
Chafee	Inouye	Sessions
Cleland	Jeffords	Shelby
Cochran	Johnson	Smith (NH)
Collins	Kennedy	Smith (OR)
Conrad	Kerrey	Snowe
Coverdell	Kerry	Specter
Craig	Kyl	Stevens
Crapo	Landrieu	Thomas
Daschle	Lautenberg	Thompson
DeWine	Leahy	Thurmond
Dodd	Levin	Torricelli
Domenici	Lieberman	Voivovich
Dorgan	Lincoln	Warner
Durbin	Lott	Wyden

NAYS—5

Boxer	Harkin	Wellstone
Feingold	Kohl	

ANSWERED "PRESENT"—1

Gorton

NOT VOTING—1

McCain

The conference report was agreed to. (Mr. VOINOVICH assumed the chair.) Mr. WARNER. Mr. President, I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

Mr. GORTON. Mr. President, as the RECORD shows, I voted present during the rollcall vote on passage of the FY2000 Defense Authorization Conference Report. My decision to cast this vote was prompted by Section 651 of the Conference Report, which would repeal the reduction in retired pay for U.S. military retirees who are employed by the federal government or hold federal office. As a retired U.S. Air Force Reserve officer, I stand to be benefitted by this provision when it is signed into law by the President. It is for this reason I voted present.

Mr. BOND. Mr. President, what is the pending business?

The PRESIDING OFFICER. The Chair is anticipating a unanimous consent agreement to move forward with the VA-HUD appropriations.

DEPARTMENTS OF VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT, AND INDEPENDENT AGENCIES APPROPRIATIONS ACT, 2000

Mr. BOND. Mr. President, I ask unanimous consent H.R. 2684 be discharged from the Appropriations Committee and the Senate proceed to its consideration. I further ask that all after page 2, line 9, over to and including line 3 on page 95 be stricken, and the text of S. 1596 be inserted in lieu thereof, that the amendment be considered as original text for the purpose of further amendments, that no points of order be waived, and that any legislative provision added thereby be subject to a point of order under rule XVI.

Again, the Senate is now on the HUD-VA appropriations bill. No call for the regular order with respect to the bankruptcy bill is in order. It is my hope substantial progress can be made, that the leadership can agree to an arrangement where all first-degree amendments be submitted to the desk by a reasonable time. I will discuss this further with my counterpart, the Senator from Maryland.

I make that unanimous consent request.

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

The clerk will report the bill by title. The bill clerk read as follows:

A bill (H.R. 2648) making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2000, and for other purposes.

The Senate proceeded to consider the bill.

Mr. BOND. Mr. President, I am pleased to present the fiscal year 2000 VA-HUD-independent agencies appropriations bill to the Senate. This legislation provides a total of \$90.9 billion in budget authority, including \$21.3 billion in mandatory budget authority and \$82.3 billion in outlays, while covering a variety of Federal interests from veterans, housing, the environment, basic research, to advances in space.

This has been a very tough year, as I believe all our colleagues know. We have waited a long time to bring this bill to the consideration of the full Senate. I express my sincerest thanks to my chairman, Senator STEVENS, the ranking member of the full committee, Senator BYRD, and to my colleague, the ranking member from Maryland, for their hard work and commitment to ensuring that the VA-HUD appropriations subcommittee has enough funding to meet the minimum needs of our many important programs.

However, with 2 weeks before the end of the fiscal year, we are on a forced march to complete Senate action and provide a conference agreement to the Senate for consideration. I believe the bill before the Senate is a good bill under the constraints imposed by budgetary limitations and a fair bill with funds allocated to the most pressing needs we face.

Let me emphasize we balanced our funding decisions away from new programs and focused instead on the core primary programs in our bill on which people depend. We listened very carefully to the priorities of our colleagues in this body. While not everyone is happy, nor could they be, we believe the bill is equitable.

Clearly, we were not able to provide fully what each Member requested. Let me note that we received some 1,400 requests from Members of this body, but we attempted to meet the priority needs. Before describing what is included in this legislation for each agency, I wish to extend my sincerest thanks to Senator MIKULSKI, the ranking member of the VA-HUD appropriations subcommittee, for all her hard work and cooperation in putting this bill together. It is not possible, without the good working relationship that we have, to deal with such a complicated bill.

Let me add at the beginning, and I will repeat it again, my sincere thanks also to Senator MIKULSKI's staff, Paul Carliner, Jeannine Schroeder, Sean Smith, as well as my staff, Jon Kamarck, Carrie Apostolou, Cheh Kim, and Joe Norrell. The contributions of the staff to this process have been invaluable. Anybody who has watched the staff work on a major bill knows how much time, effort, energy, pain and suffering is endured at the staff level to bring a bill to the floor.

The VA-HUD fiscal year 2000 appropriations bill is crafted to meet our

most critical needs for veterans, housing, the environment, basic scientific research, and advances in space. As I noted, total spending in this bill is \$69.6 billion in budget authority and \$82.3 billion in outlays. This is roughly the same as the President's overall request in the VA-HUD appropriations subcommittee but distributed with some significant differences.

Unlike the President's budget, the highest priority in the recommendations before the Senate is VA medical care. In the bill before the Senate, we have increased this amount by \$1.1 billion above the President's request. Many Members have heard from veterans for some time about their concerns about the VA budget. They have been hearing their local VA hospital may terminate critical services, increase waiting times for appointments, maybe even shut down altogether. Members have expressed concerns about the need for additional medical care funding.

The Vice President recently told our Nation's veterans they wished to provide more money, but so-called Priority 7 veterans were not going to get care any more. We asked VA to do an indepth field survey to find out what the President's budget as originally submitted would mean. We found there would be major cutbacks in services, denial of services for some veterans, closing of facilities, reductions in force totaling as many as 13,000 employees and, what is most important, denial of critically needed care to thousands of veterans. We are absolutely not going to let that happen. It is wrong.

Overall, the VA budget totals \$43.75 billion, an increase of \$1.1 billion more than the President's request. In addition to medical care, funds were added to the veterans State home and State cemetery grant programs to meet the tremendous backlog in these programs and ensure that we meet the needs of our aging veterans, honoring those who are deceased in a dignified and respectful manner.

VA's full request for additional funds for the Veterans Benefits Administration includes ensuring much-needed improvements to the processing and delivery of veterans' benefits. We are, as we speak, working to find additional funding for veterans' medical care, and we expect to be able to present an amendment very shortly on that particular matter that we think will further lighten the burdens and stresses placed on the Veterans' Administration and ensure it can continue to provide top quality medical care to those who have put their lives on the line for the peace and security of all and for the freedom of the United States.

Moving on to the other major elements in this bill, we have funded the Department of Housing and Urban Development at \$27.16 billion, which is some \$2.35 billion over last year's level and which should allow HUD to be on very solid ground. Because of the priority needs of our veterans, we had to

make tough choices. In HUD's case, that meant not funding HUD's requested 19 new programs and initiatives. Instead, we focused on funding HUD's core programs such as public housing, CDBG, home and drug elimination grants, homeless assistance, and section 202 housing for the elderly. These are the key housing and community development programs that make a critical difference in people's lives. They are programs with a proven track record.

Also, unlike last year when we funded 50,000 new incremental vouchers, we do not have the funds to provide incremental section 8 assistance this year. Frankly, against my better judgment, because we do not have funds in our allocation to meet the funding needs of our key programs, I have accepted the administration's budget proposal to defer \$4.2 billion of section 8 budget authority for fiscal year 2000 expiring contracts until fiscal year 2001. In other words, the budget authority will be appropriated for the amounts to be expended on section 8 certificates in fiscal year 2001 to the fiscal year 2001 budget. The good news is we were able to continue funding this year. But the bad news means we will have to find \$8 billion more in section 8 budget authority in fiscal year 2001 for a total of some \$14 billion in budget authority in order to renew all expiring section 8 contracts in fiscal year 2001.

Permit me to emphasize and call to your attention several issues of particular importance in this bill.

First, I introduced the Save My Home Act of 1999 earlier this year to require HUD to renew expiring below market section 8 contracts at a market rate for elderly and disabled projects, and in circumstances where housing is located in a low-vacancy area such as rural areas or high-cost areas.

We have heard from too many States around this country where tenants in section 8 projects have been thrown out because the landlord in a tight market thought higher rents could be obtained at market rate. While this is certainly an understandable move, it deprives the citizens who have depended upon section 8 of the vitally needed services that they must have. So, despite our request, there has not been effective action to deal with those expiring section 8, or the so-called opt-out programs where landlords leave the section 8 program.

This bill provides new authority for section 8 enhanced, or sticky vouchers, to ensure that families and housing for which owners do not renew their section 8 contracts will be able to continue to live in their homes with the Federal Government picking up the additional rental cost of the units.

We think it is essential to preserve this housing, and we have therefore included \$100 million in new section 8 assistance to ensure that there is adequate funding for renewing these section 8 contracts. We believe this strong direction to HUD will ensure that the

appropriate steps—and there are other steps that are preferable to sticky vouchers, but we have given them a wide range of tools to use in ensuring those who live in opt-out housing are not deprived of housing.

We are disappointed about some of the reactions we have heard to this budget. We believe we are doing our job and doing it responsibly. We have heard objections from HUD. But we are funding HUD's program in a responsible, no-nonsense way.

Under this appropriations bill, unlike the course that the administration is on, no one will lose their housing, and in many cases the funding will ensure new low-income housing and home ownership opportunities.

We are concerned more and more about HUD's capacity to administer its programs. As I said, HUD has raised a red flag on many issues. We funded the primary programs mostly at the President's level—and a number above that level. I also do not believe that new programs at HUD should be a priority in part because of funding pressures but also because HUD does not have the capacity to administer effectively its programs. And we do not wish to bring in new programs without the benefit of the authorizing committee's approval on it.

HUD remains a high-risk agency, as designated by the General Accounting Office—the only agency ever designated on a department-wide basis. I do not believe it needs additional responsibility until it corrects its significant problems.

I hope every single Member understands what I am saying because people have reported to me concerns they have had with HUD. We have not been able to approve HUD's request. They need to understand that it is only one of eight major agencies that depend on the VA-HUD subcommittee allocation for their funds, and we have attempted to do our best to assure adequate funding for the core programs that are vitally important.

Moving on to other agencies, for EPA, we included a total of \$7.3 billion, an increase of about \$100 million over the request of the administration. We thought we needed to restore the President's \$550 million cut to the clean water State revolving fund. The Clean Water Program and the Safe Drinking Water Program are critical to assure success in restoring and protecting our Nation's water bodies. It is a matter of the environment. It is also a vital matter of public health.

As we see problems in this country brought about by hurricanes and floods, everybody realizes that contaminated water supplies is one of the greatest health problems we face. This clean water State revolving fund allows States day in and day out to move forward in assisting local communities to clean up their wastewater to make sure we are not polluting the environment and endangering the health of our citizens. There is still a great deal

to do in this area. We have provided as much assistance as we can.

EPA has been revising its estimate of the nationwide need for water infrastructure financing upward. It is now about \$200 billion. That is why I find it a little difficult to understand why the proposal was to cut this program by 40 percent. We think that is the wrong choice. We reverse the cut.

The highest priorities, in my view, in EPA must include State grant programs and those activities geared to addressing the biggest environmental risk we face. We had to cut out some new programs—some critical programs—to protect fully EPA's core programs. In addition, we added funding for grants to States to enhance their environmental data system. That is a critical need and should help improve the integrity of EPA's data system.

Moving on to the other agencies, FEMA funding totals \$85 million of which \$300 million is for disaster relief. While we were unable to accommodate the full budget request, there are additional funds we believe are high priorities added for important initiatives such as antiterrorism training, enhancing the fire training program, and emergency food and shelter grants. Despite the damage caused by Hurricane Floyd, FEMA has adequate reserves on hand—approximately \$1 billion at this time—to meet their anticipated obligations in the near future. We are going to be monitoring these needs closely, of course, and we will take whatever steps are necessary to ensure adequate funds are on hand to respond as needed to this and other disasters that inevitably occur.

We commend FEMA's efforts in hurricane-ravaged areas. Our hearts and prayers go out to the victims of these natural disasters, and our thanks go to the very strong response that the people of FEMA, and all of the related emergency agencies—both government and private sector agencies—have been able to provide.

Next, moving on to the National Aeronautics and Space Administration, this bill fully funds NASA at the President's request of \$13.6 billion, including full funding for the international space station and the shuttle. I know NASA was a huge concern for many members of the committee and the Congress as a whole because the House, due to its shortened allocation, was forced to reduce funding by some \$900 million.

This bill makes a major structural change to the NASA accounts by providing separate funding for the international space station and the space shuttle. We believe this account change is necessary because of NASA's continuing problems in controlling spending on the space station, especially enhanced by Russia's unreliability in meeting its obligations as an international partner to the space station. We have, however, provided transfer authority to allow space station funds to be used to meet any needed safety upgrades for the shuttle.

The only other major change in NASA funding is we have reduced the funding for space by \$120 million from the President's budget request in part to fund new launch and space transportation technologies designed to reduce the cost of space transportation and to open up commercial opportunities in our universe.

Many Members have been interested in this program, and these funds are authorized in both the House and Senate NASA authorization bills. I know the occupant of the Chair has been a very strong advocate for this kind of research and development.

For the National Science Foundation, the bill includes over \$3.9 billion, which matches the administration's request. The NSF allocation is over \$250 million more than last year's enacted level, about a 7-percent increase. The increase in funding continues our commitment and support for our Nation's basic research and education needs.

On a personal note, I was very pleased we were able to meet the President's request for NSF because of the tremendous amount of exciting and potentially beneficial work that is being funded through the National Science Foundation. Truly, this is a national priority. I only wish more funds were available to add because this is our scientific future. This is the future for our economy, for the well-being of the people of the United States, and for our continued progress.

Some of the major highlights of this allocation include \$126 million in additional funds for computer and information science and engineering activities, some \$60 million for the important Plant Genome Program, and \$50 million for the administration's "Biocomplexity" initiative. The bill also includes \$423 million for the incorporation for national and community service. This is near last year's level.

Let me be clear, funds totaling \$80 million were rescinded from the prior year's appropriations for the program which are currently sitting in reserve. The inspector general tells us they are not needed. It is our understanding this rescission will have no programmatic impact, but it is necessary for us to meet the other priorities in our budget. We intend to assure the Corporation continues at the level from last year, and we believe this budget allocation allows us to do so.

Mr. President, I am pleased to yield the floor to my colleague and good friend, the Senator from Maryland.

Ms. MIKULSKI. Good morning, Mr. President.

The PRESIDING OFFICER. The Senator from Maryland.

PRIVILEGE OF THE FLOOR

Ms. MIKULSKI. I ask unanimous consent that Ms. Jeannine Schroeder, a detailee from HUD working in my office on this bill, be able to come to the floor and have floor privileges, limited only to the VA-HUD consideration.

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

Ms. MIKULSKI. Mr. President, once again we come to the floor of the Senate to discuss the appropriations for the VA-HUD appropriations bill. This is a very exciting time because this appropriation is really the bridge between the old century and the new century. I think our bill does reflect, in its funding levels, that we intend for it to be a bridge between the old century and the new century.

First of all, a word about the old century. We know that our American veterans, because of their bravery, their gallantry, and their self-sacrifice, saved America and saved Western civilization. That is why this subcommittee fought so hard to save their health care—a bridge from the old century, but a bridge to the new century.

We also, during this century, realized that in addition to the ravages of war, there were terrible ravages to our environment. Once again, in our legislation, we make a significant commitment to the protection of not only the environment of the American people but also of the whole world—again, a bridge from the old century to the new century.

It was in this century that America moved forward economically, first in its industrial age, and now toward the information age. But in the course of this century, we not only made a commitment to the progress of a few, we made a commitment to the progress of many. Through programs such as housing and urban development, we have continued to work to create a real opportunity structure for our American citizens.

What is the hallmark of the American opportunity structure? One is home ownership. Through the VA mortgage program, the FHA program, and other key programs, we create a wider opportunity for people to be able to own a home in the United States of America.

The other hallmark of the bridge from the old century to the new century is our passion for education. It was we, in the United States of America, whose continual social inventions created opportunities for people to pursue higher education.

When my great grandmother came from Poland, she certainly could read, but she wanted us to be able to do more than to be able to read the newspaper or read our scriptures. She wanted us to have a real education. It was out of the American people inventing night school, a community college, a GI bill of rights, that we were able to make sure ordinary people had access to higher education. This is why we continue to be so enthusiastic about AmeriCorps. Right this very minute, there are young people working in communities all over the United States of America, in public education, public safety, and other areas, to ensure that we help our communities. But they are earning a voucher that they can use to pay for their higher education. Once again, a bridge from the desires of the old century to the new century.

What, too, is the hallmark of the genius of the American people? It is our resourcefulness, our ingenuity, and our innovation. America is the nation of science and technology. It was in our great Federal laboratories that some of the greatest advances were made in the old century. We want to be sure we position them for the new century. Therefore, this appropriation continues to stay the course in science and technology, particularly in the environment, in NASA—our national space agency—and also in the National Science Foundation.

That is really what this bill is all about. When we rise on the floor and talk to our colleagues about numbers and data, we sometimes sound like an annual report. But when we talk about what we want the Senators to vote on, we have to remember what our mission is. I believe the mission of the VA-HUD bill is to honor the old century, make sure we deal with the ravages and problems of the old century, and continue to position our country and our people for the new century.

This takes me, then, to some of the specifics of the bill. I really thank Senator KIT BOND, the chairman of the subcommittee, and his staff, for all of the collegial consultation we had during the preparation of this bill.

I say to my colleague from Missouri and to all Senators listening, that we know this is not a perfect bill, but it is a very good bill. We had the will but we did not have the wallet to be able to do what we wanted to do for the various agencies and programs. Hopefully, as we move through conference and as the issues around spending caps are resolved, new opportunities might occur that would allow us to meet funding levels that we think are appropriate. This bill is a work in progress, but the bill we bring here today is one that I feel satisfied to bring to the Senate.

A special thanks to Senators STEVENS and BYRD, who really foraged to find another \$7.2 billion in budget authority and another \$5 billion in outlays to be able to move this bill, with bipartisan support, to the Senate floor today.

The timing of this bill is noteworthy. Right now, a significant approach that we have with this bill is to make sure we fund the Federal Emergency Management Program. From Maine to Florida, and particularly with key residents in North Carolina, New Jersey, and in my own State of Maryland, we worry right now about the ravages of Hurricane Floyd. But in this bill, we continue our commitment to FEMA, and we include an additional \$300 million for disaster relief funding. This means that FEMA is ready to help those communities recover from this devastating storm. Should the administration request additional funding for disaster relief, we will also be ready.

Let's go to VA. First of all, our obligation to our veterans is this: promises made need to be promises kept. What does the American veterans commu-

nity want? They want to make sure that for the older veteran and the Vietnam and Korean war veteran, we continue to provide them with quality health care. But we need to make sure that VA, as it always has, continues to be a door of opportunity, particularly through the GI bill, for home ownership and education. I would hope that one day the VA benefit would be a tool for lifetime learning and the subject of a new century discussion.

We have increased funding for VA by over \$1 billion to a total of \$18 billion for veterans' health care. This was really the recommended level that came from the Government Accounting Office. We know that the VA medical care could always be funded additionally, but right now that is what we bring, and we are now looking at an amendment with proper other resources to fund it.

Also, another significant part of the VA budget is that we maintain the funding for VA medical research at \$316 million. The Veterans' Administration continues to play a very important role in medical research for the special needs of our veterans, including areas such as geriatrics, Alzheimer's, Parkinson's, and orthopedic research. The benefits of VA medical research are not limited to veterans. The entire Nation benefits because of VA medical research.

We continue to provide funding to treat something called Hepatitis C, a growing problem among the veteran population, particularly our Vietnam vets. We want to be sure that we help them with their problem and also do all we can to ensure that it is not spread in the wider population.

In addition, we have increased the funding for State veterans homes by \$50 million over the President's request to \$90 million. This is the same as last year. Why are the State homes so important? We know that long-term care is a growing issue, particularly with our World War II vets and our Korean vets. We believe in Federal and State partnerships.

No one jurisdiction of Government can carry the burden of long-term care by itself; and therefore, the additional funding for State veterans homes enables that wonderful partnership to occur between the Feds and the States and the veterans themselves.

We also come to a discussion on HUD.

The whole point of the Housing and Urban Development Agency is to be able to help communities in terms of being able to have economic development and for individuals to have economic empowerment. That is it. It is to fund primarily self-help initiatives or to reward self-help initiatives. Therefore, what we wanted to do in HUD was to stay the course for the community development block grant money, which goes directly to local communities with local decisionmaking. With this funding, mayors, county executives, or commissioners can decide for them-

selves what the best way to revitalize their communities is, and not have cookie-cutter solutions coming out of Washington.

At the same time, we wanted to be sure the poor have a way to a new life, particularly with the significant success of our Welfare-to-Work Program. This is why we have a program called HOPE VI where we took down the high rises, which were ZIP Codes of poverty, to really create a new opportunity. We want to do the same thing for section 8 so we do not continue to have the concentrations of poverty that we have.

This year, working together with the authorizers, we were able to be sure that everyone who has a section 8 contract—meaning a Government subsidy for housing—will continue to get their subsidy. This is no small matter. We have a lot of section 8's that are expiring. We wanted to be sure that if you had a section 8, and you were living in a neighborhood, moving from welfare to work, trying to get job training, you would not lose your subsidy. This was indeed a significant accomplishment in this bill.

Last year, working with the authorizers, we also added 50,000 new vouchers. The administration would like to add 100,000 new vouchers. I personally would like very much to do that. But right now, as I said, we do not have the wallet. I am working with the administration to find an appropriate offset not only to pay for new vouchers now, but to insist that anything new has to have a sustainable revenue stream in the future. This is important because we are concerned that though we have started, we want to be able to continue it. That is a big yellow flashing light for me, and we need to be aware of that.

Another area that is very special to me is housing for the elderly. Once again, working on a bipartisan basis, we have been able to increase the funding for the elderly and disabled by \$50 million. This will be very important as we also look at new ways to help the population as they age in place.

I am particularly appreciative of cooperation on developing some new concepts on assisted living and service coordinators to help aging seniors with their unique housing needs.

We also help increase the funding for the homeless and do other important things, which I want to discuss later.

With regard to NASA, I was extremely troubled by the House version of the bill. I was troubled because they cut NASA by \$1 billion.

At the same time, I was also troubled that the House seemed to focus a lot of those cuts in my own home State. I do not take it personally, but it certainly was convenient for them, knowing I am the ranking member, to know that I would also mount a rescue mission for the programs in my State.

But it is in that State that we have mounted the rescue missions on Hubbell and in other areas. I really appreciate the collegial support of Senator

BOND to look at where we need to put our resources for a national purpose. This isn't about Maryland.

We have the great Federal laboratories in Maryland. I do not count NIH as only a Maryland Federal laboratory. It is a national Federal laboratory, and so is Goddard. The Goddard Space Flight Center is the flagship NASA center for Earth and science research. We want to make sure it continues to be able to do that. With the help of this subcommittee, we know we will continue to have those jobs. They will continue to fix Hubbell, have the next generation space telescope, and provide us with new opportunities in terms of protecting the environment.

I would like to also go on to National Service, which is funded at \$423 million—a reduction from last year. I hope this funding can be increased as the bill moves forward. National Service has been a success. It has enrolled over 100,000 volunteers in a wide array of community programs.

I know the management and oversight is less than what is desired. I thank the Senator from Missouri for his limited patience; my patience is also limited. But we have to remember that the mission is working, even though the management and oversight could certainly be improved.

I also want to comment on the National Science Foundation. We are so proud of the National Science Foundation. We really do appreciate it, and it is funded at \$3.9 billion in the bill, which is an addition of \$250 million.

What is important about the National Science Foundation is that it was created to respond to be sure that America did not fall behind Russia in science and technology. America continues to lead the world in science and technology, particularly in information technology that has revolutionized the world. This is truly the information age. I appreciate the fact that, working together, we have increased the funding, particularly in those areas that will enhance research and development in the field of information technology.

Let me conclude by saying that I will talk more about this bill as we go on. That is the thumbnail sketch. But I do want to just say a couple more things in closing about this bill.

First of all, I am very appreciative that we have had the bipartisan support to continue the funding for the Chesapeake Bay Research Program. This was started by my very dear predecessor Senator Mac Mathias, and we all worked together on it. In fact, I was in the House when he started it.

But we had the support of four Presidents: Jimmy Carter, Ronald Reagan, George Bush, and Bill Clinton. That is exactly what we need—bipartisan support to come up with solutions.

But the other thing I am really proud of in this bill is how we help our country continue to cross the digital divide. Bill Gates says we are at the digital divide. We will either be on one side or

the other—whether you are a nation, whether you are a community, or whether you are a citizen.

I want to be one of the Senators who helps America and all of its citizens, particularly paying attention to rural communities and constituencies that have been left out and left behind, cross that digital divide.

In this bill we are doing it. Our funding for NASA helps us do this. The funding we have for the National Science Foundation puts the money in the Federal checkbook to make sure that we come up with the new ideas for the new products that will be part of continuing to cross the digital divide.

The Senate knows that one of my greatest passions in public life is to enable the poor to move out of poverty and into self-sufficiency. In this bill, through HUD, we fund something called the Neighborhood Networks Initiative—it has already been in operation; 500 residential computing centers have been established. These Neighborhoods Networks bring together local businesses, community organizations, and other partners. Right this minute in public housing, where we want to make sure people move from welfare to work and children have opportunities for a different way of life, we are creating little e-villages. In these communities, if you work hard, through either structured school activities or daytime use for adults, you can learn to use the computers. This newfound computer knowledge will help residents find good jobs at living wages well into the future.

Again, there are many things I could say about this bill and I will say them as we move along. I think we have a very good bill. We are working very closely with Senator BOND, with the leadership of our two parties in the Senate and with our administration. Hopefully, we will pass this bill sometime today, move to conference, and then move forward with the bridge from the old century to the new century.

Mr. President, I believe the VA/HUD bill is about four things: meeting our obligations to our veterans; serving our core constituencies; creating real opportunities for people, and advancing science and technology.

The VA/HUD bill takes care of national interests and national needs. This has been a tough year for the VA/HUD Subcommittee. Due to the budget caps, our original 602(b) allocation was billions of dollars below what we needed. Senator BOND and I agreed that we would not move a bill until we had a sufficient allocation. But thanks to Senators STEVENS and BYRD, we now have an additional \$7.2 billion in discretionary budget authority and nearly \$5 billion in outlays. This has allowed us to move this bill with bipartisan support to the Senate floor today.

Mr. President, the timing of this bill is noteworthy. Just last week, residents along the Eastern U.S. experienced the wrath of Hurricane Floyd.

Everyone from Maine to Florida was affected by this storm, including my own State of Maryland. Many people, including the residents of North Carolina and New Jersey, are still without power and flooded from their homes.

Mr. President, the Federal Emergency Management Agency has \$1 billion in the disaster relief fund to help state and local governments recover from this storm. The bill we present to the Senate today includes an additional \$300 million for the disaster relief fund. That means FEMA is ready to help those communities recover from this devastating storm. Should the administration request additional funding for disaster relief, we will provide whatever is necessary to help those in need.

Mr. President, our first obligation is to keep the promises we have made to our Nation's veterans. I am proud to say that in this bill, we have kept those promises to the veterans and the VA employees. I am proud of the men and women who serve our veterans. From the in-patient hospitals to the out-patient clinics, the employees of the VA work long hours and sometimes under difficult conditions. We have increased funding for veterans healthcare by \$1.1 billion over the President's request to a total of \$18.4 billion for veterans healthcare. Some have argued that we should spend more on veterans healthcare. I consider the \$18.4 billion we have provided in this bill to be a funding floor, rather than a funding ceiling. The General Accounting Office generally agreed with this approach as a starting point.

In a recent analysis of the VA healthcare budget for our subcommittee, the GAO concluded that a \$1.1 billion increase over the President's request should be sufficient—assuming the VA's cost cutting program is successful. Nonetheless, I will continue to work with my colleagues to ensure VA has more than sufficient funding for our veterans healthcare needs. In addition, we have maintained funding for VA medical research at \$316 million, the same as fiscal year 1999.

The VA plays a very important role in medical research for the special needs of our veterans such as geriatrics, Alzheimers, Parkinson's, and orthopedic research. The benefits of VA medical research are not limited to veterans. The entire nation benefits from VA medical research—particularly as our population continues to age. We also provide full funding to treat Hepatitis C, a growing problem among the veterans population, particularly for our Vietnam veterans.

We have increased funding for the State veterans homes by \$50 million over the President's request to \$90 million, the same as last year. The State homes serve as our long term care and

rehabilitation facilities for our veterans. They represents a uniquely successful partnership between the Federal and State governments. By increasing funding in this area, we keeping our promises to our veterans and meeting a compelling human need.

We have also made sure that we take care of our working families—by funding housing programs that millions depend upon. Our bill provides \$10.8 billion to renew all existing section 8 housing vouchers. That means those who have vouchers, will continue to receive them. Unfortunately, we were unable to provide additional funding to add 100,000 new vouchers at this time. We simply could not find an additional \$600 million in budget authority to cover the cost of 100,000 new vouchers. Many of my colleagues will remember that we added 50,000 new vouchers last year. But a tight allocation simply did not give us enough room to add more vouchers at this time. We maintained level funding for other critical core HUD programs.

Funding for housing for the elderly has been increased over last year. Funding for the elderly and disabled is \$904 million, a \$50 million increase over last year. We have including additional funding for assisted living and service coordinators within the section 202 program. This has always been a top priority of mine and Senator BOND. We will always make sure that the housing needs of our elderly are met. We also must recognize that the housing needs of the elderly are changing—the elderly are aging in place. That's why we included additional funding for assisted living and service coordinators to help our aging seniors with their unique housing needs.

Homeless assistance grants are funded at the President's request. In a time of prosperity, we will not forget those who are truly in need. In addition, we have funded drug elimination grants and Youthbuild at least year's level.

The Community Development Block Grant Program is funded at \$4.8 billion. This is an increase of \$50 million from last year and \$25 million over the President's request. The CDBG program has been a very successful program targeting federal funds for economic development—with local control. In addition, I have included report language that directs HUD to continue its efforts to bridge the information technology gap in communities through its "Neighborhood Networks Initiative." The Neighborhood Networks Initiative brings computers and internet access to HUD assisted housing projects in low income communities. This will help us to ensure that every American has the ability to cross what Bill Gates has called the "digital divide."

With regard to NASA funding, I was extremely troubled by the House version of the bill. The House bill included devastating funding cuts to America's space agency. The Goddard

Space Flight Center in my home state of Maryland, and the Wallops Flight Facility on Virginia's Eastern Shore both took a significant hit in the House bill. The House funding levels would mean the loss of over 2,000 jobs at Goddard and Wallops. The bill before the Senate today will save 2000 jobs at Goddard and Wallops.

NASA if fully funding in this bill, at \$13.5 billion, which is the President's request. Funding for shuttle, space station, and the critical science programs are funded at the President's request. This will allow us to maintain this country's or science and technology leadership and reflects the Senate's commitment to science and technology as we enter the next millennium.

National Service is funded at \$423 million, a slight reduction from last year. I hope this funding can be increased as the bill moves forward. National Service has been a success, enrolling over 100,000 volunteers in a wide array of community services.

With regard to the EPA, the subcommittee has provided \$7.3 billion in total funding, an increase of \$115 million over the President's request. The subcommittee has increased funding for most of EPA's major environmental programs: the bill provides \$825 million for the drinking water state revolving fund; and \$1.3 billion for the clean water revolving fund. Taking care of local communities infrastructure needs has always been a priority for this committee.

Superfund is funded at \$1.4 billion, down slightly from last year, but brownfields is funded at \$90 million, the same as last year. I know there is some concern over EPA's salary and expense account, and I hope we can address these concerns as the bill moves forward.

The subcommittee has also provided funding at or above the President's budget request for important FEMA programs: Emergency Management and Planning, Anti-Terrorism Programs, and the Disaster Fund. We will await any further administration request for disaster assistance in light of Hurricane Floyd.

The National Science Foundation is funded at \$3.9 billion, which is \$250 million more than fiscal year 1999. This funding level will allow us to make critical investments in science and technology into the next century. The funding increases for NSF is an important step for maintaining our science and technology base.

With regard to the Selective Service, we have restored funding for Selective Service at the President's request. The House eliminated funding for the Selective Service.

Mr. President, I recognize that there may be certain provisions that members may disagree with or oppose. I acknowledge the validity of their concerns, but I hope we can move the bill forward and resolve these differences along the way. I believe the VA/HUD bill that we present to the Senate

today, keeps the promises to our veterans, helps our core constituencies, creates real opportunities and makes investments in science and technology. I urge my colleagues to support this bill.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. BOND. Mr. President, I think we have seen the legislative equivalent of Newton's second law: For every action, there is a necessary reaction. When our colleagues in the House cut the earth sciences program, it was predictable that with the leadership of Senator MIKULSKI, that money would be restored. The law works, and I commend Senator MIKULSKI for being a very effective and persuasive advocate for earth science.

I am prepared to offer a committee leadership amendment, but the distinguished chairman of the authorizing committee for housing has other commitments, and I now defer to him to make a statement on the bill, after which I expect the leaders of the committee to join us in offering an important committee amendment.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. ALLARD. I thank the chairman for granting me time to make a few comments on the bill. As the relatively new chairman of the Subcommittee on Housing and Transportation of the Banking Committee, I view my relationship with the authorizing committee as a very good relationship, and I know the chairman of the Appropriations Committee has made sure there have been staff at our hearings. I really do appreciate that. I have made a very special effort to make sure I have staff at his hearings, not only his hearings but hearings on the House side. I come to my new responsibilities as chairman of the Subcommittee on HUD to look for change. I think change needs to occur in that agency. I think working together in a bipartisan manner, as well as working between authorization and appropriations, is the way to bring about that change.

Mr. President, I thank Senator BOND for giving me the opportunity to make a statement on the VA-HUD Appropriations bill.

I appreciate this chance to share my thoughts as chairman of the authorizing subcommittee for the Department of Housing and Urban Development. I look forward to continuing to work with Senator BOND in our joint effort to closely monitor and improve the operations of HUD.

This is particularly important when we are dealing with a Federal agency that has repeatedly been designated "high risk" by the General Accounting Office. The Department of Housing and Urban Development is the only cabinet level agency that is "high risk." This means that the management deficiencies of the Department pose a significant risk to both taxpayers and the individuals served by HUD programs.

The GAO is not alone in its assessment of HUD. The Department's own

inspector general has repeatedly reported on management deficiencies at HUD. There are two positive provisions in this bill concerning the General Accounting Office and the inspector general and I want to commend the chairman for including them. The first requires the GAO to certify quarterly on the cost of time attributable to the failure of HUD to cooperate with any GAO investigation and to reimburse GAO for these costs.

The General Accounting Office is the investigative arm of the Congress, and we expect HUD and other agencies to cooperate fully in the investigations that the Congress requests. The second provision is an increase in funding for the Office of Inspector General. The IG is an independent voice within HUD. The present IG is a tremendous watchdog over HUD programs and a valuable resource to the Congress and to the taxpayers. This is clearly an agency that needs a strong and well funded inspector general's office.

Let me comment on several other important provisions in the bill. The first terminates a portion of the Community Builders program. In my view, the Community Builders program is a misallocation of the Department's resources. Nearly 10 percent of the Department's personnel are now Community Builders. As best we can tell these positions are largely public relations positions. The Community Builders are among the highest paid employees at HUD, with the program consuming a disproportionate share of travel and training resources.

At a time when HUD is considered "high risk" the focus should not be on public relations, it should be on ensuring adequate personnel to police HUD programs. As a result of our concerns with the Community Builders program, the Housing Subcommittee will hold an oversight hearing of this program in early October. The hearing will focus on the upcoming inspector general's audit of the program and the views of career HUD employees on the merits of the program.

I also want to comment on the section 8 "opt-out" issue. This legislation once again grants HUD the authority to renegotiate section 8 contracts and where necessary adjust the contracts up to market rents. This is essentially the same authority given to HUD 2 years ago. Earlier this year, the Housing Subcommittee held a hearing on this very issue. We found that HUD has moved very slowly in utilizing this authority. Hopefully, the language in this bill will once again make clear that HUD has the authority to work with section 8 owners who want to remain in the program and adjust the contracts to the local market rents.

Finally, I want to reiterate a point made by the Appropriations Committee in the committee report regarding unauthorized programs. This year HUD requested funding for a number of new programs that have never been authorized by the Congress. The GAO identi-

fied 19 new programs with total funding of over \$700 million. The administration continues to propose funding for new programs that have little or no relationship to affordable housing. This diverts precious resources from those most in need. If the administration wants new programs, it should make its case before the authorizing committee, not the Appropriations Committee, and I appreciate Senator BOND's recognition of this fact.

In recent years the Congress has enacted a great deal of housing legislation—including both a major restructuring of public housing and the section 8 program. It has been my view that the Congress should refrain from passing more housing laws until we can determine whether the laws that we have already passed are being properly implemented and whether the Department is being properly managed.

Mr. President, I thank my colleagues. In closing, I ask unanimous consent to have printed in the RECORD an outline of some of the findings from the oversight hearings conducted by the Senate Housing and Transportation Subcommittee this year.

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

1999 OVERSIGHT FINDINGS OF THE SENATE SUBCOMMITTEE ON HOUSING AND TRANSPORTATION

The Subcommittee's first hearing of the year explored the fact that the General Accounting Office once again determined in 1999 that HUD is a "high risk" agency. The "high risk" designation means that HUD's programs and management systems are failing to adequately carry out the Department's mission and that there is significant risk to taxpayer dollars. The GAO has placed HUD on the "high risk" list since 1994 and it is presently the only full Cabinet level agency on the "high risk" list. The Subcommittee found that the HUD Inspector General shares the GAO view that HUD is "high risk." The IG has issued a number of reports that are highly critical of HUD management. The IG has alleged that she has been the victim of continued efforts by HUD management to undermine her office and authority. The GAO is currently investigating allegations of efforts to undermine the IG and the Subcommittee will continue to explore this topic.

The Subcommittee conducted a hearing to explore in detail HUD's grants management system. This is one example of HUD's alleged mismanagement. This computerized system (IDIS) is supposed to track the expenditure of \$6 billion of HUD grants each year. These are grants distributed to cities and states through the Community Development Block Grant program and similar programs. Unfortunately, the Subcommittee heard testimony from GAO and several local government officials that the IDIS computer system does not work. The system uses outdated and cumbersome computer technology and at this point cannot be used to effectively monitor the performance of communities receiving HUD grants.

The Federal Housing Administration is an important part of HUD, and the Subcommittee finds that it is critical that the Congress keep a close eye on the solvency of the FHA fund. The FHA provides a federal insurance guarantee on hundreds of billions of dollars worth of housing. The Sub-

committee conducted a hearing to review the rise in the level of delinquency on FHA insured loan payments. This is of particular concern at a time when the economy is so healthy, and at a time when the delinquency rate on non-FHA insured loans is not rising. Recently, it was announced that the delinquency rate on adjustable rate mortgages is now 10 percent, an historic high.

The Subcommittee conducted a hearing on the Low Income Housing Tax Credit and how it is utilized to develop affordable housing in a number of states. This program appears to be successful in developing affordable housing. The program is strong because it leverages tax credits to involve the private sector in the development of affordable housing. The program is administered by the states (which allocate the credits) and has little to do with HUD.

The Subcommittee conducted two hearings concerning the Section 8 program. The Subcommittee found that HUD has been particularly slow in dealing with the Section 8 opt-out crisis. Section 8 property owners are developers who have entered in to 20 year contracts with HUD to provide affordable housing. At the end of the contract term, these owners may opt-out of the system and take their properties to the private market. Many property owners are exercising this option and many more contracts will come up for renewal in the next several years. In an attempt to keep owners in the program, Congress granted HUD the authority to mark up Section 8 rents in areas where the contracts were clearly below market. HUD was given this authority in the Fall of 1998 and is just now issuing the notice to field staff that will implement the program (nearly two years after the authority is granted). HUD has responded slowly to the crisis and as a result many properties may be lost to the Section 8 program. The Subcommittee's second hearing addressed the Section 8 mark-to-market program enacted by Congress nearly two years ago. The legislation enacted made clear that HUD was to give state housing finance authorities priority in the restructuring of Section 8 contracts in their states. While some progress has been made in signing up the states, much more needs to be done. HUD must resist the temptation to continue federal control of the restructuring where states are willing and able to do the job.

Mr. ALLARD. Mr. President, that concludes my comments. I thank the chairman, again, for working with my committee. I look forward to a very positive relationship with him in the future.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. BOND. Mr. President, I thank the Senator from Colorado. His active involvement, through his committee and with his staff in helping us deal with these problems, has been of significant benefit. We truly appreciate the close working relationship we have with members on both sides of the authorizing committee. As I indicated before, this is a very difficult set of questions that deal with HUD. They do involve and require the participation and guidance of the authorizing committee. We are most grateful to the Senator from Colorado for all his assistance.

AMENDMENT NO. 1744

(Purpose: To provide an additional \$600,000,000 for the Veterans Health Administration for medical care and to designate such amount as an emergency requirement)

Mr. BOND. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative assistant clerk read as follows:

The Senator from Missouri [Mr. BOND], for Mr. BYRD, for himself, Mr. BOND, Mr. DOMENICI, Mr. STEVENS, Ms. MIKULSKI, Mr. GRASSLEY, Mr. BINGAMAN, Mr. ROCKEFELLER, Mr. AKAKA, Mr. JOHNSON, Mr. SPECTER, Mr. MURKOWSKI, Mr. WELLSTONE, Mr. SMITH of New Hampshire, and Mr. HOLLINGS, proposes an amendment numbered 1744.

Mr. BOND. 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:

On page 7, beginning on line 23, strike "\$18,406,000,000" and all that follows through "Provided," and insert "\$19,006,000,000, plus reimbursements: *Provided*, That of the funds made available under this heading, \$600,000,000 is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 and shall be available only to the extent that an official budget request that includes designation of the entire amount of the request as an emergency requirement (as defined in the Balanced Budget and Emergency Deficit Control Act of 1985) is transmitted by the President to Congress: *Provided further*,".

Mr. BOND. Mr. President, I am very pleased to offer this amendment with the leadership of the committee on both sides. Senator MIKULSKI and I are very pleased to have the support of Senator STEVENS, Senator BYRD, and also chairman of the Budget Committee, Senator DOMENICI, to add \$600 million for VA medical care. In addition to the committee-reported bill, there will be a total of \$1.7 billion above the President's request for veterans' health care; in other words, \$19 billion for veterans' health.

These funds will enable VA to ensure full care to all 3.5 million veterans being currently cared for by the VA. They will also allow VA to provide care to thousands of additional veterans, significantly reduce waiting times for appointments, and initiate new activities to improve veterans' health. They will also enable the VA, upon enactment of authorizing legislation, to fund emergency care treatment in non-VA facilities for veterans. We do need authorizing assistance for that.

According to the GAO, there are still many opportunities to make VA health care more cost effective. These include improved procurement practices, consolidation of certain services, eliminating excess management layers and administration, and shifting more care to outpatient settings. We cannot afford to maintain the status quo at the VA. The GAO recently testified that

the VA is wasting \$1 million a day on operations and maintenance of buildings and monuments that could better be used on health care for veterans, and 25 percent of the medical care budget is spent on maintaining VA infrastructure, including 4,700 buildings on 22,000 acres.

The VA has been moving to community-based care, outpatient-based care. That has been dictated by the needs of the veterans. We are in a position where we must provide the care the veterans need. We have to support the VA in restructuring the entire system, consistent with the health care needs of veterans, rather than devoting ourselves to maintaining buildings in the old regime. Monuments are not what the veterans need in health care; they need good health care.

Not only is it the trend in general medicine outpatient-based care, but the veterans population is declining. The VA projects a 36-percent decline by 2020. By adding funds to the VA's budget, we in no way suggest that the VA has done all it can to improve its use of health care dollars.

I have been and continue to be a very strong supporter of VA transformation. When the Veterans' Administration started the process, one of the first surgical centers they shut down was in my State. It was tough to explain, but it is, I believe, clear that the veterans get better care when we have appropriate facilities—not keeping open a surgical center, for example, where they do not perform enough surgeries to maintain the proficiency they need to provide top-quality care. The funds we are adding today are for veterans' health, not maintaining buildings, not maintaining excessive management layers.

Over the past 5 years, the VA has made dramatic and much-needed changes. We congratulate them on these difficult processes. We want to work with them and continue to assure sound oversight. The system has begun a major transformation that has resulted in more of VA's appropriations going to health care. Today, VA is serving more veterans and the quality of care has improved. In the past 3 years, VA has served an additional one-half million veterans, in part by opening almost 200 new community-based clinics.

It is my strong hope that the transformation will continue to go forward and additional funds will improve the quality of VA health care. I might note that Senator GRASSLEY has asked to be a cosponsor of this amendment.

I yield to the Senator from Maryland.

Ms. MIKULSKI. I thank the chairman. I note that Senator BINGAMAN also wants to be added as a cosponsor of the pending veterans amendment.

I am pleased to join with several of my colleagues to cosponsor this amendment to increase funding for VA medical care by \$600 million. I appreciate especially Senator BYRD's continued, steadfast support for our veterans.

We could not be offering this amendment without Senator BYRD and Senator STEVENS. Earlier, I talked about how pleased I was with the bill—promises made, promises kept. But we wanted to do more. We had the will, but we didn't have the wallet. This is exactly an example of what I was talking about. We had the will to be able to provide a safety net for veterans' medical health care.

We know that the cost of health care continues to be rising. We know that the discussion on how to reform Medicare is a work in progress within this institution and our colleagues in the House. It will have a tremendous impact on our veterans. We also know that the need for prescription medication among our veterans is escalating. Those wonderful breakthroughs we have are expensive. We want to make sure that if you have arthritis or if you are facing prostate cancer, you have the medical resources that are needed. So, yes, the amount we currently have in the bill meets minimum, spartan levels.

This \$600 million will help us tremendously. It will benefit our veterans to assure that there will be no need to close VA clinics around the country. They will be sure that no inpatient facilities will close and ensure that veterans continue to get access to the quality health care they deserve.

First of all, I know that all over America the Veterans' Administration is analyzing what they should keep open, what they should close, and what should go to part time. The fact is, we can't have uncertainty. Why? We want continuity of care for the vets and the ability to retain good and excellent staff. If you don't know today that your VA medical center might be gone tomorrow, those nurses, technicians, lab people, facility managers, who now have great opportunities in the private sector, are being attracted and recruited to leave. We have to show certainty in terms of being able to provide care and give assurance to the personnel that we value them and we want to be able to fund them at the appropriate level.

So I really thank Senator BYRD and Senator STEVENS for identifying a way we could assure that inpatient and outpatient needs are met. I support this amendment. I am going to support it here and in conference. Once again, I thank the Chair.

I yield the floor.

Mr. ROCKEFELLER addressed the Chair.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. ROCKEFELLER. Mr. President, I have come to the floor to make a simpler amendment. It is an amendment in the number of dollars, \$600 million, bringing it up to \$1.7 billion, as 51 Senators agreed to earlier in a letter. But I have not been given a copy of the amendment itself. I don't know what the offset is and I don't know, therefore, whether the offsets affect other

programs within this appropriations matter that would be harmful. I ask either the ranking member or the leader if I could have a copy of the amendment so I could simply see what it says. The numbers we agree on, but where is the offset coming from, et cetera?

Mr. BOND. Mr. President, if I may answer my colleague, that is a good question. The committee leadership and the Budget Committee have agreed we should provide this as an emergency authorization now. The allocation will be handled in the conference committee. So we are asking to include this as an emergency. There is no offset in this bill. There will have to be funds provided in the conference. The House had already provided the \$1.7 billion additional. They took it out of NASA. We are not going to take it out of NASA. We have the assurance of the bipartisan committee leadership that we will be able to handle this allocation in the conference.

So the simple answer at this point is there is no offset.

Mr. ROCKEFELLER. I appreciate what the Senator from Missouri said. But I would further ask, I notice in the amendment it says it is an emergency requirement but it requires a transmittal by the President to the Congress, which would clearly say if the President doesn't—at least I would interpret it—ask for that, then it might not happen. Am I nit-picking at words or is that a fact which is of concern?

Mr. BOND. Mr. President, we do not believe that the emergency designation will have to be continued past the conference. We believe we can deal with the allocation questions and provide additional moneys so we will be able to drop the emergency designation. It is our hope we can do so should it be necessary. I believe there is sufficient bipartisan support in both bodies to prevail upon the President should we be required to obtain an emergency designation.

Mr. STEVENS. Mr. President, will the Senator yield?

Let me assure the Senator from West Virginia that this is sort of a current emergency in terms of the allocation process under 302(b). We are working this out. The House has the \$1.7 billion. We believe because of the reaction from the veterans community we ought to assure that this wasn't intentional all the time to meet the House level in the conference. But by the time this got to conference we believed we would have the 302(b) situation straightened out so we would know where the emergency decision should be made and whether there would be advance appropriations.

This is a temporary emergency concept. We are asking the Senate to help us get this bill to conference with the emergency designation on the \$600 million, and we assure the Senate that this will not be an emergency coming out for this item unless it is absolutely necessary, which I don't see right now.

But we would like it in the bill in conference. When we made the 302(b) allocation to this bill by, in effect, borrowing money from the Health and Human Services bill, we thought it was best to try to have some negotiating stance with the House on some items in the bill. But we never intended to negotiate this item. I conveyed that to the managers of the bill this morning and asked that we take this issue out of contingency in the conference.

But this is the best way to do it. I hope the Senate will agree with us. It is an emergency designation that is necessary under the circumstances, but it is not a permanent emergency designation.

Mr. ROCKEFELLER. I appreciate very much and have enormous respect for the chairman of the full committee. Then it is my understanding it will come back after the bidding point from the conference.

Mr. STEVENS. If I may respond, Mr. President, I have to say the managers of the bill wanted the \$1.7 billion to start with. Senator BYRD wanted \$1.7 billion. As chairman I found it impossible to make that allocation at the time. But we are saying right now it was always our intention to accommodate the decision made by the managers of the bill that it should be \$1.7 billion. This \$600 million will meet that objective, and I hope the Senate will adopt it as we suggested.

Mr. ROCKEFELLER. And any new request by the President of the United States would not be necessary? This simply would be the workings of the Congress.

Mr. STEVENS. That is correct. If we come back to conference with an emergency designation, it will be subject to the President's approval. We would, in effect, be making a request to the President that it be declared an emergency. I do not think this has reached the emergency stage. The House has it without an emergency, and I think we can accommodate that position.

Mr. ROCKEFELLER. I am very appreciative and grateful to the chairman of the full committee, and the ranking member and minority member of the subcommittee, for this.

I am, therefore, very happy with the permission of the Chair, to add myself as a cosponsor to the amendment, as well as Senators CONRAD, AKAKA, KERREY, BIDEN, BINGAMAN, LEAHY, BOXER, HAGEL, and MURRAY.

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

Mr. ROCKEFELLER. Mr. President, I would like to make a few comments, if I might, on this legislation. I cannot tell you how happy I am that Senator BOND and Senator MIKULSKI, under the leadership of Senator STEVENS and Senator BYRD, made this adjustment, because I came down here with a 17-page speech ready to raise all kinds of trouble. Now I don't have to because the appropriators have understood very clearly what was wrong with the GAO reform which was asked for. The appro-

priators at one point asked for a GAO report, and we went and looked at that report very carefully. We tried to find out what we could about it. We discovered the GAO report, which was recommending the \$600 million cut, was based upon the question that had been asked: What would happen if the veterans budget was flatlined? So it wasn't. Where are there efficiencies that can be achieved? It was the presumption that there would be the \$600 million shortfall, and, assuming that, how would the VA make the cuts? That is different than asking where might there be efficiencies? This was saying, what are you going to do, assuming you get this cut?

They came back with this list based upon a flatlined budget. The VA managers, in fact, were told to hit a dollar target. The simple fact is that most of the cuts they suggested would reduce access to care would reduce everything that is useful in the veterans budget.

The GAO really had no basis to reach the conclusion they reached. They didn't review any of the items on the list to determine what impact they would have on patient care—not one single item. It is extraordinary. You would assume the GAO is going to do that kind of thing. They simply didn't. They reacted as automatons—having been given the figure they have to cut to, they would go ahead and do it. The cuts would have been absolutely extraordinary.

We knew Members wanted to have \$1.7 billion added, and 51 Senators, as I indicated, have already gone ahead and proposed this. The GAO with sort of an ax went through what they were going to close: the dialysis unit in Salem, VA; they were going to close all in-patient beds at the Beckley, WV, hospital—something those people there have been living in fear of for years because there have always been rumbles and rumors, and all of that. That was going to happen up until a few moments ago, until the two Senators made this amendment. That was going to happen. All in-patient care at Beckley was going to be closed. That would be something obviously this Senator and others could not go ahead with.

Salem, VA, was going to lose its PTSD, along with a lot of other things.

There were going to be a lot of abolishments.

All psychiatric beds in the entire New Jersey VA health care system were going to be closed. That is beyond my comprehension. If we have to get down to a certain number, we tend to do that kind of thing. This has nothing to do with a national understanding of how to save money when we need \$3 billion to make the health care system. The \$1.7 billion is what I was going to make my amendment for; it has been made already, and I am happy to join as a cosponsor.

I am very grateful this amendment was made by the two people who can do the most with the full committee

chairman answering questions and asserting his insistence on this. I am happy about that.

I point out, in closing, it may surprise some to learn that over the last 20 years while VA health care costs have risen 269 percent—which is a lot—the comparable rise for non-VA health care is almost 800 percent. I think that is interesting for my colleagues to think about: a 270-percent increase in the VA health system for health care; in the non-VA health care, an 800-percent increase. That says a lot about efficiencies being practiced within the VA system.

I thank the Senator from Missouri and the Senator from Maryland, both stalwarts in their efforts to protect our veterans. I am happy to add my name as a cosponsor, along with a number of others who are going to join in my amendment which I now do not need to make.

I yield the floor.

Ms. MIKULSKI. Mr. President, I thank the ranking member of the veterans authorizing committee for his support for this amendment. Most of all, I thank him for his advocacy. He has continued to speak up on what are the contemporary needs of the Veterans' Administration, particularly in health care. The Senator has been very clear in the need to recruit and retain new personnel, to move to new methods of service delivery, how we can be both high tech and high touch. I thank the Senator for his support for this amendment and also thank the Senator for his advocacy. I look forward to working with the Senator not only in moving the bill but moving our agenda to help veterans and doing it together.

Mr. BOND. Mr. President, I thank the Senator from West Virginia for his strong words in support of the VA. He has been a champion of the veterans affairs activities and his role in the authorizing committee is very important.

I have been asked by the chairman of the Committee on Veterans' Affairs, Senator SPECTER, to be added as a cosponsor. I also ask unanimous consent Senator MURKOWSKI be added as a cosponsor. I ask consent that Senator MIKULSKI and I be permitted to add cosponsors to this amendment after it is adopted. We sense there is a strong feeling of interest and support for this issue.

Before I conclude, let me say we have worked very closely with the General Accounting Office in this area. The GAO has been to every one of the VA's 22 networks over the last few years. They have been closely involved in the VA's transformation. I strongly support continued improvements in the use of VA health care funds. These funds need to be spent on veterans' care, not on monuments.

I believe we are ready to accept this amendment on voice vote.

Mr. WELLSTONE. Very quickly, I ask to have my name included as a cosponsor. I say to my colleagues, I appreciate this effort. I have done a lot of work with this around the country. I believe we can do better. I will have an

amendment I will introduce shortly to deal with that question.

I thank my colleague from Missouri, Mr. ROCKEFELLER. Mr. President, I ask unanimous consent to have printed in the RECORD a summary of the initiatives that GAO said would make for efficiencies. I think that ought to be in the RECORD. As my colleagues see these efficiencies, they are going to be rather stunned.

Second, the head of the health part of the VA, Dr. Thomas Garthwaite, has written a letter in which he says many of the proposals are inconsistent with law and VA policies—that is, the GAO suggestions—and could not be implemented. He said he was personally concerned some would result in a negative impact on quality of care and level of services.

I ask unanimous consent to have both of these printed in the RECORD.

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

DEPARTMENT OF VETERANS AFFAIRS,
UNDER SECRETARY FOR HEALTH,
Washington, DC, September 22, 1999.

Hon. JOHN D. ROCKEFELLER IV,
Ranking Minority Member, Senate Committee on Veterans' Affairs, U.S. Senate, Washington, DC.

DEAR SENATOR ROCKEFELLER: As requested by your staff, we have reviewed the list of efficiencies reported by GAO in their September 14, 1999 report on Veterans Health Care: Fiscal Year 2000. GAO obtained the information in their report from preliminary network scenarios prepared in May 1999. Many of these proposals are inconsistent with law and VA policies; therefore, could not be implemented. Further, I am personally concerned that some would result in negative impact on quality of care or level of service.

The list does not represent VA plans.

Sincerely,

M. L. MURPHY,

(For Thomas L. Garthwaite, M.D.)

SUMMARY OF VA MANAGEMENT INITIATIVES¹ INCLUDED IN
GAO ESTIMATE OF POTENTIAL EFFICIENCY SAVINGS

Count	VISN		(In thousands)
1	12	Share Transcription Svcs/Med.Media/Electronic Library/Switchboard	(\$225)
2	6	VAMC Asheville reduce Rx cost	(\$1,100)
3	15	Clinical Pharmacy Savings—example polypharmacy	(\$4,000)
4	17	Consolidate Ward	(\$7,488)
5	17	Reduce usage of Medical Physician Contracts	(\$875)
6	3	Eliminate lab at FDR	(\$215)
7	8	Close acute care beds	(\$17,500)
8	22	Long Beach—Inc CMOP activity	(\$1,000)
9	11	Implement network wide Care Management Program	(\$1,100)
10	17	Refer vascular, neurosurgery and neurology to other VAMCs	(\$500)
11	16	Blanket Purchase Agreements/Consolidated Contracts	(\$950)
12	9	Improve Prescribing Patterns	(\$3,000)
13	15	Consolidation of Mental Health Management	(\$500)
14	17	Usage of other sources of employment (contract, CWT, IT, etc.)	(\$1,350)
15	6	VAMC Hampton Reduce 2 Librarians	(\$117)
16	12	Further Integration VAMC Chicago	(\$3,000)
17	9	Convert Capital Accounts to .01	(\$9,214)
18	2	Commodity Standardization & Other All Other Cost Savings	(\$600)
19	6	Restructure Dental Services	(\$100)
20	17	Establish Polypharmacy procedures	(\$310)
21	3	Centralize Pharmacy	(\$300)
22	9	Revise Huntington Diagnostics/food prod processes/incr. prepared food use	(\$194)
23	8	Inpatient to outpatient cost avoidance	(\$5,900)
24	14	Tele pathology/radiology—Nebraska	(\$250)
25	3	Reduce Radiology	(\$2,237)
26	1	Restrict Pharmacy formulary/polypharmacy	(\$1,350)
27	9	Restructure Murfreesboro Prosthetics/Orthotic Service	(\$200)
28	15	Maximize Telemedicine	(\$300)
29	15	Consolidation of selected laboratory functions	(\$2,000)
30	14	Adjust RN, LPN, NA mix @ Iowa City	(\$375)
31	2	Standardize Chemistry Equipment resulting in "All Other" cost savings	(\$250)

SUMMARY OF VA MANAGEMENT INITIATIVES¹ INCLUDED IN
GAO ESTIMATE OF POTENTIAL EFFICIENCY SAVINGS—
Continued

Count	VISN		(In thousands)
32	9	Close/Contract for Memphis Inpatient Neurosurgery	(\$1,093)
33	6	Hampton Replace 2 Podiatrists with Fee Basis	(\$100)
34	22	Loma Linda—Decrease Medical Media capabilities	(\$500)
35	6	VAMC Durham close Cardiac Cath Laboratory	(\$1,915)
36	11	Close unused buildings at Battle Creek, NHCS and Danville	(\$900)
37	6	VAMC Hampton REDUCE 1 PATHOLOGIST	(\$183)
38	3	Close Int Care(Lyons)	(\$7,555)
39	6	VAMC Fayetteville Administrative staff reductions	(\$413)
40	9	Close Leestown Division of Lexington VAMC	(\$2,500)
41	16	Consolidation of Imaging Services	(\$1,100)
42	8	Convert capital to operating funds	(\$6,273)
43	6	VAMC Salem eliminate ENT contract	(\$80)
44	9	Move Veterans Community Care Center to VA space at Murfreesboro	(\$61)
45	7	Renovation of Ambulatory Care	(\$235)
46	3	Merge two Long Term Care Psych Wards	(\$1,500)
47	20	Equipment funding conversion	(\$5,000)
48	20	Standardization	(\$2,000)
49	21	Enhance referrals of Contract Dialysis patients to community resources	(\$587)
50	6	VAMC Fayetteville Close Orthopedics—surgery and clinic	(\$300)
51	9	Implement Centralized Controls over Fee Basis Expenditures	(\$250)
52	22	VISN-wide: reduce acute inpatient census	(\$1,219)
53	20	Consolidated Contracting	(\$2,000)
54	3	Convert EMS to VI workers	(\$702)
55	22	Long Beach—Ward closure	(\$1,250)
56	11	Standardize and consolidate procurement of medical supplies	(\$1,000)
57	14	Adjust indirect/direct Fte mix @ central Iowa	(\$400)
58	6	VAMC Fayetteville Close Intermediate Care Ward	(\$1,479)
59	10	Administrative Program Integration between Medical Centers	(\$3,129)
60	4	Reduce Management Layers (Overhead)	(\$9,000)
61	17	Advance Tray Delivery System	(\$850)
62	16	Laboratory Standardization	(\$1,000)
63	17	Eliminate Intermediate Beds	(\$534)
64	10	Consolidate Fee Basis Program Administration to central location	(\$450)
65	6	VAMC Salem reduce Administrative Services	(\$530)
66	22	Network Business Center—consolidated contracting/purchasing	(\$3,000)
67	3	Reduce respiratory therapist	(\$220)
68	22	VISN-wide: reduce .01 expenditures on NRM & station projects	(\$3,000)
69	6	VAMC Salisbury convert PTSD to residential care	(\$600)
70	19	Cheyenne-Denver Integration, eliminate Cheyenne Management Triad	(\$350)
71	18	VISN Contracts (bulk purchases)	(\$1,000)
72	1	Exchange 80% of anticipated Equipment and NRN funding	(\$28,748)
73	17	Reduce usage of Fee Basis Salary Account	(\$1,000)
74	9	VISN Negotiations to Control Cost of State Nursing Home medications	(\$349)
75	15	Tele-radiology coverage sharing	(\$500)
76	18	Conversion of NRM and Equipment multi-year funds	(\$3,000)
77	10	Consolidate Contracting Functional Responsibility	(\$506)
78	14	Pharmacy cost avoidance	(\$3,000)
79	12	Expand BioMedical Equip. Risk pool (Reduce equip. maint. contracts)	(\$150)
80	14	Consolidate Nuc Med @ Iowa City	(\$48)
81	9	Diabetics Efficiency Improvements at Memphis	(\$577)
82	3	Reduce "excessive" bed days of care	(\$12,000)
83	9	Adjust provider mix for more efficient ratio of physicians to support staff	(\$5,000)
84	3	Close Med Ward	(\$1,762)
85	3	Close Medicine (Lyons)	(\$1,850)
86	4	Restructure Depart. and Wrk Routines (Cont'd Input to Altern. Care)	(\$17,000)
87	6	VAMC Durham close Dialysis	(\$1,504)
88	18	Limit Station Level Projects	(\$300)
89	3	Convert long term Psych ward to residential	(\$1,000)
90	17	Eliminate Surgery Service at a tertiary care facility	(\$2,500)
91	6	VAMC Durham close Emergency Room	(\$849)
92	3	Limit Non-Formulary request for drugs	(\$250)
93	1	Boston Healthcare System	(\$10,000)
94	8	Energy Savings contract	(\$500)
95	19	Eliminate heart transplant program (SLC)	(\$512)
96	3	Network-Wide Home Health Contract	(\$500)
97	19	Eliminate fire department—City coverage (Sheridan)	(\$346)
98	21	Pharmaceutical pre-buys	(\$1,500)
99	7	Improve C&P Efficiencies	(\$500)
100	17	Reduce the usage of temporary positions	(\$450)
101	17	Contract out Misc Services	(\$4,410)
102	3	Close Psych Ward	(\$1,350)
103	15	Adj Staffing mix	(\$2,000)
104	22	Long Beach—Consolidate diabetics w/GLA	(\$1,500)
105	19	Eliminate cardiothoracic surgery (SLC)	(\$600)
106	7	Reduction of BDOCs	(\$1,441)
107	3	Transfer Acute Psych (Lyons) to Medical School	(\$4,277)

SUMMARY OF VA MANAGEMENT INITIATIVES¹ INCLUDED IN GAO ESTIMATE OF POTENTIAL EFFICIENCY SAVINGS—Continued

Table with 3 columns: Count, VISN, and Savings (In thousands). Rows include various initiatives like Energy Savings, Shift to Outpatient Care, and Consolidate Laboratory Services.

SUMMARY OF VA MANAGEMENT INITIATIVES¹ INCLUDED IN GAO ESTIMATE OF POTENTIAL EFFICIENCY SAVINGS—Continued

Table with 3 columns: Count, VISN, and Savings (In thousands). Rows include initiatives like VAMC Bedside close all acute care inpatient beds, VAMC Salem FTSD inpatient to outpatient, and VAMC Salem eliminate Cancer/Oncology.

SUMMARY OF VA MANAGEMENT INITIATIVES¹ INCLUDED IN GAO ESTIMATE OF POTENTIAL EFFICIENCY SAVINGS—Continued

Table with 3 columns: Count, VISN, and Savings (In thousands). Rows include initiatives like Integrate Nashville Intermediate Medicine w/ Murfreesboro, VAMC Asheville consolidate laundry operations, and Eliminate cardiac surgery contract.

Total Savings and Reductions (\$610,043)

¹ Management initiatives and dollar savings estimates are stated as included in VA's budget planning document entitled, "FY 2000 Financial Projection and Operating Strategies."

Mr. GRASSLEY. Mr. President, I am pleased to co-sponsor this amendment to increase the appropriation for veterans medical care by \$600 million over the amount reported by the committee.

This additional \$600 million will bring the appropriations for veterans health care in both the House and the Senate to a total of \$1.7 billion over the amount requested by the President. This increase should help stabilize veterans health care services in Iowa.

Iowa is in Network 14, which includes most of Nebraska, part of Illinois, and parts of Kansas, Missouri and Minnesota. Network 14 is one of those which has steadily lost funding under the Veterans Equitable Resource Allocation System, the funding system which, several years ago, changed the way VA monies are distributed around the country.

In addition, as my colleagues know, the VA health care system, following developments in the rest of the nation's health care system, has been emphasizing care in outpatient settings where appropriate. In keeping with this policy, the network including Iowa has developed outpatient clinics in several communities around the State, as well as health screening activities around the State.

In many respects, this shift to an outpatient focus is good policy. Certainly care should be given at the most medically appropriate level. Veterans can receive that care closer to home than might otherwise be the case if sufficient community clinics can be created. It is also probably the case that more veterans can be served by such an approach to health care services. This has certainly been the case in Iowa. Between 1996 and 1998 the total number of veterans served in Iowa has increased from 43,856 to 47,225, an increase of 3,369. Veterans treated on an inpatient

basis declined from 7,615 to 5,204 over that period, but veterans treated on an outpatient basis increased from 36,241 to 42,021.

Unfortunately, the combination of the shift of funding away from States like mine to the south and southwest, and tight Federal budgets for veterans health care has resulted in a squeeze on the budget for Network 14. Although the network has been able to continue to serve the category 7 veterans, I regularly hear complaints about very long waits for service, and, occasionally, about episodes of poor quality service which seem linked to too few staff.

I hope that this increase of \$1.7 billion beyond what the President requested will help ease the budget squeeze of Iowa and Network 14, and will help prevent any further deterioration in access to services for Iowa's veterans. I am aware, of course, that the VA will be providing a 4.8 percent increase for VA employees, and this will come from the appropriation for VA programs. And health care costs continue to inflate. Nevertheless, this increased appropriation should help us in Iowa.

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

The amendment (No. 1744) was agreed to.

Mr. BOND. I move to reconsider the vote.

Ms. MIKULSKI. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 1747

(Purpose: To increase the amount appropriated for the Veterans Health Administration of the Department of Veterans Affairs by \$1,300,000,000)

Mr. WELLSTONE. Mr. President, I thank my colleagues. I will send an amendment to the desk shortly.

Let me speak about this amendment. It is on the same subject matter. My colleague from West Virginia did a good job of outlining problems with the flatline budget. What we have had the last several years is a budget that has led to a decline, unfortunately, in the quality of health care for veterans. The presiding Chair has been a real leader in this area. I think he is very familiar with this.

Part of the problem is that the budget not only does not deal with gaps in veterans' health care, or the need to deal with a lot of veterans who are homeless—I think it is a shameful statistic when, some believe, maybe up to one-third of the homeless population are veterans—or the need not to do better for drop-in centers for veterans as an alternative to institutionalized care.

I say to my colleague from Maryland, perhaps the biggest gap is an ever-aging veteran population and the fact this carries with it very real challenges in delivering care to this part of the veteran population in a humane and dignified manner.

What this amendment which I will send to the desk does, it is consistent with the veterans independent budget. It will call for an increase of an additional \$1.3 billion. I say this to my colleagues: This amount of resources for veterans' health care does not come out of thin air. This is based upon an independent budget which was produced by major veterans organizations—VFW, Disabled American Veterans, Paralyzed Veterans, and the Vietnam Vets.

What this budget does is something that I think is terribly important. It corroborates the findings of a report I was able to issue on the floor of the Senate not that long ago called "Flatline Veterans Health Care and Fiscal Year 2000 Budget." I sent a copy out to all of my colleagues. Let me summarize the conclusion of this report.

Without a doubt, the men and women of the VA health care system will continue their effort to provide quality health care regardless of what future budgets hold. However, the majority of the 22 VA directors report without a significant infusion of new funds, the future is one of fewer staff, offering fewer services and treating fewer veterans.

Let me be clear about what is at stake. I appreciate the amendment we just passed, but the truth of the matter is it does not meet the needs. I want all of my colleagues to understand I came out with this amendment with Senator JOHNSON and 99 Senators voted to increase the amount of veterans' resources, to increase the budget, by exactly this amount of money. We have squeezed about as much money out of this as we can. The VA health care system is desperately short of resources. I think we absolutely have to do better.

This amendment means the difference between an aging World War II veteran driving 6 hours to a hospital for care and the same veteran visiting an outpatient clinic in his own community. The amendment could mean the difference between a week's wait and several months for an appointment at a mental health clinic for veterans suffering from PTSD. The amendment could be the difference between cost-effective and humane care instead of responding to a crisis.

Again, I want to make this clear. My colleagues are on record: 99 Senators voted to support an extra \$3 billion above the President's request for the VA. That is exactly what this amendment calls for. This was an amendment to the budget resolution offered by my friend from South Dakota, Senator JOHNSON. It passed the Senate 99-0 and raised the Senate budget to the level recommended by the independent budget. I think it is now time to make good on that vote.

Finally, let me be clear. I think there is a powerful claim that veterans can make. I say to my colleague from Missouri, I will read from this study and what I have heard from the regional directors. It is unbelievable. They are making it clear with an additional \$500

million or \$600 million there are still huge gaps. If we are really serious about dealing with these gaps, if we are really serious about adequately funding VA health care—and I think the veterans have a moral claim—I think this is a commitment we made to our veterans, this amendment for the additional \$1.3 billion brings us to the level that really will deal with these glaring gaps. As a matter of fact, again we had a 99-0 vote to increase the funding to exactly the level called for in this amendment.

I want to be clear. I have been critical of our President, Democratic President. I felt the flatline budget in the original budget proposal that came from the White House was no way to say thanks to the veterans. I have tried to work with colleagues on all sides of the aisle on this question. But in many ways I am on fire on this question. I really believe we have to live up to a commitment we have made.

Let me read from a "Dear Colleague" letter that I think brings this into sharp focus:

DEAR COLLEAGUE: We invite you to join us in honoring a commitment to our Nation's veterans, a commitment that we feel is being neglected in their time of need. We are concerned that funding for the fiscal year 2000 Department of Veterans Affairs contained in the fiscal year 2000 VA-HUD appropriations bill is inadequate in addressing the health care needs of our veterans' population.

During consideration of the budget resolution, we offered an amendment that increased veterans' health care in fiscal year 2000 by \$2 billion above the level contained in the budget resolution. The U.S. Senate accepted the Johnson-Wellstone amendment by a 99-0 vote. Many of our Nation's veterans' organizations endorsed our efforts to increase veterans' health care.

Unfortunately, this appropriations bill only contains a \$1.1 billion increase. Now we have added an additional \$600 million to that, which is a step in the right direction. Therefore, we will be offering an amendment which would now provide for an additional \$1.3 billion to make the total increase for veterans' health care up by \$3 billion.

The VA budget has been flatlined for the past 3 years and this catchup effort is badly needed.

Mr. President, I want to marshal the evidence why I believe it is critically important my colleagues support this amendment. On June 15, 1999, I sent a letter to 22 of the veterans integrated service networks—that is what we mean when we are talking about the VISNs—asking them for data as to what they were dealing with, what were the effects of flatline funding. Each director was asked to provide specific information about the impact on veterans' health care of the Clinton administration's fiscal year 2000 proposal and possible congressional appropriations levels.

By July 12, it was amazing. All 22 directors had provided a response to my office. I want to summarize some of what they had to say.

By the way, some of what they have said, some of the data, is deeply troubling. They made it clear that then-Under Secretary for Health Kenneth Kaiser's words in an internal memo earlier this year, that the President's proposed budget posed "very serious financial challenges," was no exaggeration.

We have made some improvement with this amendment that Senator BOND has introduced. But let me go on with the amendment I have introduced, which my colleague from New Hampshire, Senator SMITH, also wants to co-sponsor. I ask unanimous consent he be included as a cosponsor.

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

Mr. WELLSTONE. Mr. President, 20 of these VISNs would have funding shortfalls under the Clinton budget. Twenty out of 22 VISNs reported that the Clinton administration's fiscal year 2000 budget would result in a shortfall of funds necessary to provide either current services or current services combined with new mandates and demands.

As many as 10,000 employees would be cut under the Clinton budget. Nineteen of the 22 VISNs indicated that staff reductions would be necessary under this budget. Altogether, the VISNs reported that staffing levels would have to be reduced by as many as 10,000 employees through a combination of attrition, furloughs, buyouts, and reductions.

Ten of these would reduce patient workload under the President's budget; 71,000—and then I will get to my colleague's improvement to talk about why I think it is an improvement but falls short of what we should be doing—71,129 fewer veterans would be served under this budget.

Let me go to the negative impact of the Clinton budget, plus the additional \$500 or \$600 million that we have here.

I asked them on the \$500 million, the majority of VISNs reported on the budget \$500 million above the President's proposal. It is \$500 million above, which is not quite the level that my colleague from Missouri has proposed.

Again, here is what we hear: 12 reported they would experience shortfalls in providing services; 13 talked about reduced staffing; and, again, 38,000 fewer veterans would be served. And over and over and over again what I heard from these directors, which reflected the independent budget report by these veterans organizations, is: Senators, if you want to honor your commitment to veterans, if you want to say thanks to us, then you have to recognize the impact, the dramatic negative impact of these flatline budgets.

I say to my colleagues on the floor, I am being scrupulously, if you will, non-partisan in my critique. The President's budget was woefully inadequate. But what these veterans organizations did, since we have been saying to them

for years, "Stop being so negative; tell us what you need," is they got together in an excellent coalition effort. They put together this independent budget, and they talked about what we would need to do to help an increasingly aging population, what we would need to do to make sure we had adequate staff, what we would need to do to make sure that staff wasn't doubling up on hours, what we would need to do to make sure there were not longer waiting lines, what we would need to do to get more community-based care not only to elderly veterans but to veterans who are struggling with posttraumatic stress syndrome—what we would need to do to honor our commitment.

This amendment by our colleague is a step in the right direction. It is what the House has called for, but it is not what Disabled American Veterans, Paralyzed Veterans of America—let me simply read from this letter from PVA, and then I say to my colleague from New Hampshire, if he wants to speak on this amendment, I will finish up.

DEAR SENATOR WELLSTONE,

On behalf of the Paralyzed Veterans of America, I am writing to urge you to provide a \$3 billion increase for veterans' health care. The \$1.7 billion increase provided by the House of Representatives—

Which is now what we have here—is inadequate and would only serve to maintain the continuing deterioration in health care provided to veterans. The \$1.1 billion increase provided in the bill provided by the Senate Appropriations Committee does not even reach the level of inadequacy.

In fact, the \$1.7 billion increase represents a net increase of only \$300 million. The Administration's budget proposal not only flat-lined veterans' health care for the fourth year in a row but called for \$1.4 billion in "management efficiencies"—cuts in personnel and health care. Once these cuts are averted, veterans' health care will be left with a \$300 million net increase. If the increase of \$1.1 billion provided in S. 1596 is maintained, the VA will suffer a net decrease of \$300 million.

The Independent Budget identified the resource needs—

This is the operative language—of the VA, as requiring a \$3 billion increase. This was also the same amount identified by the Senate Committee on Veterans' Affairs in its "Views and Estimates"—

That is our Senate Committee on Veterans' Affairs—

which stated: VA requires over \$3 billion in additional discretionary account funding in FY 00 to support its medical care operations.

Mr. President, what I am simply saying to my colleagues is that if, in fact, we have DAV and VFW and Paralyzed Veterans and Vietnam Veterans of America who do their own analysis, present this budget, say we need to go up \$3 billion from the President's request, and in addition we came out with an amendment, Senator JOHNSON and I and every colleague—99 Senators voted for this increase—then why in

the world are we not going to vote for an appropriation of money that will, in fact, deal with these gaps, that will, in fact, make a huge difference?

So I send my amendment to the desk, which would increase the amount appropriated for the Veterans Health Administration of the Department of Veterans Affairs by \$1.3 billion. I send this amendment to the desk on behalf of myself, Senator JOHNSON, and Senator SMITH.

I see Senator JOHNSON and Senator SMITH on the floor. But let me just summarize.

I thank my colleague from Missouri. The PRESIDING OFFICER. If the Senator would suspend, the clerk will report.

The bill clerk read as follows:

The Senator from Minnesota [Mr. WELLSTONE], for himself, Mr. JOHNSON, and Mr. SMITH of New Hampshire, proposes an amendment numbered 1747.

Mr. WELLSTONE. 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:

On page 17, between lines 14 and 15, insert the following:

SEC. 108. The amount appropriated or otherwise made available by this title under the heading "VETERANS HEALTH ADMINISTRATION" is hereby increased by \$1,300,000,000.

Mr. WELLSTONE. I just simply say to my colleagues, we are on record supporting this increase in funding. We voted for it 99-0. In addition, I have three pieces of evidence to support this.

Our own Senate Veterans' Committee said this is really what we need. That is what our Senate Veterans' Committee said. I sent out, because I could not get a straight story from the Veterans' Administration, a survey to all these different VISNs, and 22 directors responded. They said: This is what we need. And they talked about staff reductions and longer waiting lines and what they really needed.

Finally, the veterans organizations themselves spent a considerable amount of time studying the needs of veterans and came up and said: Listen, this is the shortfall. If you really want to make a commitment to us, if you really want to deal with some of these deficiencies, if you really want to deal with some of these gaps in health care, if you really want to say thanks to us, whatever money you are going to have in the surplus—which will go wherever—you ought to at least honor your commitment to us.

That is what this amendment asks my colleagues to do. I hope there will be a strong vote for it.

Mr. JOHNSON. Mr. President, if I might ask my colleague a question.

Mr. BOND addressed the Chair.

The PRESIDING OFFICER. The Senator from Minnesota has not yielded the floor.

Mr. WELLSTONE. I am pleased to take a question.

Mr. JOHNSON. Yes.

Let me say first, while I am very grateful for the effort that our colleague from West Virginia and our colleague from Missouri have undertaken to try to better fund the VA budget, I commend my colleague from Minnesota, Senator WELLSTONE, for clarifying and making it very clear that in fact while the budget picture is difficult—we know that—at the same time, if we were to fully fund everything that really ought to be done, it would require a \$3 billion infusion, given the 3 years of flatline budget that the VA health care budget is already suffering through.

Certainly, I applaud the effort to bring the VA health care budget up \$1.7 billion instead of \$1.1 billion. I think that is a very positive thing. But it does concern me that when we talked about the full \$3 billion increase, we were talking then about the opportunity, as I understand it—if the Senator agrees with me—that that would have been sufficient then to fund the hepatitis C screenings, emergency care services, and 54,000 new patients in 89 outpatient clinics around America. This is the kind of agenda we would have been able to proceed with if we had been able to secure the full \$3 billion instead of \$1.1 billion—or certainly \$1.7 billion.

So I applaud again my friend, Senator WELLSTONE, recognizing we worked together on the budget resolution earlier this year to secure House agreement with a \$3 billion increase. And we have been fighting ever since to try to hold the number as high as we can get it, recognizing that when it comes to veterans' health care, would the Senator agree with me, this ought to be the kind of budget priority that comes at the head of the line rather than one that we fund with whatever is left over after everything else has been concluded.

In fact, these are the individuals who put their lives on the line, who disrupted their families, who did their duty, who gave their service to our Nation and made it possible for our liberty to be protected, for our democracy to be preserved. Yet, too often, when it comes to living up to the obligations that our Government has made to the health care of our veterans and their families, we cry poverty when in fact virtually everything else in the budget has already been taken care of.

It would seem to me that we do have a need to continue to put veterans' health care concerns among our very first priorities—in fact, right up there with our national security funding itself. I think that veterans' health care funding—if the Senator would agree with me—is part and parcel of our national defense strategy—at least it ought to be regarded in that respect—because it is part of what keeps so many of our best and brightest young people interested in a military service career at a time when we have too many people leaving the military, where we have retention problems.

It would seem to me that one of the reasons we have that problem is, we have too often reneged on and neglected our obligations on such fundamental things as veterans' health care and veterans' benefits in the past.

So again, I appreciate the effort to try to raise the visibility of our obligations to our veterans and to secure the best possible funding we can possibly get out of this conference report.

Mr. WELLSTONE. Mr. President, I say to my colleague from South Dakota, first of all, I appreciate his support and his work, as I do the support of my colleague from New Hampshire.

I remind my colleague from South Dakota that when we started out working on this and brought the amendment before the Budget Committee, where colleagues voted to what would now raise this \$1.3 billion above the amendment from my colleague from Missouri up to the \$3 billion difference between what the administration had and what the veterans independent budget said we needed, we were doing this on the basis of just lots of meetings and conversations with veterans.

My colleague gives some very good examples. It is not a question of political strategy. I was very moved by this letter from PBA. One of the things they say to me and say to us, I say to Senator JOHNSON, is they point out that the VA requires this is the amount—this is a report from the Senate Committee on Veterans' Affairs, views and estimates. This is the summary of our own Veterans' Committee of what we need.

VA requires over \$3 billion in additional discretionary account funding in FY 00 to support its medical care operations: an additional \$1.26 billion to meet unanticipated spending requirements; an additional \$853.1 million to overcome the effects of inflation and "uncontrollables" in order that it might maintain current services; and at least \$1 billion—

This is the way they break it down—in additional funding to better address the needs of an aging and increasingly female, veterans population.

Mr. JOHNSON. Would the Senator agree, with this fiscal year ending with the estimated \$14 billion surplus over and above that required for Social Security, that we ought to be able to, with the \$14 billion surplus, find some additional room to address the problems of veterans' health care?

Mr. WELLSTONE. I say to my colleague from South Dakota that given the surplus and given the record economic performance, I am in complete agreement with him.

I again say to all of my colleagues, Democrats and Republicans—who I think support this and are on record supporting this additional investment—that we get in my office back in Minnesota more constituent calls from veterans than any other group. All too often these are veterans who fall between the cracks.

I was a cosponsor of the Bond amendment. I think it is a step in the right

direction. But we are on record saying we know we have to do a better job. We have the Senate Veterans' Committee on record in its own report. We have the veterans independent budget that identifies gaps in all these needs.

In addition, I have a survey that I did with a lot of these visiting directors in which they say they will need these resources. If we are going to say on the floor of the Senate we are for the veterans, if we are going to say we are for improving veterans' health care, then I think this is an additional improvement to the amendment we have just passed. This is an amendment that does the job. This is the amendment that many veterans organizations are saying we ought to fight for.

Again, I say to my colleagues, 99 colleagues are on record. I hope we will get a very strong vote for it.

I yield the floor.

Mr. BOND addressed the Chair.

The PRESIDING OFFICER (Mr. BURNS). The Senator from Missouri.

Mr. BOND. Mr. President, for the information of all Senators, I hope the leadership will be able to clear an agreement that all first-degree amendments in order to this bill be submitted to the desk by 3 p.m. today. That will help ensure swift passage of this HUD-VA bill. In addition, let me clarify, the call for regular order with respect to the HUD-VA bill only applies to the bankruptcy bill. Therefore, Members can expect a late night this evening in order to make progress on the bill.

The PRESIDING OFFICER. Is there objection?

Ms. MIKULSKI. Mr. President, I object.

The PRESIDING OFFICER. Objection is heard.

Mr. BOND. Mr. President, I ask unanimous consent that Senator JEFFORDS and Senator HAGEL be added as cosponsors.

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

Ms. MIKULSKI. Mr. President, I ask that Senator SARBANES be added as a cosponsor to our \$600 million VA amendment.

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

Ms. MIKULSKI. Mr. President, I join with my colleague from Missouri in asking all those on my side of the aisle, please cooperate with the committee, have those first-degree amendments in by 3, so we can expeditiously move this bill.

I also ask my colleagues on my side, those who want to speak about aspects of the bill, come forward and be prepared to speak. We have already been on the bill for 2 hours and haven't had one quorum call. I hope, in order to move expeditiously, we don't have big, empty spaces.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. BOND. Mr. President, I should clarify that I was not asking unanimous consent that all amendments be in by 3 p.m. I am hoping the leadership

will be able to clear an agreement establishing a time. This was an expression of hope. I am sure my distinguished colleague from Maryland has the same hope burning in her heart that I do in mine, but it is not ripe to propound as a unanimous consent at this time.

I was not asking unanimous consent on the 3 p.m. for filing all amendments. We hope we can get a reasonable time.

The distinguished ranking member of the full committee wishes to speak. I need to make just a few quick points about the Wellstone amendment.

We have, as everyone knows, been working for some time to determine how much VA needs in its budget. We knew that the budget submitted to us was entirely inadequate, and we know that the VA's own Under Secretary issued a memorandum last February indicating his concerns about it. There were no details in the President's budget. So in our committee, where we have responsibility for preparing a budget, we take requests, and these requests we judge in good faith.

We have the responsibility of allocating the scarce dollars. We asked the VA and its networks to put together plans as to how they would operate. That is where we learned about the closures, cutbacks in care, reduction of 13,000 employees. We saw that was a disaster. We asked VA about the proposed management efficiencies that networks said could be implemented, and should be implemented, to improve the efficiency of VA care, and they said about half of them could be. So they are finding money by making savings within their budget.

The things that they are doing are commonsense, good practices, such as bulk purchasing, improving prescription patterns, centralizing certain functions, closing unused buildings, and so forth. We are going to have to do more of that.

To be clear, we expect continuing reforms. We want to see good health care for veterans. In many instances in the past, that has not been accomplished purely by throwing in more money. We need to make sure the money is effectively spent. We have provided an additional \$600 million to make sure they have the funds adequate to ensure the health care dollars do deliver to the needs of veterans.

The amount we have agreed to, this addition of \$1.7 billion, is, I understand, the highest increase ever for VA medical care. The amount we have agreed to in the budget of \$19 billion will allow VA to provide more care and better care to our veterans. Also, I should note that the Veterans Affairs budget has not been flatlined. We have been adding about \$100 or \$200 million a year, and we think that this increase, a very significant one, is vitally important.

The proposal the Senator from Minnesota made would not take money from the surplus. It would take money from Social Security. We are working

within very tight budget constraints to provide an additional \$600 million. Any dollars above that will come straight out of Social Security. The \$14 billion is onbudget, non-Social Security funds and has been used up in emergency spending for agriculture, the census, and other emergencies. There is no free money floating out there. That is one of the constraints under which we must operate on the Appropriations Committee. That is why the leadership of the Senator from West Virginia, the Senator from Alaska, and the Budget Committee has been so important to make that we could provide additional funds.

I know the distinguished Senator from West Virginia has some comments.

Mr. WELLSTONE. Mr. President, might I respond to what my colleague said, if I could ask my colleague from West Virginia.

The PRESIDING OFFICER. Who yields time?

Mr. BYRD. Mr. President, is time under control?

The PRESIDING OFFICER. Time is under control.

The Senator from West Virginia.

Mr. BYRD. Mr. President, I will only speak briefly. I was in an appropriations conference meeting when Mr. BOND so graciously called up the amendment on my behalf and on his behalf and on behalf of Senator STEVENS, Senator MIKULSKI, and others. I express my appreciation to Senator BOND for doing that. I express my appreciation to Senator STEVENS for helping us in the Appropriations Committee to have increased allocations for the various subcommittees. And particularly with reference to the Subcommittee on VA, HUD, and Independent Agencies, the Senator from Missouri, Mr. BOND, and the Senator from Maryland, Ms. MIKULSKI, have performed an extremely important job and have done it well, with the limited amount of funds that have been available to them.

In the committee, we recently increased the amount for veterans' health care by \$1.1 billion. We did it because Mr. STEVENS and I were able to find ways to add monies for the VA-HUD subcommittee. On the floor earlier today, the Senate agreed to the amendment offered by Mr. BOND on my behalf and on his behalf and the others whose names I have already mentioned.

I am sure that each of us would like to do more. I have been in Congress now, this is my 47th year. I have always supported the interests of our veterans. I was a member of the Senate when we did not have a Senate Veterans' Affairs Committee. The Rules Committee, on which I served, made it possible for the Senate to consider and agree to the proposal that there be a standing committee of the Senate entitled the Veterans' Affairs Committee. I was a Senator who was on the Rules Committee then and who stood up for the veterans. We received a lot of mail

at that time from veterans all over the country in support of having a standing committee of the Senate designated the Senate Committee on Veterans' Affairs.

So, I have been very supportive of the veterans and their families, and legislation and appropriations that affect their welfare and their well-being.

Now, the House has approved a figure of \$1.7 billion as an increase over the amount that was in the President's budget. The Senate committee approved an increase of \$1.1 billion. That left us \$600 million short of where the House of Representatives stood. I think it would be very important to the veterans if the Senate were able to go to the House, in conference, with a figure that matched the higher figure the House has already agreed upon. That is one reason why Senator STEVENS, Senator BOND, Senator MIKULSKI, and I thought it was very important to increase the amount by \$600 million.

I want to thank our veterans organizations also. Many of us can only imagine how difficult it must be for a soldier to be awakened in the depths of the night by the startling sound of shell explosions or small arms gunfire, to be on the other side of the world from where one's family and friends make their homes, to wade through muddy water up to one's shoulders, to carry 50 pounds of ammunition and supplies on one's back, not knowing if one will live to see the sunset at the end of the day.

Our veterans have gone into harm's way time and time again in order to preserve the freedoms that we Americans enjoy and that our friends and allies have also fought and died to protect. There are many Americans who have dared to know the horror of war in service to this country. I am not one of those. I am not a veteran. I worked in the shipyards and helped build the *Victory* ships and *Liberty* ships to convey men and supplies to our military forces overseas. So I did my part. But I did not serve in any of the military forces.

Unfortunately, as the veteran population begins to reach an age where they need more health care, too many American veterans are facing the stark circumstances wherein it may appear that the Nation they faithfully and honorably served is turning its back on them in time of need. We do not intend to do that. We don't intend to do that on the VA-HUD subcommittee. We don't intend to do that on the full Appropriations Committee of the Senate.

So we think we have responded as best we could under the budgetary restrictions that confront us. We have caps that are set in statute. We would like to do more in many areas where appropriations are concerned, but we are restricted by the budgetary caps. I have been in favor of lifting those caps, but they are not lifted as of now.

I think it is our duty to honor our debt to the veterans who, in the spirit of those patriots of the Revolution,

dared much, risked much, and sacrificed much that we might enjoy the blessings of freedom.

I also will take a moment here to say I was very supportive of our veterans when I was chairman of the Appropriations Committee. I helped to appropriate funds and to allocate funds to the VA-HUD subcommittee in order that we might add clinics, add space in various veterans hospitals around the country. We did it in my own State of West Virginia, in Huntington, Beckley, Clarksburg, Martinsburg. I can remember when I helped to provide \$76 million for a new veterans hospital in Martinsburg to replace the old Newton D. Baker Hospital. I have been in this fight a long time. I am not a veteran, but I think I have been true to my duties and responsibilities here, one of which duties is to see that our veterans are taken care of, treated fairly, and that their services are respected, appreciated, and remembered.

Therefore, I was happy today to provide the amendment that was offered by Mr. BOND and cosponsored by Mr. BOND, Mr. STEVENS, Ms. MIKULSKI, and an additional 20 or more Senators.

I thank the distinguished Senator from Missouri for yielding this time.

I have to go back to another appropriations conference. This time, I want to take up the battle for our drought-stricken areas of West Virginia and other States in the eastern United States, stretching from Tennessee up to Vermont. Again, that is with respect to the drought and the problems it has created for our livestock farmers. I want to go there and fight their battle. For the moment, I have been delighted to come to the floor. I also appreciate the support of other Senators on this amendment. I express my appreciation to Senator STEVENS, who is not on the floor, and to Senator BOND, and Senator MIKULSKI for the excellent leadership they continue to give in this extremely important bill.

I thank all the cosponsors to the amendment which would provide an additional \$600 million for veterans' medical care, including Senators BOND, DOMENICI, STEVENS, MIKULSKI, GRASSLEY, BINGAMAN, JOHNSON, SPECTER, MURKOWSKI, WELLSTONE, SMITH of New Hampshire, HOLLINGS, ROCKEFELLER, AKAKA, CONRAD, KERREY, BIDEN, LEAHY, BOXER, HAGEL, MURRAY, JEFFORDS, SARBANES, HUTCHINSON, REID, KERRY, ROBB, BUNNING, BRYAN, KENNEDY, ROBERTS, ASHCROFT, SNOWE, COLLINS, COVERDELL, HARKIN, ABRAHAM, DORGAN, DURBIN, THURMOND, MCCAIN, LEVIN, LANDRIEU, FRIST, and others.

Mr. WELLSTONE addressed the Chair.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. WELLSTONE. Mr. President, I know my colleague from New Hampshire wishes to speak. I thank Senator BYRD, and I agree with what he said. I want to go over the evidence that in fact we can do better and we have to. I support Senator BOND's effort. But in

terms of all of the data we have on veterans' health care, I think the amendment meets that.

I ask unanimous consent I be able to follow Senator SMITH. I will only take 5 minutes.

Mr. BOND. I object, Mr. President. We don't have the time.

The PRESIDING OFFICER. Objection is heard.

Mr. SMITH of New Hampshire addressed the Chair.

The PRESIDING OFFICER. The Senator from New Hampshire is recognized.

Mr. SMITH of New Hampshire. Mr. President, I want to say that I support the efforts of the committee in increasing by some \$600 million the money for the benefits to veterans that was not in the bill. I commend them for their leadership in doing it. I agree with my colleague from Minnesota that this is simply not enough.

I think my colleague is correct. I want to say to my colleague from Minnesota that not only do I appreciate his efforts on the floor in behalf of our Nation's veterans, but I support those efforts.

I am proud to be a cosponsor of this amendment because I believe we have heard horror story after horror story after horror story in all of our offices year after year after year. It seems as if we always have money for everything. Lord knows I have been down here many times opposing that "money for everything." Indeed, I have an amendment that I will offer very shortly. My colleague from Minnesota might disagree with me, but it increases money for veterans but takes it out of the AmeriCorps Program, which he probably will oppose me on.

But on this amendment, I want to say that we agree. The veterans of this country need more help. They shouldn't have to beg for it. They deserve it; they earned it. We have heard it time and time again—whether it is the American Legion, the VFW, DAV—whomever you spoke to. In meeting after meeting in my office, we hear the same thing.

I think my colleague from Minnesota will agree with me on this. We drive to work into Washington, especially in the winter, and nothing is more painful than seeing a veteran lying on a grate in this city. This happens all over America. I have seen this now for 15 years. I have fought for 15 years to try to correct it.

I am just determined now that I am going to do whatever I have to do on this floor to see that it stops.

There is no way this country, as great as it is and as rich as it is, should tolerate that. Enough is enough. It has happened in Democratic administrations. It has happened in Republican administrations. Enough is enough.

Whatever we have to do to help these veterans get off those grates, whatever we have to do to help veterans get the health care and shelter and things they need, then I am prepared to do it. I am

prepared to sacrifice somewhere else in the budget to do it—whatever it takes, whatever we have to do.

I say to my colleague from Minnesota that I appreciate his leadership on this. I am proud to support him on it. I will continue to support any efforts that he should author, or perhaps he may support some that I may author, in terms of helping to get this mess straightened out so that we don't have to continually hear these horror stories of veterans being denied care.

I know the Senator from Minnesota has, as I have, gone to veterans homes. You see some of the conditions they have to endure. It is outrageous.

We give them the best. We try to give them the best when they go to serve, wherever that may be. We ask them to go all over the world—too much in my view. Then when they come back, they deserve the best, as well, in terms of care. I think with good intentions we try to do that, but we have failed. We have come up short in a lot of areas. I think the Senator's amendment will help to address that.

I think everybody on the floor supports our Nation's veterans. I don't in any way insinuate that any of my colleagues who are offering another amendment of a lesser amount don't support veterans. But we clearly have not addressed this problem. The Senator from Minnesota pointed out that there was a 99-0 vote on exactly what the Senator is proposing. I see no reason why we can't step forward. It is a shame that we have to have another vote. I think it ought to be in the legislation. It ought to be in the bill.

But I am going to stand here no matter how many times it takes, as often as possible, and as long as possible to make these points.

I am more than happy to join my colleague in doing this to help our Nation's veterans.

Mr. President, parliamentary inquiry? Are we on the Wellstone amendment at this point?

The PRESIDING OFFICER. That is correct.

Mr. SMITH of New Hampshire. Could I ask a question of the manager? Is it the manager's intention to have a vote on this amendment? I have one I would like to offer. I would be happy to offer it and have it set aside, or have this one set aside. I don't know what the intention of the manager is.

Mr. BOND. Mr. President, we are busily working to get a unanimous consent order as to the timing for the vote on this issue to accommodate a number of our colleagues. We are working busily right now. The reason I asked that I be able to regain the floor after the Senator from New Hampshire spoke was to be able to propound that unanimous consent request. I am still hoping that momentarily we will have the unanimous consent request.

The PRESIDING OFFICER. The Senator from Maryland.

Ms. MIKULSKI. Mr. President, while we are waiting to fine-tune the unanimous consent on this amendment, I

would like to comment on this amendment.

I also would like to take this opportunity to ask unanimous consent that Senator HARRY REID be a cosponsor of the \$600 million VA amendment offered by Senators BYRD, STEVENS, BOND, and MIKULSKI.

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

Ms. MIKULSKI. Mr. President, first I thank the Senator from West Virginia, Mr. BYRD, for his assistance on this bill and his advocacy for veterans. We would not have even been able to move this bill to the floor had it not been for Senator STEVENS and Senator BYRD identifying the \$600 million. We need to look at where we were 6 weeks ago.

Veterans' health care under the spending caps was down \$1 billion. Thanks to the advocacy and ingenuity, I might add, of the chairman of the Appropriations Committee and the ranking member, we were able to come to the floor. That is why I also said in my opening statement that we had the will, but we didn't have the wallet.

Again, with Senator BYRD and Senator STEVENS identifying a window or a particular technique to declare \$600 million in emergency, we will be able to ensure that nothing is closed.

I don't dispute the comments of the Senator from Minnesota about the need for more. I also don't dispute his comments about the need for better. The Senator from Minnesota is well known for his advocacy for veterans. We particularly congratulate him for his steadfastness in continuing to bring to our attention the plight of veterans with posttraumatic stress syndrome.

I also remember him speaking for the nuclear vets—those who were exposed to nuclear radiation where that trauma was not compensated for or identified.

I thank the Senator for what he has done, but I have to say his amendment violates the Budget Act. It breaks the spending caps. He and I know the Budget Act leaves much to be desired. The budget policy leaves much to be desired because the spending caps have prohibited us from meeting compelling human needs.

I know that some time this week President Clinton will be vetoing the tax bill. I am glad he is going to do that because then maybe we can get down to serious business about how we can fund Social Security, extend the solvency of Medicare, and meet compelling human needs.

I say to the Senator that I support what he wants to do in principle, but I will not be able to support his amendment because it violates the budget caps. But, again, the points that he has made are very well taken.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. BOND. Mr. President, just for the information of all Senators, we have been working on a time for the vote on this amendment. There seems to be a consensus, although I am not in a position to ask unanimous consent, that

most of the colleagues will be back and prepared to vote at 2 p.m.

For the information of all Senators, I will propose to raise a Budget Act point of order at 2 p.m. I believe the Senator may wish to make a motion to waive that Budget Act point of order.

I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. WELLSTONE. Mr. President, if my colleague eventually propounds this, I wonder if I might have a few minutes after he speaks to waive it—5 minutes.

Mr. BOND. Mr. President, if we are able to have a unanimous consent agreement to establish it at 2 o'clock, I will ask for 4 minutes equally divided prior to that time to discuss the Wellstone amendment. I did not understand we were ready to have that unanimous consent agreement. Without the unanimous consent agreement, we cannot assure the Senator he will have that time because raising the Budget Act point of order triggers the activities resulting in potentially an immediate vote.

Apparently, we are not ready to propound a unanimous consent request, so I urge the Senator sometime before 2 o'clock to make his comments in support of waiving the Budget Act.

Ms. MIKULSKI. If the Senator will yield, isn't it safe to say we will have no votes before 2 o'clock, to protect Members?

Mr. BOND. It is the wish of the bipartisan leadership we not have any votes prior to 2 o'clock. I assure all Senators if we conclude debate on this amendment, it might be possible for the amendment to be set aside and others to be considered. There will be no votes before 2 o'clock.

Mr. WELLSTONE. Mr. President, I want to go, first of all, to the substance of what has been said about veterans' health care. Then I will talk to staff about how we might debate my motion to waive the Budget Act.

Let me, first of all, say my good friend from Missouri said we didn't have a flatline budget. If we increase the budget \$100 million, \$200 million a year, compared to medical inflation, that is a flatline budget. Spend time with veterans anywhere and one knows it did not work. The budget ran way behind health care needs. That is to what the amendment tries to speak.

Second, I ask my colleagues, deciding what we need to do by way of making sure we are providing good health care for veterans, my colleague talks about what the Veterans' Administration has said to him. They have to deal with OMB and the bean counters. Or are you going to pay some attention to this independent budget put together by many veterans organizations, which calls for the need for an additional \$3 billion above the President's proposal, which is now, my amendment, \$1.3 billion. We are getting there because the veterans community has organized and the veterans community has been heard. I am glad they have done so.

Here is a list of independent budget endorsers: National Coalition for Homeless Veterans, Veterans of the Vietnam War, Vietnam Veterans of America, Retired Officers Association, Military Order of the Purple Heart, Disabled American Veterans, Paralyzed Veterans. There are 40 different organizations that endorse this budget.

It is interesting to me; we have been saying to the veterans: You have to stop complaining. Tell us what the needs are.

They did the research. They put this budget together. They say: Here are the gaps; here are the needs; here is what it will take. My colleagues come to the floor on a budget resolution and 99 of them vote for exactly what this amendment calls for. Then I cite as evidence our own Senate veterans committee, Committee on Veterans' Affairs, which I serve. Its views and estimates are the VA will require over \$3 billion in additional discretionary spending to meet the needs of the aging, to meet the needs of an increasingly female veteran population. That is what we say we need to do.

We have an independent budget, our own Senate veterans committee, saying this is what we need. In addition, I sent this letter to the VISN directors and asked what was happening—I do not get the straight story—the same people my colleague from Missouri says on whom we are relying.

I supported the amendment of the Senator from Missouri. I did not second degree. I think it is a step in the right direction.

However, I ask my colleagues this question: Aren't we going to live up to the commitment we made in a vote not that long ago?

Then I am told this is going to come out of Social Security. This comes out of the surplus the same way your additional expenditures for defense come out of the surplus, the same way your tax cuts come out of the surplus. Why don't you put as high a priority on veterans as you do on additional defense expenditures or in tax cuts? My colleague, Senator SMITH, obviously does. I think other colleagues will, too, when it comes time to vote.

Mr. President, I ask unanimous consent Senator JOHNSON be included as an original cosponsor, if he is not.

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

PRIVILEGE OF THE FLOOR

Mr. WELLSTONE. Mr. President, I ask that Harold R. Holmes, an intern with me, be given floor privileges during consideration of this debate.

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

Mr. WELLSTONE. Mr. President, on the caps and this whole question of breaking the caps, maybe I should be one of the first Senators to come to the floor of the Senate and say why not be straightforward about this. We keep doing all the emergency expenditures. I didn't vote for the caps. I didn't vote for the budget agreement. I didn't vote

for the budget caps. I find it a little surprising that a lot of people say: Oh my gosh, the Medicare reimbursement is struggling; our rural hospitals are toppling; what is happening to our producers who are struggling to survive? Home health care providers are struggling to survive, and our teaching hospitals and medical schools are struggling to survive. All of this is true.

Everybody knows we will eventually get beyond these caps. We are saying to the veterans, there is a surplus but we use it for defense, we will use it for tax cuts, we will vote for \$3 billion more—which is now \$1.3 billion—because we increased it. But we are going to say this violates the Budget Act, and we are going to use that as a reason not to vote for this?

I will try to say this in a very substantive, quiet way. I appreciate what the Senator from Maryland said, and I thank her. I haven't heard any Senator come to the floor and disagree with any statements I have made about the gaps in veterans' health care, about the needs, and about what we really need to do to live up to our commitment. I haven't heard anybody refute the case that I have made on the floor of the Senate.

By the way, I say to my colleague from Maryland, I will have it filed by 3 o'clock. We have had various atomic votes. Every time I pass this on the floor of the Senate, it is taken out in conference committee. I will be back with an amendment on this bill. I am sure I will be told this is in violation of some kind of budget agreement. People who go to Nevada, ground zero, with no protective gear, and the Government doesn't tell them they are in harm's way. It is a nightmare what these people have been through because of their exposure to radiation—and their children and their grandchildren. We still don't want to provide compensation. Everybody says they are for it, they don't want to vote against it, and they take it out in conference committee.

I come to the floor of the Senate and I say here is our own Senate Committee on Veterans' Affairs saying we will need this \$3 billion, which is now the \$1.3 billion. Then I talk about my own research and survey to the VISN directors. Same conclusion. Then I say to my colleague from Missouri and others: Who do you want to believe? Do you want to believe the Veterans' Administration and OMB or some 30 or 40 different veterans organizations that have endorsed this independent budget?

I say to my colleagues, you voted for this additional investment. We have come a long way, I say to the veterans community. I thank the veterans community for standing up for themselves and speaking for themselves. We have come a long way from the President's original budget proposal. We have gone on a long ways from what was originally proposed in the House and the Senate. My colleague from Missouri does a good job helping us to really make some improvement here.

But in all due respect, I do not see how we can say to veterans: Here is the evidence. We know this is what you need. We know these are the gaps. We know what the problems are. We made a commitment to you. We have gone on record supporting this. But now, with your amendment, we are going to basically say it violates the Budget Act, these caps, phony caps of this Budget Act which everyone knows we are not going to live by. Everybody knows they are going to be busted. Everybody knows at the very end we are going to be spending more on key domestic needs.

What are we going to do? Cut Head Start and child nutrition and child care and all the rest by 30 percent, or 20 percent, or 25 percent? We are not going to do that. So why not just be honest about it? We have an emergency here, and we have an emergency there, and we figure out other ways to do it. We are spending the money.

Then, too many of my colleagues were all too ready to take some money out of the surplus for defense and tax cuts. Now all of a sudden, I come out here with an amendment on veterans' health care that speaks directly to what the evidence tells us we need to do to really improve veterans' health care, and my colleagues are going to vote against it and say it is a violation of the Budget Act?

I will conclude this way. I think we ought to do what is right for veterans. I think we are on record calling for exactly the investment this amendment calls for. I think there is not a shred of evidence that suggests we should do anything less for veterans. And I do not think we should be hiding behind the Budget Act. I do not think we should be hiding behind these phony caps that we all know are not going to be operative when we finish up this session. So if I get to be the first person to come to the floor of the Senate and say that and say it directly, so be it. If the test case is on veterans' health care, so be it. But I am determined to fight for what I think is right and to see whether we can improve upon what my colleague from Missouri has done.

I hope my colleagues, Democrats and Republicans, will vote for this amendment. You have supported it in the past, you are on record supporting it, and I hope you will support the same investment of resources for veterans' health care again.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mr. GREGG. Mr. President, I appreciate the enthusiasm of the Senator from Minnesota. I think we are all concerned about what has happened with veterans. I certainly congratulate the Senator from Maryland and the Senator from Missouri for their excellent effort to try, in the context of a strict budget structure, to do the most that is available for us for veterans.

But I do think in a philosophical discussion here we need to make some-

thing clear. "Caps" is not some euphemism that just gets thrown out and has no meaning to it. It is not just a term of art. In substance, it is a statement of the difference between spending money that we raise from revenues in the general fund versus spending money that is raised by taxes paid to the Social Security fund.

If we exceed the caps—and I am not going to argue the point; I think the Senator from Minnesota and a lot of other folks in this body are intent upon exceeding the caps, either with emergency spending in agriculture or with emergency spending for Kosovo or with advance funding gimmickry or with, possibly, in this case, an amendment that significantly increases funding under this bill over the caps that are available to it. But I think it has to be pointed out that when that occurs, that money comes from the Social Security trust fund. There is no other place for it to come from. Every dollar the caps are exceeded in this budget cycle—this may not be true next year—but every dollar that the caps are exceeded by in this budget cycle is going to be dollars that come out of the Social Security trust fund because we have already spent the onbudget surplus for emergency funds, emergency obligations. Those are already committed. So there are not really any onbudget surplus funds available to us.

So when these amendments come forward like this, I think there has to be some integrity in the debate. There has to be some statement of what the implications are of these types of amendments. The implication of this amendment is that the Social Security trust fund and Social Security itself will be hit for the amount this amendment exceeds the caps because the onbudget surplus that is non-Social Security has already been spent. That is the way it is.

It is easy to come to the floor and say we have to get rid of the caps because "caps" is a term of art nobody really understands. What that really means, a more honest statement would be, we have to take money out of the Social Security trust fund. We have to take money out of the Social Security trust fund. We have to take money out of the Social Security trust fund. That is the proposal. That is where we are. This Congress, this Senate, is going to have to make that decision.

Right now, there is a lot of effort to try to avoid that, and I am strongly committed to trying to avoid that event. I chaired a subcommittee, and I had the same problem the chairman of this subcommittee had. We were able, as was Chairman BOND, to bring in a bill that was under the caps, as the Presiding Officer now presiding over the Senate was also able to do with his bill on military construction. We brought it in at the cap level or under the cap level. It was difficult, very difficult, because we had the census in our bill. That was new spending which we had not really any money to pay for. So we have the same problem.

But the reality is that "caps" is not some arbitrary event here. It is not some term of art that has no meaning. There is significant meaning to the event "breaking the caps." If we are going to have integrity in the debate, instead of using this term "breaking the caps," we ought to say what the event is. The event is using the Social Security trust fund to fund whatever amendments are proposed to break the caps. That is the way it stands because there is not any onbudget surplus available beyond what has now already been committed for emergency funds, primarily to agriculture. So we are left only with Social Security surplus money.

So, yes, it pits this amendment against Social Security recipients. That is a public policy decision this Congress is going to have to make though, because on all these amendments that come forward that are not cap related, that are exceeding the cap, what we are basically doing is invading the Social Security trust fund.

I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. WELLSTONE. Mr. President, first of all, I say to my colleague, in the appropriations bills, it is not true we don't have any onbudget surplus. The President has only signed two appropriations bills. There is still money in the surplus.

Mr. GREGG. Will the Senator yield?

Mr. WELLSTONE. I am pleased to.

Mr. GREGG. The Senator knows the President has not signed all the bills. The Senator also knows this Senate has committed significant dollars to, and I suspect the Senator voted for, the agriculture emergency. That takes out the onbudget surplus. So I think the Senator can say: Yes, the President has not signed the bills; therefore, the money has not been spent. The fact is, the Congress has spent the money. It is just that the President hasn't agreed to it.

Mr. WELLSTONE. I say to my colleague, what we have here, I think, is a philosophical debate. But actually it is more on the lines of what the other Senator from New Hampshire said. It is a matter of where veterans fit in. Apparently, they come in last. We have this arcane rule that I am supposedly in violation of with this amendment which, by the way, makes it easy for my colleagues to go with tax cuts, it makes it easy for my colleagues to put much more into defense, and makes it easy for my colleagues to then come out on the floor and say there is no more money left for veterans.

Veterans should not come last. With all due respect, if Senators want to vote, cast a vote that says this amendment, which provides the resources we need for veterans' health care, is in violation of this arcane rule. That is the fact. The reality here is, we have this arcane rule, all part of this agreement that we had which is not working, and everybody here knows it is not

working, and we still went forward with all the money for tax cuts and we still put more into defense.

I say to my colleagues, again, the President has only signed two appropriations bills. But now what we are told is, the veterans are last. All of a sudden, there is no money for the veterans. All of a sudden, the veterans are to be pitted against Social Security. It does not mean a thing.

Let me tell you what the facts are. The facts are that there are a lot of elderly veterans. It is an aging population. And we are nowhere near where we should be in terms home-based health care for them, and we are nowhere near where we should be when it comes to institutional nursing home care for those who need to be in nursing homes.

The facts are, as my colleague from New Hampshire mentioned earlier, that we have a scandal of maybe as many as a third of the homeless population being veterans.

The facts are that we have long waits in too many places. We have staff working double time. We have veterans who do not have the accessibility to the specialty services they need. We have a VA medical system that is not working the way it should work for veterans.

Those are the facts.

Next set of facts: My colleagues are on record in this budget resolution calling for exactly the same expenditure I call for in this amendment.

Next fact: The veterans independent budget, put together by veterans, not the VA, talks about these gaps and what we need and comes up with this investment that is in this amendment.

Next fact: Our own Senate Veterans' Committee admits that this is what we need if we are going to fill these gaps.

Next fact: Since I could not get a straight answer from the VA—where are you now, Jesse Brown, when we need you?—I sent out my own questionnaire to all these different VISNs and directors, and 22 of them responded; and they talked about the gaps, and the need, and what kind of investment it would take to get our veterans' health care system up to where it should be for veterans, if you really want to say thank you to veterans.

Those are the facts.

Last fact: I voted for Senator BOND's amendment. I think it is good. It helps, but it still is inadequate. It is not what we should be doing. We all talk about how much we care for the veterans. We all talk about how we are for the veterans. Then we ought to match the rhetoric with the resources.

I do not think my colleagues should be able to vote against this, arguing that it is in violation of this arcane Budget rule that we have. I do not think that means a thing to veterans. I do not think it means a thing to them. I think what means something to veterans is whether or not they are going to have the health care they thought they were promised, whether or not our

Government is going to live up to its commitment. That is what this amendment calls for us to do. I hope my colleagues will vote for this amendment.

I yield the floor.

Mr. SMITH of New Hampshire addressed the Chair.

The PRESIDING OFFICER (Mr. GREGG). The Senator from New Hampshire.

Mr. SMITH of New Hampshire. Mr. President, I ask unanimous consent to temporarily lay aside the Wellstone amendment in order to offer another amendment on the bill.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered. The Wellstone amendment is laid aside.

AMENDMENT NO. 1757

(Purpose: To provide an additional \$209,500,000 for Medical Care for the Veterans Health Administration, an additional \$5,000,000 for the Homeless Providers Grant and Per Diem (GPD) program, and an additional \$10,000,000 for grants for construction of State extended care facilities for veterans, and to provide an offsetting reduction of \$224,500,000 in amounts available for the AmeriCorps program)

Mr. SMITH of New Hampshire. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative assistant read as follows:

The Senator from New Hampshire [Mr. SMITH of New Hampshire] proposes an amendment numbered 1757.

Mr. SMITH of New Hampshire. 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:

On page 7, line 23, strike "\$19,006,000,000" and insert "\$19,215,500,000".

On page 8, line 10, insert after the colon the following: "Provided further, That of the funds made available under this heading, \$5,000,000 shall be available for the Homeless Providers Grant and Per Diem (GPD) program:"

On page 14, line 21, strike "\$90,000,000" and insert "\$100,000,000".

On page 73, line 22, strike "\$423,500,000" and insert "\$199,000,000".

On page 74, beginning on line 9, strike "Provided further," and all that follows through "section 121(d)(2) of such Act (42 U.S.C. 12581(d)(2))."

Mr. SMITH of New Hampshire. Mr. President, the amendment I am proposing will increase funding for our veterans by transferring funds from the Corporation for National and Community Service, also known as AmeriCorps. So what we have here, in addition to the amendment that passed, the increase of \$600 million and the other proposed by Senator WELLSTONE, is an additional sum of money beyond that to be taken from the AmeriCorps program and placed in veterans programs.

I think, here again, it is a question of priorities. We will need to decide

whether we are going to pay volunteers—a little interesting; pay volunteers—or whether we are going to pay our Nation's veterans. That is the crux of the matter.

It is going to be a test of our priorities. It is going to enable Members of this body, who are concerned about our veterans, to basically put their money where their mouth is. That is the bottom line. This vote will be a test of our seriousness about whether we are going to provide our veterans with the care they need or not. It is a clear-cut choice.

There is nothing complicated about this amendment. It is AmeriCorps and paid volunteers versus veterans. That is it, pure and simple. It is between a big Government program that is paying volunteers—I will talk about that in a minute, whether there is such a thing as a paid volunteer—and our sacred responsibility to care for those who have sacrificed so much for our Nation.

My colleagues know we have debated the question of AmeriCorps funding before. They know I have always opposed this program. That is no secret. I opposed it in principle when it was proposed, and my concerns only grew when I saw how it worked or did not work in practice. I think the time has come to face the fact that this is money that could be better spent caring for those who fought for our liberty and in many cases were wounded for our liberty.

The rhetoric of AmeriCorps supporters is certainly stirring. The goals they profess are goals with which no one would disagree. But the rationale for using Federal taxpayer dollars—hard-earned taxpayer dollars—to fund this program always breaks down when we come back to the fundamental oxymoron it is based on. And it is an oxymoron. Some say perhaps more “moron” than “oxy”—my view—but it is an oxymoron because it says “paid volunteers.”

Where I grew up, if you volunteered, you did not get paid. So I do not know what a “paid volunteer” is. But in this city of Washington, now we have come up with this new definition of a paid volunteer—only in Washington. It is like here in Washington we also have floors below the basement in the elevators, here in the Senate. Those people who come and visit know what I am talking about. You can take an elevator to the basement, and then you can go to the subbasement if you want to, or G, one below the basement. It is just too complicated to have the basement be the bottom floor, I guess.

Now we have come up with this paid volunteer, and it is being sold to the American people.

I checked, before I came to the floor today, in my American Heritage College Dictionary. I must confess, I probably did not look at it enough when I was in college and do not look at it an awful lot now. But I was puzzled by this term, so I looked up the term “vol-

unteer.” The American Heritage College Dictionary defines a “volunteer” as a person who performs or offers to perform a service of his or her own free will, or to do charitable or helpful work without pay.

This is the definition I always grew up with. It is the definition I always understood. And I believe it is the definition that most Americans would also say is correct.

But now the President of the United States is rewriting the definitions in the American Heritage College Dictionary. He is rewriting the rules for federalism with his executive orders. He has awesome powers. Now he is redefining the word “volunteer.” These are the volunteers whom Americans see in their communities every day. For the past few years, the AmeriCorps bureaucracy has sprinkled thousands of so-called volunteers across America's 50 States—so-called volunteers.

But meanwhile, 90 million Americans truly volunteer in some capacity each year. These are the real volunteers. These are the Americans our speeches should be honoring.

We do not need a Government program to honor volunteers because volunteers do not get paid. When true volunteers offer their time and energy, they expect and receive nothing but the satisfaction of serving their neighbors.

What can AmeriCorps' so-called volunteers expect? Here is what they can expect. They can expect a salary supplemented by a grant for education expenses, and they can expect health and child care benefits.

I might just ask anybody out there in America listening right now, if you went down and volunteered, perhaps somewhere in North Carolina where the hurricane hit, and you were throwing sandbags up there, most likely you did it because you wanted to help your neighbors; I do not think you would be asking whether or not you got health care benefits or child care or a salary.

If you received a hot meal and a thank-you, I think you would be very appreciative of that and no more, and you would be glad to do it. That is what voluntarism is. Now we have changed the definition. We are now paying volunteers under this President. Work compensated by a salary and benefits isn't volunteer work; it is a job. Look up the word “job” in the dictionary. I think you will find that is what it says.

There is a difference between being a volunteer and having a job. They are both worthwhile, but let us not try to blend together something that is quite different.

In a past year's oversight hearing on this program, a very prominent and distinguished Member of this body claimed that the traditional notion of voluntarism has changed. Now voluntarism is no longer voluntarism; it is the notion of voluntarism. The implication is that volunteer work, the type performed by the 90 million Americans

who are putting sandbags up and protecting their neighbors' homes in the midst of a hurricane, is obsolete. That it is gone. Now the wave of the future is the AmeriCorps volunteer, the paid volunteer, the person who gets health care, child care. That is what this President has said, and that is what this bill is sanctioning, about \$225 million worth of sanctions, I might add, of paid volunteers.

I hope it is not the case, after all the Executive orders this President has signed and all the things we have seen him do in redefining—he redefined NATO to be an offensive rather than a defensive organization; he redefined our military to be a 911 response team rather than a military; he has taken Executive orders and redefined federalism—that we are going to allow this President to continue moving us toward a society in which volunteer service can be offered only by professional volunteers and only with the assistance and permission of a Washington bureaucracy.

My goodness, have we really come to that? Only in Washington, only in some government budget or in some government bill could we possibly ever come up with anything as stupid as this. But we have done it. Boy, are we good at it.

I hope we are not going to send our children a message that anyone who volunteers should expect a salary and benefits in exchange for serving his or her community. Is that what we are saying?

Honestly, that is what we are saying. I have to wonder if we are serious when we say the era of big government is over. I have heard our Vice President say that. Maybe he should take over Jay Leno's slot because that is about the funniest thing I have ever heard, to say that the era of big government is over and then talk about having \$225 million placed in a bill to pay volunteers. The era of big government is over? Somebody needs to explain that to me.

If we allow this program to become a permanent fixture of the Federal Government, we are going to send a message that the era of big government is just getting started, not over. For when we allow government to intrude on the voluntary sector, we guarantee the further erosion of civil society, the area of community life that falls outside the purview of government. Frankly, we insult the millions, the 90 million or so Americans who do volunteer in charity after charity—charity—cancer, Humane Society, helping friends in times of earthquakes and floods; they volunteer and do it willingly, and they don't get paid. There is no such thing as a paid volunteer. Very bluntly and very frankly, I don't care if you are a Republican or a Democrat or Independent or what you are, male or female. You should not sanction it by funding paid volunteers. It is wrong. We ought to eliminate it, and we ought to take this money out. We ought to

take it out, period. But I am not even asking Members to do that. I am asking them to take it out of there and give it to our Nation's veterans.

I know opponents of my amendment are going to claim they simply want to use big government to help the volunteer sector. We are going to help the volunteer sector. How many times do we have to go down this road? We let the Federal Government set up a program to help in an area of American life that has survived without government help, but we are going to put up a program now to help volunteers and pay them. The government program always starts small and always gets bigger.

Remember the Department of Education. That started in the mid-1970s at about \$3 billion. It is getting up there close to \$60 billion now—not bad in 20 or 25 years. Soon the government funding is supplemented with government mandates, and then we find that something that used to be a function of civil society is now a function of big government in everything but name. When we try to slow its growth, we are told that the loss of government funds will be fatal. You will destroy the arts. You will destroy the humanities. You will destroy the charities that serve the poor. These are areas that once functioned without government aid. Now we have set up government monies to help them. If we take it away, we are accused of not wanting to help the humanities or the arts or help with charities.

Now the people who work in these areas will tell us government is indispensable. We have to keep it here. We have to have it. We can't have volunteers now unless we have them paid.

The question is—and this is all my amendment is about—Do we want to have the volunteer sector dependent on Big Brother or not? I say we should not. Even in the short lifetime of the Corporation for National and Community Service, otherwise known as AmeriCorps, we have seen the influence of big government corroding the ethic of service that animates our voluntary sector. We have seen massive administrative costs. We have seen large numbers of AmeriCorps' so-called volunteers deployed in Federal agencies to staff big government, and in some cases, to lobby for its continued expansion. That is right, paid volunteers to lobby us for the continued expansion of what they are doing. We have seen the promise that private sector sources would match Federal funds fall by the wayside.

Let me make one thing clear: Good work has been done under the auspices of this program. I don't doubt it. If you pay somebody, you hopefully can get work out of them, and maybe something beneficial will come of it. A lot of this has been done in my own State of New Hampshire. I have met with some people of AmeriCorps. I salute their desire to offer service to their communities. No one is disputing that.

But I am concerned that by cultivating direct links between voluntary service organizations and big government, we risk sending some of our most selfless young people the message that public employment is the only avenue available for serving their communities. That is not true. The American people know it is not true, but that is what we are doing.

We risk sending true volunteers a message that their efforts are no longer necessary. That is not going to be the case with people who have volunteered all their lives, but look at young people today. Do you want to go down and help Ms. Brown mow her lawn and not get paid? Do you want to go collect money for the charity of your choice, perhaps the Cancer Society, and not get paid? Or do you want to go work for the Federal Government as a paid volunteer and get paid and get benefits? What message are we sending to our young people? We have just redefined the word "volunteer."

We just redefined the whole word "voluntarism." This amendment I am suggesting is far more than \$225 million. It is far more than providing money from AmeriCorps to veterans. Both of those are admirable, in my view, but it is more important than that. We are sending a cultural, moral message to the young people in our country by supporting this amendment, and that is: You volunteer; you don't get paid. You volunteer because you want to. That is the message I want to send.

Now, you cannot compare AmeriCorps and the veterans. There is no comparison. On the one hand, we have the health and well-being of brave men and women whose sacrifices have ensured our continued freedom. And you talk about volunteers. Many, if not most, of the people who have made those sacrifices did so as volunteers. They volunteered for their country to serve in time of war. Some were drafted, but many would have gone whether drafted or not.

When we called upon these Americans to serve their country, we took on certain obligations. This is a sacred obligation, one that we can't shirk and should not shirk. On the other hand, with AmeriCorps we take on another new obligation.

As I have made clear, the task of manning the voluntary sector will be performed whether or not we appropriate Federal taxpayer funds for the Corporation for National and Community Service. On the other hand, the job of addressing the pressing medical needs of America's heroic veterans is one that only we in the Federal Government can do.

Now, Senator BOB SMITH does not stand down here at any time and promote additional Government funds where it is not constitutional to do so. I don't support unconstitutional spending, and I have cited example after example on the floor of this Senate over a number of years. It is constitutional,

it is right, it is just, and it is our obligation to support our Nation's veterans with whatever it is they need. This amendment says those needs are more important than paid volunteers.

This amendment will add funding to critical resources in the VA budget. The funding would go toward three areas: long-term care, medical care, and combating homelessness. I propose increasing funding for State veterans nursing homes out of this \$225 million to allow our veterans to age with dignity and with the care they deserve. We know how desperately the VA health care system needs additional funding just to stay afloat. I also propose increasing funding to the Homeless Providers Program and Per Diem Program. This would help to build programs that would get veterans off the grates, if they are homeless, and help get them back on their feet.

Even the amounts I am proposing to be transferred here only scratch the surface of what we need. But we have to start somewhere, and this is where we need to draw the line.

So let me summarize and conclude by saying this: It is a simple amendment; \$225 million is in the bill for AmeriCorps, paid volunteers, young people who are good young people. We are telling them we are going to pay you and call you a "volunteer" to do X, Y, or Z. We can do that or we can send another message, which is that homeless veterans on grates and inadequate care facilities is wrong, and we are going to fund those entities. Maybe it would even be a more powerful message if we would ask those AmeriCorps volunteers—paid volunteers—to suspend the payments and say: No, thank you, Mr. President, I am not interested in your benefits or your salary. Just tell me where the nearest veterans home is or the nearest VA hospital, and I will go there and give my time to those veterans who did so much.

Isn't that a better message to send to America? What is wrong with this country? What is happening to this country? That is what I want to know. Day after day, we fund this stuff, and half of the time we don't talk about it. It just slips in there and goes by—with good intentions, not always bad, but it is wrong. We are sending the wrong message to our people.

I taught school. Once you are a schoolteacher, you are always a schoolteacher. You are never a former teacher. We are sending the wrong message to our kids. We have sent wrong messages for the last several years.

Starting in February, we said right here on the floor that the President of the United States can commit crimes and not have to be held accountable for them. We said that. That is what we told our young people. We have told our young people that it is OK to do whatever you want. Do your thing. Shoot your friends and colleagues in school, and then blame somebody else. Blame innocent gun owners who have done nothing except exercise their constitutional right to own a firearm. But

blame somebody else; don't blame ourselves. We abort our young children every day, and we say: Johnny, go off to school, and Mary, go off to school, be a good little girl and boy, and we will abort your brother or sister while you are going to school being a good kid. That is the message we are sending. We do it every day.

So, you see, that is what is wrong with America. It is the greatest country in the world, but we need to change it. The structure is there. We just need to change a few people and a few places, get reality back, and bring this country back to what it should be and what it can be and what it must be, what our Founders wanted.

Do you think for one minute that Thomas Jefferson, if he could stand here today or James Madison or George Washington or Sam Adams or Patrick Henry—do you think for one minute they would stand up here and defend paid volunteers? These are the people who picked up the weapons, put on the militia uniform, and went to Concord Bridge in Lexington and fought the British, sometimes never getting paid, not knowing whether they were going to be paid, nor caring whether they would get paid. These are the people who brought us our liberty. We disgrace what they did for us by standing on the Senate floor and even proposing to pay somebody to be a volunteer.

It is the wrong message, folks. It is the wrong message. I hope somebody out there might be listening. It doesn't happen often around here that we listen to each other's speeches, but I hope somebody listens because we need to change the culture of this country, the attitude. All we can do on the Senate floor is single out things which are wrong and point them out—not to attack anybody. I am not attacking the motives of anybody. But I am saying it is wrong. Let's accept that it is wrong and change it so that we don't tell America's young people that paid volunteers are more important than our Nation's veterans, more important than the people who sacrifice for their country, more important than those who are, today, barely able to move or speak—some not able to move or speak—in veterans homes across America, who are being neglected. By the way, they are taken care of by nonpaid volunteers, in many cases, who come and visit.

This is what is wrong with America. This is why America will perish, if we don't stop. I don't want to see that happen. I want my kids or grandkids someday to say: I read old grandpa's speeches when he had the time to serve on the Senate floor. He stood up and said paid volunteers were wrong, and I am glad he did because we changed it. We don't have paid volunteers anymore and we don't have veterans lying helpless on grates freezing to death. We don't have veterans who are no longer able to get the help they need and the care and the shelter they need. We don't have that anymore because old

grandpa stood up on the Senate floor and said it was wrong, and we changed it. That is what I would like.

"Do you want to leave a legacy?" People ask you that all the time. If they write that about me, I will be happy. Nothing else. That is all. This is Daniel Webster's desk right here, one of the greatest Senators of all time. This desk belongs to the senior Senator from New Hampshire, and I am not going to give it up.

I think all the time about the fact that he stood here and that we are just temporary stewards. We are just here for a blip on the radar screen of history, trying to do our job. As great as Webster was, he is off the stage, as the founders are and as are so many great orators and Senators who have spoken in this great body. But you try to make a difference. You try to make a difference. You have to speak up and try to make a difference.

I urge my colleagues, ask yourself, are volunteers whom you are paying more important than veterans who gave their limbs, and their lives in some cases, not to mention the suffering of the families—more important than those veterans? I don't think so. I am asking you to vote to take \$225 million from paid volunteers and give it to our Nation's veterans. There is the offset. It is not adding any more money anywhere. It is not costing the taxpayers another dime. That is all I am asking you to do.

Let me conclude on a couple of points about veterans because I think we need to personalize this a little bit so we understand it.

I mentioned earlier in the debate with Senator WELLSTONE that driving to work in the morning, especially in the winter, and seeing those veterans on the grates—they are not all veterans. There are about 750,000 homeless people, they tell me, in America. But they say a third of them are probably veterans. What happened? How did that happen? Why are they there? It is pretty disgraceful, really, when you stop and think about it, because somewhere at some point they reached out and asked for help, and they didn't get it or they wouldn't be homeless.

I can't help but think of something that Johnny Cash immortalized so very well with "The Ballad of Ira Hayes," the Indian, one of the people who raised the flag at Iwo Jima Hill. He was an Indian who was discriminated against when he came back but hung out around the reservation and became an alcoholic and died in a ditch. He was one of the ones who held that flag up at Iwo Jima Hill. Why did that happen? Because something slipped through the cracks.

There are thousands of Ira Hayeses out there in America right now, lying on those grates, looking for hope. This is one of the most affluent cities in the world. You can't go around the block without running into some function where they serve caviar, shrimp, steak, or something, day in and day out. And

yet, homeless veterans have no place to live, nothing to eat, and are lying on grates, freezing to death. Let's take \$220 million, help them, take it away from paid volunteers, and send the right message to America.

Homeless veterans start showing up 10 years after they are discharged. Ten years after they have served this country, many times in combat, they start showing up. That is why, within the past 10 years, the veterans homeless problem has increased. They don't give the veterans a fair share of the money that is designated for the homeless because somehow when they move out of the service and back into society, they slip through the net. Who knows what it is? Posttraumatic stress? I don't know. But they are slipping through the net.

This is not meant as a criticism of anybody or any agency or anybody else. But let's tighten the net. Let's rethread the net. We can do a lot of rethreading of the net with that \$220 million.

In my State, a veteran from northern New Hampshire who needs an MRI has to take at least two van trips to have this simple test done. That is why we need to change that. The median age of homeless veterans is 45. It is not a way to treat our heroes.

This is just one small way to try to make a difference, one moral lesson to send to the people of America, and to the children of America, that we are not going to fund paid volunteers until we fund our Nation's veterans. Then if you want to talk about paid volunteers, fine. But at least be honest; let's just call them paid workers instead of paid volunteers.

That is all I am asking for with this amendment. That is all I am asking.

Mr. President, at this point for the sake of the RECORD, I ask for the yeas and nays on my amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There is not a sufficient second.

Mr. SMITH of New Hampshire. I will withhold. I see the manager on the floor. I am prepared to yield the floor or go to a quorum call.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. BOND. Mr. President, it is my hope that we will be able to have a vote on the Smith amendment immediately following the Wellstone amendment. There are a number of people who want to speak. The Senator from Ohio wants to speak. I know the Senator from Maryland is coming back to speak. But that means we only have about 35 minutes to get discussion on all of these. Since there is no time agreement, we depend upon the good graces of our colleagues to wrap all of the discussions up prior to 2 o'clock. I will then move to table the Smith amendment.

Mr. SMITH of New Hampshire. Mr. President, I again ask for the yeas and nays on my amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There is not a sufficient second.

Mr. BOND. I move to table the Smith amendment and ask for the yeas and nays.

The PRESIDING OFFICER. There is not a sufficient second.

Mr. BOND. Mr. President, I see the Senator from Ohio who has been waiting.

The PRESIDING OFFICER. Is the Senator withdrawing his motion to table?

Mr. BOND. I withdraw that motion. I see the Senator from Ohio is on the floor. I will address the amendments afterwards.

Mr. SMITH of New Hampshire. Mr. President, I again renew my request for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

Mr. BOND. I move to table the amendment, and ask for the yeas and nays and ask that the vote be withheld.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. BOND. I ask unanimous consent that the vote be withheld to follow the vote on or in relation to the Wellstone amendment.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from Ohio.

Mr. VOINOVICH. Mr. President, I rise to oppose the amendment to the Veterans' Affairs-HUD appropriations bill that was submitted by the Senator from Minnesota.

This morning, I had the privilege of presiding over the Senate to hear the presentation of the Senator from Missouri and the Senator from Maryland in what they tried to do to put together a very fair VA-HUD appropriations bill.

One of the things that was emphasized was the fact that after reviewing the needs of this country, particularly the health care needs of our veterans, they inserted in the appropriations bill another \$1.1 billion for health care for our veterans. Subsequent to that, Senator BYRD and Senator STEVENS came to the floor with an amendment to provide another \$600 million for emergencies.

The reason I rise to oppose the request of the Senator from Minnesota for another \$1.3 billion is the fact that we are reaching the end of the appropriations cycle. We are getting down to the nitty-gritty. The fact is, when anyone comes to this floor and asks for additional money over and above what the appropriators have appropriated, they should stand and point out where the money is going to come from to fund whatever it is they are asking for.

First of all, in this particular case, I think the committee did its very best to deal forthrightly with the needs of our veterans' health.

It seems to me from a logic point of view, the person who proposed this amendment should have laid out clear-

ly where the money, the \$1.3 billion, was coming from, what programs would be cut in order to come up with the money or, in the alternative, to explain which taxes will have to be raised to pay for the funding of the program. Last but not least, explain that it is not coming from Social Security.

I have noticed around here so many of the spending programs ultimately would be paid for out of Social Security. I believe anyone who looks at what the Appropriations Committee did in terms of this issue would think they did the very best they could under the circumstances. No one advocates taking money out of Social Security to pay for another \$1.3 billion for health care for our veterans.

I think we have reached the point where we have to come clean on the fact that we will have a difficult time dealing with this budget. If we are not going to dip into Social Security, if we are not going to raise taxes, if we are not going to be fiscally irresponsible, we need to explain how we will be paying for these additional programs.

I urge my colleagues to reject the amendment of the Senator from Minnesota for the additional \$1.3 billion because the money to pay for that is just not there. If we don't find the money, it means we will end up using our Social Security pension funds.

I remind Members we have a \$5.7 trillion debt. Part of that is because over the years we continued to use our Social Security funds to pay for things for which we weren't willing to pay. Today in this country out of every \$1 we are spending, 14 cents is being paid for interest. In fact, we are spending more money in this country on interest than we pay for Medicare. It is time to be fiscally responsible. It is time for truth in budgeting. We have a wonderful opportunity in this session of Congress to forthrightly deal for the first time in anyone's memory with the financial responsibility of the fiscal things we need to do in this country to enter the new millennium, in what I refer as an "intellectually honest" way in terms of our budget.

Mr. BOND. I thank the Senator from Ohio for cogent and knowledgeable comments. We appreciate his assistance. I thank the Senator for his statements.

Let me make a couple of brief points about the two amendments before the Senate. This year, 51 Senators wrote me in support of a \$1.7 billion increase in the veterans' medical care budget. The budget resolution which passed this body assumed a \$1.7 billion increase for VA medical care. We have worked hard to meet the needs that we believe are responsibly identified for veterans' medical care. We would love to have more money but we are at the end of our available stream of funds.

We have increased funding for homeless assistance for the veterans by \$40 million. That is why I cannot support either of these amendments.

With respect to Senator SMITH's amendment, I have had significant con-

cerns about the operations of AmeriCorps. I have worked closely with the inspector general to clear up some of the agency's management problems. There was a problem with \$31 million that was lost. We are very much concerned about it. The battle over whether we ought to have an AmeriCorps program or not is over. It has been decided. It is authorized. It is funded. It is in place in communities in my State and across the Nation. There are people who are providing valuable services. There is strong support.

We have attempted to continue AmeriCorps at the existing level. We did rescind \$80 million because the inspector general identified that money as not needed. However, we have to develop a bill that will be signed by the President. The President has already threatened to veto any bill that cuts AmeriCorps. It is that simple. If you want the additional funding we provided for veterans, the additional \$1.7 billion above the President's request, then we have to have the bill signed. It is a rather simple matter. If this bill is vetoed over AmeriCorps, then we can't get the money for veterans. To ensure that the operations of AmeriCorps are properly addressed, we boosted the inspector general's budget from \$3 million to \$5 million to oversee the work of AmeriCorps. The concept has already been approved. It is in place. It is ongoing.

For the information of all Senators, we expect to have a vote at 2 o'clock on a motion to waive the budget point of order, followed by a tabling motion on the Smith amendment. We are hoping everybody who has first-degree amendments will get them in by 4 o'clock. We have not propounded a unanimous consent request. People are busily working on amendments. I do not want to discourage Members from doing that. We want to see an end to the process.

I have had a number of colloquies provided to me. I appreciate that people get them in. Colloquies sometimes explain the difficult and complex parts of a bill. If a Member has a colloquy which they want included, I ask Members to get those colloquies in by 5 o'clock this afternoon. We do have to review them. Sometimes we need clearance from the authorizing committee. If we are hit with a rush of colloquies at the last moment, we may simply not be able to deal with them and get them read and approved. In order to get colloquies in, I hope Members will bring them to the ranking member or me prior to 5 o'clock to review them.

The PRESIDING OFFICER (Mr. VOINOVICH). The Senator from Maryland.

Ms. MIKULSKI. Mr. President, I ask unanimous consent that Senator TED KENNEDY be added as a cosponsor to the Byrd-Bond-Stevens-Mikulski VA amendment for \$600 million additional funds for VA medical care.

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

Ms. MIKULSKI. Mr. President, this is a sad state of affairs. This last amendment offered by the Senator from New Hampshire is particularly troubling. We all agreed that we need to fund veterans' medical care. We all agreed that we needed to fund more. We all agreed when we worked in the full committee, in the Appropriations Committee, we wanted to do more. We had the will but we didn't have the wallet.

Working on a bipartisan basis, the chairman and ranking members of the Appropriations Committee found a way to add \$600 million more to VA medical care. It is absolutely a good idea. We intend to support it.

Also, the chairman and ranking member, along with Senator BOND and myself, know that declaring it an emergency is a temporary technique because we are in a situation where we are operating under such tough spending caps.

The Senator from Minnesota has offered an amendment that violates the Budget Act because it busts the caps. We will oppose that.

The Senator from New Hampshire, a well-known advocate for veterans, a staunch supporter for the return of the MIAs, now offers an amendment. However, he takes it out of the Corporation for National Service, otherwise known as AmeriCorps. This is a sad state of affairs, that while we are trying to meet the compelling human need of our veterans, we are going to further reduce a self-help opportunity program for higher education, which is exactly what our veterans want Members to support. I will go into that in a minute.

I will oppose the amendment of the Senator from New Hampshire and support the tabling motion of the Senator from Missouri. Why? Not because I don't want to help veterans; we are helping the veterans in this bill. But we are now pitting one good program against another good program in terms of its mission and purpose. Both veterans' medical and AmeriCorps leave a lot to be desired in the management area. But at the same time, if we stick to the mission, we can continue this bill.

I strongly believe in the importance of National Service and voluntarism. I helped create the original bill. I believe we need to do all we can to maintain an opportunity structure for access to higher education and also to teach the values of the habits of the heart—that for every right there is a responsibility, for every opportunity there is an obligation.

The National Service does that. Right now, there are 66,000 people who have participated in the program. They are out there doing very important community service, leveraging other volunteers. For that, they are earning a voucher toward their higher education. I do not think anyone can dispute the merits of a program that shows for every opportunity there is an obligation, for every right there is a responsibility. That is one of the core

values for which our vets fought so hard. But the corporation has already taken a cut in funding. It is now being funded below last year's level and below the President's request.

The corporation was established to enhance those opportunities available for national and community service and to provide these educational awards for those who participate. Through the corporation, we help not only communities but those who volunteer as well. National Service participants may receive educational awards that can be used for full-time or part-time education, vocational ed, or job training. This is great. I know how much the Senator from Ohio believes in the great American opportunity structure. But this is not a giveaway; you have to do sweat equity in the community.

National Service does have its problems within its organization. Its oversight and its management do need to be improved. But we should not further reduce the funding of National Service; we should find a way to deal with the spending caps. This program is a success, and it must be maintained.

Earlier today we adopted that amendment to increase veterans' health care by \$600 million. With this, it means that veterans' health care will be funded at \$1.7 billion over the President's request. Senator BOND and I agree, the President's request was too skimpy. We agree with that. So we added in a billion in the committee. Now we are adding another \$1.6 billion. So we believe we are working, as a work in progress, to meet the needs of veterans' health care.

But I do not want to see these generational issues here. I do not want to see old, sick vets pitted against young Americans who are willing to be working in disaster relief, tutoring people, and also serving the homeless—pitted against that.

Guess one of the other things that National Service is doing. We talk about it in our own report. The National Service volunteers are helping the homeless. They also have a particular outreach program to homeless vets. So it should not be either/or. National Service right now, as we speak—as we speak, there are over 10,000 volunteers providing tutoring in elementary schools. The Civilian Corps is a 10-month program on disaster relief. They are right there now in North Carolina. They are helping clean up other parts of our country. But we are saying no, we are not going to fund these programs because we want to fund veterans' health care? I think the vets would say: We need our health care; we need our facilities open, with the best of the staff and the supplies and the prescription drugs we need. We agree with that. But I do not think they would want it at the expense of these young people. I really do not believe it.

One of the things National Service is doing is not only helping the community but it is called values. What do

our vets stand for? Patriotism. Our young people are out there serving America. They stand for loyalty. These young people are learning loyalty and the habits of the heart.

Our veterans stood for self-sacrifice, neighbor helping neighbor, and the defense of the Nation. These young people are part of a national defense effort, eliminating poverty, illiteracy, helping the homeless. At the end of their 2-year program, they go on to school and they get on with their lives. Just as the Peace Corps, they are forming alumni associations, and they keep on giving, and they keep on recruiting people who give, many of whom will visit veterans' nursing homes.

So let's not pit one generation of Americans against the other. Let's make sure we follow a wise and prudent course to honor our veterans and to make sure that our young people have access to higher education, earning a voucher through their own sweat equity, but learning the values of the greatest generation that ever existed, those who fought for us in World War II.

I yield the floor.

Mr. KENNEDY. Mr. President, I oppose the amendment offered by Senator SMITH of New Hampshire. I am a strong supporter of AmeriCorps and the positive changes that Corps members have made and continues to make in communities across this country. AmeriCorps members are doing an outstanding job helping children in schools. Over two and one half million children have been taught, tutored or mentored in the nation's schools, and half a million children have been served in after-school programs through AmeriCorps.

AmeriCorps members give a year of their life to tackle critical problems like literacy, crime and poverty. After their year of service, AmeriCorps members receive education awards to help finance college or pay back students loans. AmeriCorps enables its volunteers to improve their communities while improving themselves.

In Massachusetts, the Service Alliance distributes \$13 million in grants a year to more than 200 service and volunteer programs across the state. More than 180,000 citizens have contributed 3.5 million hours of service—mentoring young people, helping the homeless, and cleaning up neighborhoods. Through programs like City Year, Habitat for Humanity and Boys and Girls Clubs, volunteers have a wide choice in activities and are bringing their talent and enthusiasm to communities across the state.

I urge the Senate to reject this amendment and maintain strong bipartisan support for these important programs.

Several Senators addressed the Chair.

Mr. BOND. I have an amendment that will strike several sections of the bill.

I ask unanimous consent the pending amendments be set aside temporarily.

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

AMENDMENT NO. 1760

(Purpose: Strike provisions that would amend the Fair Housing Act)

Mr. BOND. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Missouri (Mr. BOND) proposes an amendment numbered 1760.

On page 112, strike line 3 and all that follows through line 4 on page 113.

Mr. BOND. Mr. President, as you can see, it is a simple amendment. It strikes sections 427 and 428. They were put in the bill to amend the Fair Housing Act to provide a 72-hour cooling off period for newspapers that had been accused of having published an item that was alleged to have been discriminatory. The two major publishers in my State and publishers around the country presented to us what they thought was a very unfair situation. We thought we could accommodate them with this provision in the bill.

However, Senators KENNEDY and HARKIN have raised substantive concerns and pointed out that this amendment would violate rule XVI. I therefore offer this amendment to strike these provisions so we do not have to have a battle over rule XVI.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

The amendment (No. 1760) was agreed to.

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

Ms. MIKULSKI. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. BOND. Mr. President, since we are nearing 2 o'clock, I ask unanimous consent that at 1:55 the Senator from Minnesota be recognized to make 2 minutes of closing statements on his amendment, that I be recognized to make opposing comments and raise the point of order, and that he may ask that it be waived.

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

Mr. WELLSTONE addressed the Chair.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. WELLSTONE. Mr. President, I will take this time to speak. I want to make a couple of compelling points for my colleagues.

First, our own Senate Veterans' Affairs Committee has gone on record saying, if we really want to fill these gaps in veterans' health care, we require what this amendment calls for above what we have spent, which is \$1.3 billion more.

Second, I cite as evidence this independent budget put together by many different veterans organizations. We asked the veterans to really look at veterans' health care and come up with recommendations.

Third, I cite as evidence, again, a study my office conducted when we really could not get good straight information from the VA, called Veterans Health Care and Fiscal Year 2000 Budget Flat-Line.

Fourth, I want to again remind my colleagues that all of us, on an amendment in the budget resolution, have been on record, in a 99-0 vote, saying we ought to make this additional investment. I think that is extremely important.

My second point is, what is at stake? We have traveled a long way from where this budget once was. The President's budget was inadequate. I think what the House and the Senate were doing was inadequate. Colleagues have stepped forward. I am glad to see we have made some progress. The veterans community, I think, has spoken up and has made it clear to us that they want to see us respond to their needs and the circumstances of their lives.

What I am saying in this amendment is that what is at stake is the quality of care. It is just simply true. There is not enough good care for elderly veterans, and many veterans are living to be 80 and 85 years of age. There is not enough good care for those veterans struggling with posttraumatic stress syndrome. The waits for care are too long. Too many of our facilities are understaffed. I do not know why we would not go forward with what we have already gone on record saying we are committed to. I do not think that is acceptable.

What is being used against this amendment is that it is in violation of this arcane rule of the Budget Act. But I say to my colleagues—this is the point I want to make; and I will make it in the last 2 minutes if Senator JOHNSON is not here—we have, whatever it is, \$15 billion in surplus. We know darn well we are going to be breaking these caps and we are going to be spending that money. We know that. Every single Senator knows we are going to be spending that money. We are going to be spending that money later on.

When we do that later on, and we invest that money in whatever areas we invest in, then you are going to have to come back and tell the veterans why you voted against this amendment. If you do not believe that we are going to break the budget caps and spend that additional surplus money on some important domestic needs, then I guess you could vote against this amendment. But if you know in your heart of hearts what everybody I think in the Senate knows, that we are going to spend that money, we are going to break the caps, then why would you want to put veterans at the bottom of the list? Why wouldn't you up front vote for the additional resources that we need for veterans' health care?

I thought maybe we would have an up-or-down vote, maybe it would be a vote to table the amendment. I did not realize we were going to have this budget debate.

But I think now we have two issues. No. 1, are we going to follow through on the commitment we made to veterans? We are all on record saying we need to make this additional investment. No. 2, are we going to sort of play this game, knowing full well we are going to spend the surplus, we are going to spend this \$15 billion surplus? We know that. We are going to break the caps and do that.

We have too many glaring needs in this country, too many draconian cuts that are mean-spirited in their effects on many citizens—vulnerable citizens, children. Start with children. What are we going to cut? Low-income energy assistance? Are we going to cut Head Start? Early Head Start? Child care? What exactly do people think we are going to do with these budgets we have with these caps?

I say to my colleagues, you know we are going to spend that surplus. And if you know that, and later on you are going to vote to spend it, as you should, on some of these needs, then why wouldn't you vote for it right now for veterans?

This is really a test case about whether or not we are going to follow through on a commitment. It is also a test case not just about a commitment to veterans and doing what we need to do to get the resources to veterans' health care—I believe so strongly about that question—but now I have come to believe as strongly about the other question, which is: Let's be honest about this in terms of where we are at in this budget process.

We cannot live within these caps. Our appropriators are two great Senators—I do not know why the Senator from Missouri is wrong on so many issues, but he is a darn good Senator, there is no question about it—and they are trying to deal with this in housing for veterans. It is a nightmare. So I do not accept this, even though they are two colleagues who I respect.

I do not accept this argument. I do not accept this argument that we are going to use this arcane rule, we are going to use these caps, we are going to use this budget rule as a reason for not voting for the investment in resources that would make a huge difference in the quality of health care for veterans in this country, especially when we know we are going to go into this surplus and use this surplus on some critical needs in our country. I am here to argue this is a critical need—veterans' health care.

Mr. President, I yield the floor. I know we have 5 minutes left for wrapup.

Mr. BOND addressed the Chair.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. BOND. Mr. President, I thank the Senator from Minnesota for his kind words and note with gratitude that he did point out we disagree. This is a great relief to many of my constituents. I thank him for that acknowledgment.

But seriously, this very important amendment, the Wellstone amendment, would eat into the Social Security reserve. It ignores the fact that a majority of Members of this body wrote me in support of a \$1.7 billion increase. I therefore state that the pending amendment, No. 1747, offered by the Senator from Minnesota, increases spending in excess of the allocation to the Appropriations Committee; therefore, I raise a point of order against the amendment pursuant to section 302(f) of the Budget Act.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. WELLSTONE. Mr. President, I move to waive the Budget Act.

I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be.

The yeas and nays were ordered.

Mr. WELLSTONE. Mr. President, I think that I can do it in 1 minute because my colleagues have been gracious enough.

Again, I cite as evidence our vote on the budget resolution calling for this additional investment that is in this amendment; second, the independent budget from the veterans; third, our own Senate veterans' health care committee, which said we need to spend the additional \$3 billion, this gets us up to that point; fourth, the study where I sent a questionnaire out to all the VISN directors, when I could not get the straight information from the VA about the needs; fifth, I translated this into human terms, in terms of the not adequate care for elderly vets, not adequate care for vets struggling with PTSD, not adequate home-based care, longer lines than there should be, longer waits, not the access to specialists. This is important if we want to fill these gaps.

Finally, I say to my colleagues, I am being told this violates the budget caps, but everybody knows we are going to take that \$15 billion in surplus and spend it. We know that. There are too many glaring needs in this country. If later on you are going to vote to spend it on something, then why would you put veterans' needs at the very bottom? Why wouldn't you vote for veterans' health care right now?

I think we ought to be straightforward and honest about what we are doing. I think that has to do with the budget, but I also think it has to do with what we need to do to try to make sure veterans' health care is as high a quality as possible. We have a long ways to go. This amendment takes us far in that direction.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. BOND. Let's be honest. There was a budget surplus. We spent it. It is gone. It is done. We had the increased spending for defense because we made commitments in many areas around the world and we have to defend and support our fighting men and women when we ask them to put their lives on

the line for us. We have to remedy the shortfall that every one of the Joint Chiefs of Staff said the President's budget has caused. We are spending it on agriculture. We approved a \$7-plus billion ag relief bill that came out of this body. It is now in conference. We have to put money in for the census. We have spent the money. It is gone.

So what this amendment seeks to do is to take an additional \$1.3 billion out of Social Security. The Senator says we have to provide priorities for veterans. We just added \$1.7 billion over the President's request for veterans' medical care—the largest increase in veterans' medical care in history—to allow expanded care to thousands of veterans, initiating new programs for veterans, helping homeless veterans, providing for inflationary increases, enabling the VA to treat the veterans who have hepatitis C with a new therapy.

The Veterans' Administration is making cuts, increasing efficiencies, good business practices that will enable them to serve more. The money we have already provided should assure good quality care for the next year in the health care facilities for our veterans.

Mr. President, I ask unanimous consent to have printed in the RECORD a letter dated April 30, signed by 51 of our colleagues, to Chairman STEVENS and Senator BYRD asking for the \$1.7 billion to be provided by the Appropriations Committee for veterans' health.

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

COMMITTEE ON VETERANS' AFFAIRS,
Washington, DC, April 30, 1999.

Hon. TED STEVENS,
Hon. ROBERT C. BYRD,
Senate Committee on Appropriations, Washington, DC.

DEAR TED AND SENATOR BYRD: We write to urge the Appropriations Committee to follow the recommendations set forth in the Budget Resolution pertaining to the Department of Veterans Affairs (VA) discretionary health care appropriation.

Veterans' health care funding has been held virtually constant for four years. The additional \$1.7 billion, recommended by Congress, will allow the Veterans Health Administration (VHA) to help fulfill the country's obligation to provide health care to our military veterans. The funding will also help VHA address newly emerging health care challenges such as the high incidence of hepatitis C among veterans, emergency care, technological advances in medicine, and patient safety, as well as long-term and end-of-life care. Additionally, the new funding may enable VA to avoid some of the recently announced personnel reductions that prompted the Senate Committee on Veterans' Affairs to hold a hearing on April 13.

Once again, America is facing a situation that has focused enormous attention on the importance of our Armed Forces. These men and women, who have answered the call of our nation, may someday call on the Department of Veterans Affairs to come to their aid. An increase in the VA health care appropriations account for FY 2000 will go a long way to demonstrate that not only is America committed to be there for the veterans of today, but we are prepared to handle the veterans of tomorrow as well.

We believe it is imperative for the future viability of the VA health care system that the Appropriations Committee follow through with the recommendations set forth in the Budget Resolution. We look forward to working with you and the other members of the Committee to achieve this goal.

Thank you for your attention to this matter.

Sincerely,

Arlen Specter, John D. Rockefeller IV,
Daniel K. Akaka, Jack Reed, Harry Reid, Kent Conrad, Pete V. Domenici, Mary L. Landrieu, Trent Lott, Tom Daschle, Tom Harkin, Pat Roberts, Larry E. Craig, John Edwards, Strom Thurmond, John Warner.

Dianne Feinstein, John F. Kerry, Slade Gorton, Patty Murray, Bob Smith, Carl Levin, Chuck Grassley, Jim Bunning, Bill Frist, Charles Schumer, Peter G. Fitzgerald, Richard H. Bryan, Jim Jeffords, Barbara Boxer.

John Breaux, Max Cleland, Russ Feingold, Joe Biden, Patrick Leahy, Rick Santorum, Tim Hutchinson, Tim Johnson, Paul Sarbanes, Jeff Bingaman, Bob Kerrey, Frank H. Murkowski, Robert G. Torricelli, Bill Roth.

Daniel Moynihan, Susan Collins, Paul Coverdell, John Chafee, Chuck Hagel, Mike Crapo, Jeff Sessions, Olympia Snowe.

The PRESIDING OFFICER (Mr. GREGG). All time has expired. The question is on agreeing to the motion to waive the Budget Act in relation to the Wellstone amendment No. 1747. The yeas and nays have been ordered. The clerk will call the roll.

The legislative clerk called the roll.

Mr. NICKLES. I announce that the Senator from Arizona (Mr. MCCAIN) is necessarily absent.

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

The yeas and nays resulted—yeas 36, nays 63, as follows:

[Rollcall Vote No. 285 Leg.]

YEAS—36

Akaka	Durbin	Reed
Baucus	Grassley	Reid
Biden	Harkin	Robb
Bingaman	Hutchinson	Rockefeller
Boxer	Jeffords	Santorum
Campbell	Johnson	Schumer
Cleland	Kennedy	Smith (NH)
Collins	Kerrey	Smith (OR)
Conrad	Kerry	Snowe
Daschle	Leahy	Specter
Dodd	Lieberman	Wellstone
Dorgan	Murray	Wyden

NAYS—63

Abraham	Feingold	Lincoln
Allard	Feinstein	Lott
Ashcroft	Fitzgerald	Lugar
Bayh	Frist	Mack
Bennett	Gorton	McConnell
Bond	Graham	Mikulski
Breaux	Gramm	Moynihan
Brownback	Grams	Murkowski
Bryan	Gregg	Nickles
Bunning	Hagel	Roberts
Burns	Hatch	Roth
Byrd	Helms	Sarbanes
Chafee	Hollings	Sessions
Cochran	Hutchison	Shelby
Coverdell	Inhofe	Stevens
Craig	Inouye	Thomas
Crapo	Kohl	Thompson
DeWine	Kyl	Thurmond
Domenici	Landrieu	Torricelli
Edwards	Lautenberg	Voinovich
Enzi	Levin	Warner

NOT VOTING—1

McCain

The PRESIDING OFFICER. On this question, the yeas are 36, the nays are 63. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the point of order is sustained and the amendment falls.

Mr. BOND. I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

AMENDMENT NO. 1757

The PRESIDING OFFICER. The question now is on agreeing to the motion to table amendment No. 1757. The yeas and nays have been ordered. The clerk will call the roll.

The legislative clerk called the roll.

Mr. NICKLES. I announce that the Senator from Arizona (Mr. MCCAIN) is necessarily absent.

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

The result was announced—yeas 61, nays 38, as follows:

[Rollcall Vote No. 286 Leg.]

YEAS—61

Akaka	Durbin	Lieberman
Baucus	Edwards	Lincoln
Bayh	Feingold	McConnell
Bennett	Feinstein	Mikulski
Biden	Graham	Moynihan
Bingaman	Grassley	Murray
Bond	Hagel	Reed
Boxer	Harkin	Reid
Breaux	Hatch	Robb
Bryan	Hollings	Roberts
Byrd	Inouye	Rockefeller
Campbell	Jeffords	Santorum
Chafee	Johnson	Sarbanes
Cleland	Kennedy	Schumer
Cochran	Kerry	Specter
Collins	Kerry	Stevens
Conrad	Kohl	Torricelli
Daschle	Landrieu	Torricelli
DeWine	Lautenberg	Wellstone
Dodd	Leahy	Wyden
Dorgan	Levin	

NAYS—38

Abraham	Gorton	Nickles
Allard	Gramm	Roth
Ashcroft	Grams	Sessions
Brownback	Gregg	Shelby
Bunning	Helms	Smith (NH)
Burns	Hutchinson	Smith (OR)
Coverdell	Hutchison	Snowe
Craig	Inhofe	Thomas
Crapo	Kyl	Thompson
Domenici	Lott	Thurmond
Enzi	Lugar	Voivovich
Fitzgerald	Mack	Warner
Frist	Murkowski	

NOT VOTING—1

McCain

The motion was agreed to.

Mr. BOND. I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

Mr. BOND addressed the Chair.

The PRESIDING OFFICER. The Senator from Missouri.

AMENDMENT NO. 1744

Mr. BOND. Mr. President, I ask unanimous consent to have added as cosponsors to amendment No. 1744: Senators ROBERTS, ASHCROFT, SNOWE, COLLINS, COVERDELLE, and HARKIN.

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

Mr. BOND. I yield the floor.

Mr. SARBANES addressed the Chair.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. SARBANES. Mr. President, I thank the chairman of the appropriations subcommittee, Senator BOND, and my colleague and close friend from Maryland, the ranking member of the VA-HUD appropriations subcommittee, Senator MIKULSKI, for their good work in developing this bill under extremely difficult circumstances.

All of us should recognize that due to the steadfastness of these two Senators, many important programs that had otherwise been scheduled for the cutting block, programs that had, indeed, been severely damaged by the House bill, have been largely preserved in the legislation that is before us this afternoon.

My colleagues, Senator BOND and Senator MIKULSKI, working with the strong support of Senator STEVENS, the chairman of the full committee, and Senator BYRD, the ranking minority member of the full committee, worked hard to prevent deep House cuts from being carried forward in their bill.

So I very much appreciate the efforts by the chairman and the ranking member, for example, to preserve the affordable housing stock and to provide tenant protections in cases where owners insist in opting out of their assisted housing contracts. That is important progress, and I thank them for their hard work.

There is always the "but." While recognizing and applauding the work of the subcommittee, I do not want to lose sight of the continuing, pressing affordable housing needs and the efforts that we must continue to make beyond the floor consideration of this legislation today as a Congress and as a nation.

Today, in the midst of the longest peacetime economic expansion in our Nation's history, we are faced with the largest number of our citizens facing "worst case housing needs." Let me explain briefly what that phrase means. Families with "worst case housing needs" are those who pay over half their income in rent or live in severely substandard housing, housing that fails to meet basic standards of safety and decency.

For families paying so much of their income for rent, homelessness is only one bout of unemployment away. For those families, an unexpected medical bill brought on by a sick child or an elderly parent, a broken down car that makes it impossible to get to work, or any modest financial disruption in life's routines that most people could absorb, any of those activities can lead to eviction. Today, there are almost 5.5 million families who live with this sword of Damocles just over their heads.

Work in and of itself is not a solution. A recent study indicates that peo-

ple working for the minimum wage, a full-time working family earning the minimum wage, would have to work in excess of 100 hours a week at the minimum wage in order to pay the rent for a two-bedroom apartment.

In other words—and the HUD statistics support this data—the fastest growing segment of the population with worst case needs are families. So there is this big gap between what working at the minimum wage brings in and what it costs on average for a modest apartment.

This underscores, in my opinion, the need to increase the stock of affordable housing. It also underscores, of course, the need to address the minimum wage as well. But this legislation before us now deals with housing.

We need to increase the stock of affordable housing. The fastest way to do that is by funding additional section 8 rental vouchers. This is very much the issue I hope will be addressed in conference.

Last year, we worked together to authorize 100,000 vouchers for fiscal year 2000 in the public housing bill. The budget the President submitted included the 100,000 vouchers in the proposal. In the current year, we funded 50,000 vouchers.

I make this point fully understanding the constraints under which Senators BOND and MIKULSKI worked to bring this bill to the floor today. As I have indicated, they did a good job within those constraints. But it is the responsibility of all of us now to consider how we can move beyond those constraints so we can start to meet the needs of the millions of working families, the millions of poor families, and the elderly that desperately need housing assistance just in order to make ends meet. I very much hope we can start to address this problem in the conference. I encourage both of my colleagues to place this issue of section 8 rental vouchers high on their priority list as they go to conference.

Let me add two other brief points. Last year we passed important new public housing legislation, working successfully in a bipartisan way with Senators MACK, BOND, MIKULSKI, and D'Amato. That new law holds real possibilities for strengthening our public housing stock by giving more flexibility to local housing authorities while at the same time providing important protections for the poor. To make this law work, however, we must provide adequate funding. We need to give the housing authorities adequate operating subsidies to run their programs effectively on a day-to-day basis.

Furthermore, these housing authorities are public agencies that cannot opt out of the program, as many of their private counterparts do. We must provide them the capital necessary to maintain and upgrade their units so we can begin to build the kind of economically diverse communities we know are healthier for all residents. I very much

hope this issue will also be kept in mind as my colleagues go to conference.

Finally, I note my concern with the provisions of the bill that eliminate the Community Builders Program entirely this coming February. In fact, many of these employees are the sole HUD workers in various State or local HUD offices. Surely, a more measured approach to addressing these concerns is possible. Eliminating these positions will result either in offices being closed or HUD being forced to shuffle employees around in ways that simply may not be optimal. From all reports, the community builders are doing a good job. They have been well received. I hope we allow them to continue with their efforts.

In closing, I again thank my colleagues for their work on this bill. Many improvements were made possible by their resolve and their many efforts even before the bill was marked up, but there is still much to be done. I look forward to working with both of them, and the other members of the Appropriations Committee, as the bill moves to conference in the hope and anticipation that we may be able to move beyond some of the constraints under which they were laboring and to address these issues which I have outlined and, certainly, this very pressing need for affordable housing all across the country.

I yield the floor.

Mr. REED addressed the Chair.

The PRESIDING OFFICER (Mr. BUNNING). The Senator from Rhode Island.

Mr. REED. Mr. President, I join my colleague, Senator SARBANES, and commend both Senator BOND and Senator MIKULSKI for their extraordinary work in trying to fashion an appropriations bill under very difficult fiscal constraints and to meet the demands for so many different programs.

I, too, am concerned that the amount of resources devoted to the Department of Housing and Urban Development is not sufficient to meet the demands for all Americans for adequate and safe housing. I am also concerned that some of the reductions in staffing may impair the operations of HUD in the delivery of effective services to Americans throughout the country.

Again, I recognize the extraordinary conflicting demands that both Senator BOND and Senator MIKULSKI faced and the remarkable job they have done in fashioning the bill to date. It is my hope that as we go into conference, we can find additional resources to address two critical issues. First and foremost is access to affordable housing for all of our citizens. There is, in fact, an affordable housing crisis throughout this country. The second issue, as I mentioned before, is related to the issue of staffing at HUD.

Let me talk about the crisis that many Americans face with regard to affordable housing. As Senator SARBANES articulated, there is a request within the President's budget for

100,000 new vouchers that will allow individuals to move into adequate, decent, and safe housing. It is estimated that there are 5.3 million households in the United States that suffer from worst-case housing needs. These needs, as has previously been explained, are either the fact that the family is paying more than 50 percent of their income for housing or that they are living in very substandard housing. This is not an academic problem anywhere in the United States; it is a real problem. In Rhode Island, for example, it is estimated that there are 23,000 families suffering worst-case housing needs. They are spending a huge amount of their income simply to find a place to live. Sometimes these places are inadequate. Others are in places in which, frankly, we would not live, nor would we want to see anyone else live. So we do have a problem. This problem is worsening.

We used to build affordable housing units at a fairly substantial rate. Between 1979 and 1980, we built a significant number of houses. That was a trend that had begun all through the 1970s. In the 1980s, we essentially stopped building affordable housing throughout this country. In 1995, the Government went further and stopped issuing any additional rental vouchers for needy Americans. So as a result, predictably and understandably, we have a shortage of decent, affordable housing throughout the United States.

This problem of a lack of supply has been further exacerbated by a booming economy that is driving up the price of everything, including the price of houses. So we have limited housing stock and increased demands. We have accelerating prices. We have families that are in crisis.

Last year we authorized 100,000 new vouchers—I commend the leadership for doing that—but still there are more than 1 million Americans on waiting lists for public housing or for section 8 vouchers. They are not waiting for days or weeks; the average waiting time for section 8 vouchers in our country is 28 months. In most large cities, the waiting time is much longer. For example, in Philadelphia, the waiting time is 11 years. In Cincinnati, it is 10 years. In Los Angeles, it is 8 years. In my own home State of Rhode Island, the average waiting time for public housing is not quite that severe, but it is still 7 months. That is a long time for a family to wait to get into public housing. In addition, there is a long waiting list and waiting period for section 8 vouchers. That is estimated to be months and months, if not years.

So we have a problem we have to address. In light of this great problem, we should this year, once again, authorize at a minimum 100,000 new rental assistance vouchers. We haven't done that. We haven't been able to do that in this particular appropriations bill. I hope in the conference we can, in fact, achieve that objective. Even if we do that, we will not be totally satisfying the tre-

mendous housing needs of the American people, but at least it will be another forward step in that appropriate march to a goal of adequate, safe, decent, and affordable housing for all of our citizens.

The second issue I will mention is the issue of staffing in the Department of HUD; in particular, the Community Builders Program. My colleague, Senator SARBANES, mentioned the concerns that I, too, share. This is a program which is now, under this legislation, scheduled to be eliminated. It has only been in operation for about a year. We haven't given it a chance to operate. If, in fact, we eliminate this program, not only will we miss the opportunity to truly and effectively evaluate this program, we will also take away many of the workers who are doing all the work in some of the regional and district offices of HUD. We will effectively impair the ability of HUD to deliver their services, and that is not something we want to do.

There are reports already that the cuts HUD has made in their staffing—and they have been significant over the last several years—have reached a point where both GAO and the IG at HUD are questioning whether or not HUD has reduced too many employees. In this context, where they have already made significant reductions and where we have a new program that shows some promise, although there has been some criticism, I think it is premature to eliminate the Community Builders Program.

I hope we will study it carefully, evaluate it objectively, make changes, if necessary, but certainly not at this juncture eliminate a program that deserves, I think, additional time to prove its worth and merit.

Let me conclude by thanking Senators BOND and MIKULSKI for their extraordinary work. Also, I will work with them over the next several weeks and months in conference to see if we can find and dedicate these resources to addressing many of the issues I have raised.

I yield the floor.

Ms. MIKULSKI addressed the Chair.

The PRESIDING OFFICER. The Senator from Maryland.

Ms. MIKULSKI. Mr. President, I thank the Senator from Maryland, Mr. SARBANES, and the Senator from Rhode Island, Mr. REID, for their compliments. I particularly want to thank the Senator from Maryland, my very dear and esteemed colleague. We have a wonderful alignment in Maryland with Senator SARBANES, the ranking member on authorizing and I on housing appropriations. I thank him for all of the work he has done in terms of our housing and our urban economic development initiatives, and also for being concerned to make sure that HUD serves not only urban America but our rural and suburban communities as well. I thank him for his steadfast belief that the American dream is home

ownership and for his desire to promote home ownership. I am particularly grateful for that, and we have done that in this bill. Also, he is a champion for the homeless, which, again, I believe we address in this bill.

Then there is the in-between group, those people working for self-help, working very hard to move from welfare to work. They often qualify while they are working for certain subsidies, be they food stamps and, in some cases, section 8 housing, essentially making work worth it. If you are willing to work hard every day, we are willing to at least subsidize housing for you and your family. So his presentation about the need for more section 8 vouchers, I believe, was an excellent one and one with which I am in complete agreement.

I say to my colleague from Maryland that this bill is a work in progress. To be able to find an offset or a new revenue stream to meet the need for new vouchers now and to be able to sustain them in the future is a set of actions I wish to take. I am working closely with the administration to find an offset that would be both reliable and sustainable, and I look forward to our continued working relationship. I welcome his ongoing support and collaboration. Again, this bill is a work in progress. I really do thank the Senator.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative assistant proceeded to call the roll.

Mr. DASCHLE. 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. DASCHLE. Mr. President, let me begin where others have also begun by complimenting the distinguished chair and ranking member. They have an extraordinary working relationship. They are excellent partners in moving this important bill. I commend them both for their work.

This has not been easy, especially this year, but they have demonstrated once again what happens when two people of intelligence and determination can work together to achieve the product that we have before us. I certainly hope that our colleagues will recognize that work and will be as supportive as I hope we can be on a bipartisan basis.

If there is one area where I hope we can take another look in conference it is section 8 and the question of public housing. The affordable housing crisis, as many know, is now at record levels. But we are in a situation where very little is available in the form of new vouchers to deal with millions of children and senior citizens who are currently at risk, not because we don't have the desire but because we haven't had the resources.

We have considered the demand for section 8 housing. We have looked at

public housing in many ways but have not funded it adequately because we have felt the need to fund other priorities. In fact, we have used section 8 as an offset to fund other programs. That offset has now been completely depleted.

But 5.3 million American households suffer from the worst-case housing situations—defined as paying more than 50 percent of their income in rent or living in substandard conditions. I believe Senator SARBANES mentioned that.

In my home State of South Dakota, the average waiting list for public housing is now 9 months for section 8. It is a very serious problem even in a rural State such as ours where one wouldn't think that the availability of public housing is nearly as much of a problem as it might be in some of the larger cities.

But we have seen a half decade of a budget freeze on housing assistance. From 1977 to 1994, the number of HUD-assisted households grew by 2.6 million—an average of 204,000 additional households each year from 1977 through 1983, and an additional 107,000 households per year from 1984 to 1994. But in 1995 we saw a reversal of that policy—a freeze on new housing vouchers despite the growing need.

In 1999, we saw the first new vouchers in 5 years. The President has made a modest request for fiscal year 2000 of 100,000 for this year. Last year we made available 50,000 new section 8 vouchers, the first in 5 years. In my own State, again, 321 families would receive section 8 assistance with appropriations of 100,000 new vouchers. To provide no new vouchers is, frankly, a flaw in what is otherwise a very important bill. I hope we can begin to work on it much more constructively.

In some areas, housing costs have risen faster than incomes of low-income working families. In addition, due to the aging and gentrification of older housing, the number of affordable rental units has actually declined.

The section 8 housing voucher program clearly provides one of the only means—if not the only means—to subsidize the rents of apartments that families locate on the private rental markets. They don't give families a free ride. I think everyone hopefully understands that. There is no free ride for families. They still must find the resources to pay between 30 and 40 percent of their incomes for rent. They have to take some responsibility in their own right. Without vouchers, many low-income working families simply are unable to secure affordable housing.

Another problem, of course, related to public housing and section 8 housing is the Community Builder Program. The bill currently would require the firing of 410 HUD employees, which would eliminate local service in almost two dozen communities, including South Dakota. That also would be a problem.

I realize our distinguished colleagues had to make some very tough choices. I applaud them for making many of the choices they did and coming up with as fair and comprehensive a bill as we have before the Senate. I intend to support it strongly and enthusiastically. I do hope, though, when we get to conference, we can address the section 8 and public housing programs. I believe that is the one area where, as good as this bill is, we still can demonstrate real progress.

Failing that, I am very concerned about the implication for housing for low-income people across this country, in South Dakota, in rural areas, as well as in urban areas that I know are commonly associated with public housing programs. This is not just an urban problem; it is a rural problem as well. I know the distinguished ranking member understands that and is very knowledgeable and cognizant of that issue and problem. I hope we can do better in resolving it once we get to conference.

I congratulate my colleagues and yield the floor.

Mr. BOND. Mr. President, I add another cosponsor to amendment No. 1744. I ask that Senator ABRAHAM be added.

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

Mr. BOND. Mr. President, let me first thank the distinguished minority leader for his kind comments. I share his concern about the availability of affordable housing. At an appropriate time, I want to discuss some of the problems in a little more detail. I recognize his concern and the concerns raised by the Senator from Maryland, the Senator from Rhode Island, and others. There is a bigger problem, and we will discuss that later.

We have been in quorum calls for almost the last hour. We have an amendment Senator MIKULSKI will offer shortly on behalf of Senator INOUE. However, we are open for business. This is daylight. This is a good time to present amendments, to argue amendments, with great coverage. Everybody is paying attention; everybody is awake. We beg and plead with our colleagues to come down and get going so we can finish this up at an early hour.

I see the distinguished junior Senator from North Carolina who wants to share some views on the very serious problem caused by the hurricane in his State.

I yield the floor.

Mr. EDWARDS. Mr. President, I ask unanimous consent to speak up to 10 minutes as in morning business.

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

HURRICANE FLOYD

Mr. EDWARDS. Mr. President, I am here to talk about the terrible devastation that has occurred in my State of North Carolina, which most of my colleagues, I know, are aware of, and to

give them an update on a report I gave last week.

The people of North Carolina are suffering in a way they have never suffered before. This is absolutely the worst disaster that has ever hit the State of North Carolina. There has been tragedy, and there have been acts of heroism. It has been an extraordinarily difficult situation, particularly for the people of eastern North Carolina. Thus far, we have 37 confirmed deaths as a result of the hurricane. We have four additional North Carolinians at this point presumed dead. We expect, as the waters recede, as FEMA officials and other local folks are able to get into houses that have been covered by water, that we will find additional North Carolinians who have lost their lives as a result of this flood. Let me give one example.

We have one entire family that was wiped out by this flood—six members of the family. This happened in Pine-tops, NC, which is one of the worst hit areas of eastern North Carolina. Ben and Vivian Mayo, Keisha Mayo, and Cabrina and Destiny Flowers were all killed as they tried to escape in a small boat but the boat capsized. Yesterday, rescue team members who were working in the area discovered another member of the family, Teshika, who was 50 feet from her grandparents' home at the time of her death. She was 5 years old. That is six members of this family who died in the course of this hurricane. This is a terrible tragedy. I ask all of my colleagues and the American people as a whole to please give their thoughts and prayers to these families as they go through an extraordinarily difficult time.

We had business losses that we have never had in the history of North Carolina. An example is Jamie Milliken's family who operated an electric supply company in Brunswick County. As a result of the flood, they have lost \$2 million worth of merchandise. They had no flood insurance. Some of the hardest hit businesspeople in eastern North Carolina are the farmers.

The bottom line is—and I will talk in a little more detail about this in a few minutes—there are many farmers in eastern North Carolina who will be put out of business. They were already struggling, already having a very difficult time making ends meet. This has been a year where they have been hit and hit again: Hit by drought, hit by low crop prices, hit by low livestock prices. And then, when they are teetering on the edge, they get the final nail in the coffin, which is the effect of this hurricane on their businesses and on their farms. The effect has been devastating.

We have also had enormous problems with housing and homelessness. The truth is, we have people who are desperate. For example, we got a call in my office from a mother whose daughter is stranded in New Hanover County, where Wilmington is located. She lost everything: Her home, her car, all of

her possessions, and her job. Her mother says her daughter has absolutely no idea how she will go about rebuilding her life and she can't stop crying. Every time she calls her, she is crying. She has no idea how she will deal with the situation.

We have about 10,000 people in eastern North Carolina who still remain in shelters, who cannot get to their homes because of the floodwaters, and they have nowhere to go except the shelters. Mr. President, 50,000 homes have been affected by this hurricane. We expect that number actually to go up as we have more time to go in and see what damage has been caused.

I might add, I spoke with the Director of FEMA, James Lee Witt, a bit ago. He pointed out to me something that the people in North Carolina have already thought about. When the floodwaters recede, because the water has been contaminated by a variety of things, including wastewater treatment plants being flooded, including dead livestock, including any of a variety of things, the water is contaminated that has gone into people's homes. When that water recedes, folks are going to want to go home. They have been out of their homes for a long time now, living in shelters. They will want to go home. The problem is, their houses will be contaminated. They will have enormous health threats as a result of the contamination caused by the floodwaters. We will be confronted with a situation of trying to decontaminate the houses, and in some cases that may be impossible. It may be required that the houses simply be torn down and rebuilt.

I might add, many of these people whose houses have been flooded had no flood insurance. To be fair to them, they had no reason to have flood insurance. They didn't live in a floodplain. They didn't live in an area that had ever been flooded. They had no reason to believe their homes would ever be flooded. They are the victims of this hurricane.

Water supplies. We have thousands of people in eastern North Carolina who have no clean water. Many people who had wells as the source of their drinking water, the water they use on their farm, the water they use to bathe—the wells are gone.

In Greenville, which is probably the largest city in eastern North Carolina, they are facing an entire shutdown of their water supply due to a break in the water main. If this occurs, every restaurant, every business, will have to close and it will affect every resident in the area.

We have about 120 million gallons of hog waste caused by broken and flooded lagoons spilling into floodwaters. Water is flowing directly from our sewage systems into these floodwaters, which are contaminating homes, contaminating businesses, contaminating farms.

We also have a problem with our roads. We have more than 900 roads

that have been washed out where floods have been recorded. One example of this is Interstate 95. You can just see the extent to which Interstate 95 has been flooded. It is totally impassable. We still have, I might add, many sections of Interstate 95 and Interstate 40 which are still impassable. We have 10 bridges that have been destroyed during the course of this.

I mentioned earlier our farms and our agriculture in eastern North Carolina. These folks have been devastated. They have been through extraordinarily difficult times. Now the bottom line is their farms are underwater.

Just some examples of the crop losses we expect to be incurred: Cotton, we expect to lose 80 percent of the cotton crop in North Carolina; soybeans, 75 to 80 percent; peanuts, 75 to 80 percent; sweet potatoes, to date, about 25 percent of that crop has been harvested. We expect to lose anywhere from 75 to 80 percent and possibly greater of the sweet potato crop. Mr. President, 50 percent of the tobacco crop, which we all know is an enormously important economic crop in North Carolina, has been lost.

Livestock: I just finished meeting a few minutes ago with livestock farmers, hog farmers from eastern North Carolina, and they have been totally devastated. They have virtually no insurance. A lot of these farms have lost many thousands of dollars. In fact, the average amount of equipment that is located on these farms is worth \$500,000. That equipment is not insured and it has been largely destroyed because the people had to leave their farms so quickly when the water started to rise. There have been more than 100,000 hogs that have been drowned so far; about 3 million poultry. Widespread starvation is facing many of the animals that still are in eastern North Carolina because they are cut off from feed sites and they are cut off from rescue efforts.

The fishing industry has suffered a great deal so far, and they are going to continue to suffer. Many fishermen have lost their boats, and we expect many of the environmental results of this hurricane's devastation in eastern North Carolina to cause problems with our fishing reserves for many years to come.

Finally, debris and contaminated water has done enormous damage to the soil of eastern North Carolina, of which our farmers are so proud and have relied upon for so long.

I can show just a couple of other examples of the flooding that exists in eastern North Carolina. Many folks have seen these photographs from some of the television stories. But here is an example of the level of the flooding in a rural area in eastern North Carolina. These are people who never had water on their property. They never had any notion they had to be worried about that.

Here is an example of what I saw when I traveled this past weekend over

eastern North Carolina. What is shown in this photograph I saw all over eastern North Carolina. You can see that it is not just flooding. The flooding is up to the roofs of these houses and it is extensive and you see it over and over and over. It is all over the areas of eastern North Carolina. Can you imagine the folks who spent their lives living in these homes and the devastation this has created for them? Everything they own and spent their lives putting together is in these homes that have been flooded.

Finally, I made mention of the farming operations. Here is a farm in eastern North Carolina. Everything we see underwater in these sections is all farmland; all had crops on them, all a total loss, 100 percent total loss. This scene is repeated over and over. I spent hours in a helicopter going over eastern North Carolina and landing in various places. I can't tell you the human tragedy associated with this for people who have spent their lives here. For these folks who farm this land and who live in eastern North Carolina, this is not just a place they live. This is a way of life for them, and they have now lost it. This is something that is going to be difficult, if not impossible, for the people of eastern North Carolina to ever recover from.

Having said all of this, there are a number of people we need to thank because the reality is there have been and there will continue to be acts of heroism as a result of this catastrophe in eastern North Carolina.

First, FEMA; FEMA has done an extraordinary job so far. I expect them to continue to do an extraordinary job. Their Director, James Lee Witt, has been on top of this problem. He has been in regular contact with all the people who are involved, including myself and Governor Hunt. The American Red Cross has been omnipresent in eastern North Carolina and will continue to be so. They have done a wonderful job.

The Salvation Army and the Marine Corps have done a wonderful job. The Army, the troops who are located in eastern North Carolina, the Coast Guard, the Navy, the National Guard have all worked extraordinarily hard to deal with this problem.

I might add, our mayors and our State and local officials have done a wonderful job. I include in that group our Governor, Jim Hunt, who has been on top of this situation from the very beginning. I am proud of the job he has done.

I am also proud of the job that has been done by many of the folks in eastern North Carolina. The bottom line is North Carolina has been devastated in a way that we have never been devastated before. We have people who are struggling, who are confronting situations they never in their lifetimes thought they would have to confront. People's lives have been lost, people's futures have been lost, and their businesses have been lost. There are farm-

ers who spent their lives farming this land who will have a very difficult time getting back to the place where they can farm their land again.

What we ask is simply for the prayers and support of my colleagues in the Senate and of the American people because the reality is we are in a difficult situation. We need their help. We know the American people will respond in the way they always have to this kind of tragedy, which is to support us.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. BOND. Mr. President, let me express my gratitude to the Senator from North Carolina for outlining the tragic situation he faces in his State. As one who has faced similar circumstances in my State, seeing nothing but the tops of flooded buildings, I can tell you I was very grateful for then-chairman of the committee, Senator MIKULSKI, who came to my State and worked with us during the floods of 1993. I know there is nothing more important to these people who have lost everything than to know that somebody is trying. There is no way we can make them whole. We intend to see that FEMA meets their needs.

I have already discussed with the senior Senator of North Carolina some of the needs. I assure both Senators that we on the committee will do whatever is necessary to make sure FEMA has the resources needed. We believe they have adequate reserves right now, but we are going to continue to work on this problem and follow FEMA's activities. We look forward to working with the Senators from North Carolina to make sure we do have adequate resources available.

I join with the Senator from North Carolina in saying we appreciate and congratulate James Lee Witt and the entire FEMA operation for what appears to be a very prompt response to a disaster situation.

Mr. HELMS. Mr. President, I am grateful for the courtesy of the distinguished manager of the bill, Mr. BOND, for his willingness to work with me to make sure that FEMA is fully prepared to respond to the needs of victims of flooding caused by Hurricane Floyd. I do not exaggerate when I say that North Carolina is facing the worst flooding in its history.

There is no need for me to catalogue the details of the enormous suffering caused by this storm because I know that Senators understand and share my dismay in hearing the incredible damage reports still coming in from my home state. I am so very grateful for the kind words of my colleagues who have told me they are thinking of—and praying for—the people of Eastern North Carolina, and I know they join in pledging that the federal government will do its part to alleviate their suffering.

So, Mr. President, I genuinely appreciate Senator BOND's efforts to assure that FEMA is currently funded at a level to respond to the developing situ-

ation in Eastern North Carolina. I hope it is understood that this is a serious and ongoing situation and that state and local officials are still scrambling to grasp the enormity of the loss to life and property. North Carolinians have become gratefully familiar with the splendid work FEMA does in the wake of natural disasters, but our familiarity does not minimize the heartfelt gratitude we feel for the dedicated public servants who are helping the victims of flooding.

I have the utmost faith in Senator BOND and his fine staff, and I appreciate their willingness to consider any additional needs that FEMA may identify as this bill goes to Conference. At the same time, I certainly understand that there will be an effort to make an accurate accounting of the funding—if any—that FEMA needs and I pledge that I do not intend to make unreasonable demands upon appropriators. It is important that we do not act heedlessly in our understandable haste to help those in desperate need, and I will certainly make every effort to make sure that any aid requested is genuinely necessary.

Mr. BOND. Mr. President, I certainly appreciate the diligence of Senator HELMS and his willingness to work with me as we both seek to make sure FEMA is ready to help the victims of Hurricane Floyd. I know how deeply he cares for his constituents, and I join him in sending my thoughts to the people of Eastern North Carolina—as well as those suffering in other affected states—as they begin the hard work of recovering from this very serious natural disaster.

I certainly intend to work with him every step of the way to make sure that FEMA has the financial resources it needs to continue the important work already underway in North Carolina.

The PRESIDING OFFICER. The Senator from Maryland.

Ms. MIKULSKI. Mr. President, I, too, wish to, first of all, express my support for the people of North Carolina. I believe the way we express our support and our concern is not only with kind words, which we would like to say many, but with deeds. Right now James Lee Witt and other emergency management people are responding with gallantry and are trying to get a swift assessment of damage. We want to work with you, Senator HELMS and Governor Hunt, to really be able to get emergency assistance to the communities and to do it in a way that is swift, helpful, and also affordable.

I, too, have been hit by damage in my State. Senator BOND is right. One of the first things we did together was to be in Missouri because they had been hit by floods. A short time later we were hit by ice storms and floods.

You know what is so heartbreaking: After the floods and the waters come, then the water goes down, and you just see broken dreams, the hard work of lifetimes just washed away. You go

into a home, and there is the tattered photograph of the wedding picture, there is the mud-saturated picture of the graduation, and the appliances when you open the door. I think what I remember also, most of all, in addition to the tears, is the mud, the smell, and so on.

The first thing is that it breaks your heart. We want to make sure it does not break their pocketbook. That is what we can work on.

Hurt hearts. I believe the people of North Carolina will have so many communal ways that those hearts will be healed. But the immediate thing we can do is to make sure that the devastation to the pocketbook is not permanent and that they have the opportunity to restore a way of life.

So I just say to the Senator from North Carolina, Mr. EDWARDS, that he is not alone nor are those thousands and thousands of people. We have been thinking about you. We have been praying for you. Our hearts are filled with sadness that people have lost their lives. We really do not want to see the loss of their way of life.

Mr. EDWARDS. Will the Senator yield for a moment?

Ms. MIKULSKI. Yes.

Mr. EDWARDS. I want to take a moment to thank the Senator from Maryland and the Senator from Missouri for their very kind comments. I know they will, as they always have, step to the front and help the folks in North Carolina who need help so desperately.

I would add to that, I say to Senator BOND, that Senator HELMS is working very hard, the senior Senator from North Carolina, on this problem. He and I have talked about it on a couple of occasions already. We will continue to talk about it. He is working very hard on this problem. So is our Governor.

We appreciate very much your help and support. I appreciate your thoughts and prayers. This is one of those times where we need all the help and support we can get, I can promise you.

I yield the floor.

Mr. BOND addressed the Chair.

The PRESIDING OFFICER. The Senator from Missouri.

DEPARTMENTS OF VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT, AND INDEPENDENT AGENCIES APPROPRIATIONS ACT, 2000—Continued

Mr. BOND. I am prepared to enter into a colloquy with the distinguished Senator from Maine who has a matter of great importance in her State.

Ms. COLLINS addressed the Chair.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Mr. President, let me begin by praising the terrific work done by the Senator from Missouri and the Senator from Maryland in putting together this appropriations bill. I know a lot of the issues are very dif-

ficult. They have worked together in a bipartisan way to come up with a bill that is responsible fiscally and yet meets some urgent needs of many people in our Nation. I commend them both for their efforts in this regard.

I appreciate the Senator from Missouri giving me this opportunity to engage him in a discussion on an issue of great importance to Maine and the Nation as a whole. That is the issue of providing fair Federal assistance to our homeless men, women, and children, regardless of where they live. Senator BOND and Senator MIKULSKI have been leaders in addressing housing issues affecting underserved and vulnerable populations, especially our Nation's homeless population.

Under their leadership, the Department of Housing and Urban Development homeless assistance grants have increased from \$823 million in fiscal year 1998 to \$975 million in fiscal year 1999. I am very pleased to note that the appropriations bill that is before us now would further increase funding for vital homeless assistance grants by providing a little more than \$1 billion for these critical programs.

Senator BOND's continued dedication to this vital and often forgotten issue has served the public well, as has the commitment of the Senator from the State of Maryland. I salute them for their effort to direct the funding of the resources to those most in need.

Mr. BOND. I thank the Senator from Maine for her kind words. I know of her personal commitment to helping the homeless. I strongly support these important programs which do benefit the homeless men and women in America. I hope we can come up with a permanent solution to homelessness, especially for those persons with mental disabilities.

Ms. COLLINS. Although Congress has done a good job in recognizing the need for more funding in this area to serve this very vulnerable population, I have become extremely concerned about the process that the Department of Housing and Urban Development has used to award a particular kind of homeless grant, and that is the continuum of care grant. This has been a real problem in my State, and I suspect the Senator from Missouri has heard from other States as well.

Mr. BOND. Unfortunately, we have had a number of Members express to us their concern about the continuum of care grant award process. Many believe that the HUD process has proven to be confusing for applicants and perhaps even incomprehensible to anyone outside the HUD compound.

Ms. COLLINS. I note that has been exactly the very unfortunate experience in my State. Let me give you a little background.

The needs of the homeless population in Maine have increased in recent years. Often when we think of the homeless, we think of large cities. In fact, there are homeless people throughout this Nation, including in rural States such as Maine.

From 1993 to 1996, Maine's homeless population grew by almost 20 percent. It is estimated that more than 14,000 people are homeless in my home State today. Despite this great and growing need, however, the Department of Housing and Urban Development denied both the applications from the State of Maine for continuum of care funding last year. In effect, the HUD competitive homeless assistance funding distributed to the State of Maine went from \$3.7 million to zero. You can imagine the impact on my State.

Moreover, we were stunned by HUD's decision because Secretary Cuomo, in 1998, had awarded Maine's programs with the HUD "best practices" awards of excellence.

A vigorous public campaign by people in Maine and repeated efforts by the congressional delegation ultimately compelled HUD to provide \$1 million to the city of Portland to renew certain projects. This money, though welcomed, was far from sufficient to allow the State to meet the needs of its homeless population.

That is the experience I wanted to share with the Senator from Missouri and the Senator from Maryland.

Mr. BOND. What happened to Maine, and other States, in the competitive award process simply should not have occurred. To me, it is quite puzzling. As many of us know, the problem of rural homelessness is complicated; it is pervasive. I live in a rural area. Rural areas have higher poverty rates and a higher percentage of the population living in inadequate housing, which are key factors contributing to homelessness. Providing service to the rural homeless is not easy. It is complicated by distance, isolation, and lack of effective communication.

Ms. COLLINS. It seems to me that HUD needs to understand the impact on the homeless, on the very people we are trying to serve, of simply shutting States out from the housing award process. HUD needs to take greater care to work with States where funding may be in peril in order to ensure that we are not hurting the homeless people of our Nation.

Contrary to what HUD seems to think, homeless men and women do not disappear. Their needs do not disappear when funding is cut off. In fact, their desperate needs still exist.

To address these problems, I have introduced a Senate bill which would require a minimum distribution of continuum of care homeless assistance funding to each State. I realize that I cannot offer that on this bill because of the rule XVI issue, but I hope the chairman and the ranking minority member will agree with me that this is an important issue.

Would the chairman agree that the goal of HUD should be to make every effort to ensure that every State can receive some homeless grant funding because every State has homeless people, unfortunately?

Mr. BOND. I certainly agree with the sentiments expressed by the Senator

from Maine. I am very sympathetic to the intent of the bill. As she has pointed out, we are not able to accept it on this bill. But I do look forward to working with the Senator from Maine, and the many other Senators who expressed their concerns, to ensure that HUD does meet the homeless needs of every State.

In the past, I have been a strong supporter of using block grant approaches to the States, which I think can best serve the needs of the homeless. We look forward to working with the Senator and the authorizing committee to solve the current HUD award process problems.

I thank the Senator from Maine for bringing this very real and very compelling problem to our attention. I assure her we will continue to work to resolve the problem.

Ms. MIKULSKI addressed the Chair.

The PRESIDING OFFICER (Mr. SESSIONS). The Senator from Maryland.

MS. MIKULSKI. Mr. President, a comment on the remarks made by the junior Senator from Maine. I, too, share her concern to ensure that the needs of the homeless are recognized, and we try to do that in our bill. As she knows, under this bipartisan coalition, we increased funding for the homeless by \$45 million. We have to talk about not only more but how it is distributed.

I share the Senator's concern about the rural homeless because it is not only isolated but it is often invisible because of distance and the very culture of small towns and also, I might add, in Maine, that Yankee spirit of "we take care of our own," not wanting "to turn to charity," yet at the same time facing very rugged winters, some of which now, with fall weather, are on their way. So when we think about Maine, it is not all L.L. Bean catalogs and fall foliage. It is some very serious problems.

We want to work with the Senator on it. Know that we face some of these same rural issues in our own home States. I thank the Senator for bringing even more heightened visibility in our debate.

The PRESIDING OFFICER. The Senator from Maine.

MS. COLLINS. Mr. President, I thank both my colleagues for their assurances. I hope we have sent a very clear signal to HUD that it needs a funding process that ensures the needs of our homeless men and women and children, no matter where they live, are being met. It is particularly important in a State such as Maine, where our winters can be quite severe, that we provide that kind of shelter and assistance in helping people not only get a bed for the night but to put their lives back together.

I thank my colleagues very much for their assistance in this matter, and I yield the floor.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. BAYH. Mr. President, I begin my brief comments this afternoon by com-

plimenting our colleagues, Senators BOND and MIKULSKI, for a fine piece of work on this legislation under what were less than ideal circumstances, I am sure. I know they have labored long and hard to craft a bill that will meet the needs of our fellow constituents across the country. I, for one, appreciate their labors.

I rise in the spirit of making this product even better. In particular, I rise in support of what I understand will be an amendment offered by Senator KERRY in the area of section 8 housing. I do so not only because I believe the merits of his amendment warrant our support, but also because I believe the American dream of quality affordable housing should be extended to every citizen across our country because I believe in the emphasis that we have been placing upon personal responsibility. Along with that must go the tools to ensure that every person has a chance to make personal responsibility become successful, and no one can deny that quality affordable housing is one of those basic building blocks of opportunity in our society.

Finally, I rise in support of this prospective amendment because I believe in fiscally responsible solutions to the challenges that face America. Few can argue that quality affordable housing is a challenge that continues to face our great country.

For well nigh a generation, there was a bipartisan consensus across our land for quality affordable housing for all Americans. This consensus was interrupted in 1995, when additional section 8 housing opportunities were frozen in place after more than 2 million Americans had been helped over the previous 18 years. Starting this fiscal year, we began to see a thaw in the freeze, but unfortunately the legislation now before this body would reinstitute that freeze. It is ironic that at a time of unparalleled prosperity for so many Americans we should see a freezing of the opportunities in the area of affordable housing. While 1 million elderly are finding themselves in a position where more than 50 percent of their disposable income is spent on rent or substandard housing, 2 million families with children find themselves in this position. More than 22,000 Hoosier families in my capital city of Indianapolis alone find themselves in a position of devoting a majority of their household income to rent or to substandard housing.

As we gather, 1 million Americans find themselves on waiting lists. The question before us is, How long must they wait. In some cities—Philadelphia, Los Angeles and others—families find themselves in a position of waiting for years, waiting with dreams deferred, hopes delayed, opportunities lost, this at a time when our robust economy and market conditions are driving rents up, pricing too many American families out of the market for quality affordable housing.

My answer to the question of how long they must wait is that the time is

now to act. The time is now to act to extend the opportunity of quality affordable housing to every corner of the land, to prevent this from becoming the first generation of Americans to be divided into classes of haves and have-nots. Now is the time to put flesh on the bones of personal responsibility, to ensure every family that is willing to work hard, play by the rules and save has a chance to get ahead and realize the American dream of quality affordable housing.

Now is also the time to put into place fiscally responsible solutions to the challenges that face our great land. This proposed amendment by Senator KERRY is fiscally responsible. We will be taking money that was saved from this year's budget in unused welfare-to-work vouchers and using it for 50,000 new section 8 vouchers, which are also important for making the welfare-to-work process a success.

I add my voice as strongly as I know how to Senator KERRY, to the Secretary of Housing, to Senator MIKULSKI, and my other colleagues who believe if we are to be a great nation, and not just a prosperous one but a compassionate one, we must address the unmet needs of housing for those who are less fortunate across our land. I conclude my remarks by saying: If not now, when our land is filled with plenty, then when?

I urge the adoption of this amendment. Again, I thank Senators BOND and MIKULSKI for their yeoman's work. I think we can make a good bill even better by adopting this amendment.

I yield the floor.

Mrs. HUTCHISON addressed the Chair.

The PRESIDING OFFICER. The Senator from Texas.

Mrs. HUTCHISON. Mr. President, I rise in support of the VA-HUD appropriations bill. I am a member of the Subcommittee on VA, HUD, and Independent Agencies, and I know the severe funding challenges faced by Senator BOND, our chairman, and Senator MIKULSKI, our ranking member.

They and their staffs have done an outstanding job in meeting the many priorities of this bill: critical health care services for veterans, homeless assistance funding for continued research in space, and funding for important environmental infrastructure projects along the United States-Mexico border.

I can't adequately describe the pride I feel in the committee's decision to make veterans programs the highest priority in the bill. The committee provided \$1.1 billion above the President's budget request for medical care for veterans. This increase will help address newly emerging health care challenges, such as the high incidence of hepatitis C among veterans, emergency care, technological advances in medicine, patient safety, and long-term and end-of-life care. I appreciate the commitment and sacrifices made by the men and women who served our country in wartime. This increase is worthy of them and worthy of the Senate.

I am proud of the committee's decision to fully fund NASA at \$13.6 billion. The House dealt NASA a devastating blow in their VA-HUD bill, cutting the programs by almost \$1 billion. The funding provided in this bill underscores the Senate's ongoing support for exploration of the final frontier, including the space shuttle and the international space station.

The international space station is the most ambitious scientific project ever undertaken. The efforts and resources of 14 nations are involved in the design, construction, and operation of the orbiting laboratory. Assembly of the international space station has already begun. We expect the international space station to provide unparalleled scientific research opportunities. It will enable advances in medicine, materials science and earth observation, new technologies developed in a microgravity environment, and accelerate the technology and engineering in Earth-based industries. Quite simply, the space station will maintain U.S. global leadership in space science and technology. And its successes will be felt by all of us here on Earth. The space shuttle's capabilities and versatility are unmatched by any spacecraft in the world. The space shuttle has been, and will continue to be, a critical element in space exploration well into the 21st century. The shuttle is also the vital transportation link in the assembly and utilization of the international space station. With plans, upgrades, and improvements by both NASA and industry, the space shuttle will continue to play a major role in future space exploration.

Finally, we are providing the ongoing support of the Senate for the poorest part of our Nation, the United States-Mexico border. This bill provides \$50 million for critical water and wastewater projects on the southwest border, most of which will be administered by the North American Development Bank.

As an aside, when I first came to the Senate, I brought up the critical issue of environment and diseases on the border. It was at that time when the now ranking member, Senator MIKULSKI, was the chairman of the subcommittee and she said, "This is outrageous in America and we are going to do something about it." That was the first funding that we got for the colonias on the border, where citizens of our country are living in filth. I appreciate that. We have added to that \$50 million every year since I have been in the Senate, and now under the leadership of Chairman BOND.

Washington, DC, is a long way from the border. Recently, I visited colonias—these colonies—along our border that have no infrastructure. I visited colonias near Laredo and McAllen, TX. On rainy days, the unpaved streets in these colonias wash out, making it impossible for schoolbuses to enter the neighborhood. Children walk to school on mud-filled

streets and yards, sometimes flooded with human waste that is overflowing from inadequate septic systems. Texas has nearly 1,500 of these subdivisions, with a population of nearly 350,000 people. The numbers in the other southwest border States are equally as staggering.

The \$50 million we provide in this bill, added to the \$300 million that has accumulated in years past, continues the commitment we have made to end this national shame. No person in the United States should live as do the people in these colonias. I appreciate Senators BOND and MIKULSKI working with me to give this matter the proper attention in our subcommittee.

I also want to mention we are working on another amendment that would deal with the phase II stormwater sewer regulations that are so important to our smaller counties around the country. I hope the EPA will work with us to try to make sure we don't put regulations on these smaller counties that they can't possibly accept and do not have the funding to do.

The VA-HUD appropriations bill is good for our Nation. I thank the chairman and ranking member for their hard work and sensitivity to the critical issues in this bill.

I yield the floor.

Mr. DEWINE addressed the Chair.

The PRESIDING OFFICER. The Senator from Ohio is recognized.

Mr. DEWINE. Mr. President, I ask unanimous consent to proceed as in morning business for 15 minutes.

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

(The remarks of Mr. DEWINE and Mr. HAGEL pertaining to the introduction of S. 1617 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

The PRESIDING OFFICER. The Senator from Maryland is recognized.

Ms. MIKULSKI. I thank the Chair.

Mr. President, first I would like to ask unanimous consent that Senator DICK DURBIN be added to amendment No. 1744, the Byrd, Stevens, Bond, Mikulski \$600 million VA-HUD amendment.

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

AMENDMENT NO. 1777

(Purpose: To make an amendment with respect to a special purpose grant for the community of Kohala in the County of Hawaii.)

Ms. MIKULSKI. Mr. President, I wish to propose a technical amendment in behalf of Senator INOUE. This amendment is simply a technical and correcting amendment. It makes a technical correction to a HUD grant previously awarded to Hawaii. It has been cleared on both sides of the aisle.

The PRESIDING OFFICER. The clerk will report.

The legislative assistant read as follows:

The Senator from Maryland (Ms. MIKULSKI), for Mr. INOUE, proposes an amendment numbered 1777.

Ms. MIKULSKI. 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:

At the appropriate place, insert the following:

SEC. _____. Notwithstanding any other provision of law, the amount made available under the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1991 (Public Law 101-507) for a special purpose grant under section 107 of the Housing and Community Development Act of 1974 to the County of Hawaii for the purpose of an environmental impact statement for the development of a water resource system in Kohala, Hawaii, that is unobligated on the date of enactment of this Act, may be used to fund water system improvements, including exploratory wells, well drillings, pipeline replacements, water system planning and design, and booster pump and reservoir development.

Ms. MIKULSKI. Mr. President, as I commented, it is technical and correcting and has been cleared on both sides.

Mr. BOND. Mr. President, we accept the amendment and urge its adoption.

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

The amendment (No. 1777) was agreed to.

Ms. MIKULSKI. I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

Ms. MIKULSKI. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative assistant proceeded to call the roll.

Mr. BOND. 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. BOND. Mr. President, this is a good time to do a couple of things. We started off with a good pace and had a major amendment approved by voice vote. Then we had votes on two more amendments. We have had some wonderful speeches and some great colloquies. We are open for business. It is daylight. We want to get people here because we face a tremendous deadline with the end of the fiscal year approaching. We need to get this bill passed this week to make sure we keep these agencies funded. I ask colleagues on both sides of the aisle, please, if you have amendments, colloquies, or items we need to deal with, please bring them. Otherwise, I am ready to go to third reading in the not too distant future.

Something has been brought up which I hope we can spend some time discussing. A number of my colleagues have talked about the tremendous need for housing. They have equated that with the need for additional section 8 incremental or additional assistance.

I want to go through some of the difficult problems we face. Perhaps as I straighten out in my own mind the complexity of section 8, my colleagues will understand why we came to this point. This bill does not provide any of the 100,000 incremental section 8 vouchers requested by the President. The addition of these vouchers to the bill would cost an additional \$578 million per year. Last year, we agreed to the President's absolutely necessary request for 50,000 additional section 8 vouchers. We pointed out at the time that this caused a real problem, and we would need additional money to fund them in future years. The representatives of the administration assured Members they would make provisions for that additional required budget authority.

What did we get this year from the administration? We received a request that we defer \$4.2 billion in budget authority to the following fiscal year. In other words, they were not able in their budget presentation to fund existing certificates, the section 8 vouchers, before we added the incremental, and they asked that \$4.2 billion be deferred. In other words, their recommendation to us was \$4.2 billion less than is needed to renew section 8 vouchers on a full-year basis in fiscal year 2000. That ought to demonstrate there is a problem.

Let me explain as best as I understand it what the problem is. The section 8 account is one of the most difficult accounts for funding in the bill. Not only would the administration's request for 100,000 new incremental vouchers result in an annual cost of almost \$600 million each year, it does not acknowledge or address the long-term funding needs of this account. Let me be specific. We currently fund some 3 million section 8 vouchers or assisted living units, as well as 1.5 million public housing units. Much of the cost of these 3 million units is hidden, meaning the annual cost in outlays is some \$20 billion. In other words, we are paying out this year \$20 billion in section 8 vouchers. We appropriate around here on budget authority. Most of the costs were accounted for in previous year's budgets when the Congress approved long-term 15-year and 20-year section 8 contracts.

Now, the budget authority was committed in future years, but they said OK, Congress, you are going to have to pay out all that money each year in outlays. What is even worse, the budget authority requirement each year goes up because as contracts expire, we renew contracts on a year-to-year basis. We have to put that budget authority in each year's budget. As these contracts expire, we have to pay for the expiring contracts as an annual recurring cost in the section 8 account.

Let me show you a chart. This is how the budget for section 8 has gone up. In fiscal year 1997, we only had to appropriate \$3.6 billion in budget authority to cover the \$20 billion or so, almost

\$20 billion in section 8 vouchers. The next year, we had to come up with budget authority of \$11.1 billion. In the current year we would have had to come up with \$12.8 billion, but we have adopted, because of the tight budget, the administration's proposal to defer \$4.2 billion of that into fiscal year 2001.

Guess what happens. We are coming into fiscal year 2001 about \$8 billion short in budget authority. If we are to fund the existing contracts next year, we are going to have to come up with \$8 billion more in budget authority. The news does not get any better. The next year, we would have to come up with \$15.6 billion, the next year \$17.0 billion, the next fiscal year 2004, \$18.2 billion.

This year, the administration has requested and we have proposed deferring \$4.2 billion. So we took the easy out. The only easy out was deferring that \$4.2 billion in budget authority for those portions of the section 8 vouchers which would actually have to be funded, actually outlayed in fiscal year 2001.

That is confusing. I have worked on it for a long time. I am happy to work with any of my colleagues who have questions about it. With the help of staff, I think we can explain it. However, we made long-term commitments in budget authority. Each year, we have been spending outlays at a very high level. However, we can't get the budget authority to rise to the level needed to maintain those outlays.

What is worse, in the HUD budget submitted by OMB—this is their 10-year budget. This is the budget projection they sent us—for this year, they said budget authority is right about what is needed, close to \$14 billion. But for the coming year, the next year, they have lowered that to \$11.3 billion for BA.

Here is the BA need creeping up each year. Each year, it increases. The long-term projection of OMB, the President's budget, the budget of the Department of HUD, is to keep that budget authority at a flat level of \$11.3 billion. What would happen if that occurred? Very simply, 1.3 million families or elderly or disabled would have to be kicked out of section 8 housing over the 10-year period. We do not have the budget authority, we do not have the funds, to continue supporting those residents who depend upon section 8 housing. That, to me, is a major problem. We have been forced, out of necessity, to defer \$4.2 billion in section 8 assistance until 2001.

While we have adopted this proposal—some would call it a gimmick—let's say, because everybody seems to agree on it, this necessary budget tool for the year 2000, we have done so unwillingly and with the great concern that this will create a nearly untenable budget hole for next year, 2001, when we have to fund section 8 contract renewals by an increase of some \$8 billion, for a total of \$14 billion.

In fiscal year 2000, some \$6.8 billion was needed for section 8 contract re-

newals, but in 2001 we have to make up the \$2.2 billion in advance appropriations. So we are going to have to find some way to get an additional \$6.8 billion and still defer the budget authority for outlays in future years to those future years.

I am extremely worried about how HUD is handling this very complicated and difficult problem. We understand that HUD has underestimated renewal needs for this year and is close to running out of section 8 renewal funds. We are very concerned that we will not be in this position when that happens next year.

The problem is, as I said in my opening statement, that HUD is a high-risk area designated by the General Accounting Office, the only Department so designated. HUD's management deficiencies are particularly acute in the section 8 area.

Part of the problem is that HUD loses some \$900 million per year in its public and assisted housing programs due to fraud and abuse in the collection of rent in the assisted housing program. If HUD and its agents were able to collect this \$900 million, some 135,000-plus additional low-income families could receive section 8 assistance annually. That is why we have added \$10 million in this budget for the inspector general to hire outside professional help to try to identify where those funds are being lost and to find some means of recovering those because that is a tremendous loss.

Let me explain another problem. A major problem with section 8 is, while section 8 is one of the most important Federal housing programs, it is not a panacea for providing affordable housing for low-income families. While vouchers do provide choice in housing for low-income families, the fair market rent restriction is currently set at the 40th percentile of the housing market, and therefore it severely curtails housing choice. As a practical matter, this has created market distortions in the availability of section 8 housing, leaving many low-income assisted families in very-low-income neighborhoods living in substandard housing.

In a number of areas, families with vouchers are unable to use their vouchers to obtain affordable housing. I am told in St. Louis County their public housing authority has to release 100 vouchers to get 50 vouchers that are actually used because half the people who are given the vouchers cannot find housing. The lack of choice can also result in de facto redlining.

HUD has also suggested that incremental vouchers will mean the construction of new low-income housing units. I disagree. There is absolutely no evidence that incremental 1-year section 8 assistance will ever leverage construction funding. When we went from the 15- or 10-year down to 1-year, we took away the financing incentives and the basis for constructing low-income housing to fulfill section 8 needs.

I agree with HUD in that we do not have enough low-income housing units.

We need to develop a housing production program with deeper targeting than the low-income housing tax credit program. This should be a theme in the next Congress. We need to continue to fund HOME and CDBG, which are used by communities to provide additional housing. We need the additional funds we put in section 202 housing to build housing for the elderly. We need to continue to work with organizations that are present in every State, and which we celebrated in Missouri on Monday with the 100,000th home through the Enterprise Foundation. Enterprise, Enlist and others are building affordable homes. Habitat for Humanity does a great job of rebuilding homes.

But, frankly, there are many problems with the availability of affordable housing that go far beyond the availability of incremental section 8 vouchers. We have not identified the means to pay for the section 8 vouchers that we have already. Unless and until we do, I fear it is a hollow promise, to add incremental vouchers when we cannot assure that those people who now have them will be able to continue to get the vouchers and continue to get that housing assistance in the future.

I assure you, this committee, and I believe everybody in Congress, wants to continue them. We are going to do everything we can to assure renewal, but right now it is a huge financial and budgetary task. We do not have the answers on how we are going to do it. Before we start adding incremental housing, I ask that somebody sit down and work with us on how we will pay for them next year, the year after, and the year after.

We are going to be revisiting this issue frequently on the floor. I wanted to give that background so people will know what I am talking about when I say we have a tremendous wave of needs coming in for budget authority for section 8. We do not have the money. There is no projection we are going to get it. Before we continue to increase that outyear bow wave, we need to have some assurance we will be able to fund it.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

AMENDMENT NO. 1778

(Purpose: To increase funding for lead hazard control)

Mr. REED. Mr. President, I have an amendment at the desk which I ask be called up.

The PRESIDING OFFICER. The clerk will report.

The legislative assistant read as follows:

The Senator from Rhode Island [Mr. REED], for himself, Ms. COLLINS, and Mr. TORRICELLI, proposes an amendment numbered 1778.

Mr. REED. 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:

On page 42, line 12, strike "\$80,000,000" and insert "\$100,000,000".

At the appropriate place in title II, insert the following:

SEC. ____ (a) There is appropriated out of any money in the Treasury that is not otherwise appropriated for fiscal year 2000 for expenses necessary to carry out section 1011 of the Residential Lead-Based Paint Hazard Reduction Act of 1992, \$20,000,000.

(b) Each amount appropriated or otherwise made available for each program, project, or activity relating to salaries, expenses, and program management under title I, II, or III of this Act (other than this section) that is not required to be appropriated or otherwise made available by a provision of law is reduced by the uniform percentage necessary to reduce the total amounts appropriated for such programs, projects, or activities by \$20,000,000.

Mr. REED. Mr. President, let me thank my colleague, Senator FEINGOLD from Wisconsin, who was here before but graciously allowed me to go ahead to introduce this amendment.

Also, having come to the floor earlier today and not only commended Chairman BOND and ranking member MIKULSKI for their valiant efforts to reach priorities in very limited financial circumstances, I will announce up front I am going to propose this amendment which would increase lead funding as a means to talk about the issue, but I will withdraw the amendment in recognition of not only the serious efforts the chairman and ranking member have made, but also in recognition that last year when I came to the floor, both Senator BOND and Senator MIKULSKI were instrumental in increasing the appropriation by \$20 million and, indeed, holding that appropriation at conference. So I am very confident, with their efforts, they will continue to work hard to make sure this remains a critical priority.

The problem of lead exposure to children in the United States is something that I believe is critical, one that we must address. I have been supported in that opinion by many of my colleagues.

Earlier this year, 14 of my colleagues joined me in a letter urging the chairman and the ranking member to do all they can to increase appropriations for lead abatement in this appropriations bill. Those colleagues include Senators JEFFORDS, SPECTER, LEAHY, LAUTENBERG, CHAFEE—my colleague from Rhode Island—SCHUMER, DODD, LIEBERMAN, KERRY, BOXER, KOHL, SNOWE, TORRICELLI, and DURBIN. All of them from across this country recognize the critical need to eliminate lead exposure, particularly with respect to children.

But there are two of my colleagues who deserve particular praise. Senator COLLINS and Senator TORRICELLI are cosponsors of this amendment. Senator COLLINS has been a strong and very effective advocate for this program of lead abatement.

I was pleased to join her in Providence, RI, several weeks ago for a hearing of the Public Health Subcommittee, where we looked at lead

paint exposure to children in Rhode Island. It was a very good hearing. I am pleased to say I will be able to join Senator COLLINS in Maine in a few weeks to have a similar hearing.

Senator TORRICELLI and myself have been very active not only with respect to this issue but also with respect to the issue of appropriate screening and treatment for children who have elevated levels of lead in their blood systems.

I admit that over the last 20 years we have made significant progress in our society with respect to exposure to lead principally because we have banned lead paint, we have banned lead solder in food cans, and we have delead gasoline. This has resulted in significant reductions.

But, nevertheless, nearly a million children enter kindergarten each year with elevated levels of lead in their blood. This is a preventable problem. This is a problem, if it is not prevented, that causes serious cognitive development problems with children. This is also a problem that is not exclusive to one part of the country.

In fact, if you look at cities across the country, you will see there are elevated blood lead levels in children.

In Baltimore, for example, there is a lead poisoning rate of 27.9 percent. Almost 30 percent of the children who are tested have elevated lead levels. In Milwaukee, 22.5 percent; St. Louis, 23 percent; Chicago, 20.6 percent; Philadelphia, 38 percent; and Memphis, 12.1 percent. This is a nationwide problem. The major cause of this exposure is lead paint in the homes of these children.

Indeed, children who are in low-income circumstances, particularly children who are living in housing that was constructed before 1974, are significantly vulnerable to lead exposure and lead poisoning.

More than half the U.S. housing stock was built prior to 1978, so as a result we have thousands and thousands of units that still contain lead paint which is the source of contamination for these young children.

In fact, it has been estimated that 20 million housing units throughout the United States contain hazardous levels of lead paint.

In my home State of Rhode Island, it is estimated that about 90,000 units present moderate to high lead paint exposure risks to children who live there.

This is a very difficult and expensive problem to deal with. It has been estimated that to modify and to remediate all these homes in my own home State, it would cost about \$300 million. To deal with every seriously contaminated residential unit in the United States would cost something on the order of \$500 billion. But those costs also must be measured against the cost of doing nothing, the cost of allowing children to be exposed to lead paint, and those costs are dramatic and severe.

Many educators point to lead paint exposure as one of the reasons why special education costs are so high. In

fact, it has been estimated that children with elevated levels of lead in their blood are seven times more likely to drop out of school before finishing high school. These costs are significant and severe. I think we have the obligation to try to remedy this problem before these children are exposed, before their academic, intellectual, and emotional development is impaired by exposure to lead.

Since 1992, the Office of Lead Hazard Control in HUD has been dealing with this issue, principally through their Lead-Based Paint Hazard Control Grant Program. They have been able, since 1993, to provide \$435 million to the States—31 States and the District of Columbia—to deal with this issue.

These States have used the money for testing young people for exposure, inspecting and testing homes, modifying homes; in fact, to even relocate children who are exposed and the home cannot be modified.

I have seen the results in Rhode Island.

Since 1993, in Rhode Island, we have been able to perform lead abatement in more than 500 homes. But it costs money, the kind of resources that we need to incorporate in this bill, the kind of resources that are necessary to address a problem that spans this Nation.

My amendment would propose an increase of \$20 million for the Office of Lead Hazard Control. It would be offset by an across-the-board cut in salaries, expenses, and other program management budget items in the HUD budget.

AMENDMENT NO. 1778, WITHDRAWN

Recognizing the severe constraints that the chairman and the ranking member are laboring under, recognizing the fact they are already demonstrating a commitment to provide for these resources, I withdraw this amendment in the hopes that as we go to conference, under the leadership of Senator BOND and Senator MIKULSKI, we can find additional resources to address this extremely important and critical issue that affects the health and welfare of our children.

The PRESIDING OFFICER. The amendment is withdrawn.

Mr. REED. I again thank the chairman and the ranking member and yield the floor.

Mr. FEINGOLD addressed the Chair.

The PRESIDING OFFICER. The Senator from Wisconsin.

FEDERAL DAIRY POLICY

Mr. FEINGOLD. Mr. President, I rise today to discuss possible legislation that would devastate family dairy farmers throughout the Upper Midwest.

I understand that the Agriculture appropriations conference committee may report a bill that contains poison pill dairy amendment that threaten the livelihood of dairy farmers throughout the United States.

I call them poison pills because they threaten to scuttle the entire Agriculture appropriations bill.

It is my duty to my constituents as a Senator from the great dairy State of Wisconsin to make my colleagues aware of these possible actions, and their insidious effects on America's dairy industry, and the effect they may have on our ability to move legislation in these waning days of the 104th Congress.

Our current system is hopelessly out-of-date, and completely out-of-touch with reality. Fortunately for our farmers—and I am grateful for this—the USDA has proposed a rule that would begin to modernize our antiquated system.

According to the Secretary of Agriculture, the new system “more accurately reflects the current market condition, is fairer to farmers and consumers alike, modernizes and reforms an antiquated system sorely in need of streamlining and revision.”

In fact, according to the USDA, dairy farmers would have earned 87 cents per hundredweight more for Class I milk under USDA's reforms than under the current system.

For 60 years, America's dairy policy has both imposed higher costs on taxpayers and consumers, and at the same time destroyed tens of thousands of family farms.

This destructive policy has to go. We need to restore equality to milk pricing, stop regional bickering, and work to ensure that all of our Nation's dairy farmers get a fair price for their milk. My message is simple: our Federal dairy policy is hopelessly out of date, fundamentally unfair, and in dire need of reform.

Congress created the current Federal dairy policy 60 years ago when the upper Midwest was seen as the primary producer of fluid milk. During the Great Depression, many worried that consumers in other parts of the country, including young children, did not have access to fresh milk because of inadequate refrigeration and transportation technology.

To address these concerns, Congress at that time set up the so-called Eau Claire system, under which producers were reimbursed according to their distance from the small town—I shouldn't say small town; it is a pretty good-size town for Wisconsin—the great town of Eau Claire, WI, in my home State. It is a little unfair to call this the Eau Claire system because it is a lousy system and Eau Claire is a great town. I like calling it the anti-Eau Claire system. My daughter is happily ensconced at the University of Wisconsin at Eau Claire, a huge fan of Eau Claire. But it is generally called the Eau Claire system. So be it.

This is how it works. The farther away a farmer lives from Eau Claire, WI, the more he receives for his fluid milk. Under this system, Eau Claire, WI, geographically, is ground zero when the fallout of artificially low prices lands most harshly on Wisconsin dairy farmers and their neighbors in the upper Midwest.

Back in the days of the Great Depression, apparently this system seemed to be a great idea. But like delivery in old metal milk cans, the current system is obsolete, failing to meet the needs of either producers or consumers. Six decades ago, the poor condition of America's infrastructure and the lack of portable refrigeration technology prevented upper Midwest producers from shipping their fresh milk to other parts of the country. In order to ensure an adequate milk supply in distant regions, Congress authorized higher fluid milk prices outside the upper Midwest. These higher prices are referred to as class I differentials. Let's take a look at how this system rewards producers in different parts of the country.

This chart illustrates the class I differential received by dairy farmers throughout the United States. In Eau Claire, WI, the class I differential is \$1.20 per hundredweight. You will notice that it is \$1.40 in Chicago. It is \$1.92 in Kansas City, MO, and \$3.08 in Charlotte, NC. Our friends in Florida receive \$3.58 in Tallahassee and \$4.18 per hundredweight in Miami for the exact same amount of milk that we produce in Wisconsin. So class I differentials are an arbitrary measure of the cost of milk production.

In fact, in recent years, when our dairy farmers have tried to sell their milk in Chicago—in Chicago, a very close distance to Eau Claire and the other Wisconsin communities compared to other places in the country—when they have tried to sell their milk in Chicago, they have been beaten out of that market by milk from the South and the Southwest. That is a sign of an archaic system. This archaic system was designed to make these regions produce milk for their own needs so children in Texas could have fresh milk, not so their producers could unfairly compete against Wisconsin dairy farmers in Chicago. Unfortunately, this system worked too well. The chief result of this system, the only real result of this system, as far as I am concerned, is that our Midwestern farmers are now subsidizing farmers in the Southeast and in the Northeast through these higher class I differentials.

Of course, a great deal has changed since the creation of the current system. We can now easily and safely transport perishable milk and cheese products between the States and throughout the country. The industry has perfected the system to such a degree that we can export cheese to countries all over the world. It seems almost comical that in an age when you can order milk through the Internet, our Federal milk pricing system continues to be based on an irrelevant factor. That factor, again, is a producer's distance from this wonderful Wisconsin community of Eau Claire, WI. That is what this whole thing is based on, how far the farmer is from Eau Claire, WI.

Unfortunately, the current system's effects on farming communities are

anything but common. The current milk pricing system has been putting family dairy farms out of business at an alarming rate. Since 1980, my home State of Wisconsin has sadly lost nearly one-half of its dairy farms. This isn't starting with 2,000 or 3,000 dairy farmers. This is starting with 45,000-plus dairy farmers. We are below 25,000 now. That is since 1980 that we have experienced that kind of loss.

The trend is accelerating. Between 1990 and 1998, in those 8 to 9 years, Wisconsin lost 11,000 dairy farmers. So the overwhelming message I hear from family dairy farmers in Wisconsin and Minnesota and throughout the Midwest is that we need milk marketing order reforms. We desperately need a new dairy policy, one that does not arbitrarily penalize the Midwest and devastate the small farmer. We must replace this outdated Depression-era system with a new policy that ensures our Nation's dairy farmers get a fair price for their milk.

Ironically, one of the few changes, one of the only changes, we have had at all to Federal dairy policy over the last 60 years has accelerated the attack on small farmers. It has made it worse. Of course, I am referring to the now infamous Northeast Dairy Compact.

During the consideration of the 1996 farm bill, Congress sought to make changes in the unjust Federal pricing system by phasing out the milk price support program and reducing the inequities between the regions. Unfortunately, it didn't work. Unfortunately, because of backdoor politicking during the eleventh hour of the conference committee, America's dairy farmers were stuck with the devastatingly harmful Northeast Dairy Compact. It could happen again. The temporary fix of the compact may yet be extended again. We in the upper Midwest cannot stand for that or any change that further disadvantages our dairy farmers, the ones who are left, not the over 20,000 who are gone but the less than 25,000 who remain. We are determined to keep them in business.

The Northeast Dairy Compact accentuates the current system's inequities by authorizing six Northeastern States—Vermont, Maine, New Hampshire, Massachusetts, Rhode Island, and Connecticut—to establish a minimum price for fluid milk, higher even than those established under the Federal milk marketing order. The compact not only allows these six States to set artificially high prices for their producers, it permits them to block entry of lower-priced milk from producers in competing States. Further distorting the markets are subsidies given to processors in these six States to export their higher-priced milk to noncompact States.

Despite what some have argued, the Northeast Dairy Compact doesn't even help small Northeast farmers. Since the Northeast first implemented its compact in 1997, small dairy farms in the Northeast, where this is supposed

to help, have gone out of business at a rate of 41 percent higher than they had in the previous 2 years—41 percent higher. In fact, compacts often amount to a transfer of wealth to large farms by affording large farms a per-farm subsidy that is actually 20 times greater than the meager subsidy given to small farmers.

Fortunately for America's dairy farmers, the 1996 farm bill also included language requiring the U.S. Department of Agriculture to replace the current depression-era milk pricing system with a much simpler regulatory plan. After 3½ years of study and thousands of comments from America's dairy farmers, the USDA published a final rule that consolidates the complex web of Federal milk marketing orders and also reforms the price of class I milk.

Mr. President, 59,000 dairy farmers—59,000—participated in a recent referendum, and over 96 percent of them voted in favor of USDA's final ruling.

While the USDA's reforms are a welcome improvement, they are only a modest first step in improving the current system.

Let's take a look, then, at the final rule's effect on the different milk marketing orders. This chart illustrates the producer class I benefits under the current system, and the USDA's Federal milk marketing order rule. This benefit simply multiplies the class I differential with the utilization rate, or the percentage of class I milk produced in that region. As you can see, upper Midwest producers will continue to get the short end of the stick. They will receive a 38-cent-per-hundred-weight benefit under the new rule. In contrast, Northeast producers will continue to receive a high per hundred-weight benefit of \$1.20, and producers in Florida will receive a whopping \$3.95 per hundredweight class I benefit.

Unless we follow-up on these reforms and lower the class I differentials, we will continue to lose small dairy farms throughout the United States. Loss of these farms has already devastated rural America for far too long, especially in the upper Midwest.

Mr. President, unfortunately, our Nation's dairy farmers are not out of the woods yet. Some in Congress believe that they know better than America's dairy farmers and wish to prevent these moderate reforms, or to circumvent the entire rulemaking process altogether. Who in this Congress knows more about dairy farming than 96 percent of America's dairy farmers?

As Congress considers any future dairy reforms, I urge my colleagues to recognize the national nature of milk marketing, the corrosiveness of artificial regional pricing schemes, and the need for comprehensive reforms. We must recognize the inequalities inherent in our current system and work to ensure that our Nation's dairy farmers get a fair price for their milk.

If Congress does not act quickly, our Nation's family dairy farms will con-

tinue to suffer. Let me be clear. I will use every means available to a Senator to ensure that these necessary reforms go forward and that compacts do not. America's dairy farmers deserve nothing less.

After all, approving USDA's final rule is a moderate first step to arresting the devastating effects of the current Federal milk marketing order system.

Dairy compacts are simply no way to legislate a national dairy policy. I would like to make my colleagues aware of some of the effects the dairy compacts can have on consumers and taxpayers.

Let me begin by citing from an article called "Dairy Compacts A Sour Deal For All U.S. Farmers." The sub-headline is, "The Agreements Threaten to Undermine Export Growth For The Rest Of American Agriculture," by Dennis T. Avery, of the Hudson Institute. It says:

Enthusiasm for "dairy compacts" is sweeping America. Nearly 30 states now seem likely to pass legislation for such compacts, which are designed to bar dairy products from outside a state or region.

The U.S. government has already authorized such a dairy compact for New England, and dairy farmers recently staged a Washington fly-in to rally congressional support for expanding the concept.

Supporters of these compacts are trying to recreate a dairy industry of price supports and supply management. Such a vision is incompatible with reducing tariffs on other farm commodities or ending Europe's price-depressing export subsidies.

Europe dumps huge amounts of dairy products, along with wheat, foodstuffs and meat, onto the world market at prices far below cost, depressing world markets.

U.S. dairy compacts threaten to undermine export growth for the rest of American agriculture and fly in the face of liberalizing farm trade.

Free farm trade can't be arranged one commodity at a time. What U.S. dairy farmers are considering could limit the potential for lowering trade barriers on beef, pork, corn, wheat, soybeans and poultry.

Although dairy farmers have never seen themselves as exporters, perhaps they should start. After all, this is an era of high-value cheese markets, chilled concentrated and ultra-heat-treated milk, and rising demand in industrializing countries like India.

Moreover, South Korea's bonds have regained investment status, after a year of being classified as lower-rated "junk bonds." Over the next three years the South Koreans will lead a parade of Asian countries back into the realm of economic growth.

At the moment, however, dairy farmers are willing to write off export markets. Producers of other commodities can't do that—exports are their only path to prosperity.

Mr. President, I also want to make my colleagues aware of the effects on consumers and taxpayers. The Washington Post said it well in an April 6, 1999, editorial entitled "The Price of Milk":

The government sets the price of milk in this country. That's not all bad. Prices are somewhat higher than they would be if left to the market, and some inefficient dairy farmers are kept in business. But supplies of the perishable product are adequate, and small producers are protected against what

otherwise might be the predatory and harmful tactics of large buyers.

Agriculture Secretary Dan Glickman has just completed a congressionally required review of the system whereby the government plays God in the market. He has proposed some changes that would rationalize it in certain respects. But he has found the basic balance between the interests of producers and consumers about right. There may be a lesson in that as Congress struggles with the question of how much to support the prices of other commodities or the incomes of their producers.

In the 1996 farm bill, a new Republican Congress acted according to conviction, and against political interest as conventionally defined, to put farm supports on a declining path. The theory was that if farmers grew for the market rather than for the government, they and the consuming public alike would be better off. The rollback worked well for a couple of years, while prices and supports were both still high. Now, both have fallen, and even some sponsors of the legislation, if not quite wondering whether they went too far, are busily seeking extra aid.

Compelling points can be made on both sides of this argument. The economists are right that artificial price supports are costly in that they shelter inefficient producers. But supports when not excessive also protect against swings in price and production that can harm consumers and producers alike. Costs are involved in going too far in either direction.

That's more or less where Mr. Glickman came out on milk. There was a fight about milk marketing orders in the context of the 1996 bill. Midwesterners thought—still think—that their region is disadvantaged by the system in that their efficient dairymen could undersell producers in competing regions were it not for the artificially high minimum prices that the marketing orders impose. They wanted to abolish the system unless it was radically reformed in their favor. Congressmen from less efficient areas were equally determined to preserve it, even members who in other contexts were devout free-marketers. In the end the two sides compromised by booting the issue to the secretary.

Mr. Glickman has proposed modernizing the inherited system in a number of respects, particularly with regard to the price differentials between various regions. On average, he would lower the price of milk by a couple of cents a gallon. But in general he would support the system as fair to both buyers and sellers of milk. If supports should not be excessive, neither should they be so low as to leave both sides in the milk transaction total prey to the market. That may not be an intellectually elegant standard, but it's probably right.

The dairy industry is an integral part of our Nation's culture in history.

Let's take a look at that role, if we can.

Before I do that, let me quote briefly from the New York Times article from Sunday, April 11.

Mr. KERRY. Mr. President, will the Senator yield for a question?

Mr. FEINGOLD. Mr. President, I will yield for a question without relinquishing my right to the floor.

Mr. KERRY. Mr. President, for those of us who are trying to bring up amendments on this bill, will the Senator, perhaps, give us an idea of how long he might proceed?

Mr. FEINGOLD. Mr. President, I am not certain how long I will be pro-

ceeding at this point. It will be for a while.

Mr. KERRY. I thank the Senator. I thank the Chair.

Mr. FEINGOLD. Mr. President, the New York Times has written a piece about "Bringing Markets To Milk," "A Pricing Policy Was Confusing. It Still Is," by Mr. Weinstein. I would like to read some portions of that. He writes:

Ponder a perverse question: What public policies would pummel the poor? Here is one answer: Impose a levy that falls more heavily on them than on the rich, singling out a staple in the diet of poor families and driving up its price.

No one would seriously entertain such an idea—no one, that is, except members of Congress.

Federal milk-pricing rules dating from the 1930's drive up the price that consumers pay for milk, in effect taking money from urban parents, among others, and handing it over to rural dairy farmers.

Proponents say the rules stabilize milk prices, thereby assuring reliable supplies across the country. But opponents say the system is archaic, Byzantine and unnecessary—a giveaway to the dairy farm lobby. And it's regressive: poor families spend about twice as much of their income on milk as do other families, on average.

Consumer advocates took heart three years ago when Congress told the Agriculture Department to improve the program. But their hopes were dashed recently when the department released its proposals, scheduled to go into effect on Oct. 1.

The new rules, the department said, would be "simpler, more market-oriented." But rather than taking a mallet to the program, the department wielded a toothpick. John M. Schnittker, an economist at Public Voice for Food and Health Policy, a nonprofit research group in Washington that plans to merge with the Consumer Federation of America, estimates that the current program raises the cost of milk an average of 18 cents a gallon. The department says its plan will cut prices by about 2 cents—a trim Mr. Schnittker calls "almost an insult."

The current rules impose a complex set of minimum prices that processors are required to pay farmers in each of the 31 marketing regions.

The department starts by setting a base price for milk used in the manufacture of products like cheese from a survey of prices in Minnesota and Wisconsin. Then it tacks on additional charges, mostly reflecting location, to set the minimum price for so-called fluid milk.

Kenneth C. Clayton, deputy administrator of the agency that runs the system, says the controls stop milk prices from gyrating wildly and make sure that milk flows from areas where there are surplus supplies, like upstate New York and Wisconsin, to areas where there is scarcity, like Boston and Chicago.

But he concedes that those flows would occur without Government guidance. What the rules do, he says, is "divide up the pie—insuring that dairy farmers capture more of the dollar that consumers pay to processors." Another set of complex rules dictates how the processors' payments are divided among farmers.

Many economists challenge Mr. Clayton's benign interpretation. Processors operate in reasonably competitive markets, the economists say, so if they are forced to pay more for milk, they have little choice but to pass on the added cost to customers. Mr. Schnittker points to studies that show consumer prices rising along with Government-imposed charges on processors.

He also challenges another rationale for the milk-pricing rules: Preservation of the family farmer. "Two-thirds of milk production comes from only about a quarter of the nation's dairy farmers," he said. "The milk-pricing rules overwhelmingly line the pockets of mega dairy farms."

The government's overhaul would simplify things by collapsing the 31 regions into 11. But it would also make the system more complicated, by setting the base price for milk use in manufactured products according to surveys around the country, rather than just the Midwest, and by adjusting the price to take into account the milk's protein content and other qualities using complex mathematical formulas.

Add charges to take account of location and some transition rules, and out come 600-plus pages of regulations. Some economists suggest that the rule-making would fit comfortably in the playbook of the former Soviet Union.

And though the proposal would bring down average milk prices a small amount, it would leave most of the high prices intact. Indeed, the proposal would actually raise the minimum price in some places, like Chicago, a decision more political than economic.

Critics point out that this is not the first time the Agriculture Department has sided with dairy farmers over consumers. It also approved the creation of a dairy cartel among farmers in the Northeast that blocks low-price imports. Milk prices in New England rose about 20 cents a gallon after the compact went into effect in July 1997.

Ms. MIKULSKI. Mr. President, will the Senator yield for a question?

Mr. FEINGOLD. Mr. President, I will yield without relinquishing my right to the floor for a question.

Ms. MIKULSKI. Mr. President, recognizing the right of the Senator to continue to hold the floor, we are trying to figure out how we are going to manage the VA-HUD bill, which was the pending business until we yielded for the Senator's unanimous consent. Would the Senator share with me approximately how long he will continue to speak so we can organize our other speakers and amendments?

Mr. FEINGOLD. Mr. President, the answer to the question is, I intend to speak for a fair amount of time.

Ms. MIKULSKI. What is the operational definition of that?

Mr. FEINGOLD. Mr. President, that may be determined more by factors that I can't control than my own intentions.

Ms. MIKULSKI. What is the Senator talking about—5 minutes or 5 hours?

Mr. FEINGOLD. Somewhere in between, probably.

Ms. MIKULSKI. Senator, I really do need senatorial courtesy because there are 99 other Senators trying to figure out what we are going to do with the rest of the evening. If the Senator would just share that with me, if the Senator wants to talk 5 hours, that is his business. If he wants to talk 10 hours, that is his business. But the pending VA-HUD bill is my business.

Mr. FEINGOLD. My pending business that I think needs to be addressed by the Senate and the Congress is the outrageous treatment of Wisconsin dairy farmers.

Ms. MIKULSKI. Is the Senator not going to answer my question?

Mr. FEINGOLD. Mr. President, my answer to the Senator's question is that this needs to be addressed, and that is why I am here.

Mr. President, I have the floor, I believe.

The PRESIDING OFFICER. The Senator from Wisconsin has the floor.

Mr. FEINGOLD. Mr. President, since the question has been raised, I think it is time to review what has happened on the floor of the Senate and in the Congress on this issue in the past.

What has happened on this issue is that we have fought this battle fair and square in the Senate, won the battle, and then every time we get to conference committee, somehow the will of this body is undone. In 1996, we had the only rollcall vote on the issue of the New England Dairy Compact, the Northeast Dairy Compact. I remember staying up until late at night lobbying Members, and we had a vote fair and square on whether or not we were going to set up this actually absurd notion of a New England Dairy Compact.

So what did we do? We won the vote fair and square. I think it was something like 50-46. I remember the wonderful help and support I received from the distinguished majority leader at the time, Senator Dole, in feeling it was a tough battle—one of these tough inter-regional battles—not a Republican or Democrat issue but that we had won fair and square. The House had not voted on the issue, but then they go over to the conference committee, and in the middle of the night, without any basis from the action of either House, they just stick in the conference committee the idea that the Secretary of Agriculture could create a region in New England that would establish an artificially high price for milk for only one part of the country to the disadvantage of farmers everywhere else.

That is how we got here. This was part of the so-called Freedom to Farm Act.

We had hopes that the Secretary of Agriculture, Dan Glickman, for whom I have great regard and have enjoyed working with, would understand what a mistake it would be to create this compact in the first place. We did everything we could to persuade him not to go down this road—that it wouldn't make sense; that it wouldn't save northeastern dairy farmers; that it wouldn't help consumers, and, in fact, would hurt consumers; that it would drive up production artificially in a way that would reduce prices for dairy farmers. I believe that is exactly what happened.

Secretary Glickman is a bright guy, and he has an open mind. He watched this for a year and a half. He concluded that the New England Dairy Compact was not a good idea and proposed, along with his suggestions on changing the milk marketing order system, that we not have it anymore, that it expire.

We pointed out on the floor of the Senate on many occasions how this no-

tion of a dairy compact, a regional economy for milk, could be applied in other situations. Perhaps we should say all the maple syrup in Vermont and States in that region should be sold, bought, and consumed in that one area and not exported to the rest of the country. Others have said we could do the same thing with blueberries. There would be a southern or Georgia peanut region, and all the peanuts grown there would have to be sold and consumed there. There would be an artificially high price for peanuts there but not anywhere else. Others carried it further. Since we associate the great city of Seattle, the State of Washington, with computers, why not have computers sold in the Northwest?

I found even more interesting the notion that country music should only be marketed in States such as Tennessee and Kentucky. I happen to be a fan of country music, so I find that troubling, although some of my younger staffers would be delighted if we had that kind of limitation on country music. I don't think they like it.

That is what this is, an artificial corruption of what should be a national dairy system. I don't mean corruption in the sense of impropriety; I mean in the sense of undercutting the notion of free enterprise in which the dairy industry should be able to participate. The Secretary reviewed it, and he concluded we shouldn't have this anymore.

There has been an effort on the Senate floor and throughout the summer on and off to attach the New England Dairy Compact to other bills, including the agricultural appropriations bill. It was a hard fought battle. I give credit to those who want to preserve the New England Dairy Compact for their willingness to continue and to fight for their cause. They thought they were going to have 60 votes. They thought they had the votes to force this on to the bill. They did not, frankly, come very close at all. As I recall, they came some seven votes short of the goal rather than one or two.

It was a decisive statement that made many in Wisconsin hope that finally, instead of just the politics of this, people would listen to the Secretary of Agriculture and realize this was not a good idea. We figured it was done. We knew we couldn't be sure because of what was done in 1996 in the conference committee. But we had hopes that this would not happen again. However, this is, unfortunately, now what is happening or what we fear could be happening.

In the conference committee, which I had a chance to observe last week for a while, there is a real possibility that the Secretary's reasonable recommendations to modify to some extent the milk marketing order systems and to discontinue the Northeastern Dairy Compact—those items may be reversed and placed in the agricultural appropriations bill even though there has been no vote in the Senate or in the House to continue the dairy compact.

Although I certainly regret having to come to the floor and proceed in this manner, I essentially have no choice. My farmers expect me to come to Washington and fight for their rights. It won't be fair and square on the floor. Yet somehow in conference committee these fair votes are taken away. Once again, as has been the case over and over again, dairy farmers in the upper Midwest are given the short end of the stick. It is only because these mistakes were made in terms of putting this compact together. Even the person who approved them, the Secretary of Agriculture, now sees it was not a very good idea and should be discontinued.

I say to the Senators whose bill is up—and it is an important piece of legislation—it is a matter of what is going on in the conference committee now that forces me to come to the floor and explain in more detail to my colleagues just what is at stake. I don't know how many times I will repeat this. I have already mentioned it. We had over 45,000 dairy farmers in Wisconsin around 1980. Only about 19 years later, we have fewer than 25,000. That is a huge loss not only of a way of life but of an economic base in our State. It is a tragedy for our State to have this trend continue.

Let me discuss a bit about the way the dairy industry is an integral part of our Nation's culture and history. We will look at that role.

Cheese, unlike its ancient cousin, yogurt, is not a novel food to Americans. It came over to America with the earliest settlers who made Cheddar cheese in their own homes.

Like yogurt, though, the popularity of cheese has been steadily growing. One of the most natural and oldest of food products, dating back to the domestication of animals, about 9000 B.C., cheese was once so highly esteemed it was even used as a medium of exchange. It traveled with Greeks, the Romans and with the armies of Genghis Khan. During the Middle Ages, monks in the French monasteries developed a soft-ripened cheese, starting a cheese renaissance. Centuries later, in 1851, Jesse Williams built the first commercial cheese factory in America. Herkimer, in upstate New York, grew into the cheese center of the United States until the westward expansion of the country resulted in Wisconsin gradually exceeding New York in total annual production. As pioneer wagons moved west, boats continued to carry others from across the ocean. The immigrants introduced their own favorite cheeses to America and contributed to the "melting (cheese) pot."

As the number of cheeses available in the United States has enlarged, so has the consumer demand. The consumption of cheese in 1975 was 14.2 pounds per person compared to 9.1 pounds in 1965.

Natural cheese is a product of milk that has been heated, pressed, and cured. In the United States, cheese is made from pasteurized cow's milk.

While milk is generally used except for some varieties such as cottage cheese which uses skim milk. When milk is heated, usually with a starter of some kind, rennet or bacterial culture, it separates into soft curd and liquid whey.

After the milk has been heated, but before it has started to ripen, the soft curd may be separated from the whey and with some additional treatment made into a fresh natural unripened cheese.

Unripened cheeses contain relatively high moisture and do not undergo any curing or ripening. They are sold fresh and should be used within a few days after purchase. The gjetost and primost, however, because they contain very low moisture, may be kept refrigerated for several weeks or even months.

Cottage cheese, is low calorie cheese, is made in different sized curds. The small-curd type is usually used in salads because it holds its shape better than the larger curds which are suitable for all other purposes. To prepare creamed cottage cheese, fresh cream is mixed with the curd to give it additional moisture and flavor.

Cream cheese is of American origin and is one of our most popular soft cheeses. It is a mixture of milk and cream that is coagulated but unripened.

Unripened cheese may also be divided into soft or firm types.

Cream cheese and cottage cheese are examples of a soft unripened cheese. An example of firm unripened cheese is mozzarella.

To make natural ripened cheese, the soft curd is taken from the liquid whey and then cured by holding it at a certain temperature and humidity for a specified period of time.

Natural ripened cheeses may also be classified according to their degree of hardness. Authorities generally group natural cheese into four distinct groups of hardness: soft, semi-soft, firm, and very hard. Hardness has to do with moisture. The older the cheese, the lower its moisture content.

Brie and Camembert, both of which originated in France, are ripened by mold. The curd is not cut nor is it pressed. Cheese lovers all over the world hold these two cheeses in the highest of esteem.

Brie is considered to be the Queen of Cheeses. There are probably more literary references to Brie than to any other cheese. Its descriptions are often accompanied by superlatives but it is a difficult cheese to buy satisfactorily because it goes from under ripened to over ripened in a matter of a few days.

It is at its peak when it has a consistency of a heavy slow-pouring liquid and a yellow sheen. Under ripe Brie is flaky and chalky. Overripe Brie is very soft and has an off-order like ammonia.

Camembert is a popular cheese in France and is widely known in the United States. It has as devoted a following as Brie and also the same

ephemeral quality of being ripe for only a very short time.

Limburger and Liederkranz are examples of bacteria-ripened cheeses. The different bacteria used in the ripening process are responsible for their characteristic flavor and odor.

Included in this category are the blue-veined cheeses. There are now over fifty varieties of blue cheeses made all over the world. However, the best known and most highly prized are Roquefort, Stilton, and Gorgonzola.

Blue cheeses are called the "king of cheeses." They are made from cow's milk. Roquefort is the exception. It is made from sheep's milk and is cured in the cool damp caves of southwestern France.

Bel Paese is a popular, all purpose cheese made in Italy and under license in the United States—Wisconsin, of course. It is a table cheese as well as cooking cheese.

Brick is an original American Cheese whose name derives from either the shape of the cheese or, perhaps, from the brick originally used in pressing the curd. It is softer than Cheddar and less sharp. It is a strong cheese, but not as strong as Limburger.

Muenster, as made in France where it is very popular, is strong cheese. It is used as table cheese. However, the American kind is much more bland and is suitable for cooking as well as for a table cheese.

Port du Salut originated in a Trappist monastery in France. The French import is usually mellow with a slight edge.

The hard or firm cheese list includes the two most popular cheeses in the United States, Cheddar and Swiss.

Cheddar cheese accounts for almost half of all the cheese consumed in America. It ranges from a very mild cheese to a very sharp one depending upon how long it's been aged. A versatile cheese, suitable for most cheese dishes, it melts well.

Canadian Cheddar is imported into the United States, but English Cheddar, by law, is not. The English relative to Cheddar, the famous Cheshire is imported.

More American Cheddar cheese is made in Wisconsin than any other state. There are variations to different kinds of cheese. Colby is primarily made in the Midwest while Monterey (Jack) and Tillamook is processed on the West Coast. Colby is not as compressed as the other cheddars and it has a higher moisture content. Monterey is also a milder cheddar and has a higher moisture content. There is a more aged Monterey called "dry Monterey" that can be used for grating.

A large amount of Cheddar cheese sold in the United States is sold as processed American cheese.

Provolone and Cacciocavalle are spun cheeses. The curd is placed in either hot water or hot whey and then stretched into its desired shape or size. They are an important ingredient in Italian cooking. The Provolone is usually smoked.

The Edam and Gouda cheeses are the most popular cheeses imported from the Netherlands. Similar in flavor, the Edam is made from partly skim milk and the Gouda from whole milk.

In the category of very hard cheeses, Parmesan has a mild to sharp piquant flavor and is famous as a seasoning in cooking. It has the natural ability of enhancing the flavor of foods. The imported Italian Parmesan is a highly prized cheese and is used as a table cheese as well as for seasoning. The domestic varieties are primarily grated for seasoning and for cooking.

Romano is a sharper cheese than Parmesan. In Italy it is usually made from sheep's milk instead of from cow's milk. It is primarily a grating cheese but the less sharp cheese may be used as a table cheese. The domestic variety is primarily a grating cheese.

Sap Sago is a grating cheese from Switzerland to which has been added dried clover. It is made by mixing whey and skim cow's milk.

I would like to say a little more about the process of making cheeses, butter, cream, and yogurt at home.

Although animals have been milked by man almost from the dawn of civilization, there are Egyptian paintings showing cattle being milked around 2000 B.C., the use of liquid milk was almost unknown until comparatively recently.

Until the beginning of the 17th century, milk drinking was considered quite injurious to health and, in view of the low standards of dairy hygiene, the incidence of cattle plague, and the fact that milk contained dangerous pathogenic factors, especially the germs of tuberculosis and typhoid, this was probably right at the time.

It reminds me of a dairy farmer who came to see me after I was elected to the Senate. I met him in the reception area outside the Chamber. He told me he was going over to some of the former Soviet Republics to try to help farmers there learn some of the skills we have in dairy farming. He told me his goal was to make sure that the milk in one of these former Soviet Republics could not walk to the market by itself. I understood what he was saying. If you do not do this right, as we do in America, in Wisconsin, then we have to be concerned. That is one of the reasons milk might have gotten off to sort of a slow start in some of these countries, given the risks.

The fact is, many children died of tuberculosis of bovine origin up until the late 19th century. It was not until the 1930s, when pasteurization and refrigeration of milk became accepted, and when concentrated efforts were inaugurated to eradicate the disease of bovine tuberculosis, that milk became safe and acceptable. I can tell you, growing up in Janesville, WI, we were taught about pasteurization as one of the most important events in human history. When you are from Wisconsin, that is a big deal, as it is almost anywhere.

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

Mr. FEINGOLD. Without yielding my right to the floor, I am happy to yield for a question.

Mr. GRAMS. I heard the Senator earlier talking about what is going on in the conference committee now, dealing with agricultural appropriations. The Senator talked about the Northeast Dairy Compact. As mentioned, we had a full and open debate, had a floor vote, and were able to defeat the compact—as we did 2 years ago, by the way. Also, we talked about farmers across the country, dairy farmers, recently voting for a compromise on milk marketing orders, the new orders that were put out by the USDA. It was not everything everybody wanted, but it was a compromise between the 1-B and the 1-A. But now we find out again, as happened in 1997, people are working actively inside the conference to try to insert language to basically overturn those issues that have had widespread solid support, both among the dairy farmers across the country and also Members on the floor of the Senate.

I was wondering why is this going on in the conference, in the Senator's opinion?

Mr. FEINGOLD. I thank the Senator from Minnesota for his question. I note the presence of the senior Senator from Minnesota. Minnesota has fewer dairy farmers than Wisconsin, but it has a whole lot. Together, our two States comprise a tremendous percentage of dairy production in the country. We are adamant in this effort to try to stop what the Senator from Minnesota correctly points out is the same old trick. We won fair and square in 1997. There was not a vote in the House. They did not have a vote: should we have a New England Dairy Compact or not. We did. It was a tough vote.

I tell you, this is a tough issue, a hard issue. One thing I like about it is that it is not about Republicans versus Democrats. It is one of those rare times when everyone in the body is open to be for something not based on their party but based on what is best for their area and what is best for the country.

So we had quite a debate. We all worked together on it. As I pointed out earlier, it was a close vote, but we won—I hope I am not given the wrong number—I think with roughly a 50-46 bipartisan vote where we voted not to have the compact. It went to conference.

I was in the State legislature in Wisconsin for 10 years. We had conference committees. They were often not the most attractive moments, of course, as things that go on in conference committees get a little rough. But there was a basic understanding that unless there was some basis from one house or the other for the outcome, it could not be done.

That is not what was done in this conference committee in 1996. Without any justification, this compact, or the permission to allow the Secretary of Agriculture to put the compact into ef-

fect, was placed in. And yes, I fear—although I hope it does not happen—that is exactly what is happening again.

There was an attempt here to force the compact continuation or extension on to the Ag appropriations bill. All three of us and Senator KOHL and others worked together and many other Senators from across the country, and they did not even come close to getting the 60 votes.

So that is my concern. That is why I am out here.

Mr. GRAMS. I would like to follow up my question.

I know Senator WELLSTONE would like to be part of this debate and ask a question as well.

But I know we have some differences on the Freedom to Farm, but one thing Freedom to Farm did not do is pit one region of farmers against another, whether it was dealing with corn or soybeans or any of the other commodities. But somehow when it comes to dairy, an antiquated system, as you mentioned, needs to be changed.

We are looking at something that basically says we are going to have some winners in this country—when it comes to dairy—but we are going to have some losers. In other words, the dairy farmers in Wisconsin and Minnesota have the Government with an antiquated dairy program standing on their necks and saying: You are not going to be able to succeed because we are going to put limits on you. Yet we are going to give tremendous advantages to others.

All we are asking for is fairness, a level playing field. We are not asking for farmers in the Northeast or the Southwest to be disadvantaged. But we sure cannot support a program that says: You are going to have some farmers who are winners and some who are losers.

So how do we work this into a new dairy bill coming out of this session that is going to give our farmers just an opportunity to compete, which is all they ask for?

Mr. FEINGOLD. To answer the excellent question of the Senator from Minnesota, this makes no sense. You and I have views on the Freedom to Farm Act. I strongly oppose it. I thought it was a bad idea. In fact, the results of it are shocking.

No one has been more eloquent about this than the senior Senator from Minnesota, who has pointed out the enormous tragedy that has occurred with many farmers around the country because of that law.

But what is bizarre about it, as you point out, is that in one area, instead of going the Freedom to Farm route, they voted to keep not just Government regulation but to put in place a system of regulation and marketing that only dealt with one small region of the country where there are only a few thousand dairy farmers, when there are some 25,000 in Wisconsin and a substantial number in Minnesota. It is a complete opposite of the notion of a free market national system.

Even for those of us who oppose the Freedom to Farm Act, those of us who oppose the Freedom to Farm Act are not proposing for wheat or corn or pork or beef or anything else that there be regional markets. Whatever philosophy you have, whether it be Government supports to guarantee our farmers do not fall below a certain level, or whether you believe in a complete freedom to farm or freedom to fail, some would say—either way—this idea of a regional market for a particular commodity is an example of ridiculous Federal interference.

We need a national dairy market. Upper Midwestern farmers will do fine in a national dairy market. But one that is unfairly skewed for one region, when the underlying system is already terribly unfair, is a double whammy that has cost us far too many lives and far too many livelihoods of farmers in Wisconsin and Minnesota and throughout the upper Midwest.

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

Mr. FEINGOLD. I am happy to yield to the Senator from Minnesota.

Mr. WELLSTONE. I thank my colleague from Minnesota, Senator GRAMS, for his questions and his work on this issue. He has really been tireless in his advocacy for dairy farmers in Minnesota.

I actually have two questions for the Senator from Wisconsin to which I would like him to respond.

The first question is whether or not the Senator, since he is out here on the floor right now, could translate this debate about the dairy compact in personal terms. In other words, there is a reason why you must be out here. If you could give other Senators a feel for what it has been like to be out at dairy farms, meet with dairy farmers, and what is happening to the families in Wisconsin and Minnesota.

My second question would be, since the Senator is out here—and I don't know what is the period of time; I know the Senator from Maryland wants to get some clarity on that, and I imagine the Senator will do what he needs to do and then move on with this bill, with the VA-HUD bill—I want to ask the Senator the other question, which is, again, the particular concern that he has about the nature of this process in the conference committee.

You are out here to basically sound an alarm. You are out here to say: Listen, I want to make it clear that in no way, shape, or form should you be able in conference committee—which is almost behind the scenes basically—to negate a vote we had already.

So I wonder whether you could deal with those: In personal terms, what this is about for dairy farmers in our States; and second, the particular point you intend to make right here on the floor of the Senate about what is happening right now in conference.

You said it before, but I think it needs to be repeated.

Mr. FEINGOLD. I thank the Senator from Minnesota.

I say no one has made it more his business to articulate what has happened to American farmers in general, particularly in the last few years. He was an inspiration to me in that regard before I got to this body. We are proud in Wisconsin, but not too proud to look west to Minnesota for that kind of inspiration at times.

Let me start with the second question. The first one involves, as you know, a lot of memories: 17 years of working with farmers.

But the second question really is always a hard one. People say to me: How can it be that you have a vote, fair and square, in the body in which you have been elected to serve, and there was no vote in the other House, and somehow this committee that is appointed to get together to resolve the differences between the Houses ends up coming up with the exact opposite of what the Senate had resolved?

You can say: Well, that's the way things always are. But that does not satisfy people. There are supposed to be some rules, both formal and informal, about the way business is done. It has always been my understanding, unless there is some basis in one House or the other for putting something into the conference committee, it should not be put in there.

It sounds like, as they say, inside baseball. But what it really is is a cynicism that what we do out here is irrelevant to what happens in the conference committee.

So I am sounding the alarm, as you suggested. I know people hate to lose. I hate to lose. I hated to lose when we won fair and square 2 years ago. I hated to lose when we begged the Secretary of Agriculture to not do this because we thought it was a lousy idea. He did not agree. Now he admits it is not a very good idea.

I think it is time for those on the other side to understand that sometimes you win and sometimes you lose. There are rules, there is fairness, and there is no fairness to this process when we win this vote time and again on the floor of the Senate, and somehow we are still stuck with this thing because of a few people in the conference committee.

I hope it does not happen, I say to the Senator from Minnesota, but I am worried about it. I certainly feel bad that I am compelled to do this in light of the wishes of the Senator from Maryland and people who are bringing this bill forward. It is a terribly important piece of legislation. We have to act on behalf of our dairy farmers and because of what has happened in the past. Because of the fact that fairness is not applied to our issue, we have no choice but to speak. The reason I feel so strongly is that I have watched the decimation of Wisconsin's dairy farmers. I became a State senator in 1982, just 2 years after the year I like to mention as sort of the benchmark, when we had over 45,000 dairy farmers in Wisconsin. I grew up in a family and

am old enough to remember, we didn't get our milk and our eggs at the store. The milk was delivered every morning by the milkman, and we got the eggs once a week by going out to farms in the area. That, to me, was the way it was done. We knew personally many of the family farmers in our area, and they were good friends of our family. It was part of our community.

There was no question in my mind, when I was elected to the Wisconsin State Senate, representing a largely rural area, that at the very top of my list had to be making sure these folks who had been providing food for us forever could continue to live. I would have been stunned and horrified to know that 17 years later I would be out here with about half of Wisconsin dairy farmers being lost.

I can trace it for the Senator from Minnesota, if he would like, through the hundreds of conversations I have had. I had them as a State senator, and I have had them as a U.S. Senator. I go to every 1 of Wisconsin's 72 counties every year and hold a town meeting. We open the door, and whoever wants to come to the town hall can come in. And in every 1 of Wisconsin's 72 counties, except for possibly Milwaukee, a farmer has come in or many farmers have come in and told me about the pressure on them because of this pricing system and, in the last couple of years, because of the overproduction that this New England Dairy Compact has caused. It varies. Sometimes they are just concerned.

But I say to the Senator from Minnesota, in the last 2 years I have had farmers I have known for 17 years, proud men and women, come to my town meetings and begin their presentation clearly, concisely, politely, but near the end of their presentation they have started to cry because they are sick and tired of not being able to pass on that farm to their kids.

That is not a very fun thing to watch—to watch a 70-year-old man who is still working his farm take the time to come to my town meeting and to try to say how he felt and to be unable to complete the presentation and to probably feel embarrassed, but it is that bad.

The hardest thing for me to hear is the farmer who says: I wanted my kids to go into farming, to go into dairy, but I cannot tell them it is a good idea. That is usually the point at which one of the farmers just can't go on. His dream, a lot of times the dream of his son or daughter, is actually to continue the family tradition, and they can't because the Federal Government is meddling in having a fair and open dairy market, the kind in which they would have done very well.

That is a brief answer, and I could go on and on.

Mr. WELLSTONE. Will the Senator yield for one final question?

Mr. FEINGOLD. I am happy to yield.

Mr. WELLSTONE. The Senator has talked about his indignation about

what might happen in conference committee, and we are on the floor trying to make it clear that it will be unacceptable and we will fight it all the way, if there should be an effort to undo the vote of the Senate.

The Senator has talked in personal terms. I want to say to him as a friend—I am not trying to get psychological here—but he spoke differently than I have ever heard him speak on the floor of the Senate when he talked about some of the farmers and conversations and how people start out very eloquent and rational and then just break down crying. I have had the same thing going on right now with many of our producers, dairy and crop and livestock, across the board. That is the convulsion in agriculture right now. It is awful. We have to change it.

Could the Senator explain for people the connection between this fight, the plight of dairy farmers, and the national interests. Could he make a linkage as to why he thinks it is in the interest of our country not to have these compacts and to make sure that dairy farmers in Wisconsin and Minnesota have a fair shake and have the opportunity to be able to earn a decent living.

In other words, I can see how some would say, he is out here doing it for Wisconsin—we are doing it for our States—but what is the connection to the rest of us?

Mr. FEINGOLD. I say to the Senator from Minnesota, that really is the fundamental question. It relates closely to what he has done such an excellent job of talking about. This isn't just about whether or not we are going to have a higher price for dairy farmers in New England or somewhat lower price in Wisconsin and the age-old regional battles. Something happens that is very dangerous to our democracy when we lose these small farms. We lose the ability to have people who own their own property produce our food. I think that is dangerous.

What is happening in every sector of the economy, especially in agriculture, is the consolidation of the control of the food supply into a few hands. I think the Senator from Minnesota knows the statistics better than I do, but I think in grain, I was told that one company is going to control something like 95 percent of the grain.

The Senator from Missouri, who was on the floor before, has made the point in meetings that we have a problem in this country when we go to the store and we buy some ham and we pay more for it than the farmer was getting for the whole pig for awhile. Somebody is making the money. It is not the small farmer. Dairy is only one example of this trend.

What happens is, when you lose these small farms in places like Minnesota and Wisconsin, of course, milk is still being produced, but it tends to be produced in these very large corporate operations, whether they are in Wisconsin, but more likely in other places.

I remember flying into a western State that I won't name and flying into an airport saying: What is that down there? It looked similar to the General Motors plant in Janesville. Somebody told me it was a dairy farm.

This isn't the dairy farming that I grew up to believe not only was basic to our economy but basic to our culture, basic to our democracy, and, yes, control of our own food supply. If big corporations and multinational corporations own our land and our food supply, isn't this even a question of national security? I think it is an element of national security if we own our own food product. The best way to keep owning it is to have small, individual producers all over this country continue to survive.

To me, I don't know if that is exactly what the Senator from Minnesota was getting at, but it is a fair point that this isn't just about the upper Midwest versus New England and so on. What it is really about is, can these small operators who live in Wisconsin and Minnesota continue to exist?

Mr. WELLSTONE. Mr. President, if the Senator is going to continue to speak, then that is one thing. I don't want to hold up deliberations. I think the Senator from Maryland has a question to ask. I will just simply defer.

Ms. MIKULSKI. Mr. President, I was prepared to go on to discuss the VA-HUD bill, and I am prepared to continue to discuss the VA-HUD bill.

Mr. President, who has the floor?

The PRESIDING OFFICER (Mr. SMITH of Oregon). The Senator from Wisconsin has the floor.

Mr. FEINGOLD. Mr. President, let me say, because the Senator from Maryland has been very patient, I am sorry I had to delay this important legislation to this point. I am going to conclude for now. Again, I regret that this is necessary. However, as a Senator from the great State of Wisconsin, I will continue to fight for a fair national dairy policy as we await the outcome of the conference and in the days to follow.

Obviously, in taking this unusual step, I am merely signaling to the Senate that there certainly will be more discussions of the same kind if this goes forward.

Before I yield the floor, I see the Senator from Minnesota. I wonder if he wanted to ask me one more question.

Mr. GRAMS. I wanted to ask a quick question if I could. What we are asking for doesn't cost money. This is not a request to give farmers in Minnesota or Wisconsin more money but to allow them the ability to compete on a level playing field. That is all we are asking for, as far as this dairy policy goes.

As you mentioned, and very well have laid out the problem, this is a program set up in 1930, completely outdated. If we were going to begin a new milk marketing program today, it would not look like anything debated in the committees at all. This is an unfair system, outdated. It has no rhyme

or reason to markets or regions or producers or our dairy farmers. So we have a system now, and all we are asking for is legislation or a program that would allow our farmers to compete. We are willing to compete with anybody in any part of the country and let the chips fall where they may.

At the same time, this program will cost consumers additional money, whether it is low-income, whether it is school lunch programs, or whatever it is. So this program has a lot of negatives to it, and all we are asking for is a level playing field and competition. Is that what the Senator says?

Mr. FEINGOLD. Yes. I thank both Senators from Minnesota for joining me. Of course, the Senator is absolutely right. This is not about a guaranteed price for the farmers. It is not about any kind of legislation, some of which I might support. This is an attempt to prevent the continuation of an absurd distortion of our dairy market in the New England Dairy Compact. We are looking for fairness both in terms of the policy and the procedure of this institution. I thank the Senator from Minnesota. Again, I thank the Senator from Maryland for, I hope, understanding.

I yield the floor.

Ms. MIKULSKI. Mr. President, I ask unanimous consent that Senator CARL LEVIN and Senator JOHN KERRY be added as cosponsors to the Bond-Byrd-Mikulski-Stevens VA health care amendment, No. 1744.

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

Ms. MIKULSKI. Mr. President, as you know, we intended to have an extended conversation about the VA-HUD bill. Obviously, I appreciate the Senators' needs to defend their constituents' interests, and the plight of people losing businesses, of course, is significant to us all. I wish I would have known the time so we could have been better able to organize and plan our amendments.

I know the leadership of both parties is now consulting on what is the best way to proceed for the rest of the evening in terms of amendments to be offered. I know there are amendments that are being drafted, and I also know the two leaders are discussing what is the best way to come to closure on the number of amendments to be offered. So right this minute, because we missed a certain window to offer two important amendments, we are now involved in a process. But I am reluctant to yield the floor except to Senator BOND because I am going to stick on VA-HUD, and with all of the compelling issues in that bill.

Mr. BOND addressed the Chair.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. BOND. Mr. President, I thank my very able ranking member for her efforts to move the bill forward. We certainly intend to do so. I have a clarifying amendment, a technical correction amendment.

AMENDMENT NO. 1779

(Purpose: To clarify the prohibition on using Federal funds for lobbying or litigating. This is a technical correction)

Mr. BOND. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative assistant read as follows:

The Senator from Missouri [Mr. BOND] proposes an amendment numbered 1779.

On page 111, beginning on line 4, strike out "or be used" and all that follows through "litigation activity" on line 5.

Mr. BOND. Mr. President, this is simply a technical correction the experts have told us is necessary to assure that the provisions in the law at that point are properly phrased. I know of no controversy on it. It is technical in nature. I believe it has been cleared on both sides.

Ms. MIKULSKI. Mr. President, I think we are in agreement on this amendment. I am prepared to accept it.

Mr. BOND. I ask for its adoption.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

The amendment (No. 1779) was agreed to.

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

Ms. MIKULSKI. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. BOND. Mr. President, I thank the Chair and all our colleagues. We have been making great progress. We are ready to move forward on several matters relating to the housing section of the bill.

I am sorry that it appears we are not ready to do so.

I renew my request to all Members who have amendments. We welcome the opportunity to look at them. On some of these amendments, we find we can work them out in a way that is very easy to accommodate the reasonable requests of our colleagues. We want to do so in every possible way. But as I believe we have said many other times, we are facing a real time deadline.

We need to get this measure passed out of the Senate, I hope, no later than tomorrow. Then we can go to conference committee and get it back and send the conference report to the President prior to September 30 so this measure will not have to be included in the continuing resolution. To do so would relieve a tremendous amount of burdens from the agencies that are covered and would certainly move forward the work of this body. We have had good discussions, and we have had very helpful discussions from a number of Members who have not offered amendments. We are not looking for more amendments, but if there are Senators who have either colloquies they wish us to include or amendments they wish to offer, we would be happy to consider them at this time.

Ms. MIKULSKI. Mr. President, I wish to convey to the Senator from Missouri that we are trying to reach the Senator from Massachusetts about his amendment. As you know, he was prepared to offer them and then he moved on to other constituent meetings because we didn't know if we were in a filibuster or not. I didn't even know, and we are sorry that we could not pinpoint the time.

I say to the Senator from Missouri, just another few moments of patience. We are contacting Senator KERRY to see if he can break free from the meetings and come to the floor to offer his amendment within the next 20 minutes or so, or shorter. In the meantime, we also know the Senator is anxious, as I am, for a unanimous consent to be hotlined with a deadline for amendments to be filed.

As I understand it, we are waiting for the majority leader to see if he is in agreement with the UC as proposed by the Democratic leader. We are waiting, one, for Senator LOTT on the UC, and Senator JOHN KERRY, the Senator from Massachusetts, to come this evening. If he can, we will keep on going. If not, I am not quite sure what the other amendments are. I know the Senator from Missouri has a whole group of constituents who are a special affinity group for him that he is anxious to get to.

Mr. BOND. Mr. President, I thank the Senator from Maryland for her help.

AMENDMENT NO. 1780

(Purpose: To require a report on the effect of the allocation of funds under Veterans Equitable Resource Allocation (VERA) formula on the rural subregions of the health care system administered by the Veterans Health Administration)

Mr. BOND. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative assistant read as follows:

The Senator from Missouri [Mr. BOND], for Ms. SNOWE, proposes an amendment numbered 1780:

On page 17, between lines 14 and 15, insert the following:

SEC. 108. (a) SENSE OF SENATE.—It is the sense of the Senate that it should be the goal of the Department of Veterans Affairs to serve all veterans equitably at health care facilities in urban and rural areas.

(b) REPORT REQUIRED.—(1) Not later than six months after the date of the enactment of this Act, the Secretary of Veterans Affairs shall submit to the Committees on Veterans' Affairs of the Senate and the House of Representatives a report on the impact of the allocation of funds under the Veterans Equitable Resource Allocation (VERA) funding formula on the rural subregions of the health care system administered by the Veterans Health Administration.

(2) The report shall include the following:

(A) An assessment of impact of the allocation of funds under the VERA formula on—

(i) travel times to veterans health care in rural areas;

(ii) waiting periods for appointments for veterans health care in rural areas;

(iii) the cost associated with additional community-based outpatient clinics;

(iv) transportation costs; and

(v) the unique challenges that Department of Veterans Affairs medical centers in rural, low-population subregions face in attempting to increase efficiency without large economies of scale.

(B) The recommendations of the Secretary, if any, on how rural veterans' access to health care services might be enhanced.

Mr. BOND. Mr. President, I have let the clerk read the entire sense-of-the-Senate resolution because I think it makes the point. I believe there is nothing further I can add to the terms of that Senate resolution. It simply requires VA to undertake a study of rural subregions. I urge its adoption.

Ms. MIKULSKI. Mr. President, I concur with its adoption and want to congratulate the Senator from Maine, Ms. SNOWE, for this amendment. Her criteria on Veterans Equitable Resource Allocation—nicknamed VERA—is absolutely right. I hope the VA uses it as a model for looking at the delivery generally: Travel time to veterans' health care, waiting time for appointments, costs associated with additional community-based outpatients, and also not only the waiting period but what we heard in other debate is, sometimes they wait and then they are sent home, sending them back another 150 miles and coming back another 150 miles. I believe our veterans have marched long enough and they shouldn't have to march to get their health care.

This side of the aisle accepts this amendment.

The PRESIDING OFFICER. If there is no further debate, the question is on agreeing to the amendment.

The amendment (No. 1780) was agreed to.

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

Ms. MIKULSKI. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. BOND. Mr. President, thank you very much. I thank my colleague from Maryland. I believe it is a very good amendment.

We are at this moment waiting to find out from others what the schedule will be for this evening and whether there are additional amendments to be offered.

At this point, we intend to stay on the bill. I see the Senator from Nevada is ready to speak on the bill. I withhold my suggestion on the quorum.

The PRESIDING OFFICER. The Senator from Nevada.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative assistant proceeded to call the roll.

Mr. BRYAN. 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. BRYAN. Mr. President, I rise today to talk about two important components of the legislation before us

today that would severely impact the state of public housing both in my home state of Nevada and throughout our nation.

The distinguished chairman and ranking member of the subcommittee have undoubtedly worked hard to provide the needed funding for a number of critical programs in the VA-HUD appropriations bill. I commend them for their efforts. Nevertheless, I am forced to say that I am disappointed that this bill falls far short in continuing our commitment to provide affordable, quality housing to low and moderate income families.

Of particular concern, Mr. President, is the lack of funding for any new section 8 housing vouchers despite the considerable demand and need for such assistance in communities throughout the nation.

The section 8 program provides vital assistance to American families.

In 1998, 1.4 million Americans were receiving assistance under this program and countless more have been on waiting lists for months and sometimes years for this needed assistance.

Who receives assistance under the Section 8 program? According to CRS, recipients of section 8 vouchers are typically single-parent households with children under the age of 18. Most participants have income well below the poverty level, and the average household income of a recipient is well below \$10,000.

Mr. President, we are all aware that the American economy has been roaring for the last few years, and we are all delighted that inflation and unemployment numbers are at record lows and job growth and housing starts are at record highs. But lost in this economic expansion and prosperity are millions of Americans who continue to struggle to make ends meet and adequately provide for their families.

The section 8 program has historically served as a lifeline to low income households, providing needed assistance to those American families seeking to raise their children in quality, affordable homes in safe, livable communities.

Last year we were successful in providing almost 100,000 new section 8 vouchers to address the substantial shortage in affordable housing, the first new vouchers in five years.

As my colleagues will recall, the authorizing legislation passed by the Senate last year authorized 100,000 new section 8 housing vouchers for the upcoming fiscal year.

And yet the legislation before us provides no new vouchers despite the growing gap between the public housing assistance needed and assistance available.

As an example of how disconcerting this issue has become in my own state of Nevada, low and moderate income families in Las Vegas, Reno and numerous other communities currently have to wait for a period of over 8 months for public housing—8 months, Mr. President.

The wait for section 8 vouchers in Nevada is even worse. That delay is over 50 months, Mr. President. Over four years for a section 8 voucher. And yet the legislation before inexplicably does not provide any additional funding for section 8 housing vouchers despite this substantial increase in demand.

It is my understanding that there will be an amendment to this bill to provide additional vouchers along the lines of the administration's request and I look forward to supporting that effort.

Let me address another issue that I believe was inadequately addressed in the bill and that I regret to say in my view is a setback.

I was also disappointed to learn that the underlying legislation before us today seeks to zero-out HUD's highly effective Community Builders Program.

Let me say parenthetically that during the recently concluded August recess my staff and I had the chance to visit with some of the community builders to learn about their effectiveness, and in the very short time that this program has been in existence I have heard considerable feedback from local officials, community leaders, and others throughout our State in praise of the Community Builders Program.

By way of example, the eight community builders working in HUD's Las Vegas regional office have been able to bring HUD officials and community leaders together to solve local problems by developing strategies that draw resources from a multitude of Federal programs. All who are familiar with the Federal bureaucracy know it can be very difficult to bring together all the various programs with all of their intricacies and requirements and to meld those together to develop an effective program for the housing needs of our communities.

During the brief existence of this program, we have witnessed a number of success stories in both the southern and northern parts of Nevada. Let me share some recent accomplishments of the program in the Las Vegas area. Community builders in Las Vegas have partnered with southern Nevada's local office of the Bureau of Land Management to facilitate the conveyance of a large tract of vacant BLM land to the city of Las Vegas for the development of affordable housing for low-income and moderate-income residents.

Community builders are working with several housing partners to develop two to four units of single-family detached housing using technologically advanced materials and building processes to show how technology can reduce the cost and improve the quality of single-family housing.

Community builders are undertaking the first phase of development of a new 400-unit mobile home park in Pahrump, NV. Pahrump, NV, is located in my county and one of the 10 fastest growing counties in the entire country. This

is being done at the same time by streamlining housing code compliance to ensure safety and yet also to reduce the cost.

Community builders in Las Vegas are working to develop a lender certification program designed to assist in the extension of mortgage programs and products to an increased number of low- and moderate-income families and individuals. These success stories in the southern part of our State have also been mirrored in northern Nevada.

For example, when BHP Copper Mine in Ely shut down mining operations, more than 400 individuals representing 12 percent of the area's workforce were laid off, dealing a devastating blow to a struggling community. The community builders in Reno immediately went to work, joining with local officials in organizing a community partnership forum with community leaders and representatives from many Federal, State, and nonprofit agencies. This effort resulted in the development of an action plan that identified solutions and opportunities for mitigating the adverse economic and housing effects caused by these massive layoffs. This initiative is being held up as a model throughout rural Nevada for rural communities to develop comprehensive local strategies responsive to economic downturns in the mining industry and the longer-term need for greater economic diversification.

I might add as an aside, we learned from two of our counties, Humboldt and Lander Counties, two counties I visited and spent time in with their county commissioner and citizens in August, those counties have also been affected as a result of a series of layoffs in the mining industry. They, too, are buffeted by worsening economic conditions.

Once again, the community builders are being called into action to assist community leaders in finding ways to stabilize rural economies and housing markets in the face of falling gold prices in the global market.

In sum, the Community Builders Program strikes me as a smart and cost-effective way to do business. By breaking down the old bureaucratic hurdles that often hinder customer service and working at the grassroot levels with communities ranging from the sprawl of Las Vegas to a rather small community such as Ely, NV, the Community Builders Program has proven highly effective in finding solutions to critical challenges facing our urban and rural communities.

It is my hope that before this legislation is passed by the Senate, these two critically important and highly successful programs are addressed in a way that will allow the Federal Government to continue its commitment to providing affordable housing to the millions of Americans who depend upon such assistance and to allow the Community Builders Program to continue its work in building successful partnerships within our communities to solve local problems.

I yield the floor.

Mr. BOND. Mr. President, I appreciate the kind words the Senator from Nevada shared. We did appreciate working with the Senator on these very important bills. I thank him for his interest.

With respect to the new vouchers, I believe I have already addressed at some length why we have not recommended any new vouchers. We do not have the resources identified to maintain the ones we have. In fact, there are \$40 million worth of additional vouchers for the disabled. We put in \$100 million for the Opt Out Program to protect the residents in section 8 housing where the landlords are choosing to get out of the program. We are also working through HOME and CDBG to provide additional housing facilities. I have stated those points before. I will not reiterate them at any length.

With respect to community builders, we will address this in conference. The bill would terminate HUD's Community Builders Program for all external community builders. We were originally told there were supposed to be about 200 staff. It is now up to 800. The program represents about 9 percent of the HUD staff. In fiscal year 1999, HUD is expecting to spend as much in funds for staff and support costs for this program as they will spend for the HUD's community planning and development staff, which is responsible for administering programs such as CDBG and the homeless.

I believe investing in 2-year terms for employees hired out of the normal practices of HUD is a questionable use of scarce resources. What does it say about the capabilities of existing HUD staff when the Secretary says we have to bring in people who are hired for a 2-year term outside of the normal hiring practices to explain HUD programs? It says something is going on.

Before the community builders' staff was hired, the roles were not adequately defined by HUD. It is still in the process of developing and defining the role, even though most of the positions have been filled for several months. According to the information we have from the IG, 76 percent of the external community builders' initial hiring was not in accordance with Federal selection rules. The hiring appeared to be political despite the assurances to the contrary.

The FHA Commissioner in charge of the multifamily housing has written:

Community Builders in certain areas have misinterpreted or overstepped their role in dealing with HUD's identified multifamily projects.

In his letter, the Commissioner states:

It cannot be stressed too strongly that the Community Builders must communicate with the appropriate HUD staff.

In my view, community builders are not acting as HUD staff. They are acting in the capacity of lobbyists or public affairs representatives for HUD.

HUD already has a public affairs office. The public affairs office is providing the direction to these people. The Department recently directed the community builders to reach out to the media to voice strong opposition to the House of Representatives appropriations fiscal year 2000 budget. I can state that they are also reaching out to lobby Congress to keep the community builders. I don't need to fund a group of people whose job it is, in addition to all the other normal functions of HUD, to lobby me and tell the news media how valuable they are when they are only on for 2 years and, according to the information we have, have not even in some instances been able to define the job of HUD and the roles and the programs of HUD adequately.

I don't believe there is an amendment pending. We will have more to say about that at length if it is brought up in the form of the amendment.

AMENDMENT NO. 1785

(Purpose: To provide a period of time for consultation and evaluation of any realignment plan for the VISN 12 health care delivery system)

Mr. BOND. On behalf of Senators FITZGERALD and DURBIN, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative assistant read as follows:

The Senator from Missouri [Mr. BOND], for Mr. FITZGERALD, for himself, and Mr. DURBIN, proposes an amendment numbered 1785.

Mr. BOND. 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:

At the appropriate place, insert the following:

SEC. . Notwithstanding any other provision of this Act, none of the funds appropriated or otherwise made available in this Act for the Medical Care appropriation of the Department of Veterans Affairs may be obligated for the realignment of the health care delivery system in VISN 12 until 60 days after the Secretary of Veterans Affairs certifies that the Department has (a) consulted with veterans organizations, medical school affiliates, employee representatives, State veterans and health associations, and other interested parties with respect to the realignment plan to be implemented, and (b) made available to the Congress and the public information from the consultations regarding possible impacts on the accessibility of veterans health care services to affected veterans.

Mr. BOND. Mr. President, this amendment has been cleared on both sides. There had been great concern in the Chicago area about the realignment of the VA facilities. This measure simply assures appropriate procedures are followed so all parties involved have an opportunity to express themselves.

This has been a longstanding concern with the VA. We do believe they should continue to move forward, as we said before, in closing unneeded facilities.

But in doing so, it is vitally important they go through the proper processes which allow those affected to have a say and a stake in the process.

The PRESIDING OFFICER. The Senator from Maryland.

Ms. MIKULSKI. Mr. President, first of all, I thank Senator BOND for working with the Senator from Illinois, Mr. DURBIN. I know Senator FITZGERALD also had a keen interest in this particular issue. I am ready to also accept this amendment and wish to note, though, this seems to be a pattern with VA, where our colleagues in the Congress have to keep giving them commonsense criteria on how to decide what is the best way to serve veterans.

We know we are in the veterans' health care business. We know we are not in the veterans' real estate business. But surely, clear criteria and talking with the people most affected would go a long way.

There was a saying in the early Polish Parliament that said:

Nothing about us without us.

I think that is the way the veterans feel. That is the way the Members of the Senate feel: Hello, Veterans Administration. Please, get to work on these criteria and follow what the Senate is telling you.

I am happy to accept this amendment and urge its adoption.

THE PRESIDING OFFICER. If there be no further debate, the question is on agreeing to the amendment.

The amendment (No. 1785) was agreed to.

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

Ms. MIKULSKI. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. BOND. Mr. President, we thank the Senators from Illinois for working with us on what we think is a very positive step forward that will allow the VA to perhaps shift resources to serve veterans better. We are very pleased we could fashion an appropriate format for developing criteria to make sure the process is done in a fair and equitable manner.

I see the Senator from Ohio. I believe he has two amendments to offer.

The PRESIDING OFFICER. The Senator from Ohio.

AMENDMENT NO. 1782

(Purpose: To prohibit the use of funds by the National Aeronautics and Space Administration for the establishment at any field center of a research capability that would duplicate a research capability that exists at another field center)

Mr. DEWINE. Mr. President, I send amendment No. 1782 to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative assistant read as follows:

The Senator from Ohio [Mr. DEWINE] proposes an amendment numbered 1782.

Mr. DEWINE. 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:

On page 113, between lines 16 and 17, insert the following:

SEC. 431. Notwithstanding any other provision of this Act, none of the funds appropriated or otherwise made available for the National Aeronautics and Space Administration by this Act may be obligated or expended for purposes of establishing at a field center of the Administration any research capability that would duplicate a research capability that currently exists at another field center of the Administration.

Mr. DEWINE. Mr. President, let me first thank my friend from Missouri, Senator BOND, and my colleague from Maryland, Senator MIKULSKI. They have produced, I believe, under some very tough, difficult circumstances, a very excellent, very fair, and very balanced bill. Members of the Senate are certainly indebted to them for the tremendous work they have put in and the product they have produced.

The amendment I have just sent to the desk is a very commonsense amendment. In fact, I believe it really builds upon the very commonsense language included in the VA-HUD appropriation bill committee report. That part of the committee report states the committee is concerned about the duplication of work being performed throughout the NASA field centers. It instructs NASA, by April 15 of the year 2000, to produce a preliminary action plan to map out what each of the field center's future roles and responsibilities will be.

The most important part of this report language states:

NASA should identify where a center has or is expected to develop the same or similar expertise and capacity as another center, including justification for this need.

I do not believe, at a time when NASA's overall funding is increasing, NASA should be duplicating any capabilities that already exist at one center at a different center. It just makes no sense. This really defies logic. My amendment would simply prevent NASA from spending any money to duplicate capabilities that already exist.

Let me say in conclusion, I appreciate that the authors of this bill are willing to accept this amendment. Let me pledge to the authors of the bill, I will continue to work with them and continue to work with NASA to resolve this issue.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. BOND. Mr. President, I commend the Senator from Ohio on his staunch support and advocacy of the programs at the Glenn Space Center. Because of his very strong advocacy, we included funds for the future launch program and other things that we think are vital to the long-term interests of NASA. We expect those programs will go forward. My view is, I am willing to accept this amendment and the additional amendment he proposes to ensure that NASA preserves the integrity of the mission of the Glenn Space Center.

Having said that, I have some problems. The amendment, if finally adopted into law, would be too constraining and might result in unintended consequences. We need to call NASA's attention to these problems but also give them needed flexibility that might not be there.

That said, I expect NASA to operate in good faith in maintaining the programs at the Glenn Space Center. This is critical. I expect NASA can resolve the concerns of Senator DEWINE so these provisions can be dropped in conference. I might note for my colleagues, the Senate report for NASA already states that "each NASA center be vested with specific responsibilities and activities."

I think we are all moving in the same direction. I believe the Senator's admonitions included in this amendment that will be accepted here should suffice.

So I urge we accept the amendment. I will urge we accept the second amendment as well.

Ms. MIKULSKI. Mr. President, I concur with the analysis offered by Senator BOND. Rather than simply repeat, I concur in his comments. I say that to the Senator from Ohio.

You have the Ames Research Center in Ohio. It has served the Nation well. It needs to be respected for what it has given to the Nation. As we look to the future of NASA, there needs to be the kind of analysis we talked about. So I concur with both the comments and the strategy offered by the Senator from Missouri.

Mr. DEWINE. Mr. President, I ask unanimous consent Senator VOINOVICH be added to this amendment and the subsequent amendment I will offer in a moment.

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

Mr. BOND. I think we are ready to vote on the amendment.

The PRESIDING OFFICER. If there is no further debate, the question is on agreeing to the amendment.

The amendment (No. 1782) was agreed to.

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

Ms. MIKULSKI. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 1781

(Purpose: To prohibit the use of funds by the National Aeronautics and Space Administration for the transfer of research aircraft from Glenn Research Center, Ohio, to any other field center)

Mr. DEWINE. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative assistant read as follows:

The Senator from Ohio [Mr. DEWINE] proposes an amendment numbered 1781.

Mr. DEWINE. 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:

On page 113, between lines 16 and 17, insert the following:

SEC. 431. None of the funds appropriated or otherwise made available for the National Aeronautics and Space Administration by this Act may be obligated or expended for purposes of transferring any research aircraft from Glen Research Center, Ohio, to another field center of the Administration.

Mr. DEWINE. Mr. President, again the chairman and ranking member have indicated they accept this amendment. I appreciate their consideration very much.

I want to say in regard to the previous amendment, I appreciate the comments. I am sure this is a matter that can be resolved in consultation with NASA. We are all trying to achieve the same thing. I fully expect this will be done.

Mr. BOND. With the same caveat added on the first amendment, this side is willing to accept the amendment. I commend the Senator for dealing with this very real concern, and I trust this will send the appropriate message to NASA.

The PRESIDING OFFICER. If there be no further debate, the question is on agreeing to the amendment.

The amendment (No. 1781) was agreed to.

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

Ms. MIKULSKI. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. SCHUMER addressed the Chair.

The PRESIDING OFFICER. The Senator from New York.

Mr. SCHUMER. Mr. President, I ask unanimous consent to address the Senate for 5 minutes.

The PRESIDING OFFICER. As though in morning business?

Mr. SCHUMER. It is on this bill. I don't need to ask unanimous consent, do I?

The PRESIDING OFFICER. The Senator is recognized.

Mr. SCHUMER. What a great body.

Mr. President, I rise today to share my concerns about the VA-HUD appropriations bill. I first thank the chairman and the ranking member for their efforts on the bill. This is a bill with many important programs that are very popular which has a limit to funding. I know how hard it is to please everybody on this bill. Under the budget caps, it is next to impossible to find the money to do what is necessary. So I appreciate that.

But I do rise to voice my concerns. I will support the amendment to be offered by the Senator from Massachusetts, Senator KERRY, if he should offer it, to add an additional 50,000 section 8 affordable housing vouchers, because this amendment is a step in the right direction. I hope the Senate will adopt the amendment and work with the House to ensure that it is part of any package sent to the President.

New York City and New York State have a severe housing shortage. It is not just in New York City. In New York City, there are over 400,000 people who need homes. In Rochester, there are nearly 20,000 families with severe housing needs. In New York City, there are over 150,000 families on public housing waiting lists alone; and 220,000 families waiting for section 8 help. The waiting list is as long as 8 years in each case.

In Syracuse, families must wait 2 and a half years before they get section 8 help. In Rochester, there are 1,700 families waiting for public housing, and 4,500 are waiting for section 8. The bill will make these families wait even longer.

The bill adds no new section 8 vouchers, and the public housing is dramatically underfunded.

New York State Comptroller Carl McCall—our excellent comptroller—issued a report in July highlighting that New York City's public housing needs over \$7 billion in major repairs.

Under this bill, I fear these properties will further deteriorate, threatening the health and safety of children and seniors, the disabled and veterans who live in these communities who depend on this Congress to meet our obligations.

Our Nation has invested over \$90 billion to house the poorest Americans. This bill, I believe, uses these investments as spare parts for other parts of the budget. Let's put a face on the budget.

Many of those who are helped by the housing programs that are underfunded by this budget are the most vulnerable in our society. About half of section 8 beneficiaries are children. Over 40 percent of those in public housing are children.

Last year, Congress did take a step forward. We authorized 100,000 additional section 8 vouchers in the public housing reform bill. We made progress by adding 50,000. This year, however, the Senate and the House decided the Nation does not need any more.

The hundreds of thousands of New Yorkers, and many more other Americans, waiting for safe and affordable housing need more than the bill offers.

About 5 and a half million families spend more than half their income on housing. Many of those are in New York State. Recent studies have indicated that for many of these families the situation is getting worse. The Kerry amendment will help them.

The section 8 vouchers that this amendment funds will help Congress fulfill its promise to working families, particularly families leaving welfare. If we are committed to strong communities and want to shrink the welfare rolls, new section 8 authority can only help.

If the bill was absolutely perfect for veterans, but shortchanged housing, I would be a little happier. Although I feel strongly about section 8 public housing, the bill also achieves only a bear minimum for veterans.

As other Senators have pointed out, 99 of us are on record that a full \$3 billion over the President's request is needed. I agree with this and I am disappointed that the Wellstone amendment failed.

Veterans hospitals across my State have laid off hundreds of staff this year alone. Despite promises from the Department of Veterans Affairs, I believe that even more staff will have to go if this bill goes through.

So, in conclusion, I appreciate the job, the difficult job that the chairman and the ranking member face. It is not easy when there are so many important needs and so few funds. I just wish either we could find the extra money or at the very least the priorities were a little different because of housing and veterans needs that are so pressing in my State.

I thank the chairman and ranking member for their courtesy.

I yield back the remainder of my time.

Mr. BOND. Mr. President, I thank the Senator from New York for his very moving comments. I agree with him that we need more housing. I stated earlier my concerns that section 8 is not providing more housing. This is a long-term problem on which we must work. There are many challenges in the section 8 program, not the least of which is, as I said earlier, being able to continue the section 8 assistance for those who have it. So I will not pursue this discussion any longer. We will have an opportunity to do so tomorrow.

I believe we are winding up.

Mr. President, I do have one other amendment I would like to offer which simply calls on the GAO to conduct a study of possible revisions to the capital structure of the Federal Home Loan Bank System and report to the Congress not later than 1 year after the date of enactment of this act.

I am sure everybody is looking forward to having another study from GAO.

AMENDMENT NO. 1786

I send this amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative assistant read as follows:

The Senator from Missouri [Mr. BOND] proposes an amendment numbered 1786.

Mr. BOND. 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:

At the appropriate place, insert the following:

SEC. . GAO STUDY ON FEDERAL HOME LOAN BANK CAPITAL.

(a) STUDY.—The Comptroller General of the United States shall conduct a study of—

(1) possible revisions to the capital structure of the Federal Home Loan Bank System, including the need for—

(A) more permanent capital;

(B) a statutory leverage ratio; and

(C) a risk-based capital structure; and

(2) what impact such revisions might have on the operations of the Federal Home Loan Bank System, including the obligation of the Federal Home Loan Bank System under section 21B(f)(2)(C) of the Federal Home Loan Bank Act.

(b) REPORT TO CONGRESS.—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall submit a report to the Congress on the results of the study conducted under subsection (a).

Mr. BOND. It is a simple amendment. I urge the adoption of the amendment.

Ms. MIKULSKI. Mr. President, this side has reviewed the amendment. We think a GAO study on this topic will definitely be in the national interest. I am willing to accept the amendment.

Mr. BOND. I thank the Senator.

I ask unanimous consent the amendment be agreed to.

The PRESIDING OFFICER. If there is no further debate, without objection, the amendment is agreed to.

The amendment (No. 1786) was agreed to.

Mr. BOND. I move to reconsider the vote.

Ms. MIKULSKI. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Ms. MIKULSKI. Mr. President, I wish to convey to the chairman of the subcommittee that the Senator from Massachusetts said he would be ready to go first thing in the morning. So I know of no other amendments this evening where the Senators are ready to offer them. My suggestion would be that we close out this evening and begin bright and early with the Kerry of Massachusetts amendments on section 8 and also the issue of housing for AIDS patients.

Mr. BOND. Mr. President, I share the Senator's hope. It does appear there will not be any further business on this bill tonight. We are awaiting the final OK from the leadership.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. BOND. Mr. President, I ask unanimous consent that all remaining first-degree amendments, other than one for each leader and a manager's package and a measure relating to Y2K by Senators DODD and BENNETT, to the HUD-VA appropriations bill be relevant or sense-of-the-Senate language. I further ask unanimous consent that all second-degree amendments be relevant to the first-degree amendment they propose to amend.

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

Mr. AKAKA addressed the Chair.

The PRESIDING OFFICER. The Senator from Hawaii.

Mr. AKAKA. Mr. President, I take the floor to commend my friends, the chairman and the ranking member, for their efforts in coming forward with a bill that provides valuable funding for veterans and key housing programs.

However, I urge my colleagues to provide additional funding for section 8 vouchers. We have talked a lot about this. In my State of Hawaii, there is a 20-month wait for public housing and a 44-month wait for section 8 vouchers. Without additional funding for these programs, Hawaii's residents will only see an increase in the waiting period for public housing and section 8 vouchers. We must ensure that adequate funding is provided for these important programs which benefit so many people.

Lastly, I wish to also urge my colleagues to revisit the Community Builders Program and provide HUD with the ability to continue this valuable program. In my State, this program has provided a valuable service for Hawaii's low-income families.

Once again, I commend the chairman and ranking member for making very tough decisions in crafting this legislation. I know it was not easy, and I am pleased the committee sought additional funding for our Nation's veterans' health care system. But I hope we also understand the need for affordable housing, and I urge the committee to revisit this issue in conference.

I yield the floor.

Mr. BOND. Mr. President, I thank my good friend from Hawaii for his perceptive comments. We will be happy to discuss those issues. We appreciate the insights and look forward to working with him to attempt to deal with the specific problems he finds in his beautiful State. I do appreciate his coming to share with us his views.

Mr. LEAHY. Mr. President, I would like to take this opportunity first to applaud Senator BOND and Senator MIKULSKI for the tremendous job they have done balancing the demands of some of our most important programs with a very limited budget. The Fiscal Year 2000 VA/HUD and Independent Agencies appropriations bill which they have crafted is a good bill and stands in stark contrast to the House passed bill which included some devastating cuts to a number of very important housing and community development programs. The Chairman and Ranking Member were very responsive to my requests and concerns with the bill as were their staffs.

I do remain concerned about funding for several HUD programs and I hope that there will be an opportunity in conference to revisit these accounts and provide some additional funding. In particular, the failure to fund incremental section 8 vouchers will cause a real hardship for the thousands of families across the country on wait lists for rental assistance. In Vermont alone the wait for Section 8 rental assistance can stretch for years and some lists have been closed completely because of

the extensive wait. The booming economy is great for business but not so good for low-income families who are finding themselves priced out of the housing market. More and more people in Vermont and throughout the country are paying more than 30 percent of their income for housing. Last year Congress authorized 100,000 vouchers for FY 2000. The Administration has included those vouchers in their budget request. We should include funding for those vouchers in the FY 2000 VA/HUD Appropriations bill.

I would also like to voice my concern for the funding provided for the Youthbuild program and for the Neighborhood Reinvestment Corporation. Youthbuild is a wonderful example of a program that is helping develop leadership skills in at-risk youth while providing much needed affordable housing. The program has been an unqualified success in Vermont where Youthbuild participants have constructed and rehabilitated affordable housing in Burlington's Enterprise Community. From weatherizing homes to building single and multi-family housing, Youthbuild Burlington has proven the value of this program in investing at-risk youth in their communities while building skills for the future, and meeting the critical need for quality affordable housing in Burlington. Earlier this year I joined 49 of my colleagues in a letter to Senator BOND and Senator MIKULSKI supporting a \$75 million appropriation for the Youthbuild program. Unfortunately the bill we are considering includes only \$42.5 million for this valuable program. The Department's ability to offer grants to new Youthbuild programs or provide additional support for existing programs would be greatly reduced by this funding level. I hope that we will be able to increase funding for Youthbuild in Conference.

The Neighborhood Reinvestment Corporation (NRC) is another important HUD program which received a significant funding cut. This bill reduces funding for the NRC by a third. The NRC has been an invaluable partner in the drive to increase home ownership in Vermont and throughout the nation. Four homeownership centers in Vermont are currently implementing the Neighborworks model of "full cycle lending" which has made such a difference in bringing the opportunity of homeownership to lower income families in my state. Time after time, these homeownership centers have allowed families who would not otherwise have been considered by commercial lenders, to secure mortgages for affordable homes, and helped families who would otherwise have suffered foreclosure remain in their homes. The level of funding proposed in the Senate bill would prevent 12,000 families currently in the pipeline from receiving further assistance, and would result in 8,700 fewer families realizing the dream of homeownership and 80,000 families not receiving homebuyer or foreclosure prevention counseling. I hope that we can

prevent those results by providing additional funding for this valuable program in conference.

Finally, I would like to once again express my support for the Community Development Financial Institutions (CDFI) program. The Senate bill provides \$80 million for this important program, \$15 million below last year's level and \$45 million below the President's request. The CDFI Fund is an economic development initiative that was adopted with overwhelming bipartisan support several years ago. The program is an important investment tool for economically distressed communities. CDFI leverages private investment to stretch every Federal dollar. This program is working effectively in communities across the country, and I believe additional resources are needed to maximize the value of this important federal investment.

I look forward to working with Senator MIKULSKI and Senator BOND during conference to secure additional funding for these programs.

Mrs. FEINSTEIN. Mr. President, I rise to draw attention to FEMA's proposed Public Assistance Insurance Rule that is currently pending at the Office of Management and Budget. The rule is referenced in the report language of both the House and Senate VA/HUD Appropriations bills.

I support FEMA's efforts to reduce the costs of federal disasters. However, the proposed rule, in its current form, would require public institutions to purchase "all hazard" insurance for public buildings. This includes local school districts, cities, non-profit hospitals, universities and other non-profits.

California risk managers and insurance brokers have told me there currently is no insurance available to public institutions. They would be unable to obtain, at any price, the coverage required by the FEMA rule.

Even if insurance were to be available, it is highly unlikely that the individual insurers would be able to pay out in the event of a catastrophic earthquake. The financial implications for California are enormous and should be considered before implementing the proposed FEMA rule.

During Committee markup, I was told by Senator BOND that cities and counties that could not obtain hazard insurance would be exempt from the FEMA rule. FEMA says this is not the case. I believe the FEMA proposal is ambiguous in many areas and it needs to be more thoroughly examined. I am concerned that FEMA may be rushing to implement this regulation without a thorough understanding of its true impact.

The House VA-HUD bill requests a GAO study of this issue before moving forward with the proposed rule. The Senate bill makes no mention of a GAO study, and supports the proposed rule change. It is my sincere hope that we can work together to develop an approach similar to that of the House. I

believe that we must have an independent analysis of this important and potentially costly issue before it is finalized.

KYOTO PROTOCOL

Mr. CHAFEE. Mr. President, pages 78 and 79 of the fiscal year 2000 VA, HUD and Independent Agencies Appropriations bill and page 83 of the accompanying Committee Report contain language regarding implementation of the Kyoto Protocol. During the debate on this appropriation last year, we agreed that EPA should not use appropriated funds for the purpose of issuing regulations to implement the Kyoto Protocol, unless and until such treaty is ratified by the United States. We also agreed that our intent was not to interfere with important and on-going voluntary energy conservation and climate change related programs and initiatives—such as the Climate Challenge program, Green Lights, Energy Star, the Partnership for a New Generation of Vehicles. These programs have reduced greenhouse gas emissions by increasing energy efficiency across a broad range of domestic industrial sectors. These programs make sense for other reasons as well, including saving consumers and businesses money, creating export opportunities, reducing our dependence on foreign oil, and addressing local air pollution problems.

I ask the distinguished manager of the bill, Senator BOND, whether the language in the bill and the report this year maintain the agreement that we reached last year on this issue?

Mr. BOND. The Senator is correct. The language cited by the Senator reflects the agreement reached on this issue during the conference last year. Previously funded, ongoing projects and voluntary initiatives can go forward. We expect the agency to spend the money in an effective and appropriate manner.

Mr. CHAFEE. I thank the Senator.

BETHUNE-COOKMAN

Mr. MACK. Mr. President, I rise today with my friend from Florida, Senator GRAHAM, to engage the distinguished Chairman, Senator BOND, in a colloquy. Specifically, I wish to make the Chairman aware of an important priority for the State of Florida which was not funded in this bill. Last year, the public housing reform act passed by Congress contained authorization for the construction of a community services student union building at Bethune-Cookman College in Daytona Beach, Florida. Accordingly, we included this project as one of our important priorities for the legislation before us today.

Mr. GRAHAM. I join my friend from Florida in support of this project. The building will serve as a full-service facility not only for the college's 2,300 students, but also the 28,000 citizens of West Daytona Beach. The facility would allow the college to expand its long record of exemplary service to low-income and disadvantaged residents in the community. I would appreciate the Chairman working with his

colleagues on the conference to find funding for this important project in FY 2000.

Mr. BOND. Mr. President, I thank my friends from Florida for their comments and I appreciate their support for the facility. Should this matter come before the conference, you can be assured I will give it due consideration. I thank my friends for bringing this matter to my attention.

Mr. MACK. I thank the Chairman for his assurances.

REUSABLE AND ALTERNATIVE WATER PROJECTS

Mr. MACK. Mr. President, I rise today with my friend from Florida, Senator GRAHAM, to engage the distinguished Chairman, Senator BOND, in a colloquy. Specifically, I wish to make the Chairman aware of two critical projects in Florida that did not receive funding in this bill. The first is the City of West Palm Beach's water reuse project. This wetlands-based potable water reuse program is critical not only to the water supply of the City of West Palm Beach but also to the Everglades restoration effort.

During dry season, the City takes water from Lake Okeechobee which is a critical primary source of water for the Everglades. West Palm Beach is attempting to eliminate this water use through their innovative water reuse project. The City has received federal support in each of the past three fiscal years. Work is progressing on schedule, but a final installment of federal funding is needed to complete the work and bring the project on line.

I would point out to the Chairman that this project is funded in the House VA/HUD and Independent Agencies appropriations bill. I would urge the Chairman to work with our House colleagues during the upcoming conference to ensure that funding for this critical project is completed in this fiscal year.

Mr. BOND. Mr. President, I appreciate the comments of my friend from Florida and understand the importance of this project to his State. I will do all I can with my colleagues in the House to secure funding for this project during the conference.

Mr. GRAHAM. Mr. President, if I could have the attention of the Chairman for a moment to address another important project to the State of Florida, the Alternative Water Source Projects. These central Florida water projects are providing valuable assistance to local governments in devising alternative and expanded water supplies for the region. To date, the federal government has provided \$46.6 million toward this important effort. This project was also funded in the House of Representatives but did not receive funding in this bill. I would also appreciate the Chairman's consideration of Florida's ongoing water-related needs as this bill goes to conference with the House.

Mr. BOND. Mr. President, I thank my friend from Florida for his comments and understand the merits of this

project. I would like to assure both my colleagues that I will do my best to work with the other members of the conference to provide funding for this project.

Mr. MACK. I thank the Chairman for his assurances.

WATER TREATMENT

Mr. MACK. Mr. President, I rise today with my friend from Florida, Senator GRAHAM, to engage the distinguished Chairman, Senator BOND, in a colloquy. Specifically, I wish to make the Chairman aware of an important priority for the State of Florida which was not funded in this bill. The city of Sarasota, Florida has long been working with the federal government to address its water treatment system problems. Many of the city's residents are still on septic tanks and the federal government has been interested in addressing this problem because of polluted runoff into the Sarasota Bay National Estuary.

Mr. GRAHAM. I would agree with the comments of my Florida colleague and add that the federal government has been working through the National Estuary Program to help it address this problem in previous years. During this year's appropriations process, we requested a grant out of the State and tribal assistance grant portion of this bill to continue this process. It would be my hope that the Chairman would work with us and with the other members of the upcoming conference committee to find funding for this project. It has the full support of Florida's House delegation and I would appreciate the Chairman's support as we move toward the next stage of the process.

Mr. BOND. Mr. President, I thank my friends from Florida for their comments and I am familiar with this project from previous years. If an opportunity arises in the conference to fund it, I will work with my colleagues from the House to do so. I thank my friends for bringing this matter to my attention.

Mr. MACK. I thank the Chairman for his assurances.

NORTHEAST STATES FOR COORDINATED AIR USE MANAGEMENT

Mr. LEAHY. Mr. President, I would like to engage the Chairman in a colloquy. First, let me thank the Senator from Missouri for his diligence in balancing funding for the wide variety of programs within the VA-HUD Appropriations bill under very difficult budget constraints. Under these constraints, you were able to increase funding for the Environmental Programs and Management over Fiscal Year 1999. However, one very important organization in the Northeast was not funded this year. For more than a decade, this body has supported an organization called the Northeast States for Coordinated Air Use Management or (NESCAUM) with a modest \$300,000 line item. NESCAUM is a non-profit organization that provides technical assistance to the Northeast states and the

nation on a host of important air quality issues. By providing recommendations for consistent regional action, NESCAUM helps both states and regulated industry avoid a costly patchwork of differing regulatory requirements. While I know that this is a very difficult year, I believe that NESCAUM provides a valuable service and is strongly supported by the Senators from our region. At a minimum, I believe the Environmental Protection Agency should be encouraged to allocate \$300,000 from the Environmental Programs and Management account to NESCAUM.

Mr. BOND. I recognize that we have provided NESCAUM this support for many years. The same can be said for several entities that do not receive line-item funding in this year's legislation. However, recognizing the broad support for NESCAUM's activities from a number of states, I concur in supporting encouraging EPA that it seek to provide NESCAUM with \$300,000 of general support consistent with previous years.

Mr. LEAHY. I thank the Chairman and look forward to working with him and the Environmental Protection Agency to continue the good work of this organization. It has been a model of state collaboration. Most recently, its efforts to develop market-based approaches to air quality improvement have helped move our region toward specific steps to reduce emissions within our states.

MORNING BUSINESS

Mr. BOND. Mr. President, I ask unanimous consent that the Senate now proceed to a period of morning business, with Senators permitted to speak for up to 10 minutes each.

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

Mr. WELLSTONE. Mr. President, I opposed the District of Columbia appropriations conference report for a number of reasons but the reason I speak out today is my grave concern with provisions in the report that continue to prohibit the government of the District of Columbia from engaging in needle exchange programs. These valuable programs curb the spread of HIV/AIDS by allowing injecting drug users to exchange their used, potentially contaminated needles for sterile ones. Yet, the District of Columbia appropriations conference report not only banned the use of Federal funds but prohibited the District from using its own monies to support this valuable program.

We in the Senate wisely did not include such a provision in the DC appropriations bill that passed this body, and it should not have been in the conference report.

Therefore, I opposed the conference report because it was an attack on this city's public health. AIDS is the leading cause of death for D.C. residents ages 30 to 44, an AIDS death rate seven

times the national average. What this conference report did to needle exchange programs was both unnecessary and unjustifiable. Indeed, including a needle exchange prohibition in this conference report is a hazard to the public health.

The prohibition in this report is unnecessary because there was already a ban on Federal funding for needle exchange programs. This ban dates to 1989, when Congress declared that no Federal funds could be spent to support needle exchange programs until there was scientific evidence that the programs, first, could reduce the spread of HIV and, second, did not encourage drug use. There are thus two main questions facing us as we decide the fate of federal needle exchange program funding: Do these programs achieve their public health purpose of slowing the spread of a deadly, infectious disease? And do these programs compromise our drug abuse prevention efforts by encouraging illicit drug use? Science has provided answers to these questions.

A preponderance of evidence shows that needle exchange programs cause a decrease in HIV infection rates. The National Institutes of Health found that needle exchange programs reduce risk behaviors by as much as 80 percent in injecting drug users while reducing HIV infection rates by an estimated 30 percent. In addition, a 1997 study published in *Lancet*, the respected British medical journal, compared HIV seroprevalence over time among injecting drug users in 29 cities with needle exchange programs and 52 cities without needle exchange programs. While seroprevalence increased by 5.9 percent per year in the 52 cities without needle exchange programs, it decreased by 5.8 percent per year in the 29 cities with programs.

Similarly, in the city of Baltimore, HIV infections among IV drug users have declined 30 percent since the start of its needle exchange in 1993 while the infection rate has increased 5 percent in Baltimore County, which has no exchange program. Numerous studies also show that needle exchange programs decrease needle sharing; decrease unsafe disposal of syringes; decrease re-use and passing of syringes; and increase needle disinfection.

Needle exchanges also do not encourage drug use—they compliment our efforts to stop drug use. Needle exchange programs can be linked with greater entry of addicts into drug treatment. After using a needle exchange program for more than 6 months, 58 percent of participants report having enrolled in detox or drug treatment. In New Haven, Connecticut, drug treatment entries doubled in the three years following the opening to its needle exchange. In Tacoma, Washington, needle exchange programs constitute the largest referral source for drug treatment, accounting for 43 percent of treatment participants.

In addition, injection drug users referred by needle exchange programs are

more likely to enter drug treatment and to be retained, even in the face of the greater severity of drug use and psychosocial problems common among this population. Needle exchanges therefore supply a valuable opportunity to provide additional preventive services to difficult-to-reach individuals. Furthermore, studies show that needle exchange programs decrease the frequency of injection among participants and do not tempt individuals to begin using drugs.

These overwhelmingly conclusive results have fostered wide support for improving access to sterile needles. Groups supporting needle exchange programs include: the American Medical Association, the National Institutes of Health, the National Academy of Sciences, the U.S. Department of Health and Human Services, the Centers for Disease Control and Prevention, the American Foundation for AIDS Research, the American Public Health Association, the National Association of County & City Health Officials, and the U.S. Conference of Mayors. As a National Institutes of Health Consensus Statement concludes “There is no longer any doubt that these programs work, yet there is a striking disjunction between what science dictates and what policy delivers. . . . Can the opposition to needle exchange in the United States be justified on scientific grounds? Our answer is simple and emphatic—no.”

Because of this evidence I believe policies that inhibit the creation and expansion of needle exchange programs are unjustifiable. I am baffled and outraged by such policies. We all come to Washington to make laws that help the American people, that combat social ills and that raise the quality of life in our country. We all want to win the war on drugs. We all want to stop the spread of HIV. So then why, when we have evidence that needle exchange programs work, do we continue to put millions of citizens at unnecessary risk? Cutting funding to these programs is a death sentence to thousands of men, women, and children.

I want you all to think for a moment about those children. It is imperative to realize that needle exchange programs go far beyond aiding addicts; they protect the partners and children of addicts. 70 percent of cases of women of childbearing age with HIV are directly or indirectly linked to IV drug use, causing 75 percent of the cases of babies born HIV positive to be the result of the use of dirty needles. For this reason, the American Academy of Pediatrics supports needle exchange programs as a means of reducing the spread of HIV to infants, children and adolescents. These programs are pro-family and pro-child.

We should not be undermining the District of Columbia's local control of public health decisions and to setting a dangerous precedent for the many states and localities that fund needle exchange programs through a combina-

tion of local, state, and private funds. Right now more than 110 communities in 30 states use needle exchange programs to slow the spread of HIV. Despite continued lack of federal funding, needle exchange programs have expanded in terms of the number of syringes exchanged, the geographic distribution of programs, and the range of services offered. Needle exchange programs were able to do this because they are supported by two-thirds of the American people as well as many state and local governments.

In Minnesota, needle exchange programs are an important component of efforts to decrease the transmission of HIV and to end drug use. Minnesota has two successful needle exchange programs. One program, Women with a Point, has exchanged approximately 63,000 syringes in the past 18 months while providing on-site HIV testing, referrals for chemical abuse recovery programs, information on risk reduction techniques and Hepatitis C, and case management for HIV positive injection drug users. The other, Minnesota AIDS Project, has also exchanged thousands of needles and provided users with HIV testing, needle disinfection kits, numerous services for HIV positive individuals, and information about risk reduction techniques.

We must face the reality that the second most frequent reported risk behavior for HIV infection is injecting drug use. Data from the Centers for Disease Control and Prevention indicate that approximately one-third of AIDS cases in the United States are directly or indirectly associated with injecting drug use. Moreover, according to a report in the *American Journal of Public Health*, 50 percent of new HIV infections are occurring among injection drug users.

We know that lowering the rate of injection-related HIV infections requires increasing the availability of drug treatment and increasing access to clean needles. We have scientific evidence that broad implementation of needle exchange programs would aid us in our battle against HIV.

In other words, we have scientific evidence that legal impediments to clean needle possession encourage high-risk behavior and do nothing to reduce drug use. We should not therefore be passing legislation that further hinders the establishment and expansion of needle exchange programs. We should instead of pushing for the removal of the Federal ban on funding—not enacting legislation that prohibits local governments, like the District of Columbia, from adopting good public health practices, practices that have been shown in communities across the United States to reduce the circulation of contaminated needles and the rate of HIV infection.

My colleagues in the Senate, President Clinton has threatened to veto this conference report because of its unwarranted intrusion into the public health of the citizens of the District of

Columbia. And he is right. Colleagues, I ask you to avoid that veto, and to send this report back to the conference committee so this intrusion can be eliminated. Please join me and vote "no" on this conference report as it now reads.

EMPOWERMENT ZONES AND ENTERPRISE COMMUNITIES ACT

Mr. DORGAN. Mr. President, I rise today to let my colleagues know that I am a cosponsor of S. 1473, the Empowerment Zones and Enterprise Communities Act. I believe this bill is an important step in the right direction, though I still have serious concerns about the discrepancy of funding levels between rural and urban Empowerment Zones.

First, let me say I strongly support the Empowerment Zones/Enterprise Community concept. Areas that are designated as Empowerment Zones and Enterprise Communities combine tax credits and social service grants to promote long-term economic revitalization. These communities take a grassroots approach to revitalization by building partnerships with local government, non-profit groups and the private sector—thus allowing the federal government to support the work done on a local level.

The problem, Mr. President, is that Round II Empowerment Zones are not fully funded and are not receiving the same tax benefits as Round I Empowerment Zones. Will Rogers once said, "I don't make jokes. I just watch the government and report the facts." I'm afraid this holds all too true for those who have struggled to see the Round II Empowerment Zones live up to their expectation. When the Griggs/Steele Empowerment Zone in eastern North Dakota was designated a Round II Empowerment Zone last year, the federal government made a commitment to help leaders in these communities create jobs and economic opportunity. Unfortunately, however, this Empowerment Zone still hasn't received one dime of federal funding. Those who live in the Griggs/Steele Empowerment Zone are now beginning to question the commitment of the federal government to make good on its promises.

I am co-sponsoring this bill because I think Congress has a responsibility to do the right thing and fully fund Round II Empowerment Zones and Enterprise Communities throughout this country. Having said that, I am very concerned about the discrepancy in funding between rural and urban areas. Like far too many proposals we debate here in Congress, this bill disproportionately grants much more funding for urban areas than rural areas. Of the \$1.75 billion this legislation would provide over 9 years, urban areas receive almost 86% of the total funding. Although I recognize that we've made some progress and narrowed the gap that existed between rural and urban areas in the original proposal, I hope we can do

more to help rural areas of this country currently facing so many challenges to economic prosperity.

Despite my concerns about the bill on these grounds, I am cosponsoring this legislation because I recognize that Empowerment Zones and Enterprise Communities need this funding in a timely manner to accomplish the economic revitalization the federal government promised. I will continue to work to ensure that rural Round II EZ/ECs receive the full funding and tax benefits they deserve.

THE VERY BAD DEBT BOXSCORE

Mr. HELMS. Mr. President, at the close of business yesterday, Tuesday, September 21, 1999, the Federal debt stood at \$5,634,836,758,964.63 (Five trillion, six hundred thirty-four billion, eight hundred thirty-six million, seven hundred fifty-eight thousand, nine hundred sixty-four dollars and sixty-three cents).

One year ago, September 21, 1998, the Federal debt stood at \$5,510,750,000,000 (Five trillion, five hundred ten billion, seven hundred fifty million).

Five years ago, September 21, 1994, the Federal debt stood at \$4,685,969,000,000 (Four trillion, six hundred eighty-five billion, nine hundred sixty-nine million).

Fifteen years ago, September 21, 1984, the Federal debt stood at \$1,566,880,000,000 (One trillion, five hundred sixty-six billion, eight hundred eighty million) which reflects a debt increase of more than \$4 trillion—\$4,067,956,758,964.63 (Four trillion, sixty-seven billion, nine hundred fifty-six million, seven hundred fifty-eight thousand, nine hundred sixty-four dollars and sixty-three cents) during the past 15 years.

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Williams, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

MESSAGE FROM THE HOUSE

At 11:40 a.m., a message from the House of Representatives, delivered by Mr. Hanrahan, one of its reading clerks, announced that the House has passed the following bills and joint resolutions in which it requests the concurrence of the Senate:

H.R. 468. An act to establish the Saint Helena Island National Scenic Area.

H.R. 834. An act to extend the authorization for the National Historic Preservation fund, and for other purposes.

H.R. 1231. An act to direct the Secretary of Agriculture to convey certain national forest lands to Elko County, Nevada, for continued use as a cemetery.

H.R. 1243. An act to reauthorize the National Marine Sanctuaries Act.

H.R. 1431. An act to reauthorize and amend the Coastal Barrier Resources Act.

H.R. 2079. An act to provide for the conveyance of certain National Forest System lands in the State of South Dakota.

H.R. 2116. An act to amend title 38, United States Code, to establish a program of extended care services for veterans and to make other improvements in health care programs of the Department of Veterans Affairs.

H.R. 2367. An act to reauthorize a comprehensive program of support for victims of torture.

H.J. Res. 54. An act to extend the authorization for the Upper Delaware Citizens Advisory Council.

H.J. Res. 62. An act to provide that the provisions of Executive Order 13107, relating to the implementation of certain human rights treaties, shall not have any legal effect.

The message also announced that the House disagrees to the amendment of the Senate to the bill, H.R. 2084, making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2000, and for other purposes, and agrees to the conference asked by the Senate on the disagreeing votes of the two Houses thereon; and appoints Mr. WOLF, Mr. DELAY, Mr. REGULA, Mr. ROGERS, Mr. PACKARD, Mr. CALLAHAN, Mr. TIAHRT, Mr. ADERHOLT, Ms. GRANGER, Mr. YOUNG of Florida, Mr. SABO, Mr. OLVER, Mr. PASTOR, Ms. KILPATRICK, Mr. SERRANO, Mr. FORBES, and Mr. OBEY as the managers of the conference on the part of the House.

ENROLLED BILL SIGNED

At 4:42 p.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

S. 1059. An act to authorize appropriations for fiscal year 2000 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed forces, and for other purposes.

The enrolled bill was signed subsequently by the President pro tempore (Mr. THURMOND).

MEASURES REFERRED

The following bills and joint resolutions were read the first and second times by unanimous consent and referred as indicated:

H.R. 468. An act to establish the Saint Helena Island National Scenic Area; to the Committee on Energy and Natural Resources.

H.R. 834. An act to extend the authorization for the National Historic Preservation Fund, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 1231. An act to direct the Secretary of Agriculture to convey certain National Forest lands to Elko County, Nevada, for continued use as a cemetery; to the Committee on Energy and Natural Resources.

H.R. 1243. An act to reauthorize the National Marine Sanctuaries Act; to the Committee on Commerce, Science, and Transportation.

H.R. 1431. An act to reauthorize and amend the Coastal Barrier Resources Act; to the Committee on Environment and Public Works.

H.R. 2079. An act to provide for the conveyance of certain National Forest System lands in the State of South Dakota; to the Committee on Energy and Natural Resources.

H.R. 2116. An act to amend title 38, United States Code, to establish a program of extended care services for veterans and to make other improvements in health care programs of the Department of Veterans Affairs; to the Committee on Veterans' Affairs.

H.J. Res. 54. Joint resolution granting the consent of Congress to the Missouri-Nebraska Boundary Compact; to the Committee on the Judiciary.

H.J. Res. 62. Joint resolution to grant the consent of Congress to the boundary change between Georgia and South Carolina; to the Committee on the Judiciary.

MEASURE PLACED ON THE CALENDAR

The following bill was read the second time and placed on the calendar:

S. 1606. A bill to reenact chapter 12 of title 11, United States Code, and for other purposes.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on September 22, 1999, he had presented to the President of the United States, the following enrolled bill:

S. 380. An act to reauthorize the Congressional Award Act.

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-5268. A communication from the Chief, Programs and Legislation Division, Office of Legislative Liaison, Department of the Air Force, transmitting a report relative to a cost comparison of Multiple Support Functions at Sheppard Air Force Base, Texas; to the Committee on Armed Services.

EC-5269. A communication from the Chief, Programs and Legislation Division, Office of Legislative Liaison, Department of the Air Force, transmitting a report relative to a cost comparison of Multiple Support Functions at Keesler Air Force Base, Mississippi; to the Committee on Armed Services.

EC-5270. A communication from the Under Secretary of Defense, transmitting, pursuant to law, a report entitled "Plan to Ensure Visibility of In-Transit End Items and Secondary Items"; to the Committee on Armed Services.

EC-5271. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to law, the report of the texts and background statements of international agreements, other than treaties; to the Committee on Foreign Relations.

EC-5272. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report entitled "Saddam Hussein's Iraq"; to the Committee on Foreign Relations.

EC-5273. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to

law, a report relative to counternarcotics assistance for Columbia, Peru, Ecuador, and Panama; to the Committee on Foreign Relations.

EC-5274. A communication from the Chief, Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "October 1999 Applicable Rates" (Revenue Ruling 99-41), received September 21, 1999; to the Committee on Finance.

EC-5275. A communication from the Chief, Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Rev. Rul. 99-40, Interest on Underpayments of Tax" (Rev. Rul. 99-40), received September 16, 1999; to the Committee on Finance.

EC-5276. A communication from the Chief, Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Notice 99-46, 1999 Marginal Production Rates", received September 10, 1999; to the Committee on Finance.

EC-5277. A communication from the Administrator, Agricultural Marketing Service, Marketing and Regulatory Programs, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Sweet Cherries Grown in Designated Counties in Washington; Change in Pack Requirements" (Docket No. FV99-923-1 FIR), received September 16, 1999; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5278. A communication from the Administrator, Agricultural Marketing Service, Marketing and Regulatory Programs, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Irish Potatoes Grown in Modoc and Siskiyou Counties, California and all Counties in Oregon, except Malheur County: Temporary Suspension of Handling Regulations and Establishment of Reporting Requirements" (Docket No. FV99-947-1 FIR), received September 16, 1999; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5279. A communication from the Manager, Federal Crop Insurance Corporation, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "General Administrative Regulations; Submission of Policies and Provisions of Policies, and Rates of Premium" (RIN0563-AB15), received September 21, 1999; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5280. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "2,6-Diisopropyl-naphthalene; Temporary Exemption from the Requirement of a Tolerance" (FRL #6381-7), received September 17; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5281. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Spinosaad; Pesticide Tolerance" (FRL #6381-9), received September 17; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5282. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Sulfentrazone; Pesticide Tolerances for Emergency Exemptions" (FRL #6097-8), received September 17; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5283. A communication from the Director, Office of Regulatory Management and

Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Tebucanazole; Extension of Tolerances for Emergency Exemptions" (FRL #6381-6), received September 17; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5284. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Tebufenozide; Benzoic Acid, 3,5-dimethyl-1-(1,1-dimethylethyl)-2-(4-ethylbenzoyl)hydrazide; Pesticide Tolerances" (FRL #6380-1), received September 17; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5285. A communication from the Assistant Secretary for Fish and Wildlife and Parks, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Migratory Bird Hunting: Final Frameworks for Late Season Migratory Bird Hunting Regulations" (RIN1018-AF24), received September 21, 1999; to the Committee on Environment and Public Works.

EC-5286. A communication from the Administrator, General Services Administration, transmitting a report relative to the Fiscal Year 2000 Capital Investment and Leasing Program; to the Committee on Environment and Public Works.

EC-5287. A communication from the Secretary of Labor, transmitting, pursuant to law, a report relative to employment and training programs for veterans during program year 1997 and fiscal year 1998; to the Committee on Veterans' Affairs.

EC-5288. A communication from the Director, Office of Surface Mining, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Arkansas Abandoned Mine Land Reclamation Plan" (SPATS # AR-029-FOR), received September 17, 1999; to the Committee on Energy and Natural Resources.

EC-5289. A communication from the Assistant Secretary, Policy, Management and Budget, Department of the Interior, transmitting, pursuant to law, a report entitled "Report of Royalty Management and Delinquent Account Collection Activities" for fiscal year 1998; to the Committee on Energy and Natural Resources.

EC-5290. A communication from the Acting Assistant Attorney General, transmitting, pursuant to law, a report entitled "Attacking Financial Institution Fraud: Fiscal Year 1997 (First Quarterly Report)"; to the Committee on the Judiciary.

EC-5291. A communication from the Director, Regulations Policy and Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Secondary Direct Food Additives Permitted in Food for Human Consumption" (Docket No. 99F-0299), received September 16, 1999; to the Committee on Health, Education, Labor, and Pensions.

EC-5292. A communication from the Director, National Institute on Alcohol Abuse and Alcoholism, transmitting, pursuant to law, a letter relative to the triennial report on alcohol and health; to the Committee on Health, Education, Labor, and Pensions.

EC-5293. A communication from the Federal Register Liaison Officer, Regulations and Legislation Division, Office of Thrift Supervision, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Management Official Interlocks" (RIN1550-AB07), received September

16, 1999; to the Committee on Banking, Housing, and Urban Affairs.

EC-5294. A communication from the Deputy General Counsel, Small Business Administration, transmitting, pursuant to law, the report of a rule entitled "Pre-Disaster Mitigation Loans" (FR Doc. 99-23051, published on September 3, 1999, 64 FR 48275), received September 16, 1999; to the Committee on Small Business.

EC-5295. A communication from the Assistant Secretary for Fish and Wildlife and Parks, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Migratory Bird Hunting: Migratory Bird Hunting Regulations on Certain Federal Indian Reservations and Ceded Lands for the 1999-2000 Late Season" (RIN1018-AF24), received September 21, 1999; to the Committee on Indian Affairs.

EC-5296. A communication from the Comptroller General of the United States, transmitting, pursuant to law, the report of the list of General Accounting Office reports for July 1999; to the Committee on Governmental Affairs.

EC-5297. A communication from the Secretary of Energy transmitting a draft of proposed legislation relative to the Weatherization Assistance Program for Low-Income Persons; to the Committee on Energy and Natural Resources.

EC-5298. A communication from the Assistant Secretary for Fish and Wildlife and Parks, Department of the Interior, transmitting a draft of proposed legislation relative to the Big Thicket National Preserve; to the Committee on Energy and Natural Resources.

EC-5299. A communication from the U.S. Trade Representative, Executive Office of the President, transmitting a draft of proposed legislation relative to U.S. textile and apparel rules of origin; to the Committee on Finance.

EC-5300. A communication from the Secretary of Agriculture transmitting a draft of proposed legislation relative to civil penalties for persons who harm animals used for official inspections by the Department of Agriculture, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5301. A communication from the Deputy Associate Administrator, Office of Acquisition Policy, Office of Governmentwide Policy, transmitting, pursuant to law, on behalf of the Department of Defense, the General Services Administration, and the National Aeronautics and Space Administration the report of Federal Acquisition Regulation rules entitled "Federal Acquisition Circular 97-14" (FAC 97-14), received September 17, 1999; to the Committee on Governmental Affairs.

EC-5302. A communication from the Comptroller General, transmitting, pursuant to law, a report relative to the President of the United States's third special impoundment message relating to the United States Emergency Refugee and Migration Assistance Fund transmitted jointly, pursuant to the order of January 30, 1975, as modified by the order of April 11, 1986, to the Committee on Appropriations, to the Committee on the Budget; and to the Committee on Foreign Relations.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM-356. A resolution adopted by the City Council of Park Ridge City, Illinois relative

to power plants in the State of Illinois; to the Committee on Environment and Public Works.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. LOTT (for Mr. MCCAIN), from the Committee on Commerce, Science, and Transportation, with an amendment in the nature of a substitute:

S. 383. A bill to establish a national policy of basic consumer fair treatment for airline passengers (Rept. No. 106-162).

EXECUTIVE REPORT OF A COMMITTEE

The following executive report of committee was submitted:

By Mr. MURKOWSKI, for the Committee on Energy and Natural Resources:

Ivan Itkin, of Pennsylvania, to be Director of the Office of Civilian Radioactive Waste Management, Department of Energy.

(The above nomination was reported with the recommendation that he be confirmed, subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. LOTT (for Mr. MCCAIN):

S. 1611. A bill to amend the Internet Tax Freedom Act to broaden its scope and make the moratorium permanent, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. KERREY (for himself and Mr. HAGEL):

S. 1612. A bill to direct the Secretary of the Interior to convey certain irrigation project property to certain irrigation and reclamation districts in the State of Nebraska; to the Committee on Energy and Natural Resources.

By Mr. MACK (for himself and Mr. GRAHAM):

S. 1613. A bill to authorize the Secretary of Transportation to issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade for the vessel *Victory of Burham*; to the Committee on Commerce, Science, and Transportation.

S. 1614. A bill to authorize the Secretary of Transportation to issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade for the vessel *Lucky Dog*; to the Committee on Commerce, Science, and Transportation.

S. 1615. A bill to authorize the Secretary of transportation to issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade for the vessel *Enterprise*; to the Committee on Commerce, Science, and Transportation.

Mr. LOTT (for Mr. MCCAIN):

S. 1616. A bill to require the Secretary of Veterans Affairs to develop within the Department of Veterans Affairs a system for collecting payments under the Medical Care Cost Recovery Program that utilizes collection practices similar to private collection practices, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. DEWINE (for himself, Mr. VOINOVICH, and Mr. MCCONNELL):

S. 1617. A bill to promote preservation and public awareness of the history of the Underground Railroad by providing financial assistance, to the Freedom Center in Cincinnati, Ohio; to the Committee on Energy and Natural Resources.

By Mr. GRAHAM (for himself, Mr. JEFFORDS, Mr. CHAFEE, Mr. BRYAN, Mr. ROCKEFELLER, and Mr. KERRY):

S. 1618. A bill to promote primary and secondary health promotion and disease prevention services and activities among the elderly, to amend title XVIII of the Social Security Act to add preventive benefits, and for other purposes; to the Committee on Finance.

By Mr. DEWINE (for himself, Mr. LOTT, Mr. AKAKA, Mr. INOUE, Mr. ROBERTS, Mr. HAGEL, Mr. BUNNING, Mr. VOINOVICH, Mr. DORGAN, and Mr. CONRAD):

S. 1619. A bill to amend the Trade Act of 1974 to provide for periodic revision of retaliation lists or other remedial action implemented under section 306 of such Act; to the Committee on Finance.

By Mr. GORTON:

S. 1620. A bill to direct the Secretary of Agriculture to convey certain land to Federal Energy Regulatory Commission permit holders; to the Committee on Energy and Natural Resources.

By Ms. LANDRIEU (for herself and Mr. BREAUX):

S. 1621. A bill to amend the Federal Water Pollution Control Act to authorize funding to carry out certain water quality restoration projects for Lake Ponchartrain Basin, Louisiana, and for other purposes; to the Committee on Environment and Public Works.

By Mrs. LINCOLN (for herself, Mr. FRIST, Ms. LANDRIEU, Mr. HUTCHINSON, Mr. BREAUX, and Mr. DURBIN):

S. 1622. A bill to provide economic, planning, and coordination assistance needed for the development of the lower Mississippi river region; to the Committee on Environment and Public Works.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. LOTT (for Mr. MCCAIN):

S. 1611. A bill to amend the Internet Tax Freedom Act to broaden its scope and make the moratorium permanent, and for other purposes; to the Committee on Commerce, Science, and Transportation.

INTERNET TAX FREEDOM ACT OF 1999

Mr. MCCAIN. Mr. President, I am pleased to introduce legislation today which will ensure that Internet commerce remains free from burdensome, anti-consumer taxation. Simply, this bill would make permanent the moratorium on sales and use taxes for e-commerce, and would encourage the Administration to urge our world trading partners to do the same.

I believed that this was the right approach last year. However, others were concerned about the impact on so-called "main street business" if such a prohibition against taxation of e-commerce was implemented. Therefore, I agreed to a temporary moratorium to allow more information to be gathered and those issues to be further considered. I now believe that additional information and further analysis of

Internet taxation issues confirms that indeed a complete moratorium is the right approach, and we should act now to protect the engine of our economy from unnecessary regulation and taxation.

In addition to the discussion here in the United States, protection of the Internet against international tariffs is also a topic of interest to our trade partners. It is important for us to set the tone for discussion with the international Internet community by establishing the Internet as a world-wide "tax-free zone."

Conclusions included in a recent study completed by the respected auditing and consulting firm Ernst & Young supports passage of this legislation. The report found that the total sales and use taxes not collected by state and local governments from Internet e-commerce transactions amounted to only "one-tenth of one percent of total state and local sales and use tax collections."

Further, Ernst & Young determined that the small effect of commerce transaction on sales and use tax revenues is due to several factors, including the fact that "an estimated 80% of current commerce is business-to-business sales that are either not subject to sales and use taxes or are effectively subject to use tax payments by in-state business purchasers," "an estimated 63 percent of e-commerce sales are for intangible services, such as travel and financial services, or exempt products, such as groceries and prescription drugs" which are not subject to tax in most states.

As a result, ". . . only 13% of total e-commerce retail sale have potential sales and use tax collection issues." Thus, the nearly infinitesimal effect on local revenues is not causing a financial crisis for either states or local communities.

Mr. President, what is clear is that the issues raised in relation to e-commerce transactions are really broader policy issues related to a fair and equitable tax policy in this country. Debate on this larger issue needs to take place. The discussion includes not just Internet sales or even catalog sales, but all of the ramifications of taxing sales of goods across state and international boundaries.

We must look at the costs to small businesses of administering different tax policies for each location in which it conducts business. We need to look at the effects of taxation on consumers. And, we need to consider how taxes affect the United States' position as the world leader in technology application.

I look forward to the report in April from the panel commissioned last year by Congress to explore these issues. Recent media accounts suggest that they may not reach agreement on a plan to propose to Congress. I think it is important to move forward on ensuring that the default position absent a consensus proposal is not to lift the mora-

torium, but to place the burden of proof on those advocating taxation of e-commerce. This places the burden on those who support taxation to provide both the rationale and a workable methodology. I will be skeptical of both, but invite them to make their case and allow the debate. This bill ensure, however, that we don't provide an incentive for inaction. This bill confirms that the right answer is to not tax unless there is a good reason to, and unless there is a fair mechanism for doing so.

I look forward to debate on what is a fair tax system in the United States, at both the national and state levels. However, while we continue that debate, we must also ensure that we do not perpetuate the problems currently ingrained in our tax system by applying them to the Internet.

Mr. President, I ask unanimous consent that the text of the legislation be printed in the RECORD.

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

S. 1611

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. MORATORIUM MADE PERMANENT; SCOPE.

Section 1101(a) of the Internet Tax Freedom Act is amended—

(1) by striking "during the period beginning on October 1, 1998, and ending 3 years after the date of the enactment of this Act—"

and inserting "after September 30, 1998:";

(2) by striking "and" after the semicolon in paragraph (1);

(3) redesignating paragraph (2) as paragraph (3); and

(4) inserting after paragraph (1) the following:

"(2) sales or use taxes for domestic or foreign goods or services acquired through electronic commerce; and"

SEC. 2. SENSE OF THE SENATE.

It is the sense of the Senate that United States representatives to the World Trade Organization, and any other multilateral trade organization of which the United States is a member, should resolutely advocate that it is the firm position of the United States that electronic commerce conducted via the Internet should not be burdened by national or local regulation, taxation, or the imposition of tariffs on such commerce.

By Mr. KERREY (for himself and Mr. HAGEL):

S. 1612. A bill to direct the Secretary of the Interior to convey certain irrigation project property to certain irrigation and reclamation districts in the State of Nebraska; to the Committee on Commerce, Science, and Transportation.

THE MISSOURI RIVER BASIN, MIDDLE LOUP DIVISION PROJECT FACILITIES CONVEYANCE ACT

Mr. KERREY. Mr. President, today I am joined by Senator HAGEL in introducing the Missouri River Basin, Middle Loup Division Project Facilities Conveyance Act.

The bill provides for the transfer of title of irrigation project facilities and lands from the Bureau of Reclamation,

U.S. Department of Interior to the Middle Loup Division irrigation districts in central Nebraska. These districts have operated the facilities there for over 35 years.

The project facilities are part of the Missouri River Basin Project, and provide water from the Middle Loup River to over 64,000 acres of irrigable land, as well as providing recreating and fish and wildlife benefits. Principal features of the projects include the Sherman Dam and Reservoir, the Arcadia Diversion Dam, the Milburn Diversion Dam, irrigation canals and laterals, drains and pumping plants.

Crops grown on these irrigated lands primarily include alfalfa, small grains, sugar beets, and corn to provide feed for a thriving livestock-feeding economy in my state of Nebraska, which includes beef cattle, hogs, and poultry.

In 1995, the Vice President indicated that the Bureau of Reclamation of the U.S. Department of Interior should transfer titles to allow local ownership of irrigation projects such as this. The Bureau has indicated to me that this project is a top candidate for title transfer to be achieved. This transfer also has the support of Nebraska's Game and Parks Commission as well as the Middle Loup Public Power and Irrigation District. When this legislation passes, Nebraska will become the first state where title transfer efforts have been successful.

Two trust funds are to be created: one by the Districts and one by Nebraska Game and Parks Commission. Those two trusts will be equally funded from the proceeds of the transfer. Details of those two trusts are as follows:

First, a "Nebraska-Middle Loup River Community Environmental Trust" will be created by the Districts and will be funded with the proceeds of the transfer from the power producers share of the total payments. That fund will be administered and used by the Districts for environmental and conservation enhancements, to protect lands and facilities in the area of the River Basin in which the project facilities exist, and \$500,000 of the funds will be used expressly for drainage work required in the Middle Loup River valley near Loup City. The funds cannot be used for routine operation and maintenance of the project facilities.

And second, a "Nebraska-Middle Loup River Game and Parks Trust" will be created by Nebraska Game and Parks Commission and will be funded by the proceeds of the transfer from the District's share of the total payments. That fund will be administered and used by the Game and Parks Commission to improve and enhance fisheries and recreation opportunities and to expand knowledge of water and land resources for enhancing project operations and improving the service of project purposes. Like the other trust, funds cannot be used for routine operations and maintenance of project facilities.

The irrigation projects and facilities were constructed between 1955 and 1966

under authorities of the Flood Control Act of 1944, and are currently operated and maintained under contracts between the Bureau and the irrigation districts and power producers. The transfer will provide for total repayment of all outstanding obligations on behalf of the irrigation districts and power producers, while retaining all current uses and purposes for the projects.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 1612

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 "Missouri River Basin, Middle Loup Division Facilities Conveyance Act".

SEC. 2. DEFINITIONS.

In this Act:

(1) COMMISSIONER.—The term "Commissioner" means the Commissioner of Reclamation.

(2) DISTRICT.—The term "District" means—

(A) the Farwell Irrigation District, a political subdivision of the State of Nebraska;

(B) the Sargent Irrigation District, a political subdivision of the State of Nebraska; and

(C) the Loup Basin Reclamation District, a political subdivision of the State of Nebraska.

(3) DISTRICT TRUST.—The term "District Trust" means the Nebraska-Middle Loup River Community Environmental Trust established under section 5(a)(2)(B)(v).

(4) GAME AND PARKS COMMISSION TRUST.—The term "Game and Parks Commission Trust" means the Nebraska-Middle Loup River Game and Parks Commission Trust established under section 5(a)(2)(B)(vi).

(5) PROJECT.—The term "Project" means Sherman Reservoir, Milburn Diversion Dam, Arcadia Diversion Dam, related canals and other related lands, water rights, acquired land, distribution and diversion facilities, contracts, personal property, and other associated interests owned by the United States and authorized under the Act of June 17, 1902 (32 Stat. 388, chapter 1093), the Act of December 22, 1944 (commonly known as the "Flood Control Act of 1944") (58 Stat. 887, chapter 665), and the Act of August 3, 1956 (70 Stat. 975, chapter 917).

(6) REPAYMENT AND WATER SERVICE CONTRACTS.—The term "Repayment and Water Service Contracts" means all repayment and water service contracts between the Commissioner and the District relating to the Project.

(7) SECRETARY.—The term "Secretary" means the Secretary of the Interior.

(8) TRUST.—The term "Trust" means—

(A) the District Trust; and

(B) the Game and Parks Commission Trust.

SEC. 3. CONVEYANCE OF THE PROJECT.

(a) CONVEYANCE.—

(1) IN GENERAL.—The Secretary shall convey to the Districts, by quitclaim deed, assignment, or patent, the interest of the United States in the Project, in consideration of payment to the Secretary—

(A) by the Districts, of an amount not to exceed \$3,000,000, determined in accordance with the Bureau of Reclamation document

entitled "Framework for Title Transfer" and the memorandum of agreement between the Commissioner and the Districts under section 5; and

(B) by the Western Area Power Administration, of \$2,000,000.

(2) TIMING.—The conveyance under paragraph (1) shall be made concurrently with the making of the payment under paragraph (1)(A), but the payment under paragraph (1)(B) shall be made from capacity and energy charges at Pick-Sloan Missouri Basin Program firm power rates received in fiscal year 1999 or any subsequent fiscal year in which the amount of power sale revenue received exceeds the amount of interest and operation and maintenance obligations of the Western Area Power Administration by at least \$2,000,000, to the extent of the excess.

(3) SATISFACTION OF OBLIGATIONS AGAINST THE PROJECT.—The payment under paragraph (1)(A) shall constitute full and complete satisfaction of all obligations against the Project, the Districts, and the Western Area Power Administration existing before the date of the conveyance or thereafter relating to the Project, including—

(A) future obligations for additional drainage under section 5(a)(2)(iv);

(B) obligations under any contracts entered into between the United States, the Districts, and the Western Area Power Administration or its predecessors; and

(C) any obligation that may have been required by the Act of December 22, 1944 (58 Stat. 887, chapter 665) or other related Federal law.

(4) SATISFACTION OF OBLIGATIONS FOR IRRIGATION BENEFITS.—The conveyance of the Project and the payment of the consideration under paragraph (1) shall constitute full satisfaction of any and all obligations of the Districts or of the Pick-Sloan Missouri Basin Program firm power users or the Western Area Power Administration for irrigation benefits of the Project or for any other benefits conveyed to the Districts.

(b) CONTAMINATED PROPERTY.—

(1) REMEDIAL ACTION.—The Secretary shall convey the Project without regard to whether all necessary remedial action required under section 120(h)(3) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9620(h)(3)) on any part of the Project has been completed.

(2) CONTINUING OBLIGATION TO COMPLETE REMEDIAL ACTION.—Notwithstanding any law to the contrary, the United States shall remain during and subsequent to the conveyance obligated, at the expense of the United States, to complete any required remedial action.

(c) EXTINGUISHMENT OF OBLIGATIONS BETWEEN THE COMMISSIONER AND THE DISTRICTS.—Effective on the date of the conveyance, all obligations between the Commissioner and the Districts relating to the Project and the Repayment and Water Service Contracts are extinguished.

(d) PAYMENT OF NEPA STUDY COSTS.—The Commissioner and the Districts shall each pay 50 percent of the costs associated with compliance with the National Environmental Policy Act (42 U.S.C. 4321 et seq.).

(e) CREDITING OF CERTAIN ITEMS TOWARD PAYMENT UNDER SUBSECTION (a)(1)(A).—There shall be credited toward the payment under subsection (a)(1)(A)—

(1) the amount of any payment made by the Districts before the date of the conveyance for compliance with the National Environmental Policy Act (42 U.S.C. 4321 et seq.) in excess of 50 percent of the cost of compliance;

(2) the amount of any payments made by the Districts under contracts with the Commissioner between January 1, 1999, and the date of the conveyance;

(3) the present value of future operation and maintenance costs required for historic preservation on Project land at Sherman Reservoir; and

(4) any other amount specified in the memorandum of agreement between the Commissioner and the Districts under section 5.

(f) ADDITIONAL DRAINAGE.—

(1) IN GENERAL.—Of the \$2,000,000 paid by the Western Area Power Administration under subsection (a), \$500,000—

(A) shall be deposited in the fund referred to in section 5(a)(3); and

(B) shall be available for additional drainage projects.

(2) NONREIMBURSABILITY.—The amount deposited under paragraph (1) shall be nonreimbursable and nonreturnable.

(3) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated not more than \$500,000 for the additional drainage projects.

SEC. 4. LIABILITY.

Effective on the date of conveyance of the Project, the United States shall not be liable for claims, costs, damages, or judgments of any kind arising out of any act, omission, or occurrence related to the Project except for such claims, costs, or damages arising from acts of negligence committed by the United States or by employees, agents, or contractors of the United States before the date of conveyance for which the United States is liable under chapter 171 of title 28, United States Code (commonly known as the "Federal Tort Claims Act").

SEC. 5. COMPLETION OF CONVEYANCE.

(a) IN GENERAL.—The Secretary shall not make the conveyance under section 3 until the following events have been completed:

(1) Compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(2) Execution of—

(A) memoranda of agreement between the Commissioner and the Districts describing the purchase price and other terms and conditions of the conveyance consistent with this Act; and

(B) an agreement by the Districts to manage the Project in a manner substantially similar to the manner in which the Project was managed before the conveyance and in accordance with applicable Federal and State laws, including—

(i) preserving on a permanent basis the right of the State of Nebraska Games and Parks Commission to develop, provide, and protect the public interest in Project fish, wildlife, and recreation facilities related to the Projects;

(ii) providing for protection of cultural resources at the Project after the conveyance consistent with applicable law that authorizes the Districts or others with responsibility to protect significant historic features in situ or otherwise;

(iii) providing that the Districts shall annually make payments to local governments in the amounts in which the Commissioner made payment to the local governments under chapter 69 of title 31, United States Code (commonly known as "payments in lieu of taxes") for fiscal year 1999;

(iv) providing for—

(I) a plan for additional drainage work in the Middle Loup Valley as specified in the memorandum of agreement under paragraph (1); and

(II) the funding of the additional drainage work;

(v) providing for the establishment by the Districts of an organization to be known as the "Nebraska-Middle Loup River Community Environmental Trust" and to be organized under State law to preserve, protect, enhance, and manage the Project by—

(I) stabilizing surface and ground water supplies;

(II) conserving water and land resources;

(III) carrying out essential drainage projects using funds deposited under section 3(f); and

(IV) expanding knowledge of water and land resources for enhancing Project operations and improving the service of Project purposes; and

(v) providing for the establishment by the Nebraska Game and Parks Commission of an organization to be known as the "Nebraska-Middle Loup River Game and Parks Trust" and to be organized under State law to—

(I) improve and enhance fisheries and recreational opportunities; and

(II) expand knowledge of water and land resources for enhancing Project operations and improving the service of Project purposes.

(3) DEPOSITS IN THE DISTRICT TRUST.—On receipt of the payments under section 3(a)(1), the Secretary shall deposit in the District trust—

(A) \$2,000,000 of the amount received under section 3(a)(1); and

(B) the entire amount received under section 3(a)(2).

(4) NO TAX; NO EFFECT ON RATES.—No payment under this Act—

(A) shall be subject to Federal or State income tax; or

(B) shall affect Pick-Sloan Missouri Basin Program firm power rates in any way.

(5) USE OF FUNDS.—

(A) FUNDS DEPOSITED UNDER SECTION 3(F).—The Trusts shall by their charters prohibit the use of any funds deposited under section 3(f) for routine operation and maintenance work by the Districts, the Game and Parks Commission, or any of the participating agencies of the Trusts.

(B) OTHER FUNDS.—Funds received by a Trust from a District or any other source may be used for any purpose.

(6) ASSISTANCE FOR DRAINAGE WORK.—The Game and Parks Commission Trust shall provide for direct priority assistance to the Districts for drainage work in the Middle Loup River Valley under conditions requiring greater trust fund investments than are available from the Trust.

(b) REPORT.—If the conveyance under section 3 is not substantially completed on or before December 31, 2000, the Secretary and the Districts shall promptly submit to the Committee on Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report on the status of the conveyance describing the matters remaining to be resolved before completion of the conveyance and stating the anticipated date for the completion of the conveyance.

(c) FUTURE BENEFITS.—

(1) IN GENERAL.—Effective on the date of the conveyance under section 3, the Districts shall not be entitled to receive any further benefits under reclamation law not otherwise available attributable to its status as a reclamation project under the Act of June 17, 1902 (32 Stat. 388, chapter 1093), and Acts supplemental to and amendatory of that Act (43 U.S.C. 371 et seq.).

(2) NO FLOOD CONTROL COMPONENT.—After the date of the conveyance under subsection 3, the Project shall no longer have a flood control component.

By Mr. LOTT (for Mr. McCain)

S. 1616. A bill to require the Secretary of Veterans Affairs to develop within the Department of Veterans Affairs a system for collecting payments under the Medical Care Cost Recovery Program that utilizes collection practices similar to private collection prac-

tices, and for other purposes; to the Committee on Veterans Affairs.

BETTER MEDICAL COST COLLECTIONS

Mr. McCain. Mr. President, I am introducing legislation today to increase the funding available to the Department of Veterans Affairs (VA) without requiring an additional appropriation from the Congress for that chronically short-changed agency. The bill would improve VA's ability to collect insurance costs from third-party providers, generating new financial flows to the VA and benefiting all American veterans.

My colleagues are well aware that the President's budget request for the VA—scandalously, the fourth year in a row of effectively flat budget requests for the agency—falls fully \$3 billion short of what is needed for veterans' medical care in fiscal 2000, according to some of our most prominent veterans service organizations. Congress has tried to make up for this shortfall, but budget caps and competing priorities have made that effort exceedingly difficult. I previously wrote to the Chairman of the VA-HUD Appropriations Subcommittee and the Chairman of the Appropriations Committee to urge them to add fully \$3 billion in funding for veterans medical care. Nonetheless, I congratulate the Appropriations Committee for adding \$1.1 billion in new money for veterans medical care.

The 1997 Balanced Budget Act gave VA the authority to retain collections from private insurers for veterans health care as part of an agreement to free VA funding. However, VA has proven incapable of effectively collecting these private insurance payments. In fiscal 1996, VA sought recovery of about \$1.6 billion it was owed by private insurers but recovered only \$563 million, or 35 percent of the billed amount and a 3 percent decrease in collections from the previous year. That decline continued in fiscal 1997, when collections totaled \$524 million, and in fiscal 1998, when collections totaled about \$562 million. A 1998 Coopers and Lybrand study comparing VA and private-sector cost-recovery confirmed that VA's medical collection program is ineffective confirmed that VA's medical collection program is ineffective and delinquent. In short, the VA loses hundreds of millions of dollars in revenue every year that could be used to provide enhanced services to America's veterans, rather than be written off by government book-keepers.

The Independent Budget prepared by AMVETS, Disabled Veterans of America, and Veterans of Foreign Wars explicitly calls for Congress to give VA the authority to privatize its Medical Care Cost Recovery (MCCR) program. This legislation would mandate that VA privately contract for those collections for a period of three years, during which the VA would develop an internal process to improve medical cost recovery.

I am open to suggestions from other Members of Congress and our veterans

service organizations regarding other means to improve VA cost collection firm private insurers, and I note the Appropriations Committee's requirement for a VA study on this issue. However, I believe this legislation offers a near-term way to collect these much-needed funds.

Our veterans are being short-changed by their government, which pledged to support and care for them in exchange for their honorable service. I was proud when the Senate passed legislation Senator Wellstone and I sponsored to add \$3 billion in budget authority for the VA earlier this year. Unfortunately, we could not come up with a matching appropriation, although I applaud the increased funding for VA health care contained in the VA-HUD Appropriations bill. But we can empower the VA to improve its Medical Care Cost Recovery program in a way that increases VA revenues, thereby enhancing care for America's veterans. I hope every Member of Congress would agree that they have earned it.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD

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

S. 1616

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. DEVELOPMENT WITHIN DEPARTMENT OF VETERANS AFFAIRS OF SYSTEM OF COLLECTIONS UNDER MEDICAL CARE COST RECOVERY PROGRAM USING PRIVATE COLLECTION PRACTICES.

(a) DEVELOPMENT OF PROPOSAL.—(1) The Secretary of Veterans Affairs shall develop a proposal for a system within the Department of Veterans Affairs for the collection of payments from third party payers under the Medical Care Cost Recovery Program of the Department which system shall, to the maximum extent practicable, utilize procedures for the collection of payments from third parties similar to the procedures utilized in the private sector for the collection of payments for health care costs from third parties.

(2) In developing the proposal, the Secretary shall consider a variety of procedures utilized in the private sector for the collection of payments for health care costs from third parties.

(b) USE OF PRIVATE COST-RECOVERY ENTITIES DURING DEVELOPMENT.—(1) Notwithstanding any other provision of law, the Secretary shall, during the period referred to in paragraph (3), provide for the collection of payments from third party payers under the Medical Care Cost Recovery Program solely through appropriate private entities with which the Secretary contracts for that purpose.

(2) The fee paid a private entity for the collection of payments under a contract under this subsection shall be a contingent fee based on the amount of payments collected by the entity under the contract.

(3) The period referred to in this paragraph is the period beginning as soon as practicable after the date of the enactment of this Act and ending on the date that is six months after the date on which the Secretary commences collections under the Medical Care Cost Recovery Program through a system within the Department under this section.

(c) SAFEGUARDS.—The Secretary shall take appropriate actions to ensure that any collection practices utilized under this section do not impose unwarranted financial or other burdens upon veterans who receive medical care from the Department of Veterans Affairs.

(d) SUBMITTAL OF PROPOSAL.—Not later than three years after the date of the enactment of this Act, the Secretary shall submit to Congress a report on the proposal developed under subsection (a). The report shall include—

(1) a description of the system covered by the proposal; and

(2) an assessment by an appropriate entity independent of the Department of the potential effectiveness of the collection procedures under the system in comparison with the effectiveness of the collection procedures of the private entities utilized under subsection (b).

(e) IMPLEMENTATION OF PROPOSAL.—The Secretary shall implement the system covered by the proposal submitted under subsection (d) commencing 90 days after the date on which the Secretary submits to Congress the proposal on the system under that subsection.

(f) AUTHORIZATION OF APPROPRIATIONS.—(1) There are authorized to be appropriated for the Department of Veterans Affairs such sums as may be necessary for purposes of developing the proposal for a system required by subsection (a) and implementing the system under subsection (e).

(2) Amounts appropriated pursuant to the authorization of appropriations in paragraph (1) shall remain available until expended.

By Mr. GRAHAM (for himself,
Mr. JEFFORDS, Mr. CHAFEE, Mr.
BRYAN, Mr. ROCKEFELLER, and
Mr. KERRY):

S. 1618. A bill to promote primary and secondary health promotion and disease prevention services and activities among the elderly, to amend title XVIII of the Social Security Act to add preventive benefits, and for other purposes; to the Committee on Finance.

MEDICARE WELLNESS ACT

Mr. GRAHAM. Mr. President, I rise today, along with my colleagues, Senator JEFFORDS, Senator CHAFEE, Senator BRYAN, Senator ROCKEFELLER, and Senator KERRY to introduce the Medicare Wellness Act. The Medicare Wellness Act represents a concerted effort by myself and my distinguished colleagues to change the fundamental focus of the Medicare program.

It changes the program from one that simply treats illness and disability, to one that is also proactive. It enhances the focus on health promotion and disease prevention for Medicare beneficiaries.

Mr. President, despite common misperceptions, declines in health status are not inevitable with age. A healthier lifestyle, even one adopted later in life, can increase active life expectancy and decrease disability. This fact is a major reason why the Medicare Wellness Act has support from a broad range of groups, including the National Council on Aging, Partnership for Prevention, American Heart Association, and the National Osteoporosis Foundation.

The most significant aspect of this bill is its addition of several new pre-

ventative screening and counseling benefits to the Medicare program. The benefits being added focus on some of the most prominent, underlying risk factors for illness that face all Medicare beneficiaries, including: screening for hypertension, counseling for tobacco cessation, screening for glaucoma, counseling for hormone replacement therapy, screening for vision and hearing loss, expanded screening and counseling for osteoporosis, and screening for cholesterol.

The new benefits added by the Medicare Wellness Act represent the highest recommendations for Medicare beneficiaries of the U.S. Preventive Services Task Force—recognized as the gold standard within the prevention community. Attacking these prominent risk factors will reduce Medicare beneficiaries' risk for health problems such as stroke, diabetes, osteoporosis, heart disease, and blindness.

The addition of these new benefits would accelerate the fundamental shift, that began in 1997 under the Balanced Budget Act, in the Medicare program from a sickness program to a wellness program. Prior to 1997, only three preventive benefits were available to beneficiaries: pneumococcal vaccines, pap smears, and mammography.

Other major components of our bill include the establishment of the Healthy Seniors Promotion Program. This program will be led by an inter-agency work group within the Department of Health and Human Services. It will bring together all the agencies within HHS that address the medical, social and behavioral issues affecting the elderly and instructs them to undertake a series of studies which will increase knowledge about and utilization of prevention services among the elderly.

In addition, the Medicare Wellness Act incorporates an aggressive applied and original research effort that will investigate ways to improve the utilization of current and new preventive benefits and to investigate new methods of improving the health of Medicare beneficiaries.

Mr. President, this latter point is critical. The fact is that there are a number of prevention-related services available to Medicare beneficiaries today, including mammograms and colorectal cancer screening. But those services are seriously underutilized.

In a study published by Dartmouth University this spring (The Dartmouth Atlas of Health Care 1999), it was found that only 28 percent of women age 65–69 receive mammograms and only 12 percent of beneficiaries were screened for colorectal cancer. These are disturbing figures and they clearly demonstrate the need to find new and better ways to increase the rates of utilization of proven, demonstrated prevention services. Our bill would get us the information we need to increase rates of utilization for these services.

Further, our bill would establish a health risk appraisal and education

program aimed at major behavioral risk factors such as diet, exercise, alcohol and tobacco use, and depression. This program will target both pre-65 individuals and current Medicare beneficiaries.

The main goal of this program is to increase awareness among individuals of major risk factors that impact on health, to change personal health habits, improve health status, and save the Medicare program money. Our bill would require the Medicare Payment Advisory Commission, known as MedPAC, to report to Congress every two years and assess how the program needs to change over time in order to reflect modern benefits and treatment.

Shockingly, this is information that Congress currently does not receive on a routine basis. And this is a contributing factor to why we find ourselves today in a quandary over the outdated nature of the Medicare program. Quite frankly, Medicare hasn't kept up with the rest of the health care world.

While a vintage wine from the 1960s may be desirable, a health care system that is vintage 1965 is not. We need to do better.

Our bill would also require the Institute of Medicine (IOM) to conduct a study every five years to assess the scientific validity of the entire preventive benefits package. The study will be presented to Congress in a manner that mirrors The Trade Act of 1974.

The IOM's recommendations would be presented to Congress in legislative form. Congress would then have 60 days to review and then either accept or reject the IOM's recommendations for changes to the Medicare program. But Congress could not change the IOM's recommendations.

This "fast-track" process is a deliberate effort to get Congress out of the business of micro-managing the Medicare program. While limited to preventive benefits, this will offer a litmus test on a new approach to future Medicare decision making.

In the aggregate, The Medicare Wellness Act represents the most comprehensive legislative proposal in the 106th Congress for the Medicare program focused on health promotion and disease prevention for beneficiaries. It provides new screening and counseling benefits for beneficiaries, it provides critically needed research dollars, and it tests new treatment concepts through demonstration programs.

The Medicare Wellness Act represents sound health policy based on sound science. Before I conclude, I have a few final thoughts.

There are many here in Congress who argue that at a time when Medicare faces an uncertain financial future, this is the last time to be adding new benefits to a program that can ill afford the benefits it currently offers.

Normally I would agree with this assertion. But the issue of prevention is different. The old adage of "an ounce of prevention is worth a pound of cure" is very relevant here.

Does making preventive benefits available to Medicare beneficiaries "cost" money? Sure it does. But the return on the investment, the avoidance of the pound of cure and the related improvement in quality of life is unmistakable.

Along these lines, a longstanding problem facing lawmakers and advocates of prevention has been the position taken by the Congressional Budget Office, as it evaluates the budgetary impact of all legislative proposals.

Only costs incurred by the Federal government over the next ten years can be considered in weighing the "cost" of adding new benefits. From a public health and quality of life standpoint, this premise is unacceptable.

Among the problems with this practice is that "savings" incurred by increasing the availability and utilization of preventive benefits often occur over a period of time greater than 10 years. This problem is best illustrated in an examination of the "compression of morbidity" theory developed by Dr. James Fries of Stanford University over 20 years ago.

According to Dr. Fries, by delaying the onset of chronic illness among seniors, there is a resulting decrease in the length of time illness or disability is present in the latter stages of life. This "compression" improves quality of life and reduces the rate of growth in health care costs. But, these changes are gradual and occur over an extended period of time—10, 20, even 30 years.

With the average life expectancy of individuals who reach 65 being nearly 20 years—20 years for women and 18 years for men—it only makes sense to look at services and benefits that improve quality of life and reduce costs to the Federal government for that 20 year lifespan.

In addition to increased lifespan, a ten year budget scoring window doesn't factor into consideration the impact of such services on the private sector, such as increased productivity and reduced absenteeism, for the many seniors that continue working beyond age 65. The bottom line is, the most important reason to cover preventive services is to improve health.

As the end of the century nears, children born now are living nearly 30 years longer than children born in 1900.

While prevention services in isolation won't reduce costs, they will moderate increases in the utilization and spending on more expensive acute and chronic treatment services.

As Congress considers different ways to reform Medicare, two basic questions regarding preventive services and the elderly must be part of the debate.

(1) Is the value of improved quality of life worth the expenditure? And,

(2) How important is it for the Medicare population to be able to maintain healthy, functional and productive lives?

These are just some of the questions we must answer in the coming debate over Medicare reform.

While improving Medicare's financial outlook for future generations is imperative, we must do it in a way that gives our seniors the ability to live longer, healthier and valued lives. I believe that by pursuing a prevention strategy that addresses some of the most fundamental risk factors for chronic illness and disability that face seniors, we will make an invaluable contribution to the Medicare reform debate and, more importantly, to our children and grandchildren.

Finally, Mr. President, I would be remiss in pointing out that the Medicare Wellness Act represents the first time in this Congress that Republicans and Democrats have gotten together in support of a major piece of Medicare reform legislation. This bill represents a health care philosophy that bridges political boundaries. It just makes sense. And you see that common sense approach today from myself and my esteemed colleagues who have joined me in the introduction of this bill.

Mr. President, I encourage my colleagues to join us on this important bill and to work with us to ensure that the provisions of this bill are reflected in any Medicare reform legislation that is debated and voted on this year in the Senate.

Mr. JEFFORDS. Mr. President, I am pleased to join my colleague, Senator GRAHAM, to introduce the Medicare Wellness Act of 1999. This legislation will modernize Medicare benefits and improve the preventive care received by our nation's seniors.

The Medicare program was designed in 1965 to provide seniors with access to the same health care services enjoyed under private health insurance plans. Medical science has grown by leaps and bounds in the decades since that time. Most of the private sector acted swiftly to cover preventive benefits when they realized that it is cheaper to screen for an illness and treat its early diagnosis than to pay for drastic procedures in a hospital later on. Congress has been too slow in extending to Medicare beneficiaries the same advances in quality care enjoyed throughout the rest of the health care system.

The Medicare Wellness Act adds to the Medicare program those benefits recommended by the U.S. Preventive Services Task Force. These include: screening for hypertension, counseling for tobacco cessation, screening for glaucoma, counseling for hormone replacement therapy, screening for vision and hearing loss, expanded screening and counseling for osteoporosis, and cholesterol screening. These are some of the most prominent risk factors facing Medicare beneficiaries. If these symptoms are addressed regularly, beneficiaries will have a head start on fighting the conditions they lead to, such as diabetes, lung cancer, heart disease, blindness, osteoporosis, and many others.

Beyond the eight new preventive benefits under this bill, the Institute of Medicine (IOM) will conduct a study

every five years to assess the scientific validity and cost-effectiveness of the preventive benefits package. When presented to Congress, the study will recommend what, if any, preventive benefits should be added, or removed from the Medicare program. By facing such regularly scheduled considerations of preventive benefits, Congress will do a much better job of keeping the Medicare program up to date with the rapid advances in medical science.

The Medicare Wellness Act also instructs the Secretary of Health and Human Services to coordinate with the Centers for Disease Control and Prevention and the Health Care Financing Administration to establish a Risk Appraisal and Education Program. This program will target both current beneficiaries and individuals with high risk factors below the age of 65. Outreach to these groups will offer questions regarding major behavioral risk factors, including the lack of proper nutrition, the use of alcohol, the lack of regular exercise, the use of tobacco, and depression. State of the art software, case managers, and nurse hotlines will then identify what conditions beneficiaries are at risk for, based on their individual responses to the questions, and inform them of actions they can take to lead a healthier life.

Any modern health care professional can tell you that effective health care addresses the whole health of an individual. A lifestyle that includes proper exercise and nutrition, and access to regular disease screening ensures attention to the whole individual, not just a solitary body part. It is time we reaffirm our commitment to provide our nation's seniors with quality health care.

I want to thank my colleagues, Senators GRAHAM, CHAFEE, BRYAN, ROCKEFELLER, and KERRY for their dedication to the idea of changing Medicare from a sickness program to a wellness program.

Mr. President, I yield the floor.

By Mr. DEWINE (for himself, Mr. LOTT, Mr. AKAKA, Mr. INOUE, Mr. ROBERTS, Mr. HAGEL, Mr. BUNNING, Mr. VOINOVICH, Mr. DORGAN, and Mr. CONRAD):

S. 1619. A bill to amend the Trade Act of 1974 to provide for periodic revision of retaliation lists or other remedial action implemented under section 306 of such Act; to the Committee on Finance.

CAROUSEL RETALIATION ACT OF 1999

Mr. DEWINE. Mr. President, I rise this afternoon on behalf of my colleague, Senator HAGEL, as well as Majority Leader LOTT, Senator AKAKA, Senator INOUE, Senator ROBERTS, Senator BUNNING, Senator VOINOVICH, Senator DORGAN, and Senator CONRAD, to introduce the Carousel Retaliation Act of 1999. This bill would create a powerful mechanism to protect our Nation from illegal foreign trade practices.

These are the facts. Today, our Nation is being injured by the refusal of

some foreign countries to comply with World Trade Organization, WTO, dispute settlement rulings. Let me repeat that. Other countries are failing to comply with the rulings of the WTO. As many of my colleagues know, the WTO has a very detailed process for handling trade disputes between member nations. Unfortunately, some member nations are simply undermining this entire process by refusing to comply with the final dispute settlement decision, even after losing their cases on appeal.

Noncompliance with dispute settlement rulings severely undermines open and fair trade. As many of our farmers, cattle ranchers, and large and small businessowners know firsthand, this is having a devastating impact on their efforts and attempt to maintain or gain access to important new international markets.

In an effort to secure compliance, the dispute settlement process provides the winning nation the authority to retaliate. The winning nation, after a decision has been made, can legally retaliate. That is what the provision is; they can retaliate against that losing nation. They can do so if, at the end of a reasonable period of time, the losing country does not abide by the final decision. Retaliation usually begins with the estimation of damages caused by the refusal, followed then by WTO authorization to impose penalty duties on the offending country's exports. However, even with retaliation, some nations are still refusing to comply.

The European Union has made it clear that it is willing to live in perpetuity with the present U.S. retaliation lists, which is why the WTO ruled in both the pending beef and banana trade cases that the United States can impose retaliatory tariffs on European imports. We are doing that. Moreover, they are entertaining the possibility of subsidizing their affected domestic targets to counter our WTO-authorized action. Not only are they ignoring what the ruling was, not only are they ignoring our retaliation, now they are turning around and preparing to subsidize these particular products. Both of these trade cases that I have mentioned took several long years to work through the dispute settlement system and were undertaken, frankly, at great expense to the U.S. Government and to the private sector in our country.

The European Union's actions are establishing a very dangerous precedent. If they are successful, then other nations can be expected to follow a similar course. Something simply must be done. Something must be done to increase the likelihood of compliance, or we risk losing more than a WTO case; we risk losing American jobs. Therefore, it is important that the WTO's dispute settlement process be strengthened. That is what this bill does, and that is what we are talking about today.

Our proposed Carousel Retaliation Act will help ensure the integrity of

the WTO settlement dispute process because it will provide a powerful mechanism that will place considerable pressure on noncompliant countries to comply. The measure will shake these noncompliant countries up and it will complicate any effort they undertake to counter U.S. retaliatory measures. Specifically, our bill would amend the U.S. Trade Act of 1974 by requiring the U.S. Trade Representative to periodically carousel—or rotate—the list of goods subject to retaliation when a foreign country or countries have failed to comply with a WTO ruling. Let me add that this is very clearly consistent with WTO rules.

Under our bill, the retaliation list would be carouselled, or rotated, to affect other goods 120 days from the date the first list is made, and then every 180 days thereafter. The bill provides the U.S. Trade Representative the authority to make exceptions. The representative would not have to do this if, 1, it could be determined that compliance is imminent; or, 2, if both the U.S. Trade Representative and the affected petitioners agree that carouseling in that particular case is not necessary. Currently, the U.S. Trade Representative has the authority to carousel retaliation lists, but is not required to do so. What our bill does is change the law and requires the Trade Representative to do this.

The WTO is one of the most important means for American businesses and producers to open foreign markets, liberalize commerce, resolve disputes, and ensure more open and fair trade. American farmers and agribusiness, for example, are major net exporters, posting exports of more than \$57 billion in 1997. But frankly we can do more and better, and we must. Of the nearly 50 complaints filed by the United States in the WTO, almost 30 percent involved agriculture. If countries fail to comply with WTO rulings, American agriculture and other U.S. sectors in need of trade relief will suffer greatly. The American Farm Bureau Federation, the National Cattlemen's Beef Association, the American Meat Institute, the U.S. Meat Export Federation, and the Hawaii Banana Industry Association support the bill.

The "Carousel Retaliation Act," candidly, is tough, but it is meant to be tough. It is the right response to chronic noncompliance with WTO rules.

Again, I commend my colleague, Senator HAGEL, who is on the floor at this moment, and Senators LOTT, AKAKA, INOUE, ROBERTS, BUNNING, VOINOVICH, DORGAN, and CONRAD for their dedication to this issue.

I urge my colleagues to join this effort to protect our Nation from illegal foreign trade practices and cosponsor the "Carousel Retaliation Act."

I thank the Chair.

I see my colleague from Nebraska is on the floor. I suspect he would like to talk about this bill as well.

Thank you very much. I yield the floor.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 1619

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. REVISION OF RETALIATION LIST OR OTHER REMEDIAL ACTION.

Section 306(b)(2) of the Trade Act of 1974 (19 U.S.C. 2416(b)(2)) is amended—

(1) by striking "If the" and inserting the following:

"(A) FAILURE TO IMPLEMENT RECOMMENDATION.—If the"; and

(2) by adding at the end the following:

"(B) REVISION OF RETALIATION LIST AND ACTION.—

"(i) IN GENERAL.—Except as provided in clause (ii), in the event that the United States initiates a retaliation list or takes any other action described in section 301(c)(1) (A) or (B) against the goods of a foreign country or countries because of the failure of such country or countries to implement the recommendation made pursuant to a dispute settlement proceeding under the World Trade Organization, the Trade Representative shall periodically revise the list or action to affect other goods of the country or countries that have failed to implement the recommendation.

"(ii) EXCEPTION.—The Trade Representative is not required to revise the retaliation list or the action described in clause (i) with respect to a country, if—

"(I) the Trade Representative determines that implementation of a recommendation made pursuant to a dispute settlement proceeding described in clause (i) by the country is imminent; or

"(II) the Trade Representative together with the petitioner involved in the initial investigation under this chapter (or if no petition was filed, the affected United States industry) agree that it is unnecessary to revise the retaliation list.

"(C) SCHEDULE FOR REVISING LIST OR ACTION.—The Trade Representative shall, 120 days after the date the retaliation list or other section 301(a) action is first taken, and every 180 days thereafter, review the list or action taken and revise, in whole or in part, the list or action to affect other goods of the subject country or countries.

"(D) STANDARDS FOR REVISING LIST OR ACTION.—In revising any list or action against a country or countries under this subsection, the Trade Representative shall act in a manner that is most likely to result in the country or countries implementing the recommendations adopted in the dispute settlement proceeding or in achieving a mutually satisfactory solution to the issue that gave rise to the dispute settlement proceeding. The Trade Representative shall consult with the petitioner, if any, involved in the initial investigation under this chapter.

"(E) RETALIATION LIST.—The term 'retaliation list' means the list of products of a foreign country or countries that have failed to comply with the report of the panel or Appellate Body of the WTO and with respect to which the Trade Representative is imposing duties above the level that would otherwise be imposed under the Harmonized Tariff Schedule of the United States."

The PRESIDING OFFICER. The Senator from Nebraska.

Mr. HAGEL. Mr. President, I wish to thank my distinguished colleague and friend from Ohio for his leadership on the "Carousel Retaliation Act."

I am a free trader, but I am also a fair trader. Trade is our economic future. It is especially so in agriculture. Trade is our strongest engine of economic growth.

I, as have many of my colleagues, have fought for legislative reform on unilateral sanctions policies that hurt our trade, trade reform, fast-track authority for the President, and other trade-related legislation.

Free trade is a two-way street. Unfortunately, throughout the world the instinct for protectionism still remains strong. If trading partners take advantage of us, we can't simply remain passive and permit American exporters—especially farmers and ranchers—to continue to take a beating in foreign markets.

Trade is a two-way street. Free, fair, and open trade is a two-way street. Access to markets improves all people's standard of living. Some of our trading partners believe this. Some people talk about it, and some people actually do something about it. Unfortunately, many of our trading partners' rhetoric is stronger than their actions. That is why I am an original cosponsor of this bill.

As you heard from my colleague, Senator DEWINE, this bill would require the U.S. Trade Representative to periodically review a retaliation list of foreign products from countries that fail to comply with the World Trade Organization rulings or do not reduce trade barriers against the United States. Different products would be rotated on and off the list every few months until the offending countries made the right changes in trade policy.

That is what we as a community of nations of civilized people decided to do when we formed the World Trade Organization. That is what the World Trade Organization is about—to sort through disputes in trade. If we cannot rely on the World Trade Organization to make tough decisions, settle those disputes, and then enforce the WTO rulings, then what good is the organization?

If the members of the World Trade Organization find some rulings against their own self-interest and not in compliance with what they think is right, or if they believe they must pick and choose which WTO rulings they will enforce and live with, then we don't have much of an open, fair, and free trade organization that today is known as the World Trade Organization. It is a myth and it is a charade unless we all comply with the WTO rulings and enforce the rulings. That is the only way it will work.

The policy of targeted tariffs is prompted, quite honestly, by the European Union's ban on American beef. There is no scientific evidence to support the European Union's contention that using growth-enhancing hormones in cattle poses any health threat to humans. There is no scientific evidence at all.

But yet, even though we have won case after case in the World Trade Or-

ganization, the European Union continues to walk through this charade of artificial tariffs and barriers. The hormone argument is a very flimsy excuse, at best, for straight out, raw protectionism. The WTO's recent position vindicating their position was essentially a slap on the wrist for the EU, and still the EU is trying to delay compliance with even this token penalty.

If the EU keeps playing games with the United States in the hormone-enhancing beef issue, this policy of targeted tariffs will provide us with a flexible, effective way to respond. No one wants to take this kind of action. But each one of us in this body represents hard-working constituents who seek to improve their communities, enhance the growth of their families, give the world opportunities, and playing by the rules. That is what we are talking about here—playing by the rules straight out, to be honest.

Again, I don't look forward to working on this bill to implement it if, in the interest of open, fair, and free trade, we must resort to this kind of activity. American farmers and ranchers are hurting partly because of weak export markets. It is not because they are not producing quality products. We produce quality products. But it is because of politics and protectionism.

I strongly support this bill. I am proud to be an original cosponsor. I am sorry we have to take this measure, but it is necessary. And the world must understand that the United States will do whatever it takes to support our producers and to assure, as best we can, that the world improves all people's lives, all people's standard of living, hope, opportunity, and economic growth if we continue to make progress with free, open, fair trade.

By Mr. GORTON:

S. 1620. A bill to direct the Secretary of Agriculture to convey certain land to Federal Energy Regulatory Commission permit holders; to the Committee on Energy and Natural Resources.

MOUNT BAKER SNOQUALMIE NATIONAL FOREST
LEGISLATION

• Mr. GORTON. Mr. President, in recent years, I have become increasingly frustrated with the inability of the Forest Service to complete work on several small hydroelectric projects located on the Mount Baker/Snoqualmie National Forest in my State. The Service's inability to make important decisions on these renewable energy resources is based on an inaccurate interpretation of the President's Northwest Forest Plan ("ROD") which has stopped these projects from going forward.

The President's Northwest Forest Plan states clearly that multipurpose uses of the federal forests are not precluded, and that the plan must follow existing law applying to such uses. Yet, since its adoption in 1994, the Forest Service has and continues to paralyze the development of small hydroelectric projects by ignoring laws applying to

multipurpose. This inaction has delayed and stifled review of such projects by the Federal Energy Regulatory Commission—the agency responsible for issuing federal licenses for hydroelectric projects.

Forest Service interpretation of the ROD intrudes directly on the ability of the Commission to perform its hydroelectric licensing function of balancing development and nondevelopment issues. Both the Commission, when determining consistency with the purpose of a national forest under Section 4(e) of the Act, and the Forest Service, when determining whether to issue a special use permit, must apply existing law fairly. Forest Service inaction on pending projects (some of which have been under review for over a decade) prevents FERC from completing its licensing responsibilities.

In terms of federal forest management, the six small hydroelectric projects proposed for the Mount Baker/Snoqualmie National Forest are virtually inconsequential. All are located well above areas affecting anadromous fish, and would occupy a total of 10 to 40 acres each, with most of the sites being untouched except for the portions needed for project facilities. Adverse impacts to fish, wildlife or other environmental resources are subject to mitigation by FERC and the Forest Service.

Project proponents in my state have spent millions of dollars to secure approval of six projects located in the Mount Baker/Snoqualmie National Forest, including project design and environmental analysis necessary to gain approval from the Forest Service and FERC. In spite of the fact that the 1994 ROD instructs the Forest Service to use "transition" provisions to approve pending projects, it has not done so, and continues to add project review requirements not allowed by the ROD or existing law. As a result, the Forest Service is stopping FERC from making timely licensing decisions on these projects. Shifting standards of review and delay by the Forest Service have deprived project proponents of their right to rely upon clear standards for project approval before expending funds in reliance on such standards.

Many aspects of these projects were found to be in compliance with prior forest regulations and other environmental laws, and are being subjected to duplicative and inconsistent review. Provisions of the ROD developed for application to extremely large-scale timber harvest are not meant to impact small-scale hydroelectric projects. Timber management regulations are totally disproportionate with the scale of any potential environmental impacts of small scale hydroelectric facilities. In fact, the ROD itself explicitly recognizes that uses other than timber harvest do not require the same level of restrictions.

The Forest Service continues to use the ROD as a reason for imposing new study requirements, increasing mitigation demands, and ignoring agreements

on project compliance with forest plan standards and FERC requirements. Each new requirement adds onerous financial burdens on project proponents, delays project approval, and undermines the regulatory need for an end to project review so a final licensing decision can be made by FERC.

Actions by the Forest Service have placed that agency in direct conflict with FERC, a result not intended by the ROD. FERC's jurisdiction over hydroelectric project licensing is unaltered by the ROD, which itself calls for increased interagency cooperation, not confrontation.

Mr. President, I have tried in recent years through my position as Chairman of the Senate Interior Appropriations Subcommittee responsible for funding the Forest Service's annual budget to get some answers from this agency as to why it was holding up these hydroelectric projects. In 1995, I inserted language directing the Forest Service to "conduct an expeditious review" of projects covered by the ROD. In subsequent hearings, I have continued to ask agency witnesses for a status report. To date, none of the responses from the Forest Service have satisfied my concerns or adequately addressed this issue.

For this reason, I am introducing legislation today that would expedite the hydroelectric project review process. It will require the Forest Service to convey to permit holders and license applicants for these projects at fair market value the parcels of land necessary for development of these projects. While I would prefer and am still hopeful that this issue can be resolved in negotiations between the project proponents and the agency, clearly this process is broken and needs to be fixed. This legislation should serve as a catalyst for resolving outstanding hydroelectric project review issues. Project proponents deserve at least that much.●

By Ms. LANDRIEU (for herself and Mr. BREAUX)

S. 1621. A bill to amend the Federal Water Pollution Control Act to authorize funding to carry out certain water quality restoration projects for Lake Pontchartrain Basin, Louisiana, and for other purposes; to the Committee on Environment and Public Works.

THE LAKE PONTCHARTRAIN BASIN RESTORATION ACT OF 1999

● Ms. LANDRIEU. Mr. President, today I rise on behalf of myself and my colleague, Senator JOHN BREAUX to introduce legislation that would restore and maintain the ecological health of the Lake Pontchartrain Basin—one of the largest estuarine systems in the United States. Known for its slow flowing rivers and bayous, tranquil swamps and lush hardwood forests, the Pontchartrain Basin contains the most diverse topography in the State of Louisiana.

The Pontchartrain Basin is a 5,000 square mile watershed encompassing 16 parishes in southeast Louisiana and 4

Mississippi counties. The vast wetlands and marshes that surround the Basin's waters provide essential habitat for countless species of fish, birds, mammals, reptiles and plants. At the center of the Basin is the 630 square mile Lake Pontchartrain, which is surrounded by 1.5 million residents, making it the most densely populated area in Louisiana. Lake Pontchartrain is just one part of a vast ecological system called the Pontchartrain Basin. The Basin also includes Lake Maurepas and Lake Borgne. These three contiguous water bodies make up the largest estuary system in the Gulf Coast region, and their wetland fisheries contribute over \$35 million to the local economy and provide the abundance of fresh seafood that has made southeastern Louisiana famous.

Since the 1940's, increased population, urbanization, and land use changes have altered or destroyed much of the Pontchartrain Basin's valuable ecological resources. The Lake's south shore—once a famous gathering ground for swimmers, has been closed since the late 1960's because of pollution and other conditions caused by stormwater and wastewater discharges, oil and gas development and some agricultural activities. Natural occurrences such as shoreline erosion, hurricanes, and land subsidence combined with sea level rise also have harmed the Basin's sensitive ecology.

Mr. President, we introduce the "Lake Pontchartrain Basin Restoration Act of 1999," with the purpose of restoring and maintaining the unique ecology of this nationally significant watershed. This important legislation would establish a well coordinated and technically sound management program for the restoration and sustainable health of the Pontchartrain Basin ecosystem.

This legislation would also: coordinate the restoration efforts of federal, state and local agencies and organizations in the restoration of the Basin; authorize and provide resources for restoration projects in the Pontchartrain Basin; and establish a Lake Pontchartrain Basin Restoration Program within the U.S. Environmental Protection Agency.

We believe this is a nationally significant watershed restoration effort that deserves our support. The Pontchartrain Basin is the center of Southeastern Louisiana's unique cultural heritage—providing valuable habitat for wildlife and countless recreation opportunities for sportsmen and other outdoor enthusiasts. The area is brimming with a diverse population of people bound by a common interest: The desire for clean and healthy waters in the Pontchartrain Basin. Over the last decade, the restoration of the Lake Pontchartrain Basin has become one of the strongest grassroots watershed clean-up efforts in the nation.

Mr. President, I would also like to publicly acknowledge the Lake Pontchartrain Basin Foundation, the Uni-

versity of New Orleans and the Regional Planning Commission for the Louisiana parishes of Orleans, Jefferson, St. Bernard, St. Tammany and Plaquemines, for their efforts in developing this important legislation. We strongly urge our colleagues to support this measure as well.●

By Mrs. LINCOLN (for herself, Mr. FRIST, Ms. LANDRIEU, Mr. HUTCHINSON, Mr. BREAUX, and Mr. DURBIN):

S. 1622. A bill to provide economic, planning, and coordination assistance needed for the development of the lower Mississippi River region; to the Committee on Environment and Public Works.

THE DELTA REGIONAL AUTHORITY ACT OF 1999

Mrs. LINCOLN. Mr. President, today I am introducing the Delta Regional Authority Act of 1999, which is aimed at improving the economy of the Mississippi Delta region, the poorest region in the country.

The lower Mississippi Delta region, following the course of the Mississippi River, stretches from southern Illinois to the Delta of the Mississippi and the Gulf of Mexico. According to the latest Census figures, communities in the Delta region of seven States—Illinois, Missouri, Kentucky, Tennessee, Arkansas, Mississippi, and Louisiana—face a poverty rate of 22 percent while the national average is 12 percent.

This legislation seeks to build on efforts begun more than a decade ago, when Congress created the Lower Mississippi Delta Development Commission. Under the leadership of former Arkansas Senator Dale Bumpers, the Commission was charged with studying the unique problems of the Delta region and recommending a course of action. I refer my colleagues to Senator Bumpers' statement, which appears on page S25689 of the September 27, 1988 CONGRESSIONAL RECORD, in which he introduced legislation authorizing the Commission. The Commission submitted its report, "Realizing the Dream . . . Fulfilling the Potential," in 1990. The Chairman of the Commission, former Arkansas Governor Bill Clinton, called the report a "handbook for action."

The report highlighted problems facing the Delta, whose economy has traditionally been based on agriculture. The report noted the Delta faced high unemployment, low levels of income and education, welfare dependency, poor health care and housing, along with serious shortcomings in transportation infrastructure. Unfortunately, a decade after the report was issued, these problems still exist. While Congress took one bold step toward solving these problems when we passed welfare reform, there is still much to be done.

In particular, this bill seeks to improve the infrastructure of the Delta region. It is common knowledge that when industries seek to expand and build new facilities, they look at the availability of roads, water systems

and other infrastructure. The Federal Government has tried to foster development in these areas by providing Federal grant monies, but we haven't approached the economic problems in the region with an appropriate understanding of the unique demographic and geographic challenges that face the Delta.

Education programs are available, but if there's no technical assistance to help people actually access the grant resources, then the programs are essentially wasted. We can encourage young folks to pursue higher education and start their own businesses, but if there is no basic infrastructure, if transportation and other resources are inadequate, how can they succeed? For instance, in many areas of the Arkansas Delta there are no copy shops, computer repair stores, or office supply stores. These basic offerings that we take for granted in larger cities simply are not available and that is why creating a central location for technical assistance is so vital. We may not be able to put copy shops in place, but we can provide help that will be only a phone call or an e-mail away.

Currently, many communities in the Delta have problems gaining federal grants for two reasons. First, they often don't have the technical expertise to complete the grant applications. Second, they often don't have enough money to meet the local matching requirement. The Delta Regional Authority created by this legislation will be authorized \$30 million annually to provide technical assistance in the grant application process. In effect, local communities across the seven state region will have one-stop shopping when they need assistance completing grant applications and accessing resources for economic development. Second, the Delta Regional Authority will be authorized to provide money to help grant applicants meet the federal match. Certainly the matching dollar requirement in the grant application process is important to demonstrate the community's commitment to the project, but we shouldn't exclude the very communities who need grant assistance the most.

The Delta Regional Authority will function along the same lines as the Appalachian Regional Commission. But it will operate entirely independently of the ARC. The Delta Regional Authority's mission will be to help create jobs, attract industrial development and grow the local economies by improving infrastructure, training the workforce and building local leadership.

I would like to thank staff of the Appalachian Regional Commission, who worked very closely with us in drafting this legislation. Special thanks also is due to the National Association of Development Organizations, the Lower Mississippi Delta Development Center and many local economic development groups who provided suggestions and input. Last, but certainly not least, I

would like to commend Representative MARION BERRY, who represents my home in the First Congressional District of Arkansas, who has introduced companion legislation in the House of Representatives. I certainly hope that today's introduction of legislation is the first step toward making the Delta Regional Authority a reality.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 1622

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 "Delta Regional Authority Act of 1999".

SEC. 2. FINDINGS AND PURPOSES.

(a) FINDINGS.—Congress finds that—

(1) the lower Mississippi River region (referred to in this Act as the "region"), though rich in natural and human resources, lags behind the rest of the United States in economic growth and prosperity;

(2) the region suffers from a greater proportion of measurable poverty and unemployment than any other region of the United States, resulting in a drain on the national economy and diminishing national wealth;

(3) the greatest hope for economic growth and revitalization in the region lies in the creation of jobs, the expansion of businesses, and the development of entrepreneurial local economies;

(4) the economic progress of the region requires an adequate physical infrastructure, a skilled and trained workforce, enhanced local leadership and civic capacity, and greater opportunities for enterprise development and entrepreneurship;

(5) a concerted and coordinated effort among Federal, State, and local agencies, the private sector, nonprofit groups, and community-based organizations is needed if the region is to share in the prosperity of the United States;

(6) economic development planning on a regional or multicounty basis offers the best prospect for achieving the maximum benefit from public and private investments; and

(7) improving the economy of the region requires a special emphasis on those of the region that are most economically distressed.

(b) PURPOSES.—The purposes of this Act are—

(1) to promote and encourage the economic development of the region—

(A) to ensure that the communities and people in the region have the opportunity to participate more fully in the prosperity of the United States; and

(B) to ensure that the economy of the region reaches economic parity with that of the rest of the United States;

(2) to establish a formal framework for joint Federal-State collaboration in meeting and focusing national attention on the economic development needs of the region;

(3) to assist the region in obtaining the basic infrastructure, skills training, local leadership capacity, and opportunities for enterprise development that are essential for strong local economies;

(4) to foster coordination among all levels of government, the private sector, community organizations, and nonprofit groups in crafting common regional strategies that will lead to broader economic growth;

(5) to strengthen efforts that emphasize regional approaches to economic development and planning;

(6) to encourage the participation of interested citizens, public officials, groups, agencies, and others in developing and implementing local and regional plans for broad-based economic and community development; and

(7) to focus special attention on areas of the region that suffer from the greatest economic distress.

SEC. 3. DELTA REGIONAL AUTHORITY.

The Consolidated Farm and Rural Development Act (7 U.S.C. 1921 et seq.) is amended by adding at the end the following:

"Subtitle F—Delta Regional Authority

"SEC. 382A. DEFINITIONS.

"In this subtitle:

"(1) AUTHORITY.—The term 'Authority' means the Delta Regional Authority established by section 382B.

"(2) REGION.—The term 'region' means areas in the States of Arkansas, Illinois, Kentucky, Louisiana, Mississippi, Missouri, and Tennessee, as defined under section 4 of the Lower Mississippi Delta Development Act (Public Law 100-460; 42 U.S.C. 3121 note).

"(3) FEDERAL GRANT PROGRAM.—The term 'Federal grant program' means a Federal grant program to provide assistance in—

"(A) acquiring or developing land;

"(B) constructing or equipping a facility; or

"(C) carrying out other community or economic development or economic adjustment activities.

"SEC. 382B. DELTA REGIONAL AUTHORITY.

"(a) ESTABLISHMENT.—

"(1) IN GENERAL.—There is established the Delta Regional Authority.

"(2) COMPOSITION.—The Authority shall be composed of—

"(A) a Federal member, to be appointed by the President, with the advice and consent of the Senate; and

"(B) the Governor (or a designee of the Governor) of each State in the region that elects to participate in the Authority.

"(3) COCHAIRPERSONS.—The Authority shall be headed by 2 cochairpersons, which shall be—

"(A) the Federal member, who shall serve—

"(i) as the Federal cochairperson; and

"(ii) as a liaison between the Federal Government and the Authority; and

"(B) a State cochairperson, who—

"(i) shall be a Governor of a participating State in the region; and

"(ii) shall be elected by the State members for a term of not less than 1 year.

"(b) ALTERNATE MEMBERS.—

"(1) STATE ALTERNATES.—Each State member may have a single alternate, appointed by the Governor from among the members of the cabinet or the personal staff of the Governor.

"(2) ALTERNATE FEDERAL COCHAIRPERSON.—The President shall appoint an alternate Federal cochairperson.

"(3) QUORUM.—A State alternate shall not be counted toward the establishment of a quorum of the Authority in any instance in which a quorum of the State members is required to be present.

"(4) DELEGATION OF POWER.—No power or responsibility of the Authority specified in paragraphs (2) and (3) of subsection (b), and no voting right of any Authority member, shall be delegated to any person—

"(A) who is not a Authority member; or

"(B) who is not entitled to vote in Authority meetings.

"(c) VOTING.—

"(1) IN GENERAL.—Except as provided in section 382I(d), decisions by the Authority

shall require the affirmative vote of the Federal cochairperson and of a majority of the State members (not including a member representing a State that is delinquent under subsection (g)(2)(C)).

“(2) QUORUM.—A quorum of State members shall be required to be present for the Authority to make any policy decision, including—

“(A) a modification or revision of a Authority policy decision;

“(B) approval of a State or regional development plan; and

“(C) any allocation of funds among the States.

“(3) PROJECT AND GRANT PROPOSALS.—The approval of project and grant proposals shall be—

“(A) a responsibility of the Authority; and

“(B) conducted in accordance with section 382L.

“(4) VOTING BY ALTERNATE MEMBERS.—An alternate member shall vote in the case of the absence, death, disability, removal, or resignation of the State or Federal representative for which the alternate member is an alternate.

“(d) DUTIES.—The Authority shall—

“(1) develop, on a continuing basis, comprehensive and coordinated plans and programs to establish priorities and approve grants for the economic development of the region, giving due consideration to other Federal, State, and local planning and development activities in the region;

“(2) not later than 220 days after the date of enactment of this subtitle, establish priorities in a development plan for the region (including 5-year regional outcome targets);

“(3) provide for an understanding of the needs and assets of the region through research, demonstration, investigation, assessment, and evaluation of the region, in cooperation with Federal, State, and local agencies, universities, local development districts, and other nonprofit groups, as appropriate;

“(4) review and study, in cooperation with the appropriate agencies, Federal, State, and local public and private programs in the region;

“(5) recommend any modification or addition to a program described in paragraph (4) that could increase the effectiveness of the program;

“(6) formulate and recommend interstate compacts and other forms of interstate cooperation;

“(7) work with State and local agencies in developing appropriate model legislation;

“(8) encourage the formation of, build the capacity of, and provide support for, local development districts in the region;

“(9) encourage private investment in industrial, commercial, and other economic development projects in the region;

“(10) serve as a focal point and coordinating unit for region programs;

“(11) provide a forum for consideration of problems of the region and proposed solutions for those problems; and

“(12) establish and involve citizens, special advisory councils, and public conferences to consider and resolve issues concerning the region.

“(e) INFORMATION.—In carrying out the duties of the Authority under subsection (d), the Authority may—

“(1) hold such hearings, sit and act at such times and places, take such testimony, receive such evidence, and print or otherwise reproduce and distribute the proceedings and reports on actions by the Authority as the Authority considers appropriate;

“(2) authorize, through the Federal or State cochairperson, or any other member of the Authority designated by the Authority, the administration of oaths if the Authority

determines that testimony shall be taken or evidence shall be received under oath; and

“(3) arrange for the head of any Federal, State, or local department or agency to furnish to the Authority such information as may be available to or procurable by the department or agency;

“(4) adopt, amend, and repeal bylaws and rules governing the conduct of Authority business and the performance of Authority functions;

“(5) request the head of any Federal department or agency to detail to the Authority such personnel as the Authority requires to carry out functions of the Authority, each such detail to be without loss of seniority, pay, or other employee status;

“(6) request the head of any State department or agency or local government to detail to the Authority such personnel as the Authority requires to carry out functions of the Authority, each such detail to be without loss of seniority, pay, or other employee status;

“(7) provide for coverage of Authority employees in a suitable retirement and employee benefit system by—

“(A) making arrangements or entering into contracts with any participating State government; or

“(B) otherwise providing retirement and other employee benefit coverage;

“(8) accept, use, and dispose of gifts or donations of services or real, personal, tangible, or intangible property;

“(9) enter into and perform such contracts, leases, cooperative agreements, or other transactions as are necessary to carry out Authority duties, including any contracts, leases, cooperative agreements, or any other arrangement with—

“(A) any department, agency, or instrumentality of the United States;

“(B) any State (including a political subdivision, agency, or instrumentality of the State); or

“(C) any person, firm, association, or corporation;

“(10) establish and maintain a central office and field offices at such locations as the Authority may select; and

“(11) take such other actions and incur such other expenses as are necessary or appropriate.

“(f) FEDERAL AGENCY COOPERATION.—Federal agencies shall—

“(1) cooperate with the Authority; and

“(2) provide such assistance in carrying out this subtitle as the Federal cochairperson may request.

“(g) ADMINISTRATIVE EXPENSES.—

“(1) IN GENERAL.—Administrative expenses of the Authority shall be paid—

“(A) by the Federal Government, during the period beginning on the date of enactment of this subtitle and ending on September 30, 2000; and

“(B) after September 30, 2000 (except for the expenses of the Federal cochairperson, including expenses of the alternate and staff of the Federal cochairperson, which shall be paid solely by the Federal Government)—

“(i) by the Federal Government, in an amount equal to 50 percent of the administrative expenses; and

“(ii) by the States in the region represented on the Authority, in an amount equal to 50 percent of the administrative expenses.

“(2) STATE SHARE.—

“(A) IN GENERAL.—The share of administrative expenses of the Authority to be paid by each State shall be determined by the Authority.

“(B) NO FEDERAL PARTICIPATION.—The Federal cochairperson shall not participate or vote in any decision under subparagraph (A) to determine the share of administrative ex-

penses of the Authority to be paid by a State.

“(C) DELINQUENT STATES.—If a State is delinquent in payment of the State's share of administrative expenses of the Authority under this subsection—

“(i) no assistance under this subtitle shall be furnished to the State (including assistance to a political subdivision or a resident of the State); and

“(ii) no member of the Authority from the State shall participate or vote in any action by the Authority.

“(h) COMPENSATION.—

“(1) FEDERAL COCHAIRPERSON.—The Federal cochairperson shall be compensated by the Federal Government at level III of the Executive Schedule in subchapter II of chapter 53 of title V, United States Code.

“(2) ALTERNATE FEDERAL COCHAIRPERSON.—The alternate Federal cochairperson—

“(A) shall be compensated by the Federal Government at level V of the Executive Schedule described in paragraph (1); and

“(B) when not actively serving as an alternate for the Federal cochairperson, shall perform such functions and duties as are delegated by the Federal cochairperson.

“(3) STATE MEMBERS AND ALTERNATES.—

“(A) IN GENERAL.—A State shall compensate each member and alternate representing the State on the Authority at the rate established by law of the State.

“(B) NO ADDITIONAL COMPENSATION.—No State member or alternate member shall receive any salary, or any contribution to or supplementation of salary from any source other than the State for services provided by the member or alternate to the Authority.

“(4) DETAILED EMPLOYEES.—

“(A) IN GENERAL.—No person detailed to serve the Authority under subsection (e)(6) shall receive any salary or any contribution to or supplementation of salary for services provided to the Authority from—

“(i) any source other than the State, local, or intergovernmental department or agency from which the person was detailed; or

“(ii) the Authority.

“(B) VIOLATION.—Any person that violates this paragraph shall be fined not more than \$5,000, imprisoned not more than 1 year, or both.

“(C) APPLICABLE LAW.—The Federal cochairperson, the alternate Federal cochairperson, and any Federal officer or employee detailed to duty on the Authority under subsection (e)(5) shall not be subject to subparagraph (A), but shall remain subject to sections 202 through 209 of title 18, United States Code.

“(5) ADDITIONAL PERSONNEL.—

“(A) COMPENSATION.—

“(i) IN GENERAL.—The Authority may appoint and fix the compensation of an executive director and such other personnel as are necessary to enable the Authority to carry out the duties of the Authority.

“(ii) EXCEPTION.—Compensation described under clause (i) shall not exceed the maximum rate for the Senior Executive Service under section 5382 of title 5, United States Code, including any applicable locality-based comparability payment that may be authorized under section 5304(h)(2)(C) of that title.

“(B) EXECUTIVE DIRECTOR.—The executive director shall be responsible for—

“(i) the carrying out of the administrative functions of the Authority;

“(ii) direction of the Authority staff; and

“(iii) such other duties as the Authority may assign.

“(C) NO FEDERAL EMPLOYEE STATUS.—No member, alternate, officer, or employee of the Authority (except the Federal cochairperson of the Authority, the alternate and staff for the Federal cochairperson, and any Federal employee detailed to the Authority

under subsection (e)(5)) shall be considered to be a Federal employee for any purpose.

“(i) CONFLICTS OF INTEREST.—

“(1) IN GENERAL.—Except as provided under paragraph (2), no State member, alternate, officer, or employee of the Authority shall participate personally and substantially as a member, alternate, officer, or employee of the Authority, through decision, approval, disapproval, recommendation, the rendering of advice, investigation, or otherwise, in any proceeding, application, request for a ruling or other determination, contract, claim, controversy, or other matter in which, to knowledge of the member, alternate, officer, or employee—

“(A) the member, alternate, officer, or employee;

“(B) the spouse, minor child, partner, or organization (other than a State or political subdivision thereof) of the member, alternate, officer, or employee, in which the member, alternate, officer, or employee is serving as officer, director, trustee, partner, or employee; or

“(C) any person or organization with whom the member, alternate, officer, or employee is negotiating or has any arrangement concerning prospective employment;

has a financial interest.

“(2) DISCLOSURE.—Paragraph (1) shall not apply if the State member, alternate, officer, or employee—

“(A) immediately advises the Authority of the nature and circumstances of the proceeding, application, request for a ruling or other determination, contract, claim, controversy, or other particular matter presenting a conflict of interest;

“(B) makes full disclosure of the financial interest; and

“(C) before the proceeding concerning the matter presenting the conflict of interest, receives a written determination by the Authority that the interest is not so substantial as to be likely to affect the integrity of the services that the Authority may expect from the State member, alternate, officer, or employee.

“(3) VIOLATION.—Any person that violates this subsection shall be fined not more than \$10,000, imprisoned not more than 2 years, or both.

“(j) VALIDITY OF CONTRACTS, LOANS, AND GRANTS.—The Authority may declare void any contract, loan, or grant of or by the Authority in relation to which the Authority determines that there has been a violation of any provision under subsection (h)(4), subsection (i), or sections 202 through 209 of title 18, United States Code.

“SEC. 382C. ECONOMIC AND COMMUNITY DEVELOPMENT GRANTS.

“(a) IN GENERAL.—The Authority may approve grants to States and public and nonprofit entities for projects, approved in accordance with section 382I—

“(1) to assist the region in obtaining the job training and employment-related education, leadership, business, and civic development (with an emphasis on entrepreneurship), that are needed to build and maintain strong local economies;

“(2) to provide assistance to severely distressed and underdeveloped counties that lack financial resources for improving basic services;

“(3) to fund—

“(A) research, demonstrations, evaluations, and assessments of the region; and

“(B) training programs, and construction of necessary facilities, and the provision of technical assistance necessary to complete activities described in subparagraph (A); or

“(4) to otherwise achieve the objectives of this subtitle.

“(b) FUNDING.—

“(1) IN GENERAL.—Funds for grants under subsection (a) may be provided—

“(A) entirely from appropriations to carry out this section;

“(B) in combination with funds available under another Federal or Federal grant program; or

“(C) from any other source.

“(2) PRIORITY OF FUNDING.—To best build the foundations for long-term, self-sustaining economies and to complement other Federal and State resources in the region, Federal funds available under this subtitle shall be focused on the activities in the following order or priority:

“(A) Basic infrastructure in distressed counties.

“(B) Job-related infrastructure.

“(C) Job training or employment-related education.

“(D) Leadership and civic development.

“(E) Business development, with emphasis on entrepreneurship.

“(3) FEDERAL SHARE IN GRANT PROGRAMS.—Notwithstanding any provision of law limiting the Federal share in any grant program, funds appropriated to carry out this section may be used to increase a Federal share in a grant program, as the Authority determines to be appropriate.

“SEC. 382D. SUPPLEMENTS TO FEDERAL GRANT PROGRAMS.

“(a) FINDING.—Congress finds that certain people, States, and local communities of the region, including local development districts, are unable to take maximum advantage of Federal grant programs for which the people are eligible because—

“(1) they lack the economic resources to supply the required matching share; or

“(2) there are insufficient funds available under the applicable Federal grant law authorizing the program to meet pressing needs of the region.

“(b) FEDERAL GRANT PROGRAM FUNDING.—In accordance with subsection (c), the Federal cochairperson may use amounts made available to carry out this subtitle, without regard to any limitations on areas eligible for assistance or authorizations for appropriation under any other Act to fund all or any portion of the basic Federal contribution to a project or activity under a Federal grant program in an amount that is above the fixed maximum portion of the cost of the project otherwise authorized by the applicable law, not to exceed 80 percent of the costs of the project except as provided in section 382F(b).

“(c) CERTIFICATION.—

“(1) IN GENERAL.—In the case of any program or project for which all or any portion of the basic Federal contribution to the project under a Federal grant program is proposed to be made under this section, no Federal contribution shall be made until the Federal official administering the Federal law authorizing the contribution certifies that the program or project—

“(A) meets the applicable requirements of the applicable Federal grant law; and

“(B) could be approved for Federal contribution under the law if funds were available under the law for the program or project.

“(2) CERTIFICATION BY AUTHORITY.—

“(A) IN GENERAL.—The certifications and determinations required to be made by the Authority for approval of projects under this subtitle in accordance with section 382I—

“(i) shall be controlling; and

“(ii) shall be accepted by the Federal agencies.

“(B) ACCEPTANCE BY FEDERAL COCHAIRPERSON.—Any finding, report, certification, or documentation required to be submitted to the head of the department, agency, or instrumentality of the Federal Government re-

sponsible for the administration of any Federal grant program shall be accepted by the Federal cochairperson with respect to a supplemental grant for any project under the program.

“SEC. 382E. LOCAL DEVELOPMENT DISTRICTS; CERTIFICATION AND ADMINISTRATIVE EXPENSES.

“(a) DEFINITION OF LOCAL DEVELOPMENT DISTRICT.—In this section, the term ‘local development district’ means an entity that is—

“(1) organized and operated in a manner that ensures broad-based community participation and an effective opportunity for other nonprofit and citizen groups to contribute to the development and implementation of programs in the region;

“(2) certified to the Authority as having a charter or authority that includes the economic development of counties or parts of counties or other political subdivisions within the region—

“(A) by the Governor of each State in which the entity is located; or

“(B) by the State officer designated by the appropriate State law to make the certification; and

“(3) is—

“(A) a nonprofit incorporated body organized or chartered under the law of the State in which the entity is located;

“(B) a nonprofit agency or instrumentality of a State or local government;

“(C) a nonprofit agency or instrumentality created through an interstate compact; or

“(D) a nonprofit association or combination of bodies, agencies, and instrumentalities described in subparagraphs (A) through (C).

“(b) GRANTS TO LOCAL DEVELOPMENT DISTRICTS.—

“(1) IN GENERAL.—The Authority may make grants for administrative expenses of local development districts.

“(2) CONDITIONS FOR GRANTS.—

“(A) MAXIMUM AMOUNT.—The amount of any grant awarded under paragraph (1) shall not exceed 80 percent of the administrative expenses of the local development district receiving the grant.

“(B) MAXIMUM PERIOD.—No grant described in paragraph (1) shall be awarded to a State agency certified as a local development district for a period greater than 3 years.

“(C) LOCAL SHARE.—The contributions of a local development district for administrative expenses may be in cash or in kind, fairly evaluated, including space, equipment, and services.

“(c) DUTIES OF LOCAL DEVELOPMENT DISTRICTS.—Local development districts—

“(1) shall operate as lead organizations serving multicounty areas in the region at the local level; and

“(2) shall serve as a liaison between State and local governments, nonprofit organizations (including community-based groups and educational institutions), the business community, and citizens that—

“(A) are involved in multijurisdictional planning;

“(B) provide technical assistance to local jurisdictions and potential grantees; and

“(C) provide leadership and civic development assistance.

“SEC. 382F. DISTRESSED COUNTIES AND ECONOMICALLY STRONG COUNTIES.

“(a) DESIGNATIONS.—Not later than 90 days after the date of enactment of this subtitle, and annually thereafter, the Authority, in accordance with such criteria as the Authority may establish, shall designate—

“(1) as distressed counties, counties in the region that are the most severely and persistently distressed and underdeveloped;

“(2) as economically strong counties, counties in the region that are approaching or

have reached economic parity with the rest of the United States; and

“(3) as isolated areas of distress, areas located in an economically strong county that have high rates of poverty or unemployment.

“(b) DISTRESSED COUNTIES.—

“(1) IN GENERAL.—The Authority shall allocate at least 50 percent of the appropriations made available under section 382N for programs and projects designed to serve the needs of distressed counties in the region.

“(2) FUNDING LIMITATIONS.—The funding limitations under section 382D(b) shall not apply to projects providing basic services to residents in 1 or more distressed counties in the region.

“(c) ECONOMICALLY STRONG COUNTIES.—

“(1) IN GENERAL.—Except as provided in this subsection, no funds shall be provided under this subtitle for a project located in a county designated as an economically strong county under subsection (a).

“(2) EXCEPTIONS.—

“(A) IN GENERAL.—The funding prohibition under paragraph (1) shall not apply to grants to fund the administrative expenses of local development districts under section 382E(b).

“(B) MULTICOUNTY PROJECTS.—The Authority may approve additional exceptions to the funding prohibition under paragraph (1) for—

“(i) multicounty projects that include participation by an economically strong county; and

“(ii) any other type of project, if the Authority determines that the project could bring significant benefits to areas of the region outside an economically strong county.

“(C) ISOLATED AREAS OF DISTRESS.—

“(i) IN GENERAL.—An isolated area of distress shall be eligible for assistance at the discretion of the Authority.

“(ii) DETERMINATION.—A determination of eligibility of an isolated area of distress for assistance shall be supported—

“(I) by the most recent Federal data available; or

“(II) if no recent Federal data are available, by the most recent data available through the government of the State in which the isolated area of distress is located.

“**SEC. 382G. DEVELOPMENT PLANNING PROCESS.**

“(a) STATE DEVELOPMENT PLAN.—In accordance with policies established by the Authority, each State member shall submit on such schedule as the Authority shall prescribe a development plan for the area of the region represented by the State member.

“(b) CONTENT OF PLAN.—A State development plan submitted under subsection (a) shall—

“(1) reflect the goals, objectives, and priorities identified in the regional development plan under section 382B(d);

“(2) describe—

“(A) the organization and continuous process for development planning of the State, including the procedures established by the State for the participation of local development districts in the development planning process;

“(B) the means by which the development planning process of the State is related to overall State-wide planning and budgeting processes; and

“(C) the method of coordinating planning and projects in the region under this subtitle and other Federal, State, and local programs;

“(3)(A) identify the goals, objectives, priorities, and expected outcomes of the State for the region, as determined by the Governor;

“(B) identify the needs on which those goals, objectives, priorities are based; and

“(C) describe the development strategy for achieving and the expected outcomes of those goals, objectives, and priorities; and

“(4) describe how strategies proposed in the plan would advance the objectives of this subtitle.

“(c) CONSULTATION WITH INTERESTED LOCAL PARTIES.—In carrying out the development planning process (including the selection of programs and projects for assistance), a State shall—

“(1) consult with—

“(A) local development districts;

“(B) local units of government; and

“(C) citizen groups; and

“(2) take into consideration the goals, objectives, priorities, and recommendations of the entities identified in paragraph (1).

“(d) PUBLIC PARTICIPATION.—

“(1) IN GENERAL.—The Authority and applicable State and local development districts shall encourage and assist, to the maximum extent practicable, public participation in the development, revision, and implementation of all plans and programs under this subtitle.

“(2) REGULATIONS.—The Authority shall develop guidelines specifying minimum goals for public participation described in paragraph (1), including public hearings.

“**SEC. 382H. PROGRAM DEVELOPMENT CRITERIA.**

“(a) IN GENERAL.—In considering programs and projects to be provided assistance under this subtitle, and in establishing a priority ranking of the requests for assistance presented to the Authority, the Authority shall follow procedures that ensure, to the maximum extent practicable, consideration of—

“(1) the relationship of the project or class of projects to overall regional development;

“(2) the per capita income and poverty and unemployment rates in the area;

“(3) the financial resources available to the applicants for assistance seeking to carry out the project;

“(4) the importance of the project or class of projects in relation to other projects or classes of projects that may be in competition for the same funds;

“(5) the prospects that the project for which assistance is sought will improve, on a continuing rather than a temporary basis, the opportunities for employment, the average level of income, or the economic and social development of the area served by the project; and

“(6) the extent to which the project design provides for detailed outcome measurements by which grant expenditures and the results of the expenditures may be evaluated.

“(b) NO RELOCATION ASSISTANCE.—No financial assistance authorized by this subtitle shall be used to assist a person or entity in relocating from 1 area to another.

“(c) REDUCTION OF FUNDS.—Funds may be provided for a program or project in a State under this subtitle only if the Authority determines that the level of Federal or State financial assistance provided under a law other than this subtitle, for the same type of program or project in the same area of the State within the region, will not be reduced so as to substitute funds authorized by this subtitle.

“**SEC. 382I. APPROVAL OF DEVELOPMENT PLANS AND PROJECTS.**

“(a) IN GENERAL.—A State or regional development plan or any multistate sub-regional plan that is proposed for development under this subtitle shall be reviewed for approval by the Authority in accordance with section 382B(e)(3).

“(b) EVALUATION BY STATE MEMBER.—An application for a grant or any other assistance for a project under this subtitle shall be made through and evaluated for approval by the State member of the Authority representing the applicant.

“(c) CERTIFICATION.—An application for a grant or other assistance for a project shall

be approved only on certification by the State member and the Federal cochairperson that the application—

“(1) reflects an intent that the project comply with any applicable State development plan;

“(2) meets applicable criteria under section 382H;

“(3) provides adequate assurance that the proposed project will be properly administered, operated, and maintained; and

“(4) otherwise meets the requirements of this subtitle.

“(d) VOTES FOR DECISIONS.—The certification by a State member of an application for a grant or other assistance for a specific project under this section shall, when joined by an affirmative vote of the Federal cochairperson for the application, be considered to satisfy the requirements for affirmative votes for decisions under section 382B.

“**SEC. 382J. CONSENT OF STATES.**

Nothing in this subtitle requires any State to engage in or accept any program under this subtitle without the consent of the State.

“**SEC. 382K. RECORDS.**

“(a) RECORDS OF THE AUTHORITY.—

“(1) IN GENERAL.—The Authority shall maintain accurate and complete records of all transactions and activities of the Authority financed with Federal funds.

“(2) AVAILABILITY.—All records of the Authority shall be available for audit and examination by the Comptroller General of the United States (including authorized representatives of the Comptroller General).

“(b) RECORDS OF RECIPIENTS OF FEDERAL ASSISTANCE.—

“(1) IN GENERAL.—Recipients of Federal assistance under this subtitle shall, as required by the Authority, maintain accurate and complete records of transactions and activities financed with Federal funds and report on the transactions and activities to the Authority.

“(2) AVAILABILITY.—All records described in paragraph (1) shall be available for audit by the Comptroller General of the United States and the Authority or their duly authorized representatives.

“**SEC. 382L. ANNUAL REPORT.**

“Not later than 180 days after the end of each fiscal year, the Authority shall submit to the President and to Congress a report describing the activities carried out under this subtitle.

“**SEC. 382M. AUTHORIZATION OF APPROPRIATIONS.**

“(a) IN GENERAL.—There is authorized to be appropriated to the Authority to carry out this subtitle \$30,000,000 for each of fiscal years 2001 through 2005, to remain available until expended.

“(b) ADMINISTRATIVE EXPENSES.—Not more than 5 percent of the amount appropriated under subsection (a) shall be used for administrative expenses.”

ADDITIONAL COSPONSORS

S. 391

At the request of Mr. KERREY, the name of the Senator from Virginia (Mr. WARNER) was added as a cosponsor of S. 391, a bill to provide for payments to children's hospitals that operate graduate medical education programs.

S. 407

At the request of Mr. LAUTENBERG, the name of the Senator from Florida (Mr. GRAHAM) was added as a cosponsor of S. 407, a bill to reduce gun trafficking by prohibiting bulk purchases of handguns.

S. 486

At the request of Mr. ASHCROFT, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor of S. 486, a bill to provide for the punishment of methamphetamine laboratory operators, provide additional resources to combat methamphetamine production, trafficking, and abuse in the United States, and for other purposes.

S. 562

At the request of Mr. HARKIN, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 562, a bill to provide for a comprehensive, coordinated effort to combat methamphetamine abuse, and for other purposes.

S. 702

At the request of Mr. HARKIN, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 702, a bill to amend the Fair Labor Standards Act of 1938 to prohibit discrimination in the payment of wages on account of sex, race, or national origin, and for other purposes.

S. 736

At the request of Mr. LIEBERMAN, the names of the Senator from Iowa (Mr. HARKIN), the Senator from Hawaii (Mr. INOUE), the Senator from Virginia (Mr. ROBB), and the Senator from Minnesota (Mr. WELLSTONE) were added as cosponsors of S. 736, a bill to amend titles XVIII and XIX of the Social Security Act to ensure that individuals enjoy the right to be free from restraint, and for other purposes.

S. 1028

At the request of Mr. HATCH, the names of the Senator from North Carolina (Mr. HELMS) and the Senator from Minnesota (Mr. GRAMS) were added as cosponsors of S. 1028, a bill to simplify and expedite access to the Federal courts for injured parties whose rights and privileges, secured by the United States Constitution, have been deprived by final actions of Federal agencies, or other government officials or entities acting under color of State law, and for other purposes.

S. 1035

At the request of Mr. FEINGOLD, the name of the Senator from Hawaii (Mr. INOUE) was added as a cosponsor of S. 1035, a bill to establish a program to provide grants to expand the availability of public health dentistry programs in medically underserved areas, health professional shortage areas, and other Federally-defined areas that lack primary dental services.

S. 1197

At the request of Mr. ROTH, the names of the Senator from Georgia (Mr. CLELAND) and the Senator from Maine (Ms. COLLINS) were added as cosponsors of S. 1197, a bill to prohibit the importation of products made with dog or cat fur, to prohibit the sale, manufacture, offer for sale, transportation, and distribution of products made with dog or cat fur in the United States, and for other purposes.

S. 1239

At the request of Mr. GRAHAM, the name of the Senator from Nevada (Mr. BRYAN) was added as a cosponsor of S. 1239, a bill to amend the Internal Revenue Code of 1986 to treat spaceports like airports under the exempt facility bond rules.

S. 1269

At the request of Mr. MCCONNELL, the name of the Senator from Utah (Mr. BENNETT) was added as a cosponsor of S. 1269, a bill to provide that the Federal Government and States shall be subject to the same procedures and substantive laws that would apply to persons on whose behalf certain civil actions may be brought, and for other purposes.

S. 1310

At the request of Ms. COLLINS, the name of the Senator from South Carolina (Mr. THURMOND) was added as a cosponsor of S. 1310, a bill to amend title XVIII of the Social Security Act to modify the interim payment system for home health services, and for other purposes.

S. 1419

At the request of Mr. MCCAIN, the names of the Senator from Mississippi (Mr. COCHRAN), the Senator from Massachusetts (Mr. KENNEDY), the Senator from Idaho (Mr. CRAPO), the Senator from California (Mrs. BOXER), the Senator from Texas (Mr. GRAMM), the Senator from New Mexico (Mr. BINGAMAN), and the Senator from Alabama (Mr. SESSIONS) were added as cosponsors of S. 1419, a bill to amend title 36, United States Code, to designate May as "National Military Appreciation Month."

S. 1446

At the request of Mr. LOTT, the name of the Senator from Missouri (Mr. BOND) was added as a cosponsor of S. 1446, a bill to amend the Internal Revenue Code of 1986 to allow an additional advance refunding of bonds originally issued to finance governmental facilities used for essential governmental functions.

S. 1449

At the request of Mr. CONRAD, the name of the Senator from Utah (Mr. BENNETT) was added as a cosponsor of S. 1449, a bill to amend title XVIII of the Social Security Act to increase the payment amount for renal dialysis services furnished under the medicare program.

S. 1459

At the request of Mr. MACK, the name of the Senator from Missouri (Mr. BOND) was added as a cosponsor of S. 1459, a bill to amend title XVIII of the Social Security Act to protect the right of a medicare beneficiary enrolled in a Medicare+Choice plan to receive services at a skilled nursing facility selected by that individual.

S. 1473

At the request of Mr. DORGAN, his name was added as a cosponsor of S. 1473, a bill to amend section 2007 of the Social Security Act to provide grant

funding for additional Empowerment Zones, Enterprise Communities, and Strategic Planning Communities, and for other purposes.

SENATE RESOLUTION 118

At the request of Mr. REID, the names of the Senator from South Carolina (Mr. HOLLINGS), the Senator from Washington (Mrs. MURRAY), the Senator from Ohio (Mr. VOINOVICH), the Senator from New Mexico (Mr. DOMENICI), and the Senator from Michigan (Mr. LEVIN) were added as cosponsors of Senate Resolution 118, A resolution designating December 12, 1999, as "National Children's Memorial Day."

SENATE RESOLUTION 179

At the request of Mr. BIDEN, the names of the Senator from New Mexico (Mr. DOMENICI), the Senator from Missouri (Mr. ASHCROFT), the Senator from Maine (Ms. SNOWE), the Senator from Ohio (Mr. VOINOVICH), and the Senator from California (Mrs. BOXER) were added as cosponsors of Senate Resolution 179, a resolution designating October 15, 1999, as "National Mammography Day."

AMENDMENTS SUBMITTED

DEPARTMENT OF VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT, AND INDEPENDENT AGENCIES APPROPRIATIONS ACT, 2000

BYRD (AND OTHERS) AMENDMENT NO. 1744

Mr. BOND (for Mr. BYRD, for himself, Mr. BOND, Mr. DOMENICI, Mr. STEVENS, Ms. MIKULSKI, Mr. GRASSLEY, Mr. BINGAMAN, Mr. JOHNSON, Mr. SPECTER, Mr. MURKOWSKI, Mr. WELLSTONE, Mr. SMITH of NH, Mr. HOLLINGS, Mr. ROCKEFELLER, Mr. AKAKA, Mr. CONRAD, Mr. KERREY, Mr. BIDEN, Mr. LEAHY, Mrs. BOXER, Mr. HAGEL, Mrs. MURRAY, Mr. JEFFORDS, Mr. SARBANES, Mr. HUTCHINSON, Mr. REID, Mr. KERRY, Mr. ROBB, Mr. BUNNING, Mr. BRYAN, Mr. KENNEDY, Mr. ROBERTS, Mr. ASHCROFT, Ms. SNOWE, Ms. COLLINS, Mr. COVERDELL, Mr. HARKIN, Mr. ABRAHAM, Mr. DORGAN, Mr. DURBIN, Mr. LEVIN, Ms. LANDRIEU, and Mr. FRIST) proposed an amendment to the bill (H.R. 2684) A bill making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2000, and for other purposes; as follows:

On page 7, beginning on line 23, strike "\$18,406,000,000" and all that follows through "Provided," and insert "\$19,006,000,000, plus reimbursements: *Provided* That of the funds made available under this heading, \$600,000,000 is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 and shall be available only to the extent that an official budget request that includes designation of the entire amount of the request as

an emergency requirement (as defined in the Balanced Budget and Emergency Deficit Control Act of 1985) is transmitted by the President to Congress: *Provided further*,”.

**TORRICELLI (AND OTHERS)
AMENDMENT NO. 1745**

(Ordered to lie on the table.)

Mr. TORRICELLI (for himself, Mr. MOYNIHAN, and Mrs. MURRAY) submitted an amendment intended to be proposed by them to the bill, H.R. 2684, supra; as follows:

At the appropriate place in title IV, insert the following:

SEC. 4 . STUDY.

(a) **IN GENERAL.**—Not later than 18 months after the date of enactment of this Act, the Administrator of the Environmental Protection Agency shall submit a study on airport noise to Congress, the Secretary of Transportation, and the Administrator of the Federal Aviation Administration.

(b) **AREAS OF STUDY.**—The study shall examine—

(1) the selection of noise measurement methodologies used by the Administrator of the Federal Aviation Administration;

(2) the threshold of noise at which health impacts are felt; and

(3) the effectiveness of noise abatement programs at airports around the United States.

(c) **RECOMMENDATIONS.**—The study shall include specific recommendations to the Secretary of Transportation and the Administrator of the Federal Aviation Administration concerning new measures that should be implemented to mitigate the impact of aircraft noise on communities surrounding airports.

TORRICELLI AMENDMENT NO. 1476

(Ordered to lie on the table.)

Mr. TORRICELLI submitted an amendment intended to be proposed by him to the bill, H.R. 2684, supra; as follows:

At the appropriate place in title IV, insert the following:

SEC. 4 . RIGHT TO KNOW ABOUT AIRPORT POLLUTION.

(a) **FINDINGS.**—Congress finds that—

(1) the serious ground level ozone, noise, water pollution, and solid waste disposal problems attendant to airport operations require a thorough evaluation of all significant sources of pollution;

(2) the Clean Air Act (42 U.S.C. 7401 et seq.)—

(A) requires each State to reduce emissions contributing to ground level ozone problems and maintain those reductions; and

(B) requires the Administrator of the Environmental Protection Agency to study, in addition to other sources, the effects of sporadic, extreme noise (such as jet noise near airports) on public health and welfare;

(3) the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) establishes a regulatory and enforcement program for discharges of wastes into waters;

(4) the Safe Drinking Water Act (42 U.S.C. 300f et seq.) establishes primary drinking water standards and a ground water control program;

(5) the Solid Waste Disposal Act (42 U.S.C. 6901 et seq.) regulates management and disposal of solid and hazardous waste;

(6) a study of air pollution problems in California—

(A) has determined that airports are significant sources of air pollution; and

(B) has led to the creation of an airport bubble concept; and

(7) the airport bubble concept is an approach that—

(A) treats an airport and the area within a specific radius around the airport as a single source of pollution that emits a range of pollutants, including air, noise, water, and solid waste; and

(B) seeks, by implementation of specific programs or regulations, to reduce the pollution from each source within the bubble and thereby reduce the overall pollution in that area.

(b) **PURPOSE.**—The purpose of this section is to require the Administrator to conduct—

(1) a feasibility study for applying airport bubbles to airports as a method of assessing and reducing, where appropriate, air, noise, water, and solid waste pollution in and around the airports and improving overall environmental quality; and

(2) a study of air pollutant emission standards established by the Environmental Protection Agency for airplane engines to determine whether it is feasible and desirable to strengthen the standards.

(c) **DEFINITIONS.**—In this section:

(1) **ADMINISTRATOR.**—The term “Administrator” means the Administrator of the Environmental Protection Agency.

(2) **AIRPORT BUBBLE.**—The term “airport bubble” means an area—

(A) in and around an airport (or other facility using aircraft) within which sources of pollution and levels of pollution from those sources are to be identified and reduced; and

(B) containing a variety of types of air, noise, water, and solid waste sources of pollution in which the aggregate of each type of pollutant from the respective sources is regulated as if the various sources were a single source.

(d) **STUDY OF USING AIRPORT BUBBLES.**—

(1) **IN GENERAL.**—The Administrator shall conduct a study to determine the feasibility of regulating air, noise, water, and solid waste pollution from all sources in and around airports using airport bubbles.

(2) **WORKING GROUP.**—In conducting the study, the Administrator shall establish and consult with a working group comprised of—

(A) the Administrator of the Federal Aviation Administration (or a designee);

(B) the Secretary of Defense (or a designee);

(C) the Secretary of Transportation (or a designee);

(D) a representative of air quality districts;

(E) a representative of environmental research groups;

(F) a representative of State Audubon Societies;

(G) a representative of the Sierra Club;

(H) a representative of the Nature Conservancy;

(I) a representative of port authorities of States;

(J) an airport manager;

(K) a representative of commanding officers of military air bases and stations;

(L) a representative of the bus lines that serve airports who is familiar with the emissions testing and repair records of those buses, the schedules of those lines, and any problems with delays in service caused by traffic congestion;

(M) a representative of the taxis and limousines that serve airports who is familiar with the emissions testing and repair records of the taxis and limousines and the volume of business generated by the taxis and limousines;

(N) a representative of local law enforcement agencies or other entities responsible for traffic conditions in and around airports;

(O) a representative of the Air Transport Association;

(P) a representative of the Airports Council International-North America;

(Q) a representative of environmental specialists from airport authorities; and

(R) a representative from an aviation union representing ground crews.

(3) **REQUIRED ELEMENTS.**—In conducting the study, the Administrator shall—

(A) collect, analyze, and consider information on the variety of stationary and mobile sources of air, noise, water, and solid waste pollution within airport bubbles around airports in the United States, including—

(i) aircraft, vehicles, and equipment that service aircraft (including main and auxiliary engines); and

(ii) buses, taxis, and limousines that serve airports;

(B) study a statistically significant number of airports serving commercial aviation in a manner designed to obtain a representative sampling of such airports;

(C) consider all relevant information that is available, including State implementation plans under the Clean Air Act (42 U.S.C. 7401 et seq.) and airport master plans;

(D) consider the air quality implications of airport and ground and in-flight aircraft operations, such as routing and delays;

(E) assess the role of airports in interstate and international travel and commerce and the environmental and economic impact of regulating airports as significant sources of air, noise, water, and solid waste pollution;

(F) propose boundaries of the areas to be included within airport bubbles;

(G) propose a definition of air pollutant emissions for airport bubbles that includes hydrocarbons, volatile organic compounds, and other ozone precursors targeted for reduction under Federal air pollution law;

(H) develop an inventory of each source of air, noise, water, and solid waste pollution to be regulated within airport bubbles and the level of reduction for each source;

(I) list and evaluate programs that might be implemented to reduce air, noise, water, and solid waste pollution within airport bubbles and the environmental and economic impact of each of the programs, including any changes to Federal or State law (including regulations) that would be required for implementation of each of the programs;

(J) evaluate the feasibility of regulating air, noise, water, and solid waste pollutants in and around airports using airport bubbles and make recommendations regarding which programs should be included in an effective implementation of airport bubble methodology; and

(K) address the issues of air and noise pollution source identification and regulation that are unique to military air bases and stations.

(4) **REPORT.**—Not later than 3 years after the date of enactment of this Act, the Administrator shall submit to Congress a report describing the results and recommendations of the study required by this subsection.

(e) **STUDY OF EMISSION STANDARDS FOR AIRPLANE ENGINES.**—

(1) **IN GENERAL.**—The Administrator shall conduct a study of air pollutant emission standards established by the Environmental Protection Agency for airplane engines to determine whether it is feasible and desirable to strengthen the standards.

(2) **REPORT.**—Not later than 2 years after the date of enactment of this Act, the Administrator shall submit to Congress a report describing the results and recommendations of the study required by this subsection.

(f) **PROGRESS REPORTS.**—Not later than 1 year after the date of enactment of this Act, and annually thereafter until the reports under subsections (d) and (e) are submitted,

the Administrator shall submit to Congress a report that details the progress being made by the Administrator in carrying out subsections (d) and (e).

(g) FUNDING.—The Administrator shall carry out this section using existing funds available to the Administrator.

WELLSTONE (AND OTHERS)
AMENDMENT NO. 1747

Mr. WELLSTONE (for himself, Mr. JOHNSON, and Mr. SMITH of New Hampshire) proposed an amendment to the bill, H.R. 2684, supra; as follows:

On page 17, between lines 14 and 15, insert the following:

SEC. 108. The amount appropriated or otherwise made available by this title under the heading "VETERANS HEALTH ADMINISTRATION" is hereby increased by \$1,300,000,000.

CONRAD AMENDMENT NO. 1748

(Ordered to lie on the table.)

Mr. CONRAD submitted an amendment intended to be proposed by him to the bill, H.R. 2684, supra; as follows:

On page 17, between lines 14 and 15, insert the following:

SEC. 108. (a)(1) The amount appropriated by this title under the heading "DEPARTMENTAL ADMINISTRATION" under the subheading "CONSTRUCTION, MAJOR PROJECTS" is hereby increased by \$12,000,000.

(2) Of the amount appropriated by this title under the heading "DEPARTMENTAL ADMINISTRATION" under the subheading "CONSTRUCTION, MAJOR PROJECTS", as increased by paragraph (1), \$12,000,000 shall be available for renovations and environmental improvements at the Department of Veterans Affairs Medical Center in Fargo, North Dakota.

(b) Notwithstanding any other provision of this Act, the aggregate of the amounts appropriated or otherwise made available by this Act for the travel expenses of the departments, agencies, commissions, corporations, and offices covered by this Act is hereby reduced by \$12,000,000.

CLELAND AMENDMENTS NOS. 1749–
1754

(Ordered to lie on the table.)

Mr. CLELAND submitted six amendments intended to be proposed by him to the bill, H.R. 2684, supra; as follows:

AMENDMENT NO. 1749

On page 17, between lines 14 and 15, insert the following:

SEC. 108. (a)(1) The amount appropriated by this title under the heading "DEPARTMENTAL ADMINISTRATION" under the subheading "CONSTRUCTION, MAJOR PROJECTS" is hereby increased by \$12,400,000.

(2) Of the amount appropriated by this title under the heading "DEPARTMENTAL ADMINISTRATION" under the subheading "CONSTRUCTION, MAJOR PROJECTS", as increased by paragraph (1), \$12,400,000 shall be available for renovations and environmental improvements at the Department of Veterans Affairs Medical Center in Atlanta, Georgia.

(b) The aggregate amount appropriated or otherwise made available by this Act, other than the amount appropriated under the heading "DEPARTMENTAL ADMINISTRATION" under the subheading "CONSTRUCTION, MAJOR PROJECTS", is hereby reduced by \$12,400,000.

AMENDMENT NO. 1750

On page 31, line 17, strike "\$110,000,000" and insert "\$112,000,000".

On page 31, line 23, insert before the period the following: ", and including \$2,000,000 for

the expansion and modernization of the Tubman African American Museum in Macon, Georgia".

On page 76, line 8, strike "\$5,000,000" and insert "\$3,000,000".

AMENDMENT NO. 1751

On page 17, between lines 14 and 15, insert the following:

SEC. 108. (a)(1) The amount appropriated by this title under the heading "DEPARTMENTAL ADMINISTRATION" under the subheading "NATIONAL CEMETERY ADMINISTRATION" is hereby increased by \$1,500,000.

(2) Of the amount appropriated by this title under the heading "DEPARTMENTAL ADMINISTRATION" under the subheading "NATIONAL CEMETERY ADMINISTRATION", as increased by paragraph (1), \$1,500,000 shall be available for the construction of a national cemetery in the Atlanta, Georgia, metropolitan area.

(b) The amount appropriated by this title under the heading "DEPARTMENTAL ADMINISTRATION" under the subheading "OFFICE OF INSPECTOR GENERAL" is hereby reduced by \$1,500,000.

AMENDMENT NO. 1752

On page 31, line 17, strike "\$110,000,000" and insert "\$112,000,000".

On page 31, line 23, insert before the period the following: ", and including \$2,000,000 for the National Institute for Community Empowerment in Atlanta, Georgia".

On page 44, line 15, strike "\$95,910,000" and insert "\$93,910,000".

AMENDMENT NO. 1753

On page 83, line 12, strike "\$3,250,000,000, to remain available until expended," and insert "\$3,259,200,000, to remain available until expended, of which \$9,200,000 shall be derived from pro rata transfers of amounts made available under each other heading under the heading "ENVIRONMENTAL PROTECTION AGENCY" and shall be available to the Atlanta region for modeling and monitoring of combined sewer overflows as part of the comprehensive watershed restoration strategy, and".

AMENDMENT NO. 1754

On page 31, line 17, strike "\$110,000,000" and insert "\$112,770,000".

On page 31, line 23, insert before the period the following: ", and including \$2,770,000 for the demolition and environmental mitigation of the Swift Building in Moultrie, Georgia".

On page 44, line 15, strike "\$95,910,000" and insert "\$93,140,000".

KERRY (AND OTHERS)

AMENDMENT NO. 1755

(Ordered to lie on the table.)

Mr. KERRY (for himself, Mr. CHAFEE, Mr. BROWNBACK, Ms. SNOWE, Mr. LIEBERMAN, Mr. LEAHY, and Mr. LAUTENBERG) submitted an amendment intended to be proposed by them to the bill, H.R. 2684, supra; as follows:

On page 78, line 20, strike "\$1,885,000,000" and insert "\$1,897,000,000".

On page 78, line 21, before the colon, insert the following: ", and of which not less than \$12,000,000 shall be derived from pro rata transfers of amounts made available under each other heading under the heading "ENVIRONMENTAL PROTECTION AGENCY" and shall be available for the Montreal Protocol Fund".

KERRY AMENDMENT NO. 1756

(Ordered to lie on the table.)

Mr. KERRY submitted an amendment intended to be proposed by him to the bill, H.R. 2684, supra; as follows:

On page 28, line 2, strike "\$225,000,000" and insert "\$239,000,000".

On page 44, line 15, strike "\$95,910,000" and insert "\$81,910,000".

SMITH (AND OTHERS)

AMENDMENT NO. 1757

Mr. SMITH of New Hampshire (for himself, Mr. NICKLES, and Mr. INHOFE) proposed an amendment to the bill, H.R. 2684, supra; as follows:

On page 7, line 23, strike "\$19,006,000,000" and insert "\$19,215,500,000".

On page 8, line 10, insert after the colon the following: "Provided further, That of the funds made available under this heading, \$5,000,000 shall be available for the Homeless Providers Grant and Per Diem (GPD) program".

On page 14, line 21, strike "\$90,000,000" and insert "\$100,000,000".

On page 73, line 22, strike "\$423,500,000" and insert "\$199,000,000".

On page 74, beginning on line 9, strike "Provided further," and all that follows through "section 121(d)(2) of such Act (42 U.S.C. 12581(d)(2))".

FEINSTEIN AMENDMENTS NOS.

1758–1759

(Ordered to lie on the table.)

Mrs. FEINSTEIN submitted two amendments intended to be proposed by her to the bill, H.R. 2684, supra; as follows:

AMENDMENT NO. 1758

At the appropriate place, insert the following:

SEC. ____ . UNDERGROUND STORAGE TANKS.

Not later than May 1, 2000, in administering the underground storage tank program under subtitle I of the Solid Waste Disposal Act (42 U.S.C. 6991 et seq.), the Administrator of the Environmental Protection Agency shall develop a plan (including cost estimates)—

(1) to identify underground storage tanks that are not in compliance with subtitle I of the Solid Waste Disposal Act (42 U.S.C. 6991 et seq.) (including regulations);

(2) to identify underground storage tanks in temporary closure;

(3) to determine the ownership of underground storage tanks described in paragraphs (1) and (2);

(4) to determine the plans of owners and operators of underground storage tanks described in paragraphs (1) and (2) to bring the underground storage tanks into compliance or out of temporary closure; and

(5) in a case in which the owner of an underground storage tank described in paragraph (1) or (2) cannot be identified—

(A) to bring the underground storage tank into compliance; or

(B) to permanently close the underground storage tank.

AMENDMENT NO. 1759

At the appropriate place, insert the following:

SEC. ____ . UNDERGROUND STORAGE TANKS.

Not later than May 1, 2000, in administering the underground storage tank program under subtitle I of the Solid Waste Disposal Act (42 U.S.C. 6991 et seq.), the Administrator of the Environmental Protection Agency shall develop a plan (including cost estimates)—

(1) to identify underground storage tanks that are not in compliance with subtitle I of the Solid Waste Disposal Act (42 U.S.C. 6991 et seq.) (including regulations);

(2) to identify underground storage tanks in temporary closure;

(3) to determine the ownership of underground storage tanks described in paragraphs (1) and (2);

(4) to determine the plans of owners and operators of underground storage tanks described in paragraphs (1) and (2) to bring the underground storage tanks into compliance or out of temporary closure; and

(5) in a case in which the owner of an underground storage tank described in paragraph (1) or (2) cannot be identified—

(A) to bring the underground storage tank into compliance; or

(B) to permanently close the underground storage tank.

BOND AMENDMENT NO. 1760

Mr. BOND proposed an amendment to the bill, H.R. 2684, supra; as follows:

On page 112, strike line 3 and all that follows through line 4 on page 113.

KERRY AMENDMENT NO. 1761

(Ordered to lie on the table.)

Mr. KERRY submitted an amendment intended to be proposed by him to the bill, H.R. 2684, supra; as follows:

On page 18, line 3, strike "\$10,855,135,000" and insert "\$10,566,335,000".

On page 18, line 4, strike "\$6,655,135,000" and insert "\$6,366,335,000".

On page 18, line 19, insert before the colon the following: "Provided further, That of the total amount provided under this heading, \$288,800,000 shall be made available for incremental section 8 vouchers under section 558 of the Quality Housing and Work Responsibility Act of 1998 (Public Law 105-276; 112 Stat. 2614): Provided further That the Secretary of Housing and Urban Development may not expend any amount made available under the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1999, for tenant-based assistance under the United States Housing Act of 1937 to help eligible families make the transition from welfare to work until March 1, 2000".

BINGAMAN AMENDMENT NO. 1762

(Ordered to lie on the table.)

Mr. BINGAMAN submitted an amendment intended to be proposed by him to the bill, H.R. 2684, supra; as follows:

On page 84, line 10, insert after "(S. 1596)" the following: ", of which \$500,000 shall be available to the City of Bayard, New Mexico, to construct a new wastewater treatment facility for the City of Bayard, the Village of Santa Clara, and the Fort Bayard State Hospital".

KERREY AMENDMENTS NOS. 1763-1765

(Ordered to lie on the table.)

Mr. KERREY submitted three amendments intended to be proposed by him to the bill, H.R. 2684, supra; as follows:

AMENDMENT NO. 1763

On page 78, line 21, after "studies." insert the following: "Provided, That within funds available, \$120,000 shall be provided to the Fontenelle Forest Association for the Missouri River Ecology Institute."

AMENDMENT NO. 1764

On page 31, line 23, after "Act", strike "." and insert in lieu thereof "Provided further, That within the funds provided, \$1,500,000 shall be available for the North 27th Street Project in Lincoln, Nebraska".

AMENDMENT NO. 1765

On page 31, line 23, after "Act", strike "." and insert in lieu thereof "Provided further, That within the funds provided, \$750,000 shall be made available for Project Jericho in Omaha, Nebraska."

SMITH AMENDMENT NO. 1766

(Ordered to lie on the table.)

Mr. SMITH of Oregon submitted an amendment intended to be proposed by him to the bill, H.R. 2684, supra; as follows:

At the appropriate place in the bill, insert: "The comment period on the proposed rules related to section 303(d) of the Clean Water Act published at 64 Federal Register 46012 and 46058 (August 23, 1999) shall be extended from October 22, 1999, for a period of no less than 90 additional calendar days."

STEVENS AMENDMENT NO. 1767

(Ordered to lie on the table.)

Mr. STEVENS submitted an amendment intended to be proposed by him to the bill, H.R. 2684, supra; as follows:

On page 28, line 25 after the word "Council," insert "\$4,000,000 for the Special Olympics 2001 World Winter Games".

SPECTER AMENDMENTS NOS. 1768-1769

(Ordered to lie on the table.)

Mr. SPECTER submitted two amendments intended to be proposed by him to the bill, H.R. 2684, supra; as follows:

AMENDMENT NO. 1768

On page 17, between lines 14 and 15, insert the following:

SEC. 108. (a) The amount appropriated by this title under the heading "DEPARTMENTAL ADMINISTRATION" under the subheading "CONSTRUCTION, MAJOR PROJECTS" is hereby increased by \$14,500,000.

(b) Of the amount appropriated or otherwise made available for the Department of Veterans Affairs under the heading "DEPARTMENTAL ADMINISTRATION" under the subheading "CONSTRUCTION, MAJOR PROJECTS", as increased by subsection (a), \$14,500,000 shall be available for construction of a long term facility at the Department of Veterans Affairs Medical Center in Lebanon, Pennsylvania.

AMENDMENT NO. 1769

On page 17, between lines 14 and 15, insert the following:

SEC. 108. (a) Using amounts available under subsection (b), the National Cemetery Administration shall provide for the construction of a national cemetery in Southwestern Pennsylvania in an amount not to exceed \$12,000,000.

(b) The amounts available to the National Cemetery Administration for purposes of subsection (a) are the amounts appropriated under the heading "DEPARTMENTAL ADMINISTRATION" under the subheading "CONSTRUCTION, MAJOR PROJECTS" and allocated for the advance planning fund of the Department of Veterans Affairs.

GRAMM AMENDMENT NO. 1770

(Ordered to lie on the table.)

Mr. GRAMM submitted an amendment intended to be proposed by him to the bill, H.R. 2684, supra; as follows:

On page 45, line 9, strike "\$16,000,000" and insert in lieu thereof, "\$19,493,000".

HUTCHISON AMENDMENT NO. 1771

(Ordered to lie on the table.)

Mrs. HUTCHISON submitted an amendment intended to be proposed by her to the bill, H.R. 2684, supra; as follows:

At the appropriate place, insert the following:

SEC. ____ . PROMULGATION OF STORMWATER REGULATIONS.

(a) FINDING.—The Senate finds that the Administrator of the Environmental Protection Agency has not sufficiently addressed the concerns of local governments concerning the Phase II stormwater regulations that are scheduled to be promulgated on October 29, 1999.

(b) STORMWATER REGULATIONS.—The Administrator of the Environmental Protection Agency shall not promulgate the regulations described in subsection (a) until the Administrator submits to the Committee on Environment and Public Works of the Senate a report containing—

(1) an in-depth impact analysis on the effect the final regulations will have on urban, suburban, and rural local governments subject to the regulations, including an estimate of—

(A) the costs of complying with the 6 minimum control measures described in the regulations; and

(B) the costs resulting from the lowering of the construction threshold from 5 acres to 1 acre;

(2) an explanation of the rationale of the Administrator for lowering the construction site threshold from 5 acres to 1 acre, including—

(A) an explanation, in light of recent court decisions, of why a 1-acre measure is any less arbitrarily determined than a 5-acre measure; and

(B) all qualitative information used in determining an acre threshold for a construction site;

(3) documentation demonstrating that stormwater runoff is generally a problem in communities with populations of 50,000 to 100,000 (including an explanation of why the coverage of the regulation is based on a census-determined population instead of a water quality threshold);

(4) information that supports the position of the Administrator that the Phase II stormwater program should be administered as part of the National Pollutant Discharge Elimination System under section 402 of the Federal Water Pollution Control Act (33 U.S.C. 1342); and

(5) a detailed explanation of the impact, if any, that the Phase I program has had in improving water quality in the United States (including a description of specific measures that have been successful and those that have been unsuccessful).

MCCAIN AMENDMENT NO. 1772

(Ordered to lie on the table.)

Mr. BOND (for Mr. MCCAIN) submitted an amendment intended to be proposed by him to the bill, H.R. 2684, supra; as follows:

On page 17, between lines 14 and 15, insert the following:

SEC. 108. (a) DEVELOPMENT OF PROPOSAL.—

(1) The Secretary of Veterans Affairs shall

develop a proposal for a system within the Department of Veterans Affairs for the collection of payments from third party payers under the Medical Care Cost Recovery Program of the Department which system shall, to the maximum extent practicable, utilize procedures for the collection of payments from third parties similar to the procedures utilized in the private sector for the collection of payments for health care costs from third parties.

(2) In developing the proposal, the Secretary shall consider a variety of procedures utilized in the private sector for the collection of payments for health care costs from third parties.

(b) USE OF PRIVATE COST-RECOVERY ENTITIES DURING DEVELOPMENT.—(1) Notwithstanding any other provision of law, the Secretary shall, during the period referred to in paragraph (3), provide for the collection of payments from third party payers under the Medical Care Cost Recovery Program solely through appropriate private entities with which the Secretary contracts for that purpose.

(2) The fee paid a private entity for the collection of payments under a contract under this subsection shall be a contingent fee based on the amount of payments collected by the entity under the contract.

(3) The period referred to in this paragraph is the period beginning as soon as practicable after the date of the enactment of this Act and ending on the date that is six months after the date on which the Secretary commences collections under the Medical Care Cost Recovery Program through a system within the Department under this section.

(c) SAFEGUARDS.—The Secretary shall take appropriate actions to ensure that any collection practices utilized under this section do not impose unwarranted financial or other burdens upon veterans who receive medical care from the Department of Veterans Affairs.

(d) SUBMITTAL OF PROPOSAL.—Not later than three years after the date of the enactment of this Act, the Secretary shall submit to Congress a report on the proposal developed under subsection (a). The report shall include—

(1) a description of the system covered by the proposal; and

(2) an assessment by an appropriate entity independent of the Department of the potential effectiveness of the collection procedures under the system in comparison with the effectiveness of the collection procedures of the private entities utilized under subsection (b).

(e) IMPLEMENTATION OF PROPOSAL.—The Secretary shall implement the system covered by the proposal submitted under subsection (d) commencing 90 days after the date on which the Secretary submits to Congress the proposal on the system under that subsection.

SNOWE AMENDMENT NO. 1773

(Ordered to lie on the table.)

Ms. SNOWE submitted an amendment intended to be proposed by her to the bill, H.R. 2684, supra; as follows:

On page 17, between lines 14 and 15, insert the following:

SEC. 108. (a) SENSE OF SENATE.—It is the sense of the Senate that it should be the goal of the Department of Veterans Affairs to serve all veterans equitably at health care facilities in urban and rural areas.

(b) REPORT REQUIRED.—(1) Not later than six months after the date of the enactment of this Act, the Secretary of Veterans Affairs shall submit to the Committees on Veterans Affairs of the Senate and the House of Rep-

resentatives a report on the impact of the allocation of funds under the Veterans Equitable Resource Allocation (VERA) funding formula on the rural subregions of the health care system administered by the Veterans Health Administration.

(2) The report shall include the following:

(A) An assessment of impact of the allocation of funds under the VERA formula on—

(i) travel times to veterans health care in rural areas;

(ii) waiting periods for appointments for veterans health care in rural areas;

(iii) the cost associated with additional community-based outpatient clinics;

(iv) transportation costs; and

(v) the unique challenges that Department of Veterans Affairs medical centers in rural, low-population subregions face in attempting to increase efficiency without large economies of scale.

(B) The recommendations of the Secretary on means of modifying the VERA formula, or implementing other reforms, in order to improve the access of veterans to health care in rural areas.

LEVIN AMENDMENTS NOS. 1774-1776

(Ordered to lie on the table.)

Mr. LEVIN submitted three amendments intended to be proposed by him to the bill, H.R. 2684, supra; as follows:

AMENDMENT NO. 1774

On page 77, line 21, after "\$642,483,000", insert the following: "of which not less than \$3,000,000 shall be available to gather data and conduct studies relating to agriculture, recreation, economic development, human health, ecological impacts, and other land use issues for the Kalamazoo River watershed revitalization project,".

AMENDMENT NO. 1775

On page 77, line 21, strike "\$642,483,000" and insert "\$641,483,000".

On page 84, line 6, strike "\$100,000,000" and insert "\$101,000,000".

On page 84, line 10, before the semicolon, insert the following: ", of which \$1,000,000 shall be available for the renovation and replacement of the water system of the city of Benton Harbor, Michigan".

AMENDMENT NO. 1776

On page 31, line 17, strike "\$110,000,000" and insert "\$111,000,000".

On page 31, line 23, insert before the period the following: ", and including \$1,000,000 for the Muskegon, Michigan Housing Commission for use in developing duplex units".

INOUYE AMENDMENT NO. 1777

Ms. MIKULSKI (for Mr. INOUYE) proposed an amendment to the bill, H.R. 2684, supra; as follows:

At the appropriate place, insert the following:

SEC. ____ . Notwithstanding any other provision of law, the amount made available under the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1991 (Public Law 101-507) for a special purpose grant under section 107 of the Housing and Community Development Act of 1974 to the County of Hawaii for the purpose of an environmental impact statement for the development of a water resource system in Kohala, Hawaii, that is unobligated on the date of enactment of this Act, may be used to fund water system improvements, including exploratory wells, well drillings, pipeline replacements, water system planning and design, and booster pump and reservoir development.

REED (AND OTHERS) AMENDMENT NO. 1778

Mr. REED (for himself, Mrs. COLLINS, Mr. TORRICELLI, and Mr. CHAFEE) proposed an amendment to the bill, H.R. 2684, supra; as follows:

On page 42, line 12, strike "\$80,000,000" and insert "\$100,000,000".

At the appropriate place in title II, insert the following:

SEC. ____ . (a) There is appropriated out of any money in the Treasury that is not otherwise appropriated for fiscal year 2000 for expenses necessary to carry out section 1011 of the Residential Lead-Based Paint Hazard Reduction Act of 1992, \$20,000,000.

(b) Each amount appropriated or otherwise made available for each program, project, or activity relating to salaries, expenses, and program management under title I, II, or III of this Act (other than this section) that is not required to be appropriated or otherwise made available by a provision of law is reduced by the uniform percentage necessary to reduce the total amounts appropriated for such programs, projects, or activities by \$20,000,000.

BOND AMENDMENT NO. 1779

Mr. BOND proposed an amendment to the bill, H.R. 2684, supra; as follows:

On page 111, beginning on line 4 strike out "or be used" and all that follows through "litigation activity" on line 5.

SNOWE (AND OTHERS) AMENDMENT NO. 1780

Ms. SNOWE (for herself, Ms. COLLINS, and Mr. HAGEL) proposed an amendment to the bill, H.R. 2684, supra; as follows:

On page 17, between lines 14 and 15, insert the following:

SEC. 108. (a) SENSE OF SENATE.—It is the sense of the Senate that it should be the goal of the Department of Veterans Affairs to serve all veterans equitably at health care facilities in urban and rural areas.

(b) REPORT REQUIRED.—(1) Not later than six months after the date of the enactment of this Act, the Secretary of Veterans Affairs shall submit to the Committees on Veterans Affairs of the Senate and the House of Representatives a report on the impact of the allocation of funds under the Veterans Equitable Resource Allocation (VERA) funding formula on the rural subregions of the health care system administered by the Veterans Health Administration.

(2) The report shall include the following:

(A) An assessment of impact of the allocation of funds under the VERA formula on—

(i) travel times to veterans health care in rural areas;

(ii) waiting periods for appointments for veterans health care in rural areas;

(iii) the cost associated with additional community-based outpatient clinics;

(iv) transportation costs; and

(v) the unique challenges that Department of Veterans Affairs medical centers in rural, low-population subregions face in attempting to increase efficiency without large economies of scale.

(B) The recommendations of the Secretary, if any, on how rural veterans' access to health care services might be enhanced.

DEWINE (AND VOINOVICH) AMENDMENTS NOS. 1781-1782

Mr. DEWINE (for himself and Mr. VOINOVICH) proposed two amendments to the bill, H.R. 2684, supra; as follows:

AMENDMENT NO. 1781

On page 113, between lines 16 and 17, insert the following:

SEC. 431. None of the funds appropriated or otherwise made available for the National Aeronautics and Space Administration by this Act may be obligated or expended for purposes of transferring any research aircraft from Glenn Research Center, Ohio, to another field center of the Administration.

AMENDMENT NO. 1782

On page 113, between lines 16 and 17, insert the following:

SEC. 431. None of the funds appropriated or otherwise made available for the National Aeronautics and Space Administration by this Act may be obligated or expended for purposes of establishing at a field center of the Administration any research capability that would duplicate a research capability that currently exists at another field center of the Administration.

CRAIG AMENDMENT NO. 1783

(Ordered to lie on the table.)

Mr. CRAIG submitted an amendment intended to be proposed by him to the bill, H.R. 2684, supra; as follows:

On page 113, between lines 16 and 17, insert the following:

SEC. 4. PESTICIDE TOLERANCE FEES.

None of the funds appropriated or otherwise made available by this Act shall be used to promulgate a final regulation to implement changes in the payment of pesticide tolerance processing fees as proposed at 64 Fed. Reg. 30939, or any similar proposals.

SESSIONS AMENDMENT NO. 1784

(Ordered to lie on the table.)

Mr. SESSIONS submitted an amendment intended to be proposed by him to the bill, H.R. 2684, supra; as follows:

On page 77, line 21, after "\$642,483,000.", insert the following: "of which not less than \$175,000 shall be available for a study conducted by the Geological Survey of Alabama of the fracturing of coalbed methane reservoirs in Alabama."

FITZGERALD (AND DURBIN)
AMENDMENT NO. 1785

Mr. BOND (for Mr. FITZGERALD (for himself and Mr. DURBIN)) proposed an amendment to the bill, H.R. 2684, supra; as follows:

At the appropriate place, insert the following:

SEC. . Notwithstanding any other provision of this Act, none of the funds appropriated or otherwise made available in this Act for the Medical Care appropriation of the Department of Veterans Affairs may be obligated for the realignment of the health care delivery system in VISN 12 until 60 days after the Secretary of Veterans Affairs certifies that the Department has (a) consulted with veterans organizations, medical school affiliates, employee representatives, State veterans and health associations, and other interested parties with respect to the realignment plan to be implemented, and (b) made available to the Congress and the public information from the consultations regarding possible impacts on the accessibility of veterans health care services to affected veterans.

BOND AMENDMENT NO. 1786

Mr. BOND proposed an amendment to the bill, H.R. 2684, supra; as follows:

At the appropriate place, insert the following:

SEC. . GAO STUDY ON FEDERAL HOME LOAN BANK CAPITAL.

(a) STUDY.—The Comptroller General of the United States shall conduct a study of—
(1) possible revisions to the capital structure of the Federal Home Loan Bank System, including the need for—

- (A) more permanent capital;
- (B) a statutory leverage ratio; and
- (C) a risk-based capital structure; and

(2) what impact such revisions might have on the operations of the Federal Home Loan Bank System, including the obligation of the Federal Home Loan Bank System under section 21B(f)(2)(C) of the Federal Home Loan Bank Act.

(b) REPORT TO CONGRESS.—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall submit a report to the Congress on the results of the study conducted under subsection (a)."

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BOND. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be granted permission to meet during the session of the Senate on Wednesday, September 22, for purposes of conducting a Full Committee business meeting which is scheduled to begin at 9:30 a.m. The purpose of this business meeting is to consider pending calendar business.

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

COMMITTEE ON GOVERNMENT AFFAIRS

Mr. BOND. Mr. President, I ask unanimous consent that the Government Affairs Committee be permitted to meet on Wednesday, September 22, 1999 at 10:00 a.m. for a hearing regarding the Department of Justice's investigation of Charlie Trie.

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

COMMITTEE ON INDIAN AFFAIRS

Mr. BOND. Mr. President, I ask unanimous consent that the Senate Committee on Indian Affairs be authorized to meet during the session of the Senate on Wednesday, September 22, 1999 at 10:00 a.m. to conduct a hearing on S. 1587, a bill to amend the American Indian Trust Fund Management Reform Act of 1994 to establish within the Department of the Interior an Office of Special Trustee for Data Cleanup and Internal Control and; S. 1589, to amend the American Indian Trust Fund Management Reform Act of 1994.

The hearing will be held in room 485, Russell Senate Building.

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

COMMITTEE ON RULES AND ADMINISTRATION

Mr. BOND. Mr. President, I ask unanimous consent that the Committee on Rules and Administration be authorized to meet during the session of the Senate on Wednesday, September 22, 1999 at 9:00 a.m. to mark up S. Res. 172, a resolution to establish a special com-

mittee of the Senate to address the cultural crisis facing America.

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

SELECT COMMITTEE ON INTELLIGENCE

Mr. BOND. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on Wednesday, September 22, 1999 at 2:00 p.m. to hold a closed hearing on intelligence matters.

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

SUBCOMMITTEE ON READINESS AND MANAGEMENT

Mr. BOND. Mr. President, I ask unanimous consent that the Subcommittee on Readiness and Management support of the Committee on Armed Services be authorized to meet at 10:00 a.m. on Wednesday, September 22, 1999, in open session, to receive testimony on the National Security requirements for continued training operations at the Vieques Training Range.

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

ADDITIONAL STATEMENTS

RECOGNITION OF COUNCIL BLUFFS, IOWA EAGLE SCOUT AWARDS

• Mr. GRASSLEY. Mr. President, I recognize and congratulate the following young men who recently achieved the rare and honored distinction of being presented the Eagle Scout Award. The wide range of knowledge that they have gained in earning this award reflects dedication and accomplishment in many different fields of human endeavor that will benefit the Council Bluffs, Iowa community in which they live.

These new Eagle Scouts include Joshua Reinders, son of Greg and Jackie Reinders; Paul McGrath, son of Ray and Marsha McGrath; Steven DeLong, son of Don and Melissa DeLong; Gregory Versch, son of Mark and Rebecca Versch; and Roland Whitt, son of Tillman and Susan Whitt.

All of these young men and their families are to be commended for their community involvement and service.●

THE LIFE OF FREDERICK P. ROSE

• Mr. MOYNIHAN. Mr. President, I rise to celebrate the life of Frederick P. Rose who died last week at the fine age of seventy-five, after a life that enhanced the lives of so many others. He was, of course, a member of the celebrated Rose family which rose, if you like (and he would have done!) with New York City itself, ever upwards and onwards. His craft was building—he was a graduate engineer—his art was friendship, but his genius lay in the way he would use his own wealth and epic energies to engage the support of legions of friends in the widest range of

civic enterprise. The range was exceptional, from the New York Public Library, to the American Museum of Natural History, to Yale University. As his richly-detailed obituary in The New York Times records, most often his gifts were anonymous, although eventually most were known, for how could we not notice how things changed around him.

He was for all this rather a private person, devoted to family, his wife Sandra, their children and grandchildren, his brothers Daniel and Elihu. These and also the musicians and chess players and plain fun-loving folk with whom he cavorted through three-quarter's century of the life of New York with a grace rarely imagined and yet more rarely attained.

We whom he leaves behind take consolation in Yeats' lines:

Think where man's glory most begins and ends,

And say my glory was I had such friends.

I ask unanimous consent to have his full obituary printed in the RECORD.

The obituary follows:

[From the New York Times, Sept. 16, 1999]

FREDERICK P. ROSE, 2D-GENERATION BUILDER AND A MAJOR PHILANTHROPIST, IS DEAD AT 75
(By Charles V. Bagli)

Frederick P. Rose, a highly successful builder who poured his energy into two dozen major apartment projects and an equal number of institutions that adorn the New York skyline, from Lincoln Center to Rockefeller University and the Children's Aid Society, died Tuesday night. He was 75.

He died at his home in Rye, N.Y., after a brief illness, his family said.

A second-generation member of a New York real estate dynasty, Mr. Rose could be found until earlier this year supervising construction of a 50-story apartment house, the Belvedere, at 29th Street between Fifth and Madison Avenues.

It was the latest project for Rose Associates, which owns or manages 12,000 apartments in New York and four million square feet of commercial space.

At the same time, and with equal enthusiasm, he was overseeing construction of the \$150 million Frederick Phineas and Sandra Priest Rose Center for Earth and Space at the American Museum of Natural History, the giant sphere that houses the new Hayden Planetarium. Mr. Rose not only wrote a \$20 million check for the planetarium but also was the project leader for the trustees.

"He was a builder in every sense of the word, not just of buildings, but of institutions," said Ellen Futter, president of the American Museum of Natural History.

Over the years, Mr. Rose also donated \$5 million to the Metropolitan Museum of Art, \$15 million to the New York Public Library and \$18 million to Lincoln Center; in all, he gave away more than \$95 million.

A forceful man with a reputation for keeping his word, Mr. Rose could breeze into a meeting, as he did earlier this year with his longtime friend and partner, Charles Benenson, and within minutes size up the situation and agree to a \$24 million real estate deal for land on 44th Street, near Third Avenue, for a 51-story apartment house.

Mr. Rose was still building tall buildings while his nephew, Joseph B. Rose, current chairman of the New York City Planning Commission, labored to change the zoning laws to bar oversized towers in Manhattan.

Although the Rose family's buildings were known more for efficiency than architect-

tural detail, Mr. Rose was most proud of building two towers that won awards for design: the Bankers Trust Building at 280 Park Avenue, near 48th Street, and a 40-story apartment house at 45 East 89th Street.

His interests ranged widely. Mr. Rose always carried a stack of foreign currency and American dollar bills, which he would fold into intricate origami figures of birds, cows and walrus and present to his delighted friends.

At the end of a stuffy board meeting at Lincoln Center, Mr. Rose would often stroll over to a piano and play a few songs for the amusement of the other directors. He played golf up to four times a week and, last year hired a national chess champion to sharpen his skills.

Mr. Benenson, who had been a partner in many of Mr. Rose's real estate deals since the early 1960's, said he called his friend two months ago, suggesting that they raise \$100,000 from each of 10 people for the refugees in Kosovo.

The next day, Mr. Benenson recalled, the developer called back and said, "O.K., we'll do it through the American Jewish Committee, because we want to show the world that Jewish people are helping Muslims."

"Two or three days later," Mr. Benenson concluded, "we had \$1.4 million."

An engineer by training, Mr. Rose wrote in a 1994 journal commemorating the 50th anniversary of his graduation from Yale University that the central focus of his life had been his family. He wrote that he had been on the boards of 35 organizations, from Con Edison to Yale University. He took pride in being a builder.

Finally, he wrote: "I don't read trash, watch TV or have an interest in spectator sports. This leaves time for active participation in things I enjoy: music, chess, tennis, golf, travel, skiing and friendship."

Mr. Rose's insistence on providing advice and hiring consultants for projects to which he had contributed sometimes rankled other developers, but institutions and their directors embraced him.

Until recently, Mr. Rose was chairman of the real estate company started by his father, Samuel B. Rose, and his uncle, David Rose, in the Bronx around the time he was born, in 1923. The two brothers built small apartment houses in the Bronx before moving into Manhattan a decade later. Samuel had three sons, Daniel, Elihu and Frederick, all of whom joined the company after World War II. Frederick's son, Adam, is now president of Rose Associates.

Mr. Rose married his teen-age sweetheart, Sandra Priest of Rye, in the early 1940's. She survives him, along with a daughter, Deborah Rose; two sons, Jonathan F. P. Rose and Adam R. Rose, both of New York; two brothers, Daniel and Elihu, and three grandchildren, Ariel, Rachael and Sarah.

Mr. Rose served in the construction battalions of the Navy Seabees during World War II, rising to the rank of lieutenant before he returned to New York and Rose Associates. He took charge of design and construction, while Daniel did the planning and finances and Elihu took over management of the family's apartment houses.

Mr. Rose built more than 2,000 units of middle-income housing under the state's Mitchell-Lama program, as well as the family's first office tower, at 280 Park Avenue.

But unlike some developers who showed up in the gossip columns during the 1980's and 1990's, Mr. Rose and his family avoided publicity. He usually contributed money to charities anonymously, and word of the donations rarely leaked out until years later.

"He built good-quality housing and he was devoted to community service," said Robert I. Shapiro, a real estate broker who knew Mr. Rose.

A longtime opponent of rent control, Mr. Rose converted more than 3,000 apartments in Manhattan during the early 1990's to condominiums and co-ops. Many people in the industry thought it was a risky move, given the recession.

But unlike many landlords at the time who were struggling with enormous loans, the Rose family had buildings that were largely free of debt, and the conversion went off without a hitch.

"He secretly believed he was the finest construction superintendent in the city," said his brother Daniel, who is now chairman of Rose Associates. "He liked to kick the bricks."

Mr. Rose applied the same energy enthusiasm and discipline to his philanthropic work as his professional work, his brother said. When Mr. Rose, along with his wife, gave \$15 million to Lincoln Center, he also helped engineer the construction of the Rose Building, a 31-story tower that houses rehearsal space and dormitories for the Juilliard School of Music and offices for the School of American Ballet and the New York Philharmonic.

"He had a mercurial mind and it was fun trying to keep up with him," said Beverly Sills, the chairwoman of Lincoln Center. "He was a man of the world in every sense of the word. I'm really going to miss him."●

ORDER FOR RECESS

Mr. BOND. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in recess until the hour of 9:30 a.m. on Thursday, September 23.

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

PROGRAM

Mr. BOND. Mr. President, for the information of all Senators, the Senate will reconvene tomorrow at 9:30 a.m. On Thursday morning, it is expected the Senate will resume consideration of the Interior appropriations bill to complete the last remaining issue on that legislation prior to final passage. In order to resume the oil royalties issue, it may be necessary to have several procedural votes in the morning. All Senators should be prepared for early morning votes on Thursday in order to complete the Interior appropriations bill. Again, those votes are expected to begin shortly after 9:30 a.m.

In addition, the Senate will resume consideration of the VA-HUD appropriations bill, with the hope of finishing that legislation as well. Votes will, therefore, occur early tomorrow morning and throughout the day.

RECESS UNTIL 9:30 A.M. TOMORROW

Mr. BOND. If there is no further business to come before the Senate, I now ask unanimous consent that the Senate stand in recess under the previous order.

There being no objection, the Senate, at 7:04 p.m., recessed until Thursday, September 23, 1999, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate September 22, 1999:

DEPARTMENT OF THE TREASURY

GREGORY A. BAER, OF VIRGINIA, TO BE AN ASSISTANT SECRETARY OF THE TREASURY, VICE RICHARD SCOTT CARNELL, RESIGNED.

DEPARTMENT OF STATE

MARY CARLIN YATES, OF WASHINGTON, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF

COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF BURUNDI.

THE JUDICIARY

JOEL A. PISANO, OF NEW JERSEY, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF NEW JERSEY VICE MARYANNE TRUMP BARRY, ELEVATED.

JAMES M. LYONS, OF COLORADO, TO BE UNITED STATES CIRCUIT JUDGE FOR THE TENTH CIRCUIT, VICE JOHN P. MOORE, RETIRED.

ALLEN R. SNYDER, OF MARYLAND, TO BE UNITED STATES CIRCUIT JUDGE FOR THE DISTRICT OF COLUMBIA CIRCUIT, VICE PATRICIA M. WALD, RETIRED.

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS SURGEON GENERAL OF THE AIR FORCE AND APPOINTMENT TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601 AND 8036:

To be lieutenant general

MAJ. GEN. PAUL K. CARLTON, JR., 0000.