SENATE—*Tuesday, May 18, 1999*

(Legislative day of Friday, May 14, 1999)

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

PRAYER

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

Almighty God, Lord of our lives and Sovereign of our beloved Nation, we humbly confess our need for Your supernatural power. Thank You that You do not tailor our opportunities to our abilities, but rather give us wisdom, strength, and vision to match life's challenges. We surrender the pride of thinking that we can make it on our own resources. We are totally dependent on You. We could not think a thought, give dynamic leadership, or speak persuasively without Your constant and consistent blessing. You are the Source of all we have and are. We praise You for the talents, education, and experience You have given us, but we know that You alone can provide the insight, innovation, and inspiration we need so urgently to meet the problems we face. You have told us there is no limit to what You will do to empower leaders who trust You completely and give You the glory. We commit this day to glorify You in all that we say and do. In Your all-powerful name. Amen.

RECOGNITION OF THE ACTING MAJORITY LEADER

The PRESIDENT pro tempore. The able acting majority leader, Senator MCCAIN, is recognized.

SCHEDULE

Mr. MCCAIN. Mr. President, this morning the Senate will resume debate on the motion to proceed to the Y2K legislation. At 9:45 this morning the Senate will proceed to a rollcall vote on invoking cloture on the motion to proceed to that bill. If cloture is invoked, debate will continue on the motion to proceed. If cloture is not invoked, the Senate will begin a period of morning business for 1 hour under the control of Senator HELMS to commemorate the life of Admiral Bud Nance.

Attempts to come to a reasonable time agreement to finish the juvenile justice bill will be made during today's session of the Senate. However, until such an agreement is made, the Senate will resume debate on the motion to proceed to the Y2K bill. As a reminder, the Senate will recess for the weekly party caucus luncheons from 12:30 to 2:15.

I thank my colleagues for their attention.

Y2K ACT—MOTION TO PROCEED

The PRESIDENT pro tempore. The clerk will report.

The legislative assistant read as follows:

Motion to proceed to the consideration of S. 96, a bill to regulate commerce between and among the several States by providing for the orderly resolution of disputes arising out of computer-based problems related to processing data that includes a 2-digit expression of the year's date.

The Senate resumed consideration of the motion.

The PRESIDING OFFICER (Mr. FRIST). The Senator from Arizona is recognized.

Mr. MCCAIN. I thank the Chair.

In about 10 minutes, we are going to have another vote on cloture so that we can proceed to the very important Y2K liability bill, S. 96. The word is out that the Democrats will now again refuse to move forward with passage of this legislation. Last time, the excuse was, as I understand it from the Democrat leader's remarks, that they were not allowed to propose amendments to the pending legislation so this was some form of protest. Now I am told the excuse will be—and we will find out—because the juvenile justice bill has not been completed.

The entertaining aspect of that rationale is that while complaining about not being able to move forward on the juvenile justice bill, they still won't agree to amendments and time agreements so we could dispose of the juvenile justice bill.

What this is really all about is that there is a strong aversion on the part of the American Trial Lawyers Association to this legislation. That aversion is manifesting itself by preventing us from moving forward with this very important legislation.

Small, medium, and large businesses in America, high-tech firms all over America, have written or contacted us as to the importance of this legislation. I recently received a letter signed by some 130 high-tech companies in America. I would like to read it.

This is from the Year 2000 Coalition. Actually, this letter was addressed to Senator KERRY, not to me. It says:

The Year 2000 Coalition, a broad-based multi-industry business group, is committed to working with the Senate to enact meaningful Y2K liability legislation. We fully support S. 96 sponsored by Senator McCain, with amendments and revisions agreed to by Senators Wyden, Dodd, Hatch, Feinstein and Bennett, as the most reasonable approach to curtail unwarranted and frivolous litigation that might occur as a result of the century date change.

While we appreciate any effort that further demonstrates the bipartisan recognition of the need for legislation, the Coalition does not support the Y2K bill that is being circulated in your name and believes it detracts from the sponsors of S. 96 effort to build support for their bill. We urge you to support S. 96 that is now pending before the Senate. Your vote in favor of cloture is important to bring the bill to the floor and allow the Senate to address the challenge of Y2K confronting all Americans. A vote in favor of S. 96 is a vote in favor of Y2K remediation instead of litigation.

A very impressive list of, I believe, 130 companies and corporations around America, a pretty impressive group of corporations that, I would say, represents a substantial portion of America's economy, that is concerned about this issue and wants us to move forward.

I had honestly believed that after the demonstration of solidarity last week on this issue on the part of my friends and colleagues on the other side of the aisle—I took the Democrat leader at his word. He said we will move forward; we will have a bill; we want to work together on this.

Apparently, that is not going to be the case this morning. If it is not the case, then, obviously, I will do whatever the majority leader dictates as to what the Senate calendar will be.

Mr. LOTT. Mr. President, will the Senator yield briefly? I don't know the time situation.

Mr. MCCAIN. Mr. President, I yield the floor.

Mr. LOTT. Mr. President, how much time do we have?

The PRESIDING OFFICER. The Senator has 45 seconds remaining.

Mr. LOTT. Mr. President, I yield myself some of the leader time if necessary. I thank Senator MCCAIN for his continuing effort on this important legislation.

I wonder how many people or how many Senators think the solution to the year 2000 computer problem is litigation, lawsuits. I don't believe most Senators believe that is the answer. I know the American people don't believe that is the answer. What they want is a solution. They want us to do everything we can to help small business men and women and the computer industry, everybody, address the problem. If we don't get it done by the year 2000, they certainly don't want lawsuits to be the solution.

That is what is at stake. I have acted in good faith. I know Senator MCCAIN

has. I was assured last week by Senator DODD of Connecticut that they were ready to go forward, that a number of Democrats would join the overwhelming Republican vote to support getting cloture.

I want to emphasize this is on the motion to proceed. People need to understand that. This apparently is going to be an effort by the Democrats to block even taking up the bill to deal with this Y2K litigation problem.

This is the second time in 3 weeks political games are being played with a very serious issue. If that is the way it is to be, I want the American people to understand the Democrats do not want a solution. They want to play games with this bill and they want litigation. That is what really is at stake.

As majority leader, I have to try to deal with a lot of important issues, including the juvenile justice bill, supplemental appropriations for disasters, the situation in Kosovo, bankruptcy legislation, Department of Defense authorization, a whole long list of bills. We can't keep bringing up this bill or other bills. So this is it until somebody shows me that there is a good-faith effort.

As far as having votes on alternatives, I think Senator MCCAIN and other managers would be glad to do that. If somebody has an alternative proposal—by Senator KERRY, Senator DASCHLE —fine, let's vote on that. But to just block even the consideration of this bill I think is very questionable action.

I hope the Senator will find a way to deal with this. At some point, if somebody shows me they are ready to go and we go to the substance and we have the votes to pass it, fine. Otherwise, the Democrats have on their shoulders the fact they have killed the Y2K legislation. Let them explain it to the businesspeople of this country, the men and women who have small businesses and to the computer industry, because that is where the problem is.

I yield the floor.

Mr. MCCAIN. Mr. President, I ask unanimous consent the letter to Senator KERRY from the Year 2000 Coalition and the letter to me be printed in the RECORD.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

YEAR 2000 COALITION,
May 12, 1999.

Hon. JOHN MCCAIN,
U.S. Senate, Russell Senate Office Building, Washington, DC.

DEAR SENATOR MCCAIN: On behalf of the Year 2000 Coalition, we are writing to express our strong support for S. 96, the Y2K Act. The attached letter was delivered to Senator Kerry this afternoon.

The Year 2000 Coalition strongly supports legislation that would encourage cooperative problem solving outside the courtroom in order to alleviate Y2K-related problems that occur. We believe S. 96 would create a legal framework to protect both plaintiffs and defendants, and prevent this unique situation from triggering a crisis in our economy and our legal system.

Sincerely,

Aerospace Industries Association.
Airconditioning & Refrigeration Institute.
Alaska High-Tech Business Council.
Alliance of American Insurers.
American Bankers Associations.
American Bearing Manufacturers Association.
American Boiler Manufacturers Association.
American Council of Life Insurance.
American Electronics Association.
American Entrepreneurs for Economic Growth.
American Gas Association.
American Institute of Certified Public Accountants.
American Insurance Association.
American Iron & Steel Institute.
American Paper Machinery Association.
American Society of Employers.
American Textile Machinery Association.
American Tort Reform Association.
America's Community Bankers.
Arizona Association of Industries.
Arizona Software Association.
Associated Employers.
Associated Industries of Missouri.
Associated Oregon Industries, Inc.
Association of Manufacturing Technology.
Association of Management Consulting Firms.
BIFMA International.
Business and Industry Trade Association.
Business Council of Alabama.
Business Software Alliance.
Chemical Manufacturers Association.
Chemical Specialties Manufacturers Association.
Colorado Association of Commerce and Industry.
Colorado Software Association.
Compressed Gas Association.
Computing Technology Industry Association.
Connecticut Business & Industry Association, Inc.
Connecticut Technology Association.
Construction Industry Manufacturers Association.
Conveyor Equipment Manufacturers Association.
Copper & Brass Fabricators Council.
Copper Development Association, Inc.
Council of Industrial Boiler Owners.
Edison Electric Institute.
Employers Group.
Farm Equipment Manufacturers Association.
Flexible Packaging Association.
Food Distributors International.
Gypsum Association.
Health Industry Manufacturers Association.
Independent Community Bankers Association.
Indiana Information Technology Association.
Indiana Manufacturers Association, Inc.
Industrial Management Council.
Information Technology Association of America.
Information Technology Industry Council.
International Mass Retail Council.
International Sleep Products Association.
Interstate Natural Gas Association of America.
Investment Company Institute.
Iowa Association of Business & Industry.
Manufacturers Association of Mid-Eastern PA.
Manufacturer's Association of Northwest Pennsylvania.
Manufacturing Alliance of Connecticut, Inc.
Metal Treating Institute.
Mississippi Manufacturers Association.
Motor & Equipment Manufacturers Association.
National Association of Computer Consultant Business.
National Association of Convenience Stores.
National Association of Hosiery Manufacturers.
National Association of Independent Insurers.
National Association of Manufacturers.
National Association of Mutual Insurance Companies.
National Association of Wholesaler-Distributors.
National Electrical Manufacturers Association.
National Federation of Independent Business.
National Food Processors Association.
National Housewares Manufacturers Association.
National Marine Manufacturers Association.
National Retail Federation.
National Venture Capital Association.
North Carolina Electronic and Information Technology Association.
Technology New Jersey.
NPES, The Association of Suppliers of Printing, and Publishing, and Converting Technologies.
Optical Industry Association.
Printing Industry of Illinois-Indiana Association.
Power Transmission Distributors Association.
Process Equipment Manufacturers Association.
Recreation Vehicle Industry Association.
Reinsurance Association of America.
Securities Industry Association.
Semiconductor Equipment and Materials International.
Semiconductor Industry Association.
Small Motors and Motion Association.
Software Association of Oregon.
Software & Information Industry Association.
South Carolina Chamber of Commerce.
Steel Manufacturers Association.
Telecommunications Industry Association.
The Bankers Roundtable.
The Chlorine Institute, Inc.
The ServiceMaster Company.
Toy Manufacturers of America, Inc.
United States Chamber of Commerce.
Upstate New York Roundtable on Manufacturing.
Utah Information Technology Association.
Valve Manufacturers Association.
Washington Software Association.
West Virginia Manufacturers Association.
Wisconsin Manufacturers & Commerce.

YEAR 2000 COALITION,
May 12, 1999.

Hon. JOHN F. KERRY,
U.S. Senate, Russell Senate Office Building, Washington, DC.

DEAR SENATOR KERRY: The Year 2000 Coalition, a broad-based multi-industry business group, is committed to working with the Senate to enact meaningful Y2K liability legislation. We fully support S. 96 sponsored by Senators McCain, with amendments and revisions agreed to by Senators Wyden, Dodd, Hatch, Feinstein and Bennett, as the

most reasonable approach to curtail unwarranted and frivolous litigation that might occur as a result of the century date change.

While we appreciate any effort that further demonstrates the bipartisan recognition of the need for legislation, the Coalition does not support the Y2K bill that is being circulated in your name and believes it detracts from the sponsors of S. 96 effort to build support for their bill. We urge you to support S. 96 that is now pending before the Senate. Your vote in favor of cloture is important to bring the bill to the floor and allow the Senate to address the challenge of Y2K confronting all Americans. A vote in favor of S. 96 is a vote in favor of Y2K remediation instead of litigation.

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American Boiler Manufacturers Association.
American Council of Life Insurance.
American Electronics Association.
American Entrepreneurs for Economic Growth.
American Gas Association.
American Institute of Certified Public Accountants.
American Insurance Association.
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American Paper Machinery Association.
American Society of Employers.
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American Tort Reform Association.
America's Community Bankers.
Arizona Association of Industries.
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Associated Employers.
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Council of Industrial Boiler Owners.
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Employers Group.
Farm Equipment Manufacturers Association.
Flexible Packaging Association.
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International Sleep Products Association.
Interstate Natural Gas Association of America.
Investment Company Institute.
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Manufacturer's Association of Northwest Pennsylvania.
Manufacturing Alliance of Connecticut, Inc.
Metal Treating Institute.
Mississippi Manufacturers Association.
Motor & Equipment Manufacturers Association.
National Association of Computer Consultant Business.
National Association of Convenience Stores.
National Association of Hosiery Manufacturers.
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National Association of Wholesaler-Distributors.
National Electrical Manufacturers Association.
National Federation of Independent Business.
National Food Processors Association.
National Housewares Manufacturers Association.
National Marine Manufacturers Association.
National Retail Federation.
National Venture Capital Association.
North Carolina Electronic and Information Technology Association.
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NPES, The Association of Suppliers of Printing, Publishing, and Converting Technologies.
Optical Industry Association.
Printing Industry of Illinois-Indiana Association.
Power Transmission Distributors Association.
Process Equipment Manufacturers Association.
Recreation Vehicle Industry Association.
Reinsurance Association of America.
Securities Industry Association.
Semiconductor Equipment and Materials International.
Semiconductor Industry Association.
Small Motors and Motion Association.
Software Association of Oregon.
Software & Information Industry Association.
South Carolina Chamber of Commerce.
Steel Manufacturers Association.
Telecommunications Industry Association.
The Bankers Roundtable.
The Chlorine Institute, Inc.
The ServiceMaster Company.
Toy Manufacturers of America, Inc.
United States Chamber of Commerce.
Upstate New York Roundtable on Manufacturing.
Utah Information Technology Association.
Valve Manufacturers Association.
Washington Software Association.
West Virginia Manufacturers Association.
Wisconsin Manufacturers & Commerce.

Mr. MCCAIN. Mr. President, I will have more to say after the vote.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. Mr. President, I hope we do not lose sight of the fact we are on the threshold of being able to do something very important for this country. Those of us on this side of the aisle recognize we must do something with Y2K, and we will.

The fact of the matter is, we are now debating one of the most important issues we face in this Congress. That is, What are we going to do with violence in our schools, violence in our society generally?

We could complete this juvenile justice bill in the next day or two. Amendments have been winnowed down to where we just have a handful. If we stick to the substance of the bill, we could have something very important for the American people. I hope we are allowed to go forward with this juvenile justice bill.

I see the manager of this bill who has done such an outstanding job. I yield to the Senator from Vermont.

Mr. LEAHY. Mr. President, the Senate has considered S. 254 for portions of five days. The first day we were prevented from offering any amendments until almost 3 p.m. in the afternoon. When I tried to offer a first Democratic amendment, the underlying amendment to which it was offered was withdrawn and we started all over. Finally, we were able to offer amendments alternating back and forth across the aisle.

Three amendments were debated and voted on Tuesday evening and my law enforcement amendment was offered and left pending overnight. On Wednesday we continued to offer amendments on an alternating basis through the day and voted on four more amendments.

The Senate fell into a pattern of tabling amendments offered by Democrats only to see those amendments come back as Republican sponsored amendments that were then adopted. Thus, after rejecting the Leahy law enforcement amendment we saw an amendment offered by Senator ASHCROFT to add back several of its measures and had the McCain amendment on these same matters offered and withdrawn.

Unquestionably the Senate hit a real snag on this bill when it rejected, on a virtual party line vote, the Lautenberg amendment and we saw first the Craig amendment and then Hatch-Craig II seeking to reclaim ground on the gun show amendment. Senator SCHUMER and I tried to point out problems with the Craig amendment only to be told that we were wrong on Wednesday night and right the morning after the amendment was adopted.

On Wednesday the Senate had under consideration eight amendments through the day and voted on four of those. On Thursday the Senate voted

on four more amendments and debated the Schumer Internet gun amendment and Hatch-Craig II on gun shows.

On Friday, despite the plans of many Senators to travel to the Balkans and others to be away on other business, we continued debating and voting. There were two additional votes and six additional amendments were offered for debate with votes to be scheduled this week.

It was also on Friday that the Majority Leader attempted to leave this juvenile crime bill and move off onto other matters. By my calculation, it was after the Senate had been permitted only the equivalent of three days on the juvenile crime bill spread over the course of four calendar days. If I recall correctly, the Senate spent almost that amount of time, a couple of years ago, renaming Reagan National Airport.

Indeed, the Majority Leader filed cloture on his motion to proceed to S. 96 immediately after moving to proceed back to that bill and abandon Senate efforts on the juvenile violence legislation. It is that vote that is now approaching. It is that vote that will determine whether we abandon our effort to craft a juvenile violence bill or not. I urge all Senators to stay the course and not abandon this effort.

Rather I would urge that we adopt the words of the Majority Leader from Friday when he said: ''Give it a reasonable time, give it full debate, have reasonable amendments, and then vote.''

No one can seriously claim that Democrats are being dilatory or filibustering this bill. We have proceeded promptly from the moment the Majority Leader called it up for debate and proceeded to offer amendments from the earliest opportunity. I marvel at comments by the sponsors of the bill that it should have been passed with one day's consideration.

The fact is that the bill was not the product of Judiciary Committee action but was introduced by the Majority Leader and the Chairman and five other Republicans from the Judiciary Committee this January and placed directly on the Senate calendar. The sponsors objected to its being referred to the Judiciary Committee and thereby prevented it.

It has sat on the Senate Calendar since January, without hearings, without an opportunity to be considered by the Judiciary Committee, and without any opportunity for any Democrats to offer improvements or amendments to it.

It should not go unnoticed that in spite of the fact that they drafted the bill, so far Republican cosponsors of the bill have sponsored 10 of the 13 Republican-offered amendments to it—the bill's sponsors have sponsored 10 of the Republican amendments so far. It is disingenuous for Republicans to seek leave to revise, reedit and amend their own bill and deny Democrats a fair opportunity to help shape that legislation through the amendment process. How about a commensurate opportunity for others to offer amendments to that work product, too?

The Senate last week had 13 roll call votes on amendments, Senator HATCH accepted one and the Senate accepted one on a voice vote after a tabling motion failed. We have adopted seven amendments by roll call votes, including the two Craig amendments, and tabled five amendments by roll call votes. We were making progress on the bill and I was gratified to hear the encouraging words of the Majority Leader on Thursday.

By last Friday, we had whittled the 89 likely Democratic amendments down by almost half and we have continued working to reduce them. On Friday we reached agreement on a finite list of possible amendments of which there were over 40 reserved not for Democrats but for Republicans.

I have been working on a managers' package with Senator HATCH and believe that one should be ready to be accepted today that will go a long way toward reducing the remaining amendments on both sides and clearing the way to concluding Senate action on this measure. I hope that Senator HATCH will continue to work with me to offer that package without further delay.

After acceptance of that managers' amendment, I expect the remaining Democratic amendments will number less than a dozen, probably less than 10, and maybe less than that. Thus, if all the Democrats in the Senate could just have the opportunity to offer a number of amendments equal to the number of amendments offered so far by three of the original Republican sponsors of the bill, that would likely conclude Senate consideration of the bill and we could move to a vote on final passage.

From all that Senator HATCH has been saying since Sunday, after offering amendments on Friday and Monday, the Republican side has only another three amendments to offer. It would be a shame for the majority to pull the bill now.

In spite of the filing of the Republican motion to pull this bill and move back to the Y2K bill that was debated last month, Democrats have continued offering amendments, when permitted by the Republican majority. Unfortunately, Republican objection last Friday prevented Senator LAUTENBERG from offering his amendment in an effort to get a final vote on the language to be used in the context of gun show sales after Hatch-Craig II modified that language for a second time. I trust that there will be progress on that front today as we proceed and that other Democratic amendments will be allowed to be offered.

It is my understanding that the next two amendments to be offered should be Democratic amendments, since we concluded Monday's session with two Republican amendments in a row.

To date, after the filing of the cloture petition to end action on the juvenile violence bill and move off it and back to a debate on Y2K liability protection for certain businesses, there have been 13 amendments offered and now pending and awaiting Senate votes. As many amendments were offered on Friday and Monday as were voted upon on Tuesday, Wednesday, Thursday and Friday. It is hard to see how anyone could say that we are not making progress and not making a strong good faith effort on this measure.

Let me put this debate in its proper context. In the last Congress, the Judiciary Committee considered S. 10, a juvenile crime bill, and the predecessor to this measure. When Senator HATCH refers to years of work on S. 254, he is referring to the work we did to improve S. 10 in the last Congress. The Judiciary Committee met on six separate occasions to consider 52 amendments to S. 10—40 amendments were adopted by unanimous consent and 12 amendments were considered by roll call votes.

As I have noted, the bill before us today, S. 254, was never considered by the Senate Judiciary Committee. The sponsors bypassed the Judiciary Committee. Democrats never had the chance in Committee to debate it, to offer amendments to S. 254 or to improve it. Is it any wonder that Democrats have amendments to this bill and would like an opportunity to be heard on the important subject of juvenile violence? Democrats' first opportunity to improve this bill is during this Senate floor debate.

Also recall that when Democrats were in the majority and Republicans in the minority in 1994, there was a rather full debate on crime legislation. The Senate considered the 1994 crime bill for 12 days over three weeks, and considered 99 amendments to the 1994 crime bill.

Let us keep focused on the task of completing consideration of this juvenile violence bill without moving the Senate off onto other matters and abandoning this important effort. Does anyone really believe that the consideration of liability limited Y2K legislation is more important this month than completing Senate action on a juvenile violence bill? I urge a no vote on the Republican cloture motion and ask Republicans then to join with Democrats to continue to work to complete action on the juvenile violence bill.

We are improving the bill by means of this Senate debate. Senator HATCH and I are agreeing to include suggestions from Senators from both sides of the aisle in a managers' amendment that should be accepted today. We have made and are making excellent progress. The Senate should be allowed

to complete its work on this important legislation.

We were pleased when the Majority Leader honored his commitment, made during the previous Senate debate on the Y2K bill, S. 96, to take up this measure as a vehicle for youth violence amendments. It would be ironic if we now abandoned that effort to return for a second time to the debate on Y2K legislation before being given an opportunity to complete action on this measure. The Senate should reject cloture on the motion to pull the juvenile violence bill and continue our important work on this measure.

Mr. President, we have not spent a great deal of time on the juvenile crime bill. I think we spent the same amount of time renaming the National Airport. We spent only a fraction of the time on the last crime bill when the Democrats controlled the Senate because of the time taken by the Republican side. There were 99 amendments on that crime bill, I point out.

The fact of the matter is that we can pass a good juvenile crime bill or we can give into a powerful lobby.

I have been a gun owner since I was 14. I trained my children in the use of guns. I come from the only State in the Union with no gun control laws, but I tell you right now my duty is first and foremost to the Senate, not to a gun lobby. I believe Senators should determine the schedule on this bill, not the gun lobbies. Senators should vote this bill up or vote it down, not have it withdrawn at the behest of any lobby, even one as powerful as the gun lobby.

We worked all weekend—all weekend—and we have removed most of the amendments pending.

I point out that so far the Republicans who cosponsored the bill, sponsored 10 of the 13 Republican amendments to this bill. We have taken longer to vote on at least one amendment to accommodate Senators who were out, some for a fundraiser, than we did on the debate on that amendment.

We reached on Friday an agreement on a finite list of possible amendments. We have a possible managers' package that could do this. We can finish this bill. I think if we want to do the actual work, we will get it done.

I reserve the remainder of my time.

Mr. BOND. Mr. President, I rise today to address the Y2K Act from my perspective as the chairman of the Senate Committee on Small Business. The choice presented by this legislation is clear—if you are a supporter of small business in America, you must support this legislation and vote for cloture so that the Senate may proceed on this bill.

One of the highest priorities of the small business community for this Congress is that we establish procedures to resolve disputes efficiently arising from the Y2K computer problem. The consequences that may arise from this problem are as yet unknown. However, small family-owned businesses are understandably concerned that their companies may be in danger either from the problem itself or from suits brought by trial lawyers concerned only with the fees they can obtain from settlements.

The small businesses concerned with Y2K litigation are located on Main Streets all across America, not just Silicon Valley. They are this country's mom and pop groceries, its dry cleaners and its hardware stores. The National Federation of Independent Businesses, the nation's largest small business association, strongly supports this legislation. The NFIB surveyed its members and found that an overwhelming 93% support capping damage awards for Y2K suits. The small business community is speaking with a unified voice in support of Y2K liability legislation and we should not ignore that voice.

I have heard during the debate that enactment of this bill will harm small businesses. That simply is not the case. By merely reading the bill, it is apparent that small businesses will benefit greatly from its provision. So that we may dispel the myths surrounding this bill once and for all, it is important to point out several of the provisions of this legislation that small women and family-owned businesses will find particularly helpful.

First, the legislation encourages alternative dispute resolution for Y2K lawsuits. This will help small businesses tremendously. According to the Gartner Group, an international consulting firm, more than $1 trillion will be spent on litigation relating to the Y2K problem. Lawsuits are likely to occur up and down the supply chain. That is, if the supplier of a family-owned business has a Y2K failure that impacts its abilities to serve its customers, it may have a lawsuit on its hands. That business, to recoup its losses, may then be forced to turn around and sue its supplier, which very well may also be a small business. The supplier then will sue someone else to recoup its losses. The litigation cycle is never-ending and small businesses have the most to lose.

A good example of a small business that may be caught in this cycle of litigation is a constituent of mine who owns a small medical supply company that provides oxygen to patients. He has already determined he has a Y2K problem with his computers and is diligently trying to correct the problem. The Health Care Financing Administration has even required him to create a booklet to provide to customers regarding the steps he has taken to become Y2K compliant. If his suppliers or vendors have a Y2K failure and he cannot supply needed oxygen to his customers, he may very well be subject to lawsuits that could cost him his company. This is the type of situation we must prevent from occurring.

Women-owned and family-owned businesses are the most vulnerable from costly litigation, either as plaintiffs or defendants, because they don't have the time to devote to it and don't have excess revenue to afford it. In addition, small businesses do not want to sue companies with which they have long-standing relationships and whose survival is tied to their own. Therefore, encouraging resolution of disputes outside of the courtroom is of great assistance to these businesses.

Second, the legislation requires plaintiffs to provide defendants with notice prior to filing a complaint and allows defendants 60 days to correct Y2K problems suffered by the plaintiff. Encouraging mitigation and prompt settlement of claims allows small women-owned and family-owned businesses to recover quickly from business disruptions and, most importantly, allows small businesses to continue doing business. As I stated before, many of these businesses do not have the cash flow to engage in long, drawn-out disputes, if they want to stay in business. This provision will allow small women-owned and family-owned businesses to focus on correcting their problems and continuing in business. This is what small businesses want to do and what Congress should encourage.

The bill also establishes punitive damage limits for suits against small businesses. The bill provides that under most circumstances a small business defendant cannot be subject to punitive damages greater than 3 times the compensatory damages awarded or $250,000, whichever is less. I don't believe that anybody can reasonably suggest that this provision will not help the small women-owned and family-owned businesses. Other than the obvious affect the cap will have, placing a limit on punitive damages will allow plaintiffs in meritorious suits to recover their actual damages quicker. Moreover, the cap will decrease the number of frivolous lawsuits that small businesses may have to face, as unscrupulous attorneys will realize that large settlements will not be forthcoming.

It is also important to point out what this bill will not do. It will not prevent a small business from availing itself of the judicial system when it has been wronged by another party's actions related to the Y2K problem. The bill does not affect the enforcement of written contracts nor does it prevent a small business from bringing a lawsuit alleging negligence or other grounds based in tort law. The bill merely establishes a procedure to efficiently remedy disputes and preclude a feeding-frenzy on the part of unscrupulous plaintiff's attorneys attempting to earn their fortune from the Y2K problem.

Earlier this year, Congress passed Y2K legislation that I authored to provide small businesses with the means to fix their own computer systems. The next step is to discourage frivolous suits and permit small women-owned and family-owned businesses to resolve Y2K disputes without costly litigation. The bill now before the Senate is a bipartisan compromise that will accomplish this objective without adversely affecting lawsuits that have merit.

I believe that the choice is clear. If you are a supporter of small women-owned and family-owned business and you want to see them continue as the economic engine that runs this country, you must support this legislation and vote in favor of cloture so that the Senate may proceed on this bill.

Mr. LEAHY. What is the parliamentary situation?

The PRESIDING OFFICER. The Senator from Vermont has 2 minutes 42 seconds, and the Senator from Arizona has 16 seconds.

Mr. LEAHY. Mr. President, I will yield 30 seconds.

Mr. SESSIONS. Mr. President, I had a question: Could we reach a time agreement? We could certainly cut debate on any amendments from this side, I think, to a very short time, and then we ought to be able to reach a time agreement.

The majority leader would allow this bill to come up and we could have the votes that the Senator would like to have, but we need an ending date. We cannot go on with the ''walking'' filibuster that puts all the agenda of this Congress on hold because of an unlimited time debate.

Could we do that?

Mr. DASCHLE. Mr. President, before we vote, let me make a couple of points very clear.

The first point is that we have done everything I know how to cooperate on the juvenile justice bill. We have offered a finite list of amendments. We have worked with our colleagues to reduce that list. We have agreed to time limits. We have not second-degreed or filibustered any amendments on the other side.

As I say, we have done it all. We even offered to offer amendments on Friday and Monday. That was rejected by our Republican colleagues because they didn't want to debate those particular amendments on Friday and Monday, after the majority leader made it clear that he wanted to have a full debate on both of those days. We didn't have a full debate, but it wasn't the fault of Democrats.

So Members might understand my surprise when the majority leader, out of the blue, without any prior notification, filed this motion to proceed on Y2K. I am not sure why he is doing it today. I sense there are some on the other side who don't want to finish the bill, who would rather put the bill back on the calendar, for whatever reason, and who don't want to do it cleanly. They want to do it in an obfuscated way so our fingerprints are on removing the bill. They want our fingerprints on this bill as it is put back on the calendar.

We are not going to do that. We ought to stay on this bill until it is finished. We are getting closer. There is absolutely no reason why, this week—early this week—we couldn't finish this legislation, if we set our mind to doing so.

So we are going to oppose cloture today, not because we don't want to move to Y2K. I want to move to that bill, and I will support a motion to proceed to Y2K. I will do it and I hope we do it immediately, after this bill is completed. We don't need to file cloture on it. I will support it, a lot of our colleagues will support it. We want to get a Y2K bill passed. I hope we could do it in a way that would bring a 100–0 vote. I think we are negotiating in a way that could produce that result, but maybe I am too optimistic.

Let's take these things one step at a time. Let us ensure that we finish this bill before we move on to the next bill. And when we do, I will move on to the next bill and I will move on to the bill after that. We have to get our work done, but let's do it in an organized fashion.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona has 16 seconds.

Mr. McCAIN. Mr. President, I am amused and entertained by the remarks of the Democrat leader. All he has to do is agree to a time and date when the final passage of the juvenile justice bill would be voted on. He knows it. I know it. We know it.

He is using the same excuse he used last time—almost exactly—that he would move forward with the bill and we would have final passage. I congratulate him on his rhetoric.

CLOTURE MOTION

The PRESIDING OFFICER. All time has expired. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative assistant read as follows:

CLOTURE MOTION

We the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to proceed to Calendar No. 34, S. 96, the Y2K legislation:

Trent Lott, John McCain, Jesse Helms, Rod Grams, Connie Mack, John H. Chafee, R. F. Bennett, Larry E. Craig, Craig Thomas, Pete Domenici, Richard G. Lugar, Sam Brownback, Ben Nighthorse Campbell, Pat Roberts, Chuck Hagel, and Spencer Abraham.

VOTE

The PRESIDING OFFICER. The question is, Is it the sense of the Senate that debate on the motion to proceed to S. 96, the Y2K Act, shall be brought to a close?

The yeas and nays are required under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. NICKLES. I announce that the Senator from Kansas (Mr. BROWNBACK) is necessarily absent.

Mr. REID. I announce that the Senator from New York (Mr. MOYNIHAN) is necessarily absent.

I further announce that, if present and voting, the Senator from New York (Mr. MOYNIHAN) would vote ''no.''

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

The yeas and nays resulted—yeas 53, nays 45, as follows:

[Rollcall Vote No. 120 Leg.]

YEAS—53

Abraham	Frist	McConnell
Allard	Gorton	Murkowski
Ashcroft	Gramm	Nickles
Bennett	Grams	Roberts
Bond	Grassley	Roth
Bunning	Gregg	Santorum
Burns	Hagel	Sessions
Campbell	Hatch	Smith (NH)
Chafee	Helms	Smith (OR)
Cochran	Hutchinson	Snowe
Collins	Hutchison	Specter
Coverdell	Inhofe	Stevens
Craig	Jeffords	Thomas
Crapo	Kyl	Thompson
DeWine	Lott	Thurmond
Domenici	Lugar	Voinovich
Enzi	Mack	Warner
Fitzgerald	McCain	

NAYS—45

Akaka	Edwards	Levin
Baucus	Feingold	Lieberman
Bayh	Feinstein	Lincoln
Biden	Graham	Mikulski
Bingaman	Harkin	Murray
Boxer	Hollings	Reed
Breaux	Inouye	Reid
Bryan	Johnson	Robb
Byrd	Kennedy	Rockefeller
Cleland	Kerrey	Sarbanes
Conrad	Kerry	Schumer
Daschle	Kohl	Shelby
Dodd	Landrieu	Torricelli
Dorgan	Lautenberg	Wellstone
Durbin	Leahy	Wyden

NOT VOTING—2

Brownback	Moynihan

The PRESIDING OFFICER. On this vote, the yeas are 53, the nays are 45. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

Mr. LOTT addressed the Chair.

The PRESIDING OFFICER. The majority leader.

Mr. LOTT. Mr. President, let me say again how disappointed I am that it appears the Senate did not want to deal with the question of the year 2000 computer liability problem. I think that is a devastating blow for business and industry in this country, big and small, as well as the computer industry. If we do not do this, I predict by this time next year our courts will be clogged with lawsuits. I do not believe that is the answer to the problem.

ORDER OF BUSINESS

Mr. LOTT. So that Senators will know how we would like to proceed for the next hour or so, we want to have a special order in honor of and tribute to one of the finest staff members I have ever known in the 26 years I have been in Congress, Adm. Bud Nance.

PRIVILEGE OF THE FLOOR

Mr. LOTT. I ask unanimous consent that during the tributes to Admiral Nance all staff of the Foreign Relations Committee be granted floor privileges.

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

Mr. LOTT. It is anticipated that following those tributes, some time might be spent hearing further from Senators expressing their concern at and disappointment about the vote against cloture on the motion to proceed to the Y2K issue. Then we will work with the Democratic leadership and the managers of the juvenile justice bill to see how we can proceed on that bill after the policy luncheon hour or two hours. Hopefully, we could have some wrap-up debate on amendments that were offered Friday and Monday, because some of those amendments were offered and some debate was heard but the other side was not heard on that particular amendment, and it could have been from either side of the aisle. So some additional time might be needed for that, and I was thinking of maybe a series of stacked votes.

We have some 13 amendments that are pending. Hopefully, we would not have to have a recorded vote on all of those, but whatever number would be required, and then see if we can work for a way to complete the juvenile justice bill in a reasonable period of time with a reasonable number of amendments on both sides, and then go tomorrow, hopefully, not later than noon, to the supplemental appropriations bill, assuming the House passes that this afternoon or tonight.

I think it would be irresponsible for us to delay any longer than is absolutely necessary to take up this legislation. It has been pending too long. It is supposed to be an emergency, supposed to deal with disasters in Central America, in Kansas and Oklahoma, as well as the defense needs in support of our men and women who are flying bombing raids right now over Kosovo. It would be my intent, as soon as we receive it from the House, to go to that legislation. It is still my hope that we can complete juvenile justice in a reasonable period of time.

Mr. HATCH. Mr. President, I am extremely disappointed in the failure of the Senate to invoke cloture. I believe that there exists strong bipartisan support for the bill and it is a shame that the bill may die for partisan reasons. But the Democrats held firm on cloture. Sometimes party unity is a good thing, but in this case, it is a mistake.

The reason why it is a mistake is that the Y2K problem hurts America. What we face is the threat that an avalanche of Y2K-related lawsuits will be simultaneously filed on or about January 3, 2000 and that this unprecedented wave of litigation will overwhelm the computer industry's ability to correct the problem. Make no mistake about it, this super-litigation threat is real, and if it substantially interferes with the computer industry's ongoing Y2K repair efforts, the consequences for America could be disastrous.

Today we face the more immediate problem of frivolous litigation that seeks recovery even where there is little or no actual harm done. In that regard, I am aware of at least 25 Y2K-related class actions that are currently pending in courts across the country, with the threat of hundreds more to come.

It is precisely these types of Y2K-related lawsuits that pose the greatest danger to industry's efforts to fix the problem. All of us are aware that the computer industry is feverishly working to correct—or remediate, in industry language—Y2K so as to minimize any disruptions that occur early next year.

What we also know is that every dollar that industry has to spend to defend against especially frivolous lawsuits is a dollar that will not get spent on fixing the problem and delivering solutions to technology consumers. Also, how industry spends its precious time and money between now and the end of the year—either litigating or mitigating—will largely determine how severe Y2K-related damage, disruption, and hardship will be.

Let me talk about the potential financial magnitude of the Y2K litigation problem. The Gartner Group estimates that worldwide remediation costs will range between $300 billion to $600 billion. Other experts contend that overall litigation costs may total $1 trillion. Even if we accept the lower amount, according to Y2K legal expert Jeff Jinnett, ''this cost would greatly exceed the combined estimated legal costs associated with Superfund environmental litigation . . . U.S. tort litigation . . . and asbestos litigation.'' Perhaps the best illustration of the sheer dimension of the litigation monster that Y2K may create is Mr. Jinnett's suggestion that a $1 trillion estimate for Y2K-related litigation costs ''would exceed even the estimated total annual direct and indirect costs of all civil litigation in the United States,'' which he says is $300 billion per year.

These figures should give all of us pause. At this level of cost, Y2K-related litigation may well overwhelm the capacity of the already crowded court system to deal with it.

Thus, it is imperative that Congress should give companies an incentive to fix Y2K problems right away, knowing that if they do not make a good-faith effort to do so, they will shortly face costly litigation. The natural economic incentive of industry is to satisfy their customers and, thus, prosper in the competitive environment of the free market. This acts as a strong motivation for industry to fix a Y2K problem before any dispute becomes a legal one. This will be true, however, only as long as businesses are given an opportunity to do so and are not forced, at the outset, to divert precious resources from the urgent tasks of the repair shop to the often unnecessary distractions of the court room. A business and legal environment which encourages problem-solving while preserving the eventual opportunity to litigate may best insure that consumers and other innocent users of Y2K defective products are protected.

The Y2K problem presents a special case. Because of the great dependence of our economy, indeed of our whole society, on computerization, Y2K will impact almost every American in some way. But the problem and its associated harms will occur only once, all at approximately the same time, and will affect virtually every aspect of the economy, society, and government. What we must avoid is creating a litigious environment so severe that the computer industry's remediation efforts will slacken and retreat at the very moment when users and consumers need them to advance with all deliberate speed. What we must avoid is the crippling the high tech sector of our economy.

As chairman of the Federal Reserve Board Alan Greenspan recently noted, the tremendous growth of our economy is in large measure a result of productivity gains resulting from the computerization of our economy. America is unquestionably the high tech leader in the world today. Our technology is a major export item. Unless the Y2K bill is passed, the American high tech information industries and computer businesses will be swamped by an avalanche of lawsuits.

Mr. President, why kill the goose that lays the golden egg? Let the Senate vote on the underlying bill. Let the Senate vote on Democrat and Republican amendments. But let us vote on the merits of the bill. Leave politics aside. This issue is too important to be held hostage.

The excuse that the minority proffered is that the Y2K should not be brought up until the Juvenile Justice bill is completed. How ironic. I have been working around the clock to work on a time agreements for amendments to the Juvenile Justice bill. The minority has been delaying the Juvenile Justice bill and uses the delay as an excuse to vote no on cloture petition on a motion to proceed to the Y2K bill. That's called chutzpa.

Look, a strong bipartisan substitute—a Dodd-McCain-Hatch-Feinstein-Gorton-Wyden-Bennett substitute—has been crafted. This substitute is carefully drafted to assure an appropriate balance between the rights of citizens to bring suits for compensation and the need to protect the high tech community from onerous and wasteful litigation. This is a fair resolution of differences between Democrats and Republicans. I hope—for the sake of our Nation—that the minority allows us to debate this provision.

UNANIMOUS CONSENT REQUEST—S. 254

Mr. LOTT. So for the sake of discussions, I ask unanimous consent that the Senate now resume consideration of the juvenile justice bill, and there be 10 amendments in order per side to be selected from the amendments in order pursuant to the previous consent of May 14, and passage occur by 12 noon, Wednesday, May 19.

Mr. LEAHY. Reserving the right to object—and my distinguished friend from Mississippi discussed this with me before during the vote—and as I have told my friend from Mississippi and my friend from Utah, we are continuing to work to whittle down the number of amendments certainly on our side. As I had assured my friend from Utah over the weekend, I and my staff have spent a lot of time talking to Democratic Members, and we have cut out a number of amendments.

I do want to see this bill completed. I do want a good juvenile justice bill. Also, I want to get us on to Y2K, as the distinguished Democratic leader, Senator DASCHLE, said he is in favor of the Y2K bill. He is in favor of going immediately, after juvenile justice, to the Y2K bill.

The distinguished majority leader is absolutely right in what he said about the supplemental. I suspect—I have not talked with Senator STEVENS and Senator BYRD—that is going to go fairly rapidly.

We are going to have our caucus luncheons. The distinguished Senator from North Carolina wishes to begin a series of justly-deserved tributes to the admiral. I ask the distinguished leader if he would withdraw for now the unanimous consent agreement, let us work during our caucus luncheons with other Members to try to get this up so we can accommodate both the Republican and Democratic side, get amendments voted up or down, and get the bill voted up or down.

Mr. LOTT. Mr. President, based on that request and a full measure of trying to be reasonable and get an agreement to get this worked out and completed, because I think juvenile crime in this country is a very serious issue, for the Senate to not deal with it seriously and to complete action would be indefensible.

My problem, as the majority leader, is that we have the supplemental, which is not going to be completed in 2 hours. This bill is going to take some discussion. I think it is a tragedy that we are not going to do the Y2K issue, but I am interested in getting a result. I think if we can get some cooperation, we can achieve that.

Keep in mind that we have had some 25 amendments, I believe, that have been offered and debated. This would call for 20 more. That is 45 amendments on a bill that has been in the making for 2 years. So I think my request is reasonable, and it is my third or fourth attempt to find some sort of time agreement.

I thought and was assured that we would work to complete this bill last Thursday. That didn't work out. And I understand. Sometimes the leadership on both sides of the aisle has goals we wish to achieve, but the rest of the troops don't necessarily follow and fall in line, so we can't quite fulfill that commitment. But the suggestion was made, well, we will have amendments Friday and Monday, and we would vote on a series of amendments Tuesday morning, final passage by noon. That was objected to. Then we said, how about 5, with more amendments after the stacked votes on Tuesday morning. That was objected to. Then I said 6. That was objected to.

Now I am saying, how about getting what we have standing, 20 more amendments, and complete it by noon on Wednesday so we can go to the supplemental. I think I am bending over backwards, not because I want more of the type of debate that I heard last week where Senators even object to a Senator amending their own amendment. I didn't realize that happened in the Senate. I was very disappointed with that action. But instead, we must come together and seriously try to deal with this problem.

I know there are Senators on both sides of the aisle who want to do that, and I am anxious to find a way to get it done and get it completed. I will withhold this request. I hope the managers will work through this, while we are having this very well-deserved tribute to Admiral Nance, and then after the luncheon hopefully we can wrap up some agreement.

Mr. LEAHY. If the distinguished leader will yield further, I will be very brief. In my 25 years here, I have seen majority leaders, distinguished majority leaders, both Republican and Democrat, try to whittle down bills in time, and usually when they propose time agreements, the number of amendments has expanded. In this case, I say the good news for the distinguished Senator from Mississippi is, each time he has done this, actually the numbers have dwindled, and dwindle and dwindle.

I suggest that perhaps the distinguished Senator from Utah and I continue our efforts and report to our respective leaders after the caucus where we stand.

I see the distinguished Senator from Utah on the floor. I know that he wants the floor, and so I will yield.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Mr. President, I really appreciate the majority leader and his patience and forbearance, because this bill is now in its sixth day. That is more than we give to most bills in the Senate, unless they are just hotly contested. This is one that should not be hotly contested. Everybody ought to be for this bill.

Mr. President, yesterday I read a quote from a recent New York Times editorial, and I would like to read it again, prior to the time for Senator HELMS.

This is from the New York Times editorial:

> In the past it was not hard to be struck by the way time seemed to roll over a tragedy like a school shooting, by the disparity between the enduring grief of parents who lost children in places like Paducah and Jonesboro and the swift distraction of the rest of us. This time, perhaps, things may be different. The Littleton shootings have forced upon the nation a feeling that many parents know all too well—that of inhabiting the very culture they are trying to protect their children from. . . . The urge to do something about youth violence is very strong . . . but it will require an urge to do many things, and to do them with considerable ingenuity and dedication, before symptomatic violence of the kind that occurred in Littleton begins to seem truly improbable, not just as unlikely as the last shooting.

That was the New York Times, May 11, 1999. While I may not agree with the Times on everything, I doubt I could have described any better the task we have taken on. This issue is a complex problem and one which requires dedication, a spirit of cooperation, and an agreed upon set of objectives.

I believe that spirit of cooperation has been lacking somewhat as this is the sixth day we are on this bill and, as of this morning, my colleagues on the other side of the aisle still had over 25 amendments. Now, my friend from Vermont has indicated that he is working to try and get those cut down. I hope he is successful. I have spent several days urging Republicans not to offer their amendments—most have been agreeable—in the hopes that my colleagues on the other side would reciprocate. I spent the weekend here, and my staff was here working around the clock. We heard nothing from the other side during that time. Indeed, we were told by them that staff would not be coming in to meet with us at that time.

Now, perhaps they were trying to work on the Democrat amendments. Certainly, the distinguished Senator from Vermont says that is what he was doing. But frankly, we were prepared to work and cut these matters down and get this whole matter completed.

In fairness, we have been given some suggested changes to the underlying bill. We were given those suggestions late yesterday. I would be willing to accept a number of them if it meant we could pass this bill by a date certain. As well, staff has been working to clear several amendments as part of a managers' package of amendments, which I hope Senator LEAHY and I can do. Still, we have been given no commitment, assurances, or even a hint that my colleagues will agree to a vote on a time or date certain. This bill is too important to be treated this way. The problem of juvenile crime and the victims of juvenile crime deserve better.

We should pass this bill, but there are a number on the other side who want to pull this bill down. You hear a lot of posturing about the gun lobby, which is complete nonsense. Let's just review the facts.

The President's gun package was framed as essentially containing the following elements: Gun show loopholes; permanent Brady; one gun a month; juvenile Brady; juvenile possession of assault weapons, increase the age to 21; child access to guns, liability; safety locks; increase penalties for guns to juveniles; firearms tracing; youth crime gun initiative; gun kingpins penalties; and a clip ban.

More than half of the President's so-called ''plan'' has been acted on by the Senate or is contained in a pending amendment. In other words, we have agreed to a unanimous consent agreement limiting amendments which allows for the remaining elements of the President's plan to be offered.

So the question is, Where is the President on this issue? Republicans want to let this plan be voted on, but his allies in the Senate do not appear eager to move forward. I hope they will.

I believe my colleague from Vermont when he says that, given some time and through the caucuses today, we probably can get this resolved, or at least he hopes we can. I do also. We have to get it resolved.

We are not trying to avoid the gun issue. I think some are concerned how this bill, with its reforms of the entertainment industry, will be received by their friends in Hollywood. That is something I think really bothers some on the other side. It bothers me, too. But we are doing some things that really are valuable, really viable, really worthwhile, and really allow for voluntary compliance and an approach that really will work in the best interests of the entertainment industry.

Given the seriousness of this problem, and the number of warning signs that future tragedies may be imminent—we are announcing them daily—we cannot afford to filibuster this bill through amendment. We should not play politics with this bill. Instead, we should come together and pass this bill. I am certainly hopeful that that is what we are going to get done either today or tomorrow.

I think the majority leader has been more than accommodating on this. He has indicated that he can only give so much time to this because there are so many other pending bills. The distinguished Senator from Vermont and I both know that we have to bring up the bankruptcy bill, the Satellite Home Viewer Act, in addition to all these very important issues that involve the national defense and our people who are serving in the Balkan crisis, and, of course, the supplemental appropriations bill. We only have a limited time in which to do it.

So it is good that we get together today and get this matter resolved. I don't think we could have had a more cooperative majority leader, under the circumstances. We stand ready, willing, and able to work with our colleagues on the other side to try to narrow these amendments and, of course, work with them to try to get some of these problems solved that they think are so serious.

I might add that a number of these gun amendments were already in the bill; juvenile Brady is a prime example. We had that already in the bill. You would think, from the President's remarks, that it wasn't part of our bill. We have worked on this bill for 2 years. I want it to be bipartisan; I want our Democratic colleagues to be part of this; I want them to feel good after it is all done. We have made every effort to try to accommodate them. But to have this thing go on for another day or two is basically not right, under the circumstances.

So I hope we can get together, and I hope we will work together and get our staffs together, and I hope we will resolve this either today or tomorrow.

I yield the floor.

Mr. LEAHY. Mr. President, I know the distinguished Senator from Utah would not want to leave a wrong impression about what has happened, so perhaps I might flesh out his remarks just a tad.

One, it should be noted that every single Democratic Senator wants to see a juvenile justice bill passed. The comments about pulling the bill down have all come from the Republican side of the aisle, not from the Democratic side of the aisle.

As far as working on this, I am not sure to what the Senator is referring. I don't know when I have spent so much time on the phone, the computer and e-mails, and on a bill as I have this past weekend. Our staffs have worked late into the night. We were given a wish list from the Republican staff, as was appropriately done at the beginning of the weekend. We worked on that all weekend long, calling Senators all over the country on it. As of last night, we had cleared 40 amendments. That is progress. That is very significant progress.

Now, the distinguished Senator from Utah said on the talk shows this weekend that they need seven amendments on the Republican side. Four were introduced yesterday, but this morning there are suddenly 10. We have kind of floating numbers here. But the facts are such that we have been working and we have cleared a very large number of amendments that Senators never have to see.

The last crime bill took 12 days. There were 99 amendments. We walked through it, and we did it. I remember being on that committee of conference, and the distinguished Senator from Utah may recall that we were there until 3, 4, 5 o'clock in the morning. These were complex issues, but we got it done. The crime rate has been coming down for 6 years—something that I have not seen under any other administration before—Republican or Democrat. So we can get somewhere on this.

We have significant issues in here. Every single Member on this side of the aisle is committed to seeing a juvenile justice bill passed. We want to go on to debate and vote on Y2K. The majority leader is correct in saying the supplemental has to be passed. We are not trying to delay it. I assure my friend from Utah that an enormous amount of work was done this weekend, and it was done until very late last night. I think my last e-mail on this came through to me at about 12:30, 12:45 this morning. We are getting it done.

Now, the distinguished Senator from North Carolina has been sitting here patiently and wishes to speak about a lifetime friend, a man who deserves a great deal of honor and praise by this Senate from both sides. I think we would do the Senate well and the memory of the great man well by both of us holding this debate until after the caucus. I thank the distinguished Senator from North Carolina for his courtesy, which was doubly helpful this morning because I know this is a difficult time for him.

I yield the floor.

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senate will now proceed to morning business for 60 minutes, under the control of the Senator from North Carolina, Mr. HELMS, for a special order in memory of Adm. Bud Nance.

The Senator from North Carolina is recognized.

TRIBUTE TO ADMIRAL BUD NANCE

Mr. HELMS. Mr. President, let me take note that members of Adm. Nance's family are in the family gallery. While the rules prohibit my saying anything to them, I think they

know that our deepest sympathy goes to them from us.

Mr. President, when I heard the sound of Dr. Elaine Sloand's quiet voice on the other end of the line at about 3:30 in the afternoon a week ago, I detected an unmistakable sadness in it. I tried to brace myself for the bad news that had been expected for a day or so. Dr. Sloand, a wonderful, great, kind and compassionate physician, had done everything within her power to save Bud Nance's life. Many others at the National Institutes of Health had also worked against the odds to save this great American, the remarkable retired Naval officer who had fought in almost a dozen of the major battles of World War II.

So, Mr. President, when I picked up the phone and heard Dr. Sloand's voice, I knew that James Wilson Nance was gone. And he was.

As I sat at my desk in silence and alone, I recalled the poignancy of Adlai Stevenson years ago when he lost the bid for the Presidency: ''It hurts too bad to smile and I'm too old to cry.''

A thousand memories crowded their way into my consciousness as I sat there in those few quiet minutes. You see, Mr. President, Bud Nance and I could not have been more than 4 or 5 years old when we began playing together as little boys. On one occasion, he had scarcely had time to get to his home from my house a couple of blocks away in our little hometown of Monroe, when he was back knocking at the door. There he stood with his little hand thrust forward with a toy: ''Here,'' he said, ''this is yours; I took it home by mistake and I'm sorry.''

Just as the boy, Bud Nance, was unfailingly and impeccably honest, so was Rear Adm. James W. Nance decades later when he skippered a series of U.S. warships, including the giant aircraft carrier, the *Forrestal*, that had more sailors aboard than there were people in Bud Nance's hometown and mine.

During the past week, there has been an almost endless series of friends and admirers of Admiral Nance expressing their sorrow and their admiration for what I regard as a giant of a man fallen. Needless to say, I have been deeply grateful to every one of those expressing their regrets and their comfort.

Anybody who has known Bud Nance did not merely like Bud Nance; it is a far deeper and genuine feeling that so many have held for him. In my case, nothing fits but the word ''love''. I loved Bud Nance like a brother. In my final conversation with him 9 days ago, I told him so. His voice, weak and raspy, but nonetheless unmistakably clear, replied, ''I love you, too.''

Bud loved his family; oh, how he loved them. We had often discussed, down through the years, his and my good fortunes. He once commented about his dear wife, Mary Lyda, that it was she who did the hard part. He used to say, ''I was away so much of the time, and she was back home raising our children and raising them right.''

Mr. President, I could go on, but I shall not, except for one final vignette, which underscores the goodness and tenderness of ''The Admiral.''

Some years ago, on a cold and wintry night, a kitten was abandoned at Bud's and Mary Lyda's front door. It was doubtful that the kitten—cold, shivering and wet—would survive, but Bud and Mary Lyda produced hot water bottles and a tiny bed for that little kitten who was too fragile and too young to handle solid food. For 2 or 3 nights straight, Bud Nance sat up with that kitten, lovingly holding it in his arms while, with a teaspoon, feeding a little bit of warm milk into that tiny little fluff of fur.

But the kitten did survive. He named that kitten Kate. She slept at the foot of Bud's bed from then on.

Mr. President, Dot and I visited Mary Lyda Faulk and the wonderful Nance children that night following Bud's departure earlier in the afternoon. While we sat in the living room chatting, in strolled Kate. She checked each one of the several of us, but she first went to Bud's empty chair. I believe Kate knew that her great benefactor and her best friend was gone.

Kate was such a lucky little kitten, just as all the rest of us were lucky to have known Bud Nance, to have worked with him, to have had him as a true and faithful friend, a friend whom we not only admired, but loved.

I ask unanimous consent articles about Admiral Nance be printed in the RECORD at the conclusion of my remarks.

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

[From the Charlotte Observer, May 14, 1999]

BUD NANCE, MONROE NATIVE WAS AN OFFICER AND A GENTLEMAN

James ''Bud'' Nance, who died Tuesday at age 77, was a modest man with a wry, sometimes pointed sense of humor. When, at Jesse Helms' request, he came out of retirement to direct Sen. Helms' staff on the Foreign Relations Committee, he was confident enough to allow staffers to talk to the press on the record on a wide range of issues. He offered one caution, he recalled with a smile: that ''If you leak something [secret] to the press, and I find out about it, I'm going to kill you.''

He grew up in Monroe, where he and the future senator were playmates and members of the same band (Jesse on tuba, Bud on clarinet). He graduated from the U.S. Naval Academy in 1944 and was assigned to the USS North Carolina, which survived attacks by more than 150 Japanese suicide bombers.

After the war, he became a Navy test pilot. It was dangerous work—five of the 10 men in one of his test pilot units died in crashes. Later he commanded the aircraft carrier USS Forrestal, then worked for the Joint Chiefs of Staff and for Gen. Alexander Haig, who become President Reagan's secretary of state. When Admiral Nance became deputy assistant to Mr. Reagan's national security adviser, the Washington Post said he was ''among the most well-connected military officers in Washington.''

When Sen. Helms asked him to reshape the Foreign Relations Committee staff, he accepted pay only because the law required it—$2.96 a week, the congressional minimum. After automatic raises bumped it to $4.53, Sen. Helms observed. ''Bud's worth every penny.''

Bud Nance was an officer, a gentleman and an American hero. When he took the Foreign Relations post, he said, ''The only thing I'm here for is to do a good job for the United States, and to make sure Jesse gets a square deal.'' His nation, and his old friend, will attest that, as always, he accomplished his goals.

ROB CHRISTENSEN: JESSE LOSES A BOYHOOD FRIEND

(By Rob Christensen)

They are breaking up Jesse Helms' old Monroe High School Band.

One by one, the members have been going to their reward. Gone is the oboe player, Henry Hall Wilson, once chairman of the Chicago Board of Trade and a former U.S. Senate candidate. Gone is the cornet player, Skipper Bowles, a former gubernatorial candidate and the father of former White House chief of staff Erskine Bowles.

And last week, the clarinet player, retired Rear Adm. James ''Bud'' Nance, passed away.

Which left Helms, the tuba player, fielding condolence calls from the likes of President Clinton and Gov. Jim Hunt. Helms has lost his best remaining friend who isn't named Dot Helms.

It's not just that Nance was Helms' chief of staff on the Senate Foreign Relations Committee. Their relationship started in 1921 in the Union County town of Monroe, where Jesse and Bud were born two blocks apart, two months apart.

It was Jesse and Bud who used to go to The Strand to see Tom Mix westerns. It was Jesse and Bud who put a ''For Sale'' sign on their high school lawn one Halloween. And it was Jesse and Bud who would slip behind the school to sneak a cigarette.

Jesse was proud of Bud's Navy career—on the USS North Carolina during World War II, where he endured 162 Japanese air and kamikaze attacks; Navy test pilot along with such pals as John Glenn and Alan Shepard; commander of an attack squadron, an air wing and two ships—the USS Raleigh, an amphibious ship he skippered off the cost of Vietnam, and the aircraft carrier USS Forrestal.

As Jesse liked to say, Bud was the Monroe boy who amounted to something.

I first met the admiral deep in the bowels of the White House, where he was acting national security adviser to President Reagan. Among his hires were Iran-contra figures Oliver North and John Poindexter.

''I'm the only guy who walked out of the place,'' Nance would later say, laughing.

Helms brought Nance out of retirement to become his chief aide on the Foreign Relations staff.

Nance, a pretty conservative fellow himself, cleaned house—ousting some staffers who he thought were veering too far off into right-wing conspiracy land. And he advised Helms on a broad range of foreign and military matters. Jesse trusted Bud completely.

In recent months, Nance had suffered from myelodysplasia, a blood disease that made him unable to produce platelets. But just a

few days before his death, Nance was still showing up in his office at 7 a.m.

In the end, Jesse and Bud were friends again in the Virginia suburbs of D.C.—hundreds of miles from where they started in life.

Nance once remarked to his friend that Helms had better not be the first to die.

To which Helms quipped: ''I'll kill you if you do.''

''I cannot describe the guy because he had as much character as anyone I've ever known,'' Helms said last week. ''He was thoughtful. He cared about people. He loved this country.''

[From the Washington Times, May 12, 1999]

JAMES NANCE, ADMIRAL, HELMS AIDE, DIES AT 77

(By Robert Stacy McCain)

James W. ''Bud'' Nance of McLean, a retired Navy rear admiral and staff director of the Senate Foreign Relations Committee, died yesterday. He was 77.

The committee issued a statement saying Adm. Nance died from complications of a undisclosed illness.

Adm. Nance was a boyhood friend of the Foreign Relations Committee's chairman, Sen. Jesse Helms, North Carolina Republican. Mr. Helms had no public statement yesterday but the committee spokesman, Marc Thiessen, said Adm. Nance ''was so beloved by so many.''

Adm. Nance graduated from the U.S. Naval Academy at Annapolis in 1944. He served as an aviator in World War II, Korea and Vietnam, earning two Distinguished Service Medals. He rose to command of the aircraft carrier USS Forrestal.

Later he served as assistant national security adviser to President Reagan and joined Mr. Helms' staff in October 1991.

Mr. Helms, the ranking Republican member of the Foreign Relations Committee at that time, was having problems with his 19-member staff and asked Adm. Nance—who had retired to Virginia—to take charge.

''I was home having a real good time,'' Adm. Nance told a columnist in 1992. ''Jesse called and said, 'Come on up and help me get control of this zoo.' ''

Within three months, nine committee staffers were dismissed.

As a condition of his own employment, Adm. Nance asked that he not be paid, but Mr. Helms pointed out that federal law required that Senate staffers be paid a minimum of $153 a year.

''Nobody can ever say Jesse gave his old buddy a job,'' Adm. Nance said.

When Republicans took control of Congress after the 1994 elections, the GOP pushed through a law requiring Congress to abide by the employment laws that applied to U.S. businesses. Along with a minimum wage increase passed in 1996, that bumped Adm. Nance's pay to $204 a week.

Adm. Nance brought a caustic sense of humor to his Senate job. Shortly after he joined Mr. Helms' staff, Adm. Nance was questioning the benefits lavished on U.S. ambassadors, including hardship pay.

''I fought at Iwo Jima,'' he said. ''That's hardship.''

''He's like a father figure to his staff,'' one of Mr. Helms' assistants said of Adm. Nance in 1993. ''You just can't put a price on that kind of wisdom.''

Adm. Nance is survived by his wife of 42 years, Mary Lyda, and four children.

[From the Roll Call, May 13, 1999]

SENATORS FONDLY REMEMBER 'BUD' NANCE

(By Ben Pershing)

Sen. Chuck Hagel (R-Neb.) has a story he likes to tell about James ''Bud'' Nance, the retired Navy rear admiral and Senate Foreign Relations Committee staff director who died Monday.

Hagel remembers a Foreign Relations meeting where one Senator was droning on and on, ''enjoying his own eloquence.''

''After a while,'' Hagel recalled yesterday, ''Bud leaned over and whispered in my ear, 'Senator, remember, you don't have to be eternal to be immortal.' He said it with that twinkle in his eye and then he winked at me.''

The exact cause of death for Nance was not disclosed, although he told Roll Call last month that he was suffering from myelodysplasia, a blood disease that rendered him unable to produce platelets. He was 77.

Foreign Relations Chairman Jesse Helms (R–N.C.), who grew up three blocks from Nance, had not released a statement on his life-long friend by press time yesterday.

But in an interview last month, Helms praised the fact that despite his illness, Nance beat ''everyone else to work,'' often arriving at the office by 7 a.m.

Senators who worked closely with Nance said he was a thoughtful man and a tough staff director.

''I trusted him completely,'' said Foreign Relations ranking member Joe Biden (D–Del.) in an interview this week. ''I cared a lot about the guy personally.''

Biden added that both he and Helms benefited from Nance's long experience with military affairs.

''He knew the complexities of all this stuff,'' said Biden. ''I never had any doubt I could confide in him.''

''He was a gentleman,'' said Hagel. ''He was such a complete person. People had tremendous confidence in him, partly because they liked him and partly because they trusted him.''

Sen. Christopher Dodd (D–Conn.), a member of Foreign Relations, said of Nance, ''This is just one of the finest people I've met in my 18 years in the Senate.''

Dodd also spoke of Nance's steady had in dealing with the committee's younger staffers.

''He was a wonderful, tempering influence on the young staff,'' said Dodd. ''I know this is a loss for Senator Helms. I think it's a real loss for the Senate as well.''

Nance was particularly close to Helms, who brought Nance on board in November 1991 to head up the panel's GOP staff. Nance and Helms were boyhood friends in Monroe, N.C.

Nance joined the committee at a time when its staff was in disarray, and three months after taking the post, Nance fired nine top aides.

''I felt we had too much overhead and not enough operators,'' Nance told Roll Call in 1992. ''It was difficult for me to see exactly who was doing what.''

When he first came on, Nance refused to take a salary. Since federal law required that Senate staffers receive at least $153 per year, Nance accepted that, and after the minimum wage was increased, his pay jumped to $204 per week.

Nance, who entered the Navy as a midshipman in 1941 and retired 38 years later as a rear admiral, saw active duty in World War II, Korea and Vietnam. Nance said that during his service in World War II, he endured 162 Japanese air and kamikaze attacks.

Over the course of his Navy tenure, Nance commanded an attack squadron, an air wing and two ships—the USS Raleigh and the USS Forrestal. His military background had a profound effect on the way he carried himself and on the way he handled the committee's staff.

''When you manage an aircraft carrier, you are managing a small city at sea,'' said Hagel. ''It matures one rather quickly.''

Nance was born Aug. 1921, in Monroe. He entered the U.S. Naval Academy in 1941 and spent three years there, earning a bachelor's degree in 1944. He later spent time at both the Naval War College and the National War College, and in 1965 he received a master's in international relations from George Washington University.

After leaving the military in 1979, Nance went on to work as assistant national security adviser during the Reagan administration. He then joined the privates sector, working for several years as head of naval systems for Boeing Co. Nance had retired to Virginia when Helms asked him to come to the Hill.

Nance is survived by his wife of 42 years, Mary, four children and seven grandchildren.

A Senate GOP source said Helms will try next week to clear some time on the Senate floor for Members to pay tribute to Nance.

[From the Washington Post, May 13, 1999]

ADM. JAMES ''BUD'' NANCE DIES; CHIEF OF STAFF FOR SENATE PANEL—INFLUENCED COMMITTEE CHAIRMAN JESSE HELMS

(By Louie Estrada)

James Wilson ''Bud'' Nance, 77, a retired Navy rear admiral and former White House national security affairs adviser who as the Senate Foreign Relations Committee's chief of staff was regarded as a pragmatic influence on his childhood friend, Sen. Jesse Helms (R-N.C.), died of complications from a preliminary form of leukemia May 11 at the National Institutes of Health.

Adm. Nance, a graduate of the U.S. Naval Academy and former naval aviator and test pilot, was a self-described conservative Republican who reportedly advised Helms, the committee's chairman, to tone down his sometimes fiery rhetoric and confrontational approach when tackling issues.

Their close relationship was based on a mutual trust that stemmed from their days growing up in their native Monroe, N.C. Over the years since they played in the same elementary school band, they periodically kept in touch. Although the two shared similar political philosophies, Adm. Nance was considered Helms's opposite in many aspects, coming across as a more courtly hard-nosed figure with an easy laugh and a loathing of the limelight.

He did have critics. A POW group called on Helms to fire Adm. Nance because of what they said was the committee's lack of attention to their cause. Still, he was seen as an affable father figure in Washington's corridors, where colleagues referred to him simply as ''the admiral.''

At Helms urging, Adm. Nance, who had an illustrious 38-year career in the Navy, joined the committee in 1991 to help improve the minority staff's efficiency. Saying the government already had done plenty for him, Adm. Nance accepted the job on the condition that he would work for free.

But, as it turned out, laboring without a salary was not an option under Senate rules. He was paid Congress's then minimum of $2.96 a week. Later, two cost-of-living pay increases bumped his weekly salary to $4.53. Still, he wasted little time with the task put

before him, overhauling the staff by releasing deadwood and malcontents, hiring whiz kids and shifting old-timers around.

After the Republicans swept into the majority in the 1994 mid-term elections, Adm. Nance was placed in charge of the transition on the Foreign Relations Committee and predicted that Senate members would play a larger role in foreign policy hot spots. He was coming into the office as recently as last week, showing up as he did every day at 7 a.m. and returning to his home in McLean in the evening.

Adm. Nance was no stranger to the committee's workings, having served as a consultant to the committee during the SALT II deliberations. In 1981, he joined the White House as President Ronald Reagan's deputy assistant for national security affairs, and for a brief time, he was acting chief special assistant for national security affairs, temporarily replacing Richard V. Allen.

As a young man, he attended what is now North Carolina State University and graduated from the Naval Academy in 1944. He was assigned to the battleship USS North Carolina and served there throughout the remainder of World War II.

After the war, he underwent flight training and served as a flight instructor at the Naval Air Basic Training Command of the Naval Air Station in Pensacola, Fla. He was assigned to exchange duty with the British Royal Navy in the mid-1950s and was a project pilot with the Flight Test Division at the Naval Air Test Center in Patuxent River. In the latter assignment, he test-landed aircraft on carriers.

Before his military retirement in 1979, he served as the senior naval officer on the staff of the commander of U.S. forces in Europe when Alexander Haig held the combined job of U.S. and NATO commander. He also held strategic and planning posts in the Pentagon and was commander of the aircraft carrier Forrestal.

His military honors included two Distinguished Service Medals and the Legion of Merit.

He received a master's degree in international relations from George Washington University and attended the U.S. Naval War College and the U.S. National War College.

In the 1980s, he worked for Boeing Military Airplane Co., where he was manager of Navy systems.

Survivors include his wife, the former Mary Lyda Faulk of McLean; four children, James Lee Nance of Richmond, Mary Catherine Worth of Atlanta and Andrew Monroe Nance and Susan Elizabeth Nance, both of McLean; and seven grandchildren.

[From the New York Times, May 15, 1999]

REAR ADM. JAMES NANCE, 77, INFLUENTIAL AIDE TO JESSE HELMS

(By Irvin Molotsky)

WASHINGTON, May 14—James W. Nance, a retired Navy rear admiral who took on a late-career job as the chief aide to his old boyhood friend Senator Jesse Helms of North Carolina, died on Tuesday at the National Institute of Health in Bethesda, MD. He was 77 and lived in McLean, VA.

Marc A. Thiessen, the spokesman for the Senate Foreign Relations Committee, where Admiral Nance was staff director, said the cause was complications of myelodysplasia, a pre-leukemia condition.

On Capital Hill, Admiral Nance was known for having brought order to the committee's Republican staff, which Senator Helms, the senior Republican, and others on the panel had found disorganized and riven by ideological differences.

''When I came over here, I couldn't understand the organization,'' Admiral Nance said in a 1992 interview with The National Journal after agreeing to come out of retirement a year earlier to help his old friend. ''It was a zoo to me. My military mind has got to have all the men and women in line.''

Admiral Nance's role was important then, when Senator Helms was the committee's ranking minority member, and it became more important later, when, after the 1994 elections, the Republicans took control of the Senate and Mr. Helms became chairman.

Before Admiral Nance was brought in, The National Journal said in its 1992 article, there had been a movement among the committee's Republicans to remove Mr. Helms as their leader because of the minority staff's disarray.

Mr. Helms accepted Admiral Vance's recommendations that eight members of the staff be fired, and although there was an angry reaction at first, Republican leaders later said the Vance replacements had brought order to the panel.

Admiral Nance was born in Monroe, N.C., where he and Mr. Helms grew up two blocks from each other. He graduated from the United States Naval Academy in 1944 and went on to serve as a naval aviator in World War II, the Korean War and the Vietnam War. By the time he retired from the Navy in 1979, he had held several commands, including that of the aircraft carrier Forrestal.

He became a humorous if caustic reflection of the dour Senator Helms, who seems to enjoy saying no to State Department requests. Once, when questioning the benefits given to ambassadors abroad, including hardship pay at some posts, Admiral Nance said: ''I fought at Iwo Jima. That's hardship.''

He had many Navy decorations, including two Distinguished Service Medals and the Legion of Merit.

After his Navy service, Admiral Nance served for two years on the White House staff of President Ronald Reagan and later worked for Boeing in its naval systems department.

Besides the Naval Academy, he graduated from the Naval War College and the National War College, and received a master's degree in international relations from George Washington University.

Admiral Nance, who was known as Bud to his friends, is survived by his wife of 51 years, the former Mary Lyda Faulk; two sons, James Lee Nance of Richmond and Andrew Monroe Nance of McLean; two daughters, Mary Catherine Worth of Atlanta and Susan Elizabeth Nance of McLean, and seven grandchildren.

When Admiral Nance agreed to go to work for Senate Helms. The Washington Times reported in an obituary on Wednesday, he asked that he not be paid, but the Senator pointed out that a Federal law required that Senate staff members be paid a minimum of $153 a year.

Once he went to work for the $153. Admiral Nance said, ''Nobody can ever say Jesse gave his old buddy a job.''

Senator Helms, noting that his friend's pay came out of $2.94 a week, said, ''Bud's worth every penny.''

BLOOD DISEASE KILLS ''BUD'' NANCE; RETIRED ADMIRAL, ADVISER FROM MONROE WAS LIFELONG FRIEND OF SENATOR

(By Norman Gomlak)

MONROE.—The way U.S. Sen. Jesse Helms saw it, you could't find a better friend or a more trusted adviser than James ''Bud'' Nance.

The friendship between Helms and Nance spanned seven decades, from their days in the band of the old Monroe High School to the corridors of Capitol Hill.

Wednesday, Helms and others mourned the death of Nance, 77, a retired Navy admiral who was chief of staff of the Senate Foreign Relations that Helms chairs. Nance also had served in the Nixon and Regan administrations.

''I don't know of anybody . . . that had as much effect on the country or that had any higher principles than Bud Nance,'' Helms said in an interview Wednesday evening.

Helms said Nance, who died Tuesday, suffered from a blood disease that prevents sufferers from producing platelets. Without platelets, a person cannot stop bleeding once cut.

Funeral services for Nance will be held at 9 a.m. Wednesday at Lewinsville Presbyterian Church in McLean, VA. He will be buried with full military honors at Arlington National Cemetary at 11 a.m. Wednesday.

Helms and Nance were born two blocks and two months apart in Monroe in 1921. At Monroe High school, they played together in a school band organized by the principal, Ray House.

Nance played clarinet; Helms played tuba.

Two years ago, Helms and Nance returned to their hometown to attend House's funeral.

After attending N.C. State College in Raleigh, Nance enrolled at the Naval Academy in 1941 and eventually commanded an aircraft carrier. He rose to senior command positions in aircraft carrier operations before retiring as a rear admiral in 1979.

Nance served as a consultant to the Senate Foreign Relations Committee during SALT II deliberations and on President Ronald Reagan's transition team. With Reagan's inauguration, Nance was appointed Deputy Assistant to the President for National Security Affairs.

He worked in the Reagan administration until 1983, then became a consultant for Boeing. After retiring again, Nance was persuaded by Helms to join the staff of the Senate Foreign Relations Committee.

''If a ship runs aground it's the captain's fault, and the ship had run aground,'' Nance said in explaining some reshuffling at the time.

Nance had asked that he be paid only $1 because his government retirement benefits already were enough. But Nance had to receive Congress' minimum of $2.96 per week. After two cost-of-living increases, Nance was forced to take $4.53 per week.

''Bud's worth every penny,'' Helms said when he took his salary hike.

Nance had been receiving platelet transfusions twice a week at the National Institutes of Health. Nance said last month he had switched to an electric shaver on doctors' orders and had to be very careful in handling sharp objects.

Helms said he last spoke to his old friend in the hospital on Sunday. They joked about old times, Helms said.

After Nance died, Helms said, a Capitol police officer stopped to tell Helms how Nance had rolled down his window every day to shake his hand.

Said Helms, ''I loved Bud. I shall miss him dearly.''

Nance is survived by his wife, Mary; four children, James Lee Nance, Mary Catherine Worth, Andrew Monroe Nance, and Susan Elizabeth Nance; and seven grandchildren.

In lieu of flowers, the family suggests contributions be made to the NIH Patient Emergency Fund, 10 Center Drive, Room 1N252, Bethesda, MD 20892.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. BIDEN. Mr. President, I have served since January of 1973 with the chairman of the Foreign Relations Committee. We have been on opposite sides of a lot of issues, occasionally on the same side. I have seen and listened to and been on the opposite end of some very powerful and difficult speeches he has made. But I am presumptuous enough, know him well enough to say until now he has never had a more difficult time making a speech than today.

There is a reason for that, to state the obvious. There is an old expression: You can know a man by his enemies. I suggest you can judge a man by his friends. Anybody who had a man of the stature of Admiral Nance love him as much as Admiral Nance loved this guy, means there is something awful, awful, awful, awful good about the Senator from North Carolina.

I am not doing that really to be solicitous. I truly mean that and I believe that. The irony of all ironies, as I told the chairman, on the Friday before Bud died, the chairman asked him whether or not he could come down to my office to see if we could work out—and we did, by the way—work out some legislative language and discuss a nominee. We sat there with staff—his staff and mine. Afterwards, the staff left and Admiral Nance and I sat there for the better part of 45 minutes, basically asking him questions and him telling me stories.

They were all about JESSE HELMS, his buddy. They are all about the guy he grew up with and loved. I suspect, one of the few men or women, other than Mrs. Helms, who has ever been able to tell the chairman: Enough, JESSE; slow down, JESSE; no, JESSE. Senator HELMS, I don't think in all the time I have known him, has ever respected anybody as much as he respected Admiral Nance.

It was a wonder to behold, I think my Democratic colleagues would agree with me, to watch this relationship. It was almost, I say to my friend from North Carolina, like you had an older brother, a brother who loved you and guided you and occasionally, like all of us do when you sort of get off and you were going too far or not far enough, would whisper in your ear, would put his hand on you—I watched him put his hand on your shoulder. It was like he didn't have to say anything to you. So all Members on this floor and all Members watched in wonder and with a sense of envy the relationship the Senator had with Admiral Nance, and we have an appreciation for how difficult a moment this is for you.

We respect you for your ability to pull it off with the grace that you have thus far.

Mr. President, I have only on a couple occasions in 27 years come to the floor to pay a tribute to a staff member. We have had great, great, great, great staff members who have guided us all. I think the best kept secret from the American people is the incredible quality, patriotism, capacity, educational achievement, and personal commitment of the staffs that sit back in these chairs behind that rail. It is a trite thing to say, but the Nation could not run without them.

I know of no staff member who was the peer to this fellow, Bud Nance. The Senate family and the Nation—it sounds like hyperbole—suffered a loss when Admiral Nance passed away. Since 1971, Admiral Nance has been the staff director of the Committee on Foreign Relations, serving first as the minority staff director, and then as the staff director for the minority under the chairman and senior Senator of North Carolina, Mr. JESSE HELMS.

Working in the Senate was something of a second career for Admiral Nance. Prior to coming to the Senate, Admiral Nance spent 35 years in the U.S. Navy. A pilot by training, Admiral Nance rose to hold several senior command positions on aircraft carriers, including command, as mentioned earlier, of the U.S.S. Forrestal and senior commands in the Pentagon. He retired in 1979 with the rank of rear admiral. I might note, parenthetically, one of the great, great, great, great advantages of having Bud Nance, with the ideological divisions that exist in matters relating to foreign policy, was that you always knew you would get down to the final question of how it worked.

I remember two Fridays ago talking to him and him saying—I hope no one is offended by my saying this—the reason why we haven't in the committee taken the administration to task on some of the NATO questions is I know how hard it is to get consensus in NATO. I sat there. I was in charge of planning. I know how difficult it is.

He also knew how easy it would have been for the committee, under the chairmanship of the Senator from North Carolina, to demagog the living devil out of the targeting questions and whether or not the French and the Germans and the Brits—he said until you are there and have to get 15 other nations to agree on something, you have no notion how difficult it is.

To steal a phrase from the chairman, this is one little vignette that illustrates how, even though he had serious disagreement with the policy of the President of the United States, he believed it wasn't fair play—my translation, not his; mine—to take advantage of something, that the people wouldn't understand how complicated it was, but he understood that it was complicated. It was just simply not fair game to take advantage of it, in addition to the fact he always thought of the people who were jumping in the cockpits of those planes. He always thought of the people who were over there putting their lives on the line.

That came from 35 years of experience. It wasn't merely because he was a good, honorable and decent man which you will hear more about, because he was. You can ask any of my colleagues, and I suspect my Democratic colleagues will say the same. All Bud Nance had to do with me is say that this is what we are going to do, and I can absolutely, positively trust it as certain, as certain as if my closest staff aide said that to me.

The magic of Bud Nance was he made each of us feel like he was our staff, like he was looking out for our interest. I knew without any question that if he said something to me, even if there was a miscommunication between the chairman and Bud Nance, the chairman would never undercut Bud Nance, either that whatever Bud Nance said was going to happen.

You have no—yes, you do, Mr. President. I was going to say you have no idea. You do have an idea. Anyone who serves here has an idea what an incredible, incredible asset that is. If we were able to do that, if we had that kind of faith in each other's staffs, this place would move so much more smoothly than it does because so much is necessarily propelled by staff.

During the 1980s, Admiral Nance served as deputy assistant to President Reagan for national security affairs, and in private business with the Boeing Corporation. In 1991, his boyhood friend, JESSE HELMS, as the chairman has indicated, who grew up in the small town of Monroe, NC, called Bud Nance to serve his country once again. Although at the time he got the call he had long-since retired and he was 70 years old—a time when most people would choose to take it easy, spend time with their wives, their children and their grandchildren—Bud Nance answered the call of his friend, JESSE HELMS, and he came to work for the Foreign Relations Committee. He did so not out of a desire for power or money, to state the obvious. In fact, he received only a nominal salary, which at one point, as he enjoyed putting it, amounted to a few dollars per week. That is literally true, by the way—literally true. Because of this law we have about double dipping, literally he worked for pennies here—full time, 60 hours, 70 hours a week. He worked literally for nothing.

Rather than the dollars, he enjoyed the work—because of his powerful sense of duty to his country and its people and his powerful and palpable loyalty to the chairman of the Foreign Relations Committee.

In the last several months, as he struggled with illness—and I might point out, for the last year anybody else would have quit. Anybody else would have walked away and everyone would have said: God bless him. We understand.

Here is a guy whose hands were literally beat up because of the transfusions, because of the IVs, because of all of the painful way they had to go to get blood. They could not get it out of his veins anymore. They had to go into his hands and his feet. He came in black and blue—black and blue, barely able to walk. I would say: Bud, what in the heck are you doing here? He'd say: We have to get this done. No problem.

I never, never, never heard him complain. I never watched him even wince knowingly. This is a guy who literally dragged himself in and out of the hospital to show up for work. Instead of staying at home, getting the care he needed in the hospital, he kept the staff and all of us focused on the task at hand.

In my 2½ years as ranking member of the committee, I came to know Bud even better than I did the previous years, both as a professional colleague, and, I am presumptuous to say, and this is presumptuous—as a friend.

I was kidding with the chairman the other day. I said: You know, JESSE, my mom has an expression.

I will not mention the little girl's name, but I remember as a kid I got picked up second on the bus on a long bus ride to school, about a 35-minute ride. Every morning, a little girl who was not very popular and wasn't very attractive, every morning would get on the bus. It would be empty and she would sit next to me. Then everyone else would fill up the bus by the end.

I would get home and I would say to my mother: Mom, every morning—I will not mention her real name; it was not Sally—Sally gets on the bus and sits next to me. All the guys make fun of me. The girls even make fun of me—because Sally was not a particularly popular little girl.

I will never forget what my mother said. My mother said: JOEY, remember one thing. Anybody who loves you, there is only one thing you can do. Love them back.

It is real simple. I was kidding the chairman the other day. I know Bud Nance loved me because he knew how much I thought of him. He didn't have a choice. He may not have wanted to, but it was in his nature. He couldn't return the affection. So, although I do not have one one-hundredth of the history or the relationship that the chairman had with Bud Nance and it seems presumptuous for me to call him a friend in the shadow of his closest friend in life, I want you to know, Mr. Chairman, that a lot of us—and you will hear from more—a lot of us took great personal pride in believing that Bud Nance liked us. The mere fact that Bud Nance liked us in part validated what we did here. That is a remarkable thing, Mr. Chairman. That is a remarkable thing to say about any individual.

His word was his bond in a literal sense. Although he worked for a darned Republican, Bud Nance was far from partisan. I always wanted to ask him—and I never did, JESSE—about back in the days when you were a Democrat, I suspect he was, too, back in those days. I kind of harbored the illusion in my soul a little bit that maybe—maybe he still was. I knew he wasn't, but maybe he still was.

Mr. HELMS. No.

Mr. BIDEN. I always want to say Bud, Bud—they are all laughing, all the Republican staffers. But I would get back in the subway car and I would head over here and I would say: You know, maybe . . . maybe.

I want to tell you, he was well liked by every Senator, every staff person. The guy who is the minority staff director, Ed Hall, who is sitting in the back, considered him a close friend. It was remarkable to watch their relationship, watch how they dealt with one another. I haven't found anybody who was better liked, more respected, more fair, or more knowledgeable than Bud Nance—of all the people with whom I have worked. Above all, Bud Nance was—and this is not said lightly; I don't often use the word—Bud Nance was a genuine patriot.

At all times, he would focus on the central question. We would get involved and we would be arguing, we would be talking, and Bud Nance always, always brought us back to the central question: Is this in the interest of the country? Is this in the interest of the country? Because, as we Senators know, we can get carried away. We believe in what we are doing, but we get invested in what we are doing. We get invested in our position. Sometimes, although we don't consciously do it, in my opinion, we get so wrapped up in winning our point that it takes somebody like Bud Nance to say—and I know he has said it to JESSE; he has said it to me—whoa, wait a minute, wait a minute. Hold up here.

He had that great ability, as the old saying goes, to see the forest for the trees. We get lost in the forest. We start numbering the trees. He could stand back. He would stand back and he would say, Look at the whole picture.

As I said, I will end where I began. I have a sense of envy that you, Senator HELMS, had the relationship you had. My dad's expression is: At the end of your days, if you can count one person who you can call a true friend, you are a lucky man.

You are one of the luckiest men that I know, Senator. You have had a guy who everyone is honoring, honoring you.

Our profound sympathy and our prayers go out to his loving wife of 53 years. I don't know Mary, but I know of her. I have heard her name invoked a thousand times. To Bud's four children and his seven grandchildren, to use my grandpop's expression, I say: You got good blood. You got good blood. I am telling you, remember where you came from. This guy—your grandfather, your father—was the real thing. The real thing.

I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Mr. President, I will not even try to match the eloquence of my esteemed colleague from Delaware. But I would like to just say a few words about my friend, Adm. Bud Nance, and my friend, Senator HELMS, as well. I will not be long because I see other members of the Foreign Relations Committee who are here to speak.

I didn't have the privilege of serving on the Foreign Relations Committee at the same time with Bud Nance. But I knew him. I respected him. On a Capitol Hill that is completely covered with more youthful staffers, staffers who are very young in many ways, not quite as experienced, Bud Nance stood out as one of the most senior. He did not have to be here. He probably could have enjoyed the remaining years of his life much more by not being here. But he came to serve side by side with his friend from his youth, Senator JESSE HELMS, one of the greatest Senators who has ever sat in the Senate.

Admiral Nance was one of the greatest people who ever served on the Senate staff, and he did it at a time when we had a lot of conflicts and difficulties and problems in foreign relations, and he did it with intelligence, with a mastery that was important, with an ability to get along with people and to work with both minority and majority staffs.

This man is a true hero to me and true hero for our country, just the type of person we ought to all try to emulate, somebody who really loved his country enough to give his last for the country. I believe he loved his country so much because of his family and because of his understanding of what a great country this is and what a great constitutional form of government we have.

This is a man who reached the heights in the military and, in my opinion, reached the heights in the Senate as well. When he came on the staff, the staff was reported to be having difficulties, and he brought them together, coordinated them, unified them, and I think both the minority and the majority staffs have worked well ever since. It took a true leader to do that.

It took a true leader in Senator HELMS to pick Admiral Nance, and I know he feels highly privileged to have worked with his friend, his colleague, and somebody who advised him in the best of ways and advised all of us in the best of ways.

I express my sympathy to his wife and his family and tell them that they should be very proud of him, not just

for the tremendous years of serving this country, as he did in the military, as a husband and as a father, but for these years on Capitol Hill. It made a difference to the country, to the world at large, and to all of us. I thank Senator HELMS for having given us the opportunity to know him better.

I yield the floor.

The PRESIDING OFFICER (Mr. ENZI). The Chair recognizes the Senator from Maryland.

Mr. SARBANES. Mr. President, last week the Senate lost one of its most able and committed staffers; the country lost a brave public servant, a true patriot. Beyond that, with the passing of Adm. James W. ''Bud'' Nance, many of us have lost a good friend.

I want to touch for just a moment on his Maryland connections. Admiral Nance graduated from the Naval Academy in Annapolis in 1944, then went off to serve in our Navy in World War II. He in fact served in World War II, in the Korean war, and in the Vietnam war.

In the mid-1950s, he was a project pilot for the flight test division of the Naval Air Test Center in Patuxent River, MD, in St. Mary's County, the mother county of our State. I simply say we were honored to have had his presence in our State for an extended period on those two occasions.

Here in the Senate, an institution sometimes marked by acrimony and divisiveness, Bud Nance displayed a warmth and generosity of spirit. He was able to work constructively with those on both sides of the aisle to enhance our Nation's interests. That was always first and foremost in Bud's mind—what served the interest of our great country.

Each time I had occasion to work with him, Bud listened to my concerns and responded promptly and fairly. Others had the same experience. He fought hard for the principles in which he believed, but always in a manner that commanded respect and admiration.

As the chairman of our committee has indicated, his lifetime friend made an invaluable contribution to our Nation's policies.

I was particularly moved by the way Admiral Nance dealt with his illness. Having had an illustrious 35-year career in the Navy, he knew how to surmount the gravest challenges and how to maintain strong leadership throughout. He demonstrated that once again by showing up for work every day with a smile and a vitality that masked whatever pain and discomfort he may have felt. Every day he reported for duty. Rather than complaining about his own situation, he showed a genuine interest in the health and well-being of those around him, and the other staff members of the committee will recount his unfailing courtesies towards each and every one of them.

I join my colleagues in offering my deepest condolences to Bud's wife of 53 years, Mary Lyda, and to his four children and seven grandchildren. The Senate Foreign Relations Committee and the Senate itself were fortunate to have had the benefit of his dedicated service over the past 8 years. He will be remembered fondly, not only for his lifetime of service to this country—civilian as well as military—but also for his integrity, courage, and grace.

Mr. President, I yield the floor.

Mr. HELMS. Mr. President, I am not sure I can adequately thank the Senators for their comments. They know I appreciate them. We are trying to go from one side to the other, and I ask the Chair to recognize the distinguished Senator from Virginia.

The PRESIDING OFFICER. The Chair recognizes the Senator from Virginia.

Mr. WARNER. Mr. President, I rise to join our colleagues in the Senate to provide this record of our recollections of this great American who, in service to the Senate and in partnership with the chairman of the Foreign Relations Committee, left his mark. I feel very humble about it because I was fascinated in some research that I did on the U.S.S. *North Carolina*, the battleship on which he served.

I ask unanimous consent to have printed in the RECORD reference to the engagements in the closing days of World War II in which this distinguished ship participated with Ens. Bud Nance.

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

HISTORY OF THE BATTLESHIP NORTH CAROLINA—BB–55

BACKGROUND

The current Battleship North Carolina (BB–55) is the third U.S. Navy ship to bear the name. Her commissioned service lasted a little over six years, and only eleven years lapsed between the time the ship was authorized and she was decommissioned. During that short time however, she had quite a record, and is now preserved in her original World War II colors as a memorial to all those who gave their lives for freedom.

THE FIRST NORTH CAROLINA—1818–10/1/1867

The first North Carolina was a ship of the line, built in Philadelphia Navy Yard. The keel was laid in 1818, and the ship was launched in 1820. She was just over 193 feet in length, with a 53-foot beam, and was rated at 2,633 tons. She carried 74 guns—32 pounders and 42 pounders. She was active until 1839, when she was converted to a receiving ship. She was sold for scrap on October 1, 1867 for $30,000. The original figurehead of the ship, a bust of Sir Walter Raleigh was given to the state of North Carolina in 1909.

THE CONFEDERATE NORTH CAROLINA—1863–9/27/1864

During the Civil War the Confederate States Navy had an iron-clad sloop named North Carolina. She was 150 feet long, with a 32-foot beam, and carried four guns. She was built in Wilmington, North Carolina, and because she was structurally weak, never crossed the bar out of the Cape Fear River. The ship was active from late 1863 until September 27, 1864 when she developed leaks and sank.

THE SECOND NORTH CAROLINA—3/21/1906–9/29/1930

The second U.S. Navy ship to bear the name was an armored cruiser, number 12, built by the Newport News Shipbuilding & Dry-dock Company in Newport News, Virginia. The keel was laid March 21, 1905, she was launched on October 5, 1906, and was commissioned on May 7, 1908. She was 504 feet 6 inches in length, with a 72 foot 11 inch beam. She displaced 14,500 tons, and had a top speed of 22 knots.

On November 5, 1915 she was the first ship in the world to launch an airplane with a catapult while underway.

On June 7, 1920, her name was changed to Charlotte to make way for the new super battleship, number 52. As Charlotte she was decommissioned on February 18, 1921. Her name was struck from the Navy list on July 15, 1930, and she was sold for scrap on September 29, 1930.

BATTLESHIP NUMBER 52

Laid down in 1919, battleship number 52 was to have been called the North Carolina. This ship was to have been a monster for that era, with a displacement of 43,200 tons, a length of 624 feet, a beam of 105 feet, and a speed of 23 knots. Mounting 12 16-inch guns, the North Carolina and her five planned sister ships, had they been completed, would have been the largest and most heavily armed capital ships of the world at that time.

Three years after construction was begun, however, the Washington Naval Treaty in 1922 imposed a ten year limit, and new size restrictions on warships of the era. All work was stopped, and the hull was sold for scrap.

THE CURRENT NORTH CAROLINA: NAVY DAY 10/27/37–6/27/47

Authorized by an act of Congress on June 3, 1936, the keel of BB–55 was laid down at the Brooklyn Navy Yard on Navy Day, October 27, 1937. This was the first time the United States had started construction of a battleship in 16 years. A few new cruisers and destroyers had been built, but in general, the fleet was old if not obsolete at the time.

Ships are not built in a day. As they say, when you need ships it's too late to build them. Four years of design work, and three years and eight months went into her construction.

While building the North Carolina, war broke out in Europe, and only four days before her launch Hitler's divisions occupied Paris. In the Far East, Japan had invaded China, and was threatening further aggressive moves in Southeast Asia.

On June 13, 1940, Governor Clyde R. Hoey of North Carolina's daughter, Isabel, to the strains of ''Anchors Aweigh'', smashed the traditional bottle of champagne against the bow and launched the ship. Then, on April 9, 1941, after completing her fitting-out, Secretary of the Navy Frank Knox commissioned the ship. After all work was done, the ship cost the taxpayers $76,885,750. Today, the sum would be vastly greater.

After commissioning, the North Carolina had an unusually extensive shakedown, lasting several months. During this long ''shakedown'' period, the North Carolina returned often to her building yard for adjustments and modifications. During this time, New Yorkers, and in particular radio commentator Walter Winchell often witnessed the great new ''battlewagon'' entering and departing the harbor, and began to call her

''The Showboat'', after the colorful river steamer in a popular Broadway musical. The name has stuck ever since.

ASIATIC-PACIFIC CAMPAIGNS—WAR RECORD POST-SERVICE, 9/1945–6/27/1947

On September 5, 1945 the North Carolina finally anchored in Tokyo Bay to pick up a group of about 100 men who had been transferred from her August 20th, to help with the initial occupation at the Yokosuka Naval Base, near Tokyo.

On September 6, the ship headed for home via Okinawa (to take on passengers), Hawaii and the Panama Canal. On October 17, the ship arrived in Boston harbor for a hero's welcome.

Due to post-war disarmament, the battleship's remaining active service was short. In the summer of 1946 she twice visited the Naval Academy at Annapolis to embark midshipmen for training cruises in the Caribbean. In October of that year she returned to the place of her birth, the New York Navy Yard for inactivation. She was decommissioned June 27, 1947, and placed in the ''mothballed'' Reserve Fleet at Bayonne, New Jersey, where she remained in obscurity for the next 14 years.

In 1960 the Navy announced its intention to scrap the famous battleship, and two famous natives of North Carolina, Hugh Morton and James S. Craig, Jr., with the endorsement of then Governor Luther Hodges began a campaign to bring the ship to North Carolina and preserve her as a war memorial.

Thousands of citizens, and countless school children contributed money. $330,000 was raised to acquire the ship from the Navy and prepare a suitable berth. In September 1961 she was towed from New Jersey, and on October 2 she was moored in her present berth across the river from downtown Wilmington. On April 29, 1962 she was dedicated as a memorial to all the North Carolina men and women who served in the war, and in particular, to the more than 10,000 North Carolinians who gave their lives in the war.

ASIATIC-PACIFIC CAMPAIGNS OF THE BATTLESHIP NORTH CAROLINA

Prelude to Combat—December 1941–July 1942.

Landings on Guadalcanal and Tulagi—7–9 August 1942.

Capture and Defense of Guadalcanal—16 August 1942–8 February 1943.

Battle of the Eastern Solomons—23–24 August 1943.

I–19 Submarine Attack: USS WASP—Carrier—SUNK, USS O'BRIEN—Destroyer—SUNK, USS NORTH CAROLINA—Battleship—Damaged—15 September 1942.

New Georgia Group Operations: New Guinea, Rendova, Vangunu Invasion—30 June–31 August 1943.

Gilbert Islands Operations: Tarawa, Mrakin—19 November–8 December 1943.

Bismark Achipelago Operations: Kavieng Strike—25 December 1943.

Marshall island Operation: Invasion of Kwajalein Atoll, Invasion of Majuro Atoll—29 January 1944–8 February 1944.

Task Force Strikes: Truk—16–17 February 1944, Marianas—21–22 February 1944, Palau, Yap, Ulithi, Woleai—30 March–1 April 1944, Turk, Satawan, Ponape—29 April–1 May 1944.

Western New Guinea Operations: Hollandia—21–24 April 1944.

Marianas Operations: Invasion of Saipan—11–24 June 1944, Battle of the Philippine Sea—19–20 June 1944.

Leyte Operation: Attacks on Luzon—13, 14, 19–25 November 1944, 14, 15 December 1944.

Luzon Operation: Attacks on Luzon—6, 7 January 1944, Formosa—3, 4, 9, 15, 21 January 1945, China Coast—12, 16 January 1945, Nansei Shoto—22 January 1945.

Iwo Jima Operations: Invasion of Iwo Jima—15 February–1 March 1945, 15, 16 February 1945, 5th & 3rd Fleet raids on Honshu & Nansei Shoto—25 February–March 1945.

Okinawa Invasion—17 March–27 April 1945.

3rd Fleet Operations: Bombardment and Airstrikes on the Japanese Home Islands—10 July–15 August 1945.

INVASION OF OKINAWA (APRIL 1945)—BB–55

Coincident with the air offensive of Task Force 58 against Mainland Japan, other American forces were closing in for the invasion of Okinawa, where the initial landings occurred on 1 April. Three Marine Divisions (1st, 2nd, and 6th), plus four Army Divisions (7th, 96th, 77th, and 27th) were employed in this operation, the last of the major island assaults of the Pacific war. Okinawa was needed because it was best located to support the planned invasion of the Home Islands of Japan, and because it offered airfields and anchorages required for that purpose. Task Force 58 covered the operation, providing air support and fighter defense.

The NORTH CAROLINA, in company with other fast battleships, conducted a pre-invasion bombardment of Okinawa from very long ranges on 24 March; and fired again, in support of a feint landing on 17 April.

On 6 April, in the heat of air attack with all ships firing, the Showboat was accidentally hit by a 5-inch AA Common projectile fired at a low-flying kamikaze by a friendly ship. The projectile struck the supporting trunk of the secondary battery director (Sky 2), killing three men, wounding 44, and disabling the director. During a lull in the fighting, the dead were buried at sea with members of the crew sadly bidding their shipmates a last farewell in the traditional solemn rites.

Just before taps that night, the voice of the Chaplain came over the ship's public address system with the following prayer: ''Heavenly Father, today we committed to the deep three of our shipmates who gave their lives so that others may live. We are particularly mindful at this time of their loved ones at home. Sustain them in their sorrow. Help them to understand that those they love gave their lives for their protection and care. Be with all the officers and men of this ship. Give all of us heart and mind to serve thee and our country willingly and faithfully. . . .''

The NORTH CAROLINA, with Task Force 58, was in the thick of the fighting around Okinawa for a total of 40 days before being ordered to withdraw for repairs to her battle damage. During this 40-day period, hundreds of kamikaze attacks were launched against naval units operating in the vicinity of Okinawa, and a total of 73 ships were crashed by them. Of these, 20 were sunk or so badly damaged they had to be scuttled, and 22 were damaged to the extent that repairs would not be completed before the war was over. However, for every Kamikaze pilot who succeeded in crashing one of our ships, there were scores shot down by our fighters and ship's gunners.

REFLECTIONS ON THE KAMIKAZES

A Kamikaze attack, as witnessed by a potential victim, can be ranked among the most frightening experiences in the history of modern warfare. As a rule, such attacks were pressed home with fanatical determination, despite the most intense antiaircraft fire. Virtually all Kamikaze attacks ended in flaming violence and death, if only for the pilot crashing into the sea amid a torrent of bursting shells and tracers, some of which were often wildly and dangerously erratic. Carriers were always the primary targets, but no ships were immune. Once a kamikaze was damaged, he usually selected whatever ship was nearest ahead as his target. The specter of sudden holocaust created on board a ship by a combination of the exploding bombs and gasoline carried by a suicide plane instilled fear in the staunchest heart.

Mr. WARNER. In that period of time I was but a mere radioman third class. Aboard a battleship, about the only thing lower than a radioman third class is a bull ensign out of Annapolis. If the Admiral were here, he would recall those days. Ensigns on battleships were almost down in the bilge area. Nevertheless, he was privileged to serve with that distinguished ship in a series of engagements.

I have also found a record of his second Distinguished Service Medal. It is interesting. I am searching for the first because it is likely that was in my period of tenure when a radioman third class had become Secretary of the Navy, because this one covers the period of June 1975 through December of 1978.

I want to read these remarks, signed by the then Secretary of the Navy:

For exceptionally meritorious service to the Government of the United States—

Rear Adm. James W. Nance, U.S. Navy—

while serving as the Assistant Vice Chief of Naval Operations/Director of Naval Administration from June 1975 through December 1978.

In directing the efforts of the vast human and physical resources of the Office of the Chief of Naval Operations, Rear Admiral Nance displayed the highest order of leadership, superb managerial acumen, and unexcelled initiative.

The same qualities, Mr. President, I say to the chairman of the committee, that he exhibited on the Foreign Relations Committee. Isn't it interesting, these many years prior thereto, he was recognized for those qualities?

His keen foresight and perception coupled with an extensive knowledge of Navy organization were significantly instrumental in successfully guiding the reorganization of several major realignment programs.

Did he not do some reorganization for you, Mr. Chairman?

Utilizing dynamic leadership, keen administrative ability, and steadfast perseverance, Rear Admiral Nance managed the Navy's massive organizational network in a noteworthy manner, thereby enhancing the shore establishment's support to the fleet. Additionally, he personally initiated and implemented important improvements in both procedural and institutional aspects of the Office of the Chief of Naval Operations and, by personal attention, example, and vigorous advocacy, he provided positive leadership in the area of Equal Employment Opportunity.

Rear Admiral Nance's distinctive accomplishments, unparalleled effectiveness, managerial expertise, and tenacious devotion to duty reflected great credit upon himself and were in keeping with the highest traditions of the United States Naval Service.

I ask unanimous consent to have printed in the RECORD the very detailed briefing that goes behind this, the Navy's highest noncombat award, for which he received two. I hope to complete my research about the first.

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

SUMMARY OF ACTION

Rear Admiral James W. Nance distinguished himself by exceptionally meritorious service to the United States in a position of great responsibility as Assistant Vice Chief of Naval Operations/Director of Naval Administration (AVCNO/DNA) from June 1975 thru December 1978. As the principal advisor and executive to the Vice Chief of Naval Operations (VCNO) and the Chief of Naval Operations (CNO) for all organizational matters embracing the Office of the Chief of Naval Operations (OPNAV), and for all organizational echelons under the command of the CNO, he has demonstrated the highest degree of astute planning, detailed knowledge, exceptional managerial skill, and the ability to identify requirements that would compete for support in an increasingly austere fiscal and personnel resource environment. In this broad area encompassing more than 1250 shore activities, plus all the operating forces of the U.S. Navy, Rear Admiral Nance initiated and implemented many innovative improvements which significantly enhanced the Navy's capability and ability to support CNO in carrying out his mission. Astutely aware of the operational and material expenditures for the operation of the navy and the complex requirements of Mission and Program Sponsors in the OPNAV organization, Rear Admiral Nance was able to relate organizational changes to ongoing efforts, and to estimate potential costs and effectiveness with respect to the total navy effort and management decision at hand. He arbitrated among the various OPNAV sponsors and technical managers in order to develop a convincing and balanced program for the VCNO and CNO. As the focal point for all organizational matters Rear Admiral Nance demonstrated the highest degree of patience, objectivity, sound judgment, integrity and skill in both persuasion and application. These traits, coupled with a superior management ability, enabled him to overcome problems and maintain the proper perspective during frustrating times. All of these qualities Rear Admiral Nance has in abundance, and they have been demonstrated time and again during his tenure as AVCNO/DNA.

Rear Admiral Nance initiated and implemented vital improvements in both the policy and procedural aspects regarding proposals for the establishment, disestablishment, and modification of shore activities and of fleet activities of the Operating Forces. Rear Admiral Nance has displayed a flair for discovering organizational inconsistencies. In each instance he instinctively recommends the best solution. In these recommendations he exhibits a uniqueness in looking at each proposal from the whole Department of the Navy standpoint and not a more restrictive and narrow aspect of program sponsors. His efforts in maintaining strict compliance to the Secretary of Defense (SECDEF), Secretary of the Navy (SECNAV), and the direction and decisions regarding the reduction of operational expenditures and for providing better utilization of limited manpower resources, while still maintaining the highest degree of effectiveness and efficiency, have contributed significantly to the United States Navy.

Directly responsible for the management of an annual budget of approximately 400 million dollars, over 16,000 military and civilian personnel, and approximately 200 commands within the CNO claimancy, Rear Admiral Nance has demonstrated unique abilities in management of these resources. Constantly aware of the worldwide inflation and its adverse effects on the CNO claimancy and the national priorities, Rear Admiral Nance fostered and encouraged strong leadership, professional skills, and force in fiscal and personnel management. Whether involving the more than 125 activities for which the CNO provides direct Operation and Maintenance Navy (O&MN) appropriation financial support or the more than 90 activities for which the CNO is the civilian manpower claimant, Rear Admiral Nance consistently and aggressively sought improvements in all areas. Included in activities supported in the CNO claimancy are such diversified commands as CINCPAC, CINCLANT, SEATO Military Headquarters, MAAG China, all the Navy Sections in the MAACs in South America and Europe, USN Member SHAPE Headquarters, Naval Observatory, all the District Commandants, COMUSJAPAN, Commander Iceland Defense Force, most of the major Naval Support Activities in CONUS, all Legal Service Offices worldwide, NAP Washington, COMOPTEVFOR, Board of Inspection and Survey, the Vice President's quarters and Presidential helicopters, just to name a few.

Rear Admiral Nance set realistic standards for the management and administrative performance of these field commands and activities in such areas as management policies, procedures and controls, organizational structure, position structure, staffing and delegation, management systems and related management practices. In these areas, and while servicing as resource and executive manager for the CNO, he made significant contributions. Since the aforementioned activities under the CNO claimancy are unique in that they have no Systems Command or Bureau sponsorship and are administered centrally under the CNO, they prove to be a major undertaking. Management of these activities is further complicated by the diverse programs represented in their missions. Through Admiral Nance's direction and leadership, the quality and level of services has been enhanced, and services in such areas as property maintenance, personnel services, and services to tenant commands have been greatly improved even though funds and personnel have been reduced over the years. As an example of the concern for real property facilities, during Fiscal Years 1976 through 1978 the CNO claimancy allocated resources for the maintenance and repair of real property in a proportion to its backlog of maintenance and repair that exceeded by over 50% the same ration for the entire Navy shore establishment supported by the O&MN appropriation.

Rear Admiral Nance assumed his duties at a time when a major reduction in force had been directed. Confronted with this directed reduction of 12% in manning in OPNAV he approached the task with a unique freshness which rallied the support of all concerned. Apportioning these reductions to the varied offices within the OPNAV would be no small task. He personally conferred with each of the Deputy Chiefs of Naval Operations (DCNOs) and the Directors of Major Staff Offices (DMSOs) reviewing their mission and staffing. Gaining immeasurable information and knowledge of each of these complex organizations provided him with much of the data he required preliminary to directing reductions. The knowledge gained during this tremendous and time consuming effort and his years of experience enabled him to determine those areas where critical manning deficiencies were already developing as a result of the many reductions already applied to OPNAV and those areas where a reduction could be imposed. The application of his knowledge made it possible to develop a presentation which obtained the SECNAV's support for an effort to stem the shrinking of the OPNAV staff and permit the staff to meet its responsibilities. The required reduction was effected with minimal disruption and was superbly balanced among military and civilian positions. In subsequent years additional personnel reduction actions were directed. Rear Admiral Nance, after reviewing the OPNAV staff, its requirements and the requirements of the SECDEP, established an OPNAV Support Activity. This component organization satisfied SECDEP's requirements for the reduction of Navy Department Headquarters since those personnel not involved in Navy-wide policy making were assigned thereto. This fresh approach developed by Rear Admiral Nance prevented the crippling of the OPNAV staff's capability to perform its mission.

Mr. WARNER. But the interesting thing is the direct parallels between, Mr. Chairman, what he performed in the Navy in 1974 and what he performed in the Senate in 1994. When I spoke of him as ensign, I heard on the floor of the Senate a little chuckle from a former ensign who is over there now preparing to address the Senate. I am sure he might expand a little bit on the relationship between an ensign and the higher officers. I see him busily going over his notes over there.

But I say to my distinguished colleague from Massachusetts, we should conclude these remarks by saying: An officer and a gentleman—a phrase known in the U.S. Navy. My distinguished colleague from Massachusetts earned that title, as did Admiral Nance.

I thank the Chair and thank my distinguished colleagues.

I ask unanimous consent that the Distinguished Service Medal citation be printed in the RECORD.

Admiral Nance's first Distinguished Service Medal was awarded and signed by my colleague, Senator CHAFEE, when he was Secretary of the Navy and I was Under Secretary of the Navy.

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

THE SECRETARY OF THE NAVY,
Washington, DC.

The President of the United States takes pleasure in presenting the Distinguished Service Medal to Rear Admiral James W. Nance, United States Navy for service as set forth in the following citation: For exceptionally meritorious service to the Government of the United States in duties of great responsibility from January 1970 to January 1972, while serving with the Organization of the Joint Chiefs of Staff as Deputy Director for Operations, National Military Command Center, Operations Directorate, and as Chief

of the Studies, Analysis, and Gaming Agency.

As Deputy Director for Operations, Rear Admiral Nance was responsible for monitoring the worldwide political/military situation on an around-the-clock basis, acting as personal representative for the Secretary of Defense; the Chairman, Joint Chiefs of Staff; the Director, Joint Staff; and the Director for Operations. He was particularly adept in handling the many events, incidents, and sensitive operations of national interest involving the highest governmental authorities.

In his capacity as Chief of the Studies, Analysis, and Gaming Agency, Rear Admiral Nance masterfully directed studies and simulations prepared to analyze strategic and general purpose force capabilities relevant to national security decision-making at the highest level.

By his outstanding leadership, superior judgment, and inspiring devotion to duty, Rear Admiral Nance reflected great credit upon himself and the Organization of the Joint Chiefs of Staff, and upheld the highest traditions of the United States Naval Service.

FOR THE PRESIDENT,
JOHN H. CHAFEE,
Secretary of the Navy.

Mr. DODD addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the Senator from Connecticut.

Mr. DODD. Mr. President, I join my colleagues in expressing our condolences to the Nance family. As Senator HELMS has pointed out, there are a number of them gathered today in the Senate gallery to hear these tributes.

I cannot help but think what Bud Nance would think about a lot of this language out here. I imagine that I would see a twinkling in his eye. He might think we are getting excessive—to describe it politely. I do not think you can get excessive when talking about someone of the human quality that Bud Nance possessed.

The reason you are seeing this bipartisan demonstration here today is because I never knew what Bud Nance's politics were. I had my suspicions because he was working with the chairman of the committee, but I never detected an ounce of partisanship in any approach he ever made to a Member of this body or members of the staff on either side of the aisle.

It is a great tribute to his human qualities that he saw issues as they were—either right or wrong—or ways in which to get a job done to move a bill forward. Throughout that process, which too often brings out acrimony in people, Bud Nance seemed to attract the better angels in all of us. And it is that wonderful quality that he possessed that I admired so much. I came to really respect and enjoy this man's wonderful company over too brief a period of time.

We lost a great friend and a wonderful member of the Senate family a few days ago. Many of us knew Bud Nance simply as ''the admiral.'' He was 77 years young. That is not a polite expression. Up until his last illness, he had great vitality. And I admired him. Less than a week before he passed away, I saw him here in the staff gallery. I went over and talked to him. I admired his tenacity. In spite of all that he was going through at the hospital, transfusions and all the rest, he remained determined to be here and determined to be involved.

It is a great lesson for all of us that we should live life to the fullest. He certainly did. The loyalty that many members of the Senate and the staff, many of whom are here today, felt toward Bud Nance should be noted as well.

Both sides of the aisle respected Bud Nance enormously. We were extremely fond of him personally. All of us who had the honor of knowing him are deeply saddened to hear of his passing. I express my condolences to his wife and children and grandchildren as well.

As has been noted, he was the staff director of the Senate Foreign Relations Committee. He took over the stewardship of the committee in 1991. He was summoned out of retirement, as has been noted over and over again here by the chairman of the committee. It is not the first time that the admiral had worked for the Foreign Relations Committee.

Back in 1979 and 1980, he had served as a special consultant to the minority staff on the SALT II deliberations. Over the years, many Senators consulted with him on matters related to strategic arms treaties. He was truly an expert in this area. When his wonderful friend, his lifelong friend, and our friend, JESSE HELMS, called him up in 1991, seeking his help in reorganizing the committee, the admiral did what he had always done—he showed up ready for duty. He had retired to Virginia sometime before, but he could not say no. He accepted the challenge; and we are all the better because of it. In fact, he was excited to take on another challenge.

Some of you may know that the admiral had initially refused to take any salary. This is something of which not many Americans are aware. But there are people around here who do work because they believe in the work they are doing. Admiral Nance was one of those individuals. He insisted he should not be paid lest someone think there was an appearance of impropriety. Of course that never crossed anyone's mind. The words ''impropriety'' and ''Bud Nance'' just would not fit in the same sentence, page, or book. He was a person of impeccable integrity.

Eventually, the two friends had to compromise, as I am told, on minimal, symbolic compensation in order to comply with Federal laws. Bud Nance would also not want to be in violation of Federal laws. So there was a symbolic compensation that became Bud's salary.

At any rate, Senator HELMS and the admiral belonged to a mutual admiration society. All of us became associate members of this wonderful friendship that these two individuals shared. Bud Nance had an excellent relationship with the chairman, as all of us know, based on their deep loyalty to one another, deep appreciation of each other's talents, abilities and sense of character, and deep friendship that goes back to childhood.

We make friends in our lives through the various phases of our travels in this world, but there is no friendship that is more enduring or more deeply appreciated than one that begins in childhood and carries on through life. That does not happen often, but when it does it is a unique relationship.

The fact that Bud Nance and my great friend, JESSE HELMS, had this friendship at the young age of 4 or 5 years of age that lasted to Bud's passing says wonderful things about both of these individuals that they sustained that friendship over these many, many years.

For me personally, I say to the chairman, every day it was a pleasure to work with Admiral Nance. He was candid. He was straightforward. He always tried to do what he believed was in the best interest of our country. He was truly a patriot. That word too often is used to describe too many people, but in this case it happily applies to Bud Nance.

He was 77 years old and a veteran of several distinguished careers. And he was tapped by Senator HELMS to take over the helm of the committee. Of course, he had a wonderful and distinguished career in the Navy, as was noted by the Senator, and others. He grew up in North Carolina, attended North Carolina State, enrolled in the U.S. Naval Academy, U.S. Naval War College, and specialized in world governments and strategic planning. He earned a master's degree at George Washington University. He had many wonderful accomplishments. But the most important quality of all was he was just a wonderful human being, and all of our lives are enriched because he was a part of our lives. We are going to miss him.

The PRESIDING OFFICER. The Chair recognizes the majority leader.

Mr. LOTT. Mr. President, I thank the Senator from Connecticut for his very kind and heartfelt comments. I know Senator HELMS appreciates it very much also.

In case it hasn't been announced, I want all Senators to be aware that Admiral Nance's graveside services will be at Arlington National Cemetery at 11 a.m. on Wednesday, tomorrow. For any Senators who would like to be there and participate, I am sure it will be a beautiful and appropriate ceremony.

I served 4 years as a staff member on the House side, working for the chairman of the Rules Committee. Now I have served 26 years in the House and the Senate. I have a very enduring appreciation for the importance and the loyalty, the dedication and the fine service that we receive from our staffs, both in this Chamber, in our committee work, and on our personal staffs.

Admiral Nance was one of those unique staff members, though, who had a very close personal relationship, beyond a normal staff relationship, with the chairman of the committee, but also with a lot of Senators. When I first came to the Senate, I found myself more than once back in the back room seeking the advice and counsel of Admiral Nance, and he always took the time to try to explain the situation and try to make clear what was in the country's best national interests. And so I feel a personal sense of loss.

When you go through life and then you sort of get to the end of your road and you look back, I think there are really at least three things you hope for: a good name, good friends, and, hopefully, a little good fortune. But very important on that list is good friends.

I have had the privilege of having some great friends, going back to my childhood days at Duck Hill, MS, people I still stay in touch with from high school and college years. We still get together. In less than 2 weeks, we are all going to be together at the marriage of my daughter. My friends from high school and college will be there. I know that when you are in the greatest need of comforting, the greatest need of counsel, there are few friends that you turn to.

So we have had this unique relationship with Rear Admiral James W. ''Bud'' Nance and our beloved chairman of the Foreign Relations Committee, the senior Senator from North California. He was born in Monroe, NC—most folks probably have never heard of it, or certainly have never been there—a small town, one block from the home of JESSE HELMS. I wonder how many blocks there are in Monroe—probably not many. But this son of the South from North Carolina went to the Naval Academy, a 1944 graduate. He was a gunnery officer on the U.S.S. *North Carolina* at Iwo Jima. He was a combat pilot in Korea and Vietnam. He was a test pilot. He was commander of the U.S.S. *Raleigh*, a cruiser, and commander of the U.S.S. *Forrestal*, one of our great carriers in history.

I had the pleasure one time of landing on the deck of that carrier. It was a tremendous experience. My attitude ever since has been: I have done that. I don't want to do it anymore.

To be commander of that great vessel is the height of success in many people's lives. But he went beyond that. He went on to be Deputy National Security Adviser in the Reagan administration. And then, of course, for the last 6 years, he was staff director of the Foreign Relations Committee.

His wife, Mary Lyda, and their two sons—I know Phil—are grateful to have had this man as husband and father. We all have been enriched and are better off because of his service to our country and to this institution and to his friend.

Bud Nance, sailor, public servant, patriot. God rest his soul.

I yield the floor, Mr. President.

The PRESIDING OFFICER. The Senator from Massachusetts is recognized.

Mr. KERRY. I thank the Chair.

Mr. President, with sadness but with great pride, I join my colleagues today to mark the passing of a remarkably patriotic and—I think everyone would agree—extraordinarily committed public servant.

Rear Admiral James ''Bud'' Nance devoted his entire life to serving his country, to public service. That was made up, as we have heard, of a remarkable 35 years in the U.S. Navy, 2 years as Deputy Assistant for National Security Affairs under President Reagan, and then, as we heard our colleagues recount today, great years of service here in the Senate, years where all of us know he didn't have to serve. He could have chosen any number of other courses for his life, but right up until the end, he stood watch.

He earned, as we have heard, two Distinguished Service Medals in all of the campaigns that were listed by my colleagues. One of the things for which I personally—and I am sure Senator MCCAIN will join me—express the greatest respect was his service as skipper, commander of the U.S.S. *Forrestal*, which our colleague, Senator MCCAIN, has very close ties to. I served one of my tours of duty in Vietnam at the Gulf of Tonkin, as we did a lot of search and rescue work with pilots and occasionally were doing guard duty right behind the carrier, so I became intimately familiar with carrier operations.

I think anybody who has ever been on a carrier, those 5,000-person floating cities, understands the extraordinary leadership skills that are necessary to keep everybody in those close quarters working at the pace they work under—the intense, stressful combat situation in which they work. It is a remarkable tribute to this man that he rose to that level and, indeed, performed those responsibilities with such distinction.

I first met him, obviously, when he came here, in 1991, and he became the Republican staff director for the Senate Foreign Relations Committee. Believe me, it became evident very quickly how fast he was going to be sort of the glue that helped to bring people together and keep them together. Everybody here will remember the great smile, the constant twinkle in his eye, and the wonderful kind of calm that he had about him. Literally, I think 5 days or 6 days before he passed away, clearly without any inkling on our part that that might happen so suddenly, we were down in Senate Foreign Relations room 116 dealing with a number of issues. I went over to sit beside him and seek his counsel on something. As was his manner, he sort of patted me on the knee in a calm way and said: I think we can take care of that; we can take care of that.

That is the way he worked. He enjoyed the give and take. He loved the responsibility. He loved the Senate. And most of all, he clearly loved his country which he served so diligently.

Not only did he have the confidence and friendship—a very, very special friendship—with Senator HELMS, but he also approached the job with pure professionalism, with fierce determination, and great skill. Surely he was always committed to advancing the values and belief system—such a strong value system and belief system—of Senator HELMS. Their priorities were the same. But he also was every bit as committed to working out even the most contentious issues on a bipartisan basis.

I consider myself privileged to have worked very closely with Admiral Nance when Senator HELMS was a member of the Senate POW–MIA committee, which I then chaired. I will always be grateful to him for his very steady support during that difficult and highly emotional time. He understood the importance of dealing with that issue head-on, regardless of partisanship or political consideration, and understood as well as anybody, because of his years of service, the need to begin to heal the wounds of war that still divided this country.

His participation with Senator HELMS and the work of that committee was a great service to this country. The admiral and I also worked closely together during the 6 years that I was privileged to have the responsibility as chairman, and then ranking member, of the International Operations Subcommittee for the State Department authorization bill. I know that Bud Nance believed it was more than just another bill. To him, it was a reflection of our priorities in a global strategic sense, which he understood so well. So it wasn't just a substantive issue to him; it was also an institutional issue, and he cared about that. He cared about the Senate prerogatives, he cared about the committee priorities and prerogatives, and he shared that concern with all of us.

Although we found much to agree on, we obviously sometimes disagreed. But, boy, I can tell you it was never with anything except the deepest sense of respect and understanding for the substance of another person's position.

Even throughout those disagreements, I always knew I could talk to Bud Nance and he was going to give me a fair hearing, and, working with Senator HELMS, he was going to do his best to resolve those differences.

We all know the degree to which Bud Nance was a devoted public servant. But of greater meaning and of greater consequence to him, surely, Bud Nance was a devoted husband and father. We have heard others talk of the wonderful marriage that he had to Mary Lyda for 53 years. Together they had four children. I simply want to take this opportunity to extend my condolences to them and to their families for their loss.

It is also very hard to think about Bud Nance without obviously thinking about the special relationship he had with his closest friend and our colleague, Senator HELMS. I will always fondly remember the many stories that Senator HELMS shared with us in the Foreign Relations Committee and here on the floor about two young tykes growing up within streets of each other and spending literally their lives together, even when they weren't together. No one could ever doubt the strength of the bond between them or the personal loyalty they felt toward one another over so many years. This was really a rare friendship. That it has a marvelous endurance is a tribute to both Bud Nance and JESSE HELMS, not just as public servants or as partners in a public endeavor, but as private people, as human beings.

Modern politics is not kind to personal lives, to private lives. It is sometimes easy to lose sight of the importance of those friendships in this city, and that is why I think it is so important, in part, to recognize the full measure of the friendship they shared.

I don't remember all of the words, but there is a wonderful poem by William Butler Yates that speaks about the glory man shares here on Earth, but in the end he calls on us to hope that every individual would say: And so my glory was I had such friends. Really, that is glory in itself, that he had a friend like Bud Nance.

Mr. President, this is a city marked by transients. People come and people go. But Adm. Bud Nance was forever proud that his service here was, in many ways, neither ephemeral or transient. It was a tireless service to the country, the Senate, stellar leadership in the Senate Foreign Relations Committee, and lifelong devotion to country. It defines patriotism. He will be greatly missed, but he will also be remembered very fondly by all of us who knew him and remembered him as a good man who made no secret of his love of family, love of friends, and love of country. He epitomized the best of what can come from our Nation's capital and from the country itself, as well as the best of what our foreign policy can be. We will miss him today, but so much more so, we honor his legacy and his memory.

Mr. HELMS addressed the Chair.

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

Mr. HELMS. Mr. President, I thank the Senator. I am touched by all of these remarks. I hope the Chair will recognize Senator MCCAIN next. But before he does, I want to make a point that Bud Nance said many times how much he admired Senator MCCAIN's father. With that, I hope the Chair will recognize Senator MCCAIN.

The PRESIDING OFFICER. The Senator from Arizona is recognized.

Mr. MCCAIN. Mr. President, I thank my dear friend from North Carolina for the love and friendship he bestowed on Bud Nance for many, many years. It is a rare thing—the relationship that existed between my dear friend from North Carolina and Adm. Bud Nance. It was a relationship characterized by mutual respect, political courage, and love and affection, which is, as the previous speaker mentioned, somewhat rare in this town—although not as rare as some would think.

Bud Nance was not only a friend of my father's, he also served under my grandfather in World War II. Mr. President, there is a book that has been No. 1 on the best seller list for a long time. The title of that book is ''The Greatest Generation,'' written by Tom Brokaw, a man known to all of us. It is one of the more moving books I have read in a long time. It chronicles the personal experiences of those of the generation that fought and won World War II and, indeed, did make the world safe for democracy. It contains very moving stories. The impact of those stories gives us a renewed and indeed, perhaps, an unappreciated recognition of the service and sacrifice of that generation, what they went through, what they achieved, and the reality that they really did make not only the world safe for democracy, but make it possible for future generations to live much better lives in a broad variety of ways.

Bud Nance was of the greatest generation and he was one of the greatest Americans to serve in the greatest generation. In fact, his service spanned three wars, and in all of them he served with distinction and courage.

I believe that Bud Nance epitomized in the Senate all the best we see in people who serve the Nation. Unfailingly courteous, always considerate to others, he took into consideration with equal weight and gravity the views of those on the other side of the aisle. And although perhaps in disagreement, he always treated those views with the respect and consideration they deserved.

Obviously, as has been mentioned, the relationship between the two men was remarkable and unusual. But it was also remarkable and unusual that, in all the years that I saw Bud Nance here, never once did I see him lose patience with anyone. His courtesy was unfailing, and, frankly, he represented what we know of as the greatest generation in more ways than just having served in combat and risked his life for his country in three wars.

Mr. President, when I think of Bud Nance, as I always have, as we not only mourn his passing but celebrate his life, I could not help but be reminded of what is one of my favorite poems, written by Robert Louis Stevenson, who also had an incredibly unusual life of adventure, with great and vast experiences and great contributions. Robert Louis Stevenson wrote a poem that he wrote for his own epitaph called ''Requiem,'' which I believe also fits our dear friend, Bud Nance.

The poem is a very simple one:

Under the wide and starry sky.
Dig the grave and let me lie.
Glad did I live and gladly die.
And I laid me down with a will.

This be the verse you gave for me:
Here he lies where he longed to be;
Home is a sailor, home from the sea.
And the hunter home from the hill.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Chair recognizes the Senator from Minnesota.

Mr. WELLSTONE. Mr. President, I say to my colleague from North Carolina, I was thinking to myself that one of the things that rarely gets written about regarding politics, and it is almost the thing I have enjoyed the most about being a Senator, is the kind of friendships that develop here.

Senator HELMS and I are not exactly in agreement on most issues, and Admiral Nance and I weren't in agreement on most issues, but I tell you something, I came to love that man and I will never forget him. I agree with what everybody has said about his impact on the Senate.

I think it started a couple of years ago; I would be walking with a bad knee and Bud would ask me how I was doing. We would start talking, and then we would talk more. It came to the point, Senator HELMS, where I just decided—I never had a chance to know the admiral in the same way Senator HELMS knew him as a dear friend, or the way some of my other colleagues have known him over the years—I just reached the conclusion that this was a man I really believed in. I hope and pray he felt the same way about me.

I think he represented the very best of treating people well, the best of being willing to stand up for what you believe in, the best of patriotism, the best of public service. As far as I am concerned, there are certain people you meet whom you never forget. They are with you for the rest of your life. I celebrate this man's life. In all the work I will get a chance to do as a Senator or as a teacher, or whatever I do, I will

always try—I will never succeed—to live up to Bud's example.

Mr. MOYNIHAN. Mr. President, I rise to pay tribute to Rear Admiral James W. Nance, a gentleman and a patriot. I will leave it to others to talk about Bud's accomplishments in the Navy, at the White House, in the private sector and in academia, and here in the Senate. They are legion. I wish to highlight the central role he played in assisting the Commission on Protecting and Reducing Government Secrecy, which I chaired. Senator HELMS was a Commission Member. Bud understood the importance of keeping some secrets. But he also understood that excessive secrecy is a mode of regulation. The most pernicious mode, really, since we don't know what we don't know. It is a fitting tribute to Bud, his wisdom, and his talents that the Commission unanimously issued its report containing recommendations for protecting and reducing government secrecy.

Bud battled his illness gallantly, which is no surprise. His death from that illness is no surprise, either, but it hurts nonetheless. We who were privileged to know Bud will miss him. The country will miss him.

He and I were frequent correspondents. His last letter to me, from last October, is characteristics. He wrote,

> As I mentioned in a discussion we had several months ago, I have myelodysplasia, or smoldering leukemia. I have had all the experimental treatments they do out at NIH without success. At present, I am living on transfusions. This problem does not worry me in the slightest because I have had 77 wonderful years and have had the privilege of knowing some of the great people of my time.

Not the slightest tinge of self-pity, remorse, regret, or bitterness. He was confident in his faith and comfortable in his accomplishments. Rather, he was concerned about the imminent dangers our country faced in the Balkans and elsewhere:

> What does bother me, Senator, is I am extremely worried about our country. In 1939, I did not register for the draft for World War II. The reason I did not register was because they already had me . . . Everywhere we look around the world things are bad—Bosnia, Kosovo, Iraq, India/Pakistan (nuclear testing), North Korea, Latin America is stewing in drugs, et. al. We should remember what Charles DeGaulle said, ''There are no friends in international politics.'' We have countries that respect us; countries that fear us; and countries that hold us in contempt. I see too many cases where we are held in contempt. We have to do better internationally.

Bud wrote to me, with his characteristic modesty, ''In the roughly 60 years that I have been with the government in both the executive and legislative branches I have always tried to make our country a little safer and a little better.'' This, rhetoricians will tell you, is understatement. If I may paraphrase General Robert E. Lee, Bud did his duty in all things. He could not do more. And it's obvious he never wished to do less.

The PRESIDING OFFICER. The Chair recognizes the Senator from North Carolina, Mr. EDWARDS.

Mr. EDWARDS. Thank you, Senator HELMS, for allowing me to speak today in a tribute to an extraordinary North Carolinian, Adm. Bud Nance.

I found Senator MCCAIN's poem very moving and very touching. I know Bud Nance was an extraordinary friend to my senior Senator, who has been an extraordinary friend to me since I have been here in the Senate. They grew up together. I think they were born a couple of blocks away from each other, over in Monroe, NC, and even a couple of months apart, if I am not mistaken.

The things that Bud Nance did with his life are the things we would strive for all of our children to do. He spent his life in service of this country. Having attended the Naval Academy, having gone on to rise to prominence as an admiral in the Navy, having served on the U.S.S. *North Carolina*, and then, after retirement, when most people would go on to spend time with their family and children, he went to his second career, which was working for his great lifelong friend, Senator HELMS, on the Foreign Relations Committee.

While I did not know Bud Nance intimately the way the Senators who have spoken knew him, I have to say, whenever I went to Senator HELMS for advice—which seemed to be often—on issues of foreign relations, the very first thing he would say to me is, you need to talk to Bud Nance. I know how much he relied and depended on Bud Nance.

I might add, aside from the fact that I am so proud of Bud Nance as a North Carolinian, I have another connection with him, which is that my father-in-law, Vince Anania, who was a captain in the Navy, went to the Naval Academy and was a classmate of Bud Nance at the Naval Academy. My father-in-law was a career naval aviator, a man for whom I have great love, admiration, and respect, and he held Bud Nance in enormous esteem and friendship, having gone to school with him, having known him over the years.

I have to say, this man's career speaks for itself. The fact that he is held in such high esteem by Capt. Vince Anania, whom I love, admire and respect, just about says it all. I think this man was an extraordinary man who gave extraordinary service to his country. We have lost a great American.

I yield the floor.

The PRESIDING OFFICER. The Chair recognizes the senior Senator from North Carolina.

Mr. HELMS. I ask unanimous consent that any further remarks by other Senators today or subsequent to today relative to Bud Nance be printed in tandem with the remarks that will already appear.

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

The PRESIDING OFFICER. The Chair recognizes the Senator from Nebraska.

Mr. HAGEL. Mr. President, to my friend and distinguished colleague, the senior Senator from North Carolina, chairman of the Senate Foreign Relations Committee, I offer my sympathy, my condolences. I have expressed those sentiments to Senator HELMS in writing and face-to-face.

I have heard the eloquence of many of my colleagues here this morning, expressing themselves about how they feel about a very special American. The only weakness that has been presented here is that most of them have been Navy. Having been an Army sergeant in Vietnam in 1968, I, too, have some sense of appreciation for a Navy admiral. Of course, when I was in Vietnam as an Army sergeant, I didn't know any admirals, but I got to know this admiral rather well.

I wish to share a quick story that the Senator from North Carolina may not know about Bud Nance. Two weeks after I was elected to the Senate from Nebraska in 1996, I received a call from Admiral Nance. It had gotten around back here that I was interested in serving on the Senate Foreign Affairs Committee. Admiral Nance first congratulated me on my victory and then said the Senate Foreign Affairs Committee would be willing to even take an Army veteran—if it came to that—but wanted me to know that he was at my disposal to help me and assist me in any way with the staff that I was assembling, whether I joined the Senate Foreign Affairs Committee or not.

We had a long talk—as I recall about 45 minutes—about our country, about service to our country, military, foreign relations. After that 45-minute conversation, I walked out of my office in Omaha and said to the person who is now my chief of staff: I am going to seek a seat on the Senate Foreign Affairs Committee if for no other reason than Bud Nance.

Bud Nance and I talked about that occasionally, and that relationship built. For me, it was a very important part of my service on the Senate Foreign Affairs Committee and in this body.

I recall 4 months into my first year in the Senate at a hearing Senator HELMS was presiding over—and I know this will come as a surprise to some Members on the floor—one of our colleagues had an awful lot to say that day and was not inhibited by time or bashful about how much he wished to contribute on this particular subject. As one of our colleagues went on and on and on, Admiral Nance leaned forward and said, ''Senator,'' and I turned and I said, ''Yes, Admiral Nance.'' He said, ''I want you to observe something.'' He smiled and winked and

looked down and then said, ''Senator, remember, you need not be eternal to be immortal.''

I don't think that was an original, but it was at that time effective and framed the issue in rather simple Bud Nance eloquence that the Senator has come to know for so many years.

Of course we will all miss him; not only for what he represented—and maybe, more than anything, what he represented was a role model. Each of us who has the privilege of serving our country should always understand that the greatest responsibility we have is to be as good a role model as we possibly can. For his staff, as you know so well, Mr. Chairman, you who loved this man, who adored this man—not because he was a friendly man, but he guided them and he helped them; he was tough when he needed to be tough—for all those staff members who served with Admiral Nance, I wish to say thank you on their behalf, since they do not have the privilege of being on the floor of the Senate this morning, acknowledging his service. And on behalf of this Army veteran, very junior Senator, I wish to thank Admiral Nance. For you, Bud Nance, wherever you are: We will miss you, Admiral.

I yield the floor.

The PRESIDING OFFICER. The Chair recognizes the Senator from North Carolina.

Mr. HELMS. Mr. President, I think I have never heard such eloquence in my 27 years in the Senate. It was a glory to me just to sit here and hear the evaluations of a man whom I have known and loved all my life.

Mr. DORGAN. Mr. President, I wanted to just add a note of sympathy and condolence, but also, on this day, a note of admiration for Admiral Nance's public service. As I said one day on the floor when we were talking about the late Scott Bates, there are many people who serve this country, and work in this Senate especially, who do so in ways that are not obvious to people on the outside, but in ways that are critically important to the workings of the Senate and the construction of good public policy in America.

I did not know Admiral Nance well. I knew him to see him. I, on several occasions, approached him with some questions about policy issues that I knew the committee was working on, that I knew he was involved in with Senator HELMS. On each occasion, he answered my queries with patience and with a great deal of understanding. I walked away thinking to myself, this is a person who really knows these issues, both from experience and just a general knowledge from a wide range of interests and issues. It reminded me again, then, with him, as it has with so many others, of the wonderful service given the Senate by so many people on our staffs. But he was different. He was by all accounts, of all those who had many more dealings with him than I had, a person who brought to this Senate a very substantial background and a very special kind of knowledge about these issues in foreign affairs.

So I want to add my voice today to the expressions of gratitude for his public service. Yes, condolence over his passing and sympathy to his family and loved ones, but especially, at the same time, to say thank you to Admiral Nance for lending himself in service to his country in such a noble way and especially thank you to him for being of service to his country here in the Senate with Senator HELMS for so many years.

I yield the floor.

Mr. GRAMS. Mr. President, I take this opportunity to join many of my colleagues this morning in saying just how grateful I am that I had the chance to work with ''the Admiral.'' When I call Bud Nance ''the Admiral,'' I do so on purpose, because when a Senator referred to ''the Admiral,'' of course you never had to question which one. We all knew that Member was talking about—of course, Admiral Nance.

The Admiral was a great man, a true American hero. He survived over 150 Japanese suicide bomber attacks during World War II. He became a Navy test pilot, which was dangerous work. In one of the 10-men units in which he served, five pilots died in crashes. So we know he was not only brave but also blessed.

Later he commanded the aircraft carrier U.S.S. *Forrestal* and served as deputy assistant to the President for national security affairs under Ronald Reagan.

Chairman HELMS and the Senate Foreign Relations Committee benefited from his intense patriotism and vast experience. We are all very lucky that he was willing to serve his country in this way, continuing his lifelong commitment to the defense of our Nation's interests.

Let me say something else about the Admiral. He was a modest man, a very simple man, and he certainly would not want all of this fuss about his accomplishments over a very long life. But Admiral Nance was a Navy man and, of course, loved to tell stories. In his memory, I want to relate an anecdote about the Admiral which reflects his straightforward nature and, above all, his sense of humor.

This happened before my time in the Senate, but it is one of those stories that gets repeated by members of the Foreign Relations Committee. I share it with everyone today because if any of you did not have the pleasure of knowing Bud Nance, you will have a better understanding of why he was so beloved by everybody with whom he worked.

It occurred in the summer of 1992 when Admiral Nance was the minority staff director of the Foreign Relations Committee and he had requested a document from AID on funds for Nicaragua. The answer the Admiral got from AID was not in English with dollar amounts, but rather it came in Spanish with amounts in cordobas.

So the Admiral wrote back to AID saying he had three staff members who were Spanish speakers, but they were all busy, and since English was obviously not AID's official language, he wanted all communication from AID to the committee to be either in Russian or Hebrew during the month of August. But—here is the real kicker—the Admiral sent his response to AID through the proper channels on Foreign Relations Committee stationery, it was all very proper and official looking, except for one thing: He had a member of his staff draft it up in Hebrew. And that is the truth. I have a copy of the letter right here.

By the way, the only bit of English was, of course, his signature at the bottom of the letter: ''James W. Nance.'' According to the Admiral, he never heard back from AID on that matter, but he never received another foreign-language document without a translation as well.

So again, Mr. President, this is not just a time to mourn our loss, but I believe very strongly it is a time to celebrate the Admiral's life. He will be missed, but he will not be forgotten.

Thank you very much, Mr. President.

I yield the floor.

The PRESIDING OFFICER. The Chair recognizes the Senator from California.

Mrs. BOXER. Thank you very much, Mr. President.

I associate myself with the remarks that have been made all morning concerning the passing of Admiral Nance, and what a gentleman he was, and what a difficult thing it is for Senator HELMS to lose a friend he has had since childhood.

Mr. MCCONNELL. Mr. President, in 1941, Monroe, North Carolina, lost Bud Nance, a favorite home grown boy, who traveled north to the U.S. Naval Academy. Last week, we all suffered the loss of Admiral Nance to a different journey. He passed away after a life time of dedicated and successful service to his country. But, what most of us will recall beyond his distinguished record and credentials is the support and friendship Bud offered many of us, especially to Senator HELMS.

Bud brought the quiet confidence and certain purpose he had gained from growing up in a close knit community to each challenge and task he faced. When he arrived to serve Senator HELMS as chief of staff of the Foreign Relations Committee there were no shortages to the variety and complexity of those challenges. But, Bud had a gift for dissecting and analyzing complicated issues—whether personnel

or policy—cutting with certainty to the heart of any matter, giving guidance then moving on to the next challenge. He saw each problem as an opportunity to support his friends and serve his country.

The many conversations I enjoyed with Bud flowed from our common reverence for the history and stories so familiar in the South. He represented the best of North Carolina traditions—he had that strong streak of country sense, yet was ever sentimental; his wisdom twinkled with humor. He brought these strengths to every discussion we had on a wide range of issues from arms control to foreign aid—he made a difference with Southern distinction.

Bud's loss will be felt most deeply by his life long and good friend, ''JESSE''. I thank him for sharing Bud with us for the past 8 years. The Senate and its Members are the richer for his contribution and service.

Mr. DASCHLE. Mr. President, I join my colleagues in saying how much this Senate, and this nation, will miss Bud Nance. I want, as well, to offer my condolences to Admiral Nance's family, to Senator HELMS on the loss of his childhood friend and staff member, and to Admiral Nance's colleagues at the Senate Foreign Relations Committee.

Other Senators on both sides of the aisle have spoken of Admiral Nance's distinguished careers—in the Navy, the White House, and here in the Senate. He was, as they have said, a war hero, and a true patriot. Senior Naval officer. Commander of U.S. forces in Europe. National security advisor to two Presidents. Chief of Staff to the Senate Foreign Relations Committee.

Senator HELMS is his dearest and oldest friend in the Senate. But Admiral Nance leaves many friends here—on both sides of the aisle. He was a good and decent man. A man of great accomplishment and true humility. He was also a man of integrity. You knew, whenever you dealt with Admiral Nance, that you were dealing with a fair and open man. You knew if Bud Nance made a commitment, it would be kept. His word was his bond.

He was also an tireless worker. Most mornings, he arrived at the Capitol at 7 o'clock. He was still at his desk late into most nights. I don't know whether his work ethic was formed in the Navy, or earlier in life, but it was remarkable. And it never wavered, even during his last great battle with sickness and pain. Admiral Nance was a steady hand on the foreign relations Senate ship, just as he was in his command of the aircraft carrier *Forrestal*. He displayed courage and grace in his fight against illness.

The Senate is served every day by men and women of great dedication, commitment and industry who believe in the American system of government. Even among these exceptional people, Admiral Nance stood out. He will be missed. Our thoughts and prayers go out to his wife, Mary Lyda Faulk; their children, James Lee Nance, Mary Catherine Worth, Andrew Monroe Nance and Susan Elizabeth Nance, and their many grandchildren.

Mr. ASHCROFT. Mr. President, I rise today to join every member of this body in mourning the loss of Admiral James W. ''Bud'' Nance. His loss is felt especially among those Members and staff who worked closely with the Admiral on the Foreign Relations Committee. He is survived by his wife of 53 years, four children, and seven grandchildren.

The much-celebrated friendship between Admiral Nance and Senator JESSE HELMS set the tone for the work of the Foreign Relations Committee. Few committee chairmen have known their staff directors since first grade. The level of trust between those two elevated the work of the Committee to a distinct level.

Born in 1921 in Monroe, North Carolina, Admiral Nance went on to graduate from the Naval Academy, fight in World War II, and serve 35 years in the U.S. Navy. That was all before he began his second career after 1979 in the Legislative and Executive branches of Government. In the Navy, the Admiral was a first rate aviator, involved in some of the more dangerous testing and developing programs for naval fighters. He served as Commanding Officer of the Attack Carrier Air Wing Eight aboard the U.S.S. *Forrestal* and later became the Commanding Officer of that aircraft carrier—a ship that had more sailors (5,000) than his hometown of Monroe, North Carolina.

The Admiral concluded his naval career as Assistant Vice Chief of Naval Operations and Director of Naval Administration. He went on to serve as a staff member of the Senate Foreign Relations Committee in 1979–80 and Deputy Assistant for National Security Affairs under President Reagan. In that capacity, he was responsible for managing the entire staff of the National Security Council at the White House.

Admiral Nance returned specifically to naval aviation by running Boeing's Navy Systems program from 1983 to 1990. In 1991, he returned to the Foreign Relations Committee as Deputy Staff Director for the Minority and has served the last four years as Majority Staff Director for the Committee.

The Admiral's commitment to service can be seen throughout his life, and that was certainly the case in the four years that I worked with him as a Member of the Foreign Relations Committee. In assuming the position of Staff Director, Admiral Nance told Senator HELMS he viewed the job as a service to his country and wanted no compensation. Senate rules required some level of compensation to be an official Senate employee, however, so Admiral Nance began his tenure with the exorbitant income of $3.36 a week. When Congress became bound by the laws of the land, Senator HELMS was forced to raise Admiral Nance's salary to minimum wage.

We smile as we reflect on the Admiral's paltry salary, but what a selfless display of service that was to his country and this body. Earning the minimum wage was not a publicity stunt. Admiral Nance operated behind the scenes almost entirely. This man was truly motivated by gratitude to the United States.

Admiral Nance was a dedicated conservative, and his conservatism was rooted in respect for his fellow man and an unshakeable commitment to the best interests of his country. His partisanship was good-humored and balanced. The Admiral had a verse displayed prominently in his office from Ecclesiastes which read ''The heart of the wise inclines to the right, but the heart of the fool to the left.'' Whether as a formidable opponent or valued ally in the work of the Senate, Admiral Nance respected—and won the respect of—all members of the Foreign Relations Committee.

This man was a warrior his entire life, placing himself in harm's way for the good of his country. He died as he lived—he fought to the very end. Many Members of this body probably are not aware of the health difficulties he struggled with during his entire tenure as Staff Director of the Foreign Relations Committee. It would have been easy to walk away. There was a reason he stayed, though.

Admiral Nance was a true American. His life was a testament to the ideals which have made this country great. He believed in the United States of America. He believed in prudent and decisive American leadership in the world. He believed in what this country stood for and what it could accomplish.

As we reflect on his life in the coming days, may each of us gain a renewed sense of commitment to preserve the blessings of freedom which the Admiral defended. My sympathies are with the Admiral's wife Mary Lyda and their children. Mr. President, I yield the floor.

Mr. COVERDELL. Mr. President, I rise today to honor a great man and a great American who passed away last week. I had the privilege of working with and knowing Admiral James 'Bud' Nance. His passing was a great loss for me personally, for the Senate, and most importantly, for our country.

In both his long and distinguished naval career and his work directing the activities of the Foreign Relations Committee, Bud set the highest standard in his selfless commitment to country and his loyalty to friends. His commanding presence, his decorum in all that he did, and his model of sacrifice and service is an inspiration for all who knew him.

While we are saddened by his passing, we rejoice in his memory and in the legacy of loyalty and service he left behind. Chairman HELMS, my sympathy and condolences to you in the loss of this great friend. Our prayers and thoughts are also with the Admiral's wife and children.

Mr. President, I would like to conclude these brief remarks with a poem by Ralph Waldo Emerson, titled ''Great Men.'' It captures, far better than I could in my own words, Bud's commitment and service to this country.

Not gold, but only man can make
A people great and strong;
Men who, for truth and honor's sake
Stand fast and suffer long.

Brave men who work while others sleep,
Who dare while others fly—
They build a nation's pillars deep
And lift them to the sky.

Bud Nance was once of these great men who helped build our nation's pillars deep and lift them to the sky.

Mrs. BOXER. Mr. President, I join my colleagues and the entire Senate family in honoring the life and memory of Admiral James Nance, the former majority staff director for the Senate Foreign Relations Committee. My deepest sympathies go out to Bud's wife, Mary, and to his four children and seven grandchildren.

I also want to express to my Chairman, Senator HELMS, my sincerest condolences on the loss of his lifelong friend. He and Bud Nance, born just a few months apart, grew up a mere three blocks from each other in Monroe, North Carolina.

Bud Nance joined the Navy in 1941 and retired 38 years later as a rear admiral. He served this nation in active duty in three wars. During his service in World War II, he survived 162 Japanese air and kamikaze attacks. Over the course of his career, he served as a Navy test pilot, led an attack squadron and an air wing, and commanded the U.S.S. *Raleigh* and the aircraft carrier, *Forrestal*. After leaving the military in 1979, Admiral Nance served as assistant national security adviser until he joined the private sector as head of naval systems for Boeing.

In 1991, Senator HELMS asked his old friend to bring his military knowledge and experience in world affairs to the Senate Foreign Relations Committee. Admiral Nance refused to take a salary and received only the minimum compensation allowed under federal law—$153 per year.

Bud Nance will be remembered in this body as a gracious and kind gentleman. When I joined the Foreign Relations Committee this year, Bud called to welcome me and my staff to the Committee. It was typical of Bud's courtesy and good manners.

Mr. President, in Bud Nance the Senate has lost a loyal public servant and the nation has lost a true patriot.

Mrs. FEINSTEIN. Mr. President, I would like to add my voice to those of my colleagues who have risen today to talk about the remarkable service given this body, and our nation, by Admiral James W. Nance, majority staff director of the Foreign Relations Committee.

Although I am no longer on the Committee, I had the honor and pleasure of serving as a member of that Committee in the 105th Congress, and to come to know and admire ''The Admiral.''

In many ways, Admiral Nance was the living embodiment of what Tom Brokaw, in his recent book, has called ''The Greatest Generation.'' He had a distinguished career in the Navy, serving in combat in World War II, as a test pilot, and later as commander of the aircraft carrier U.S.S. *Forrestal*.

Following his Naval career, he served as deputy assistant to the President for National Security Affairs in the Reagan administration, and then joined his boyhood friend, the distinguished Senator from North Carolina, in offering his service, and his expertise, to the U.S. Senate as staff director for the Foreign Relations Committee.

His kindness to me—as a junior member of the minority party—in getting to know the ins and outs of the Committee was always appreciated, and his sage council and advice were always a welcome addition to the Committee's consideration of a range of pressing national security issues.

The Admiral will be sorely missed—but I join my colleagues in celebrating his life of service to the United States.

Mr. HELMS. 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. GRASSLEY. 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. GRASSLEY. I ask unanimous consent to speak for 5 minutes.

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

OLDER AMERICANS MONTH

Mr. GRASSLEY. Mr. President, May happens to be Older Americans Month. I believe we should honor older Americans through this month, not only because my State of Iowa has many fine senior citizens whom I am very willing and happy to talk about because of their contributions to our State and our society, but also because I am chairman of the Aging Committee.

It may be human nature to overlook the hardships of previous generations. We do not think about suffering that we do not have to endure, and that is the way it should be. That is the way we hope it is and it is the hope of American innovators who work to ease the misfortunes for our children and grandchildren.

One of those innovators is a 101-year-old woman from Sioux City, IA. Louise Humphrey was a leading light in the battle against polio, one of the most terrifying illnesses of our century. Because of her work and the work of others devoted to finding a cure, polio is almost nonexistent in our country.

It is hard for anyone who did not live through the forties and fifties to understand fully the fear and hysteria which accompanied the polio epidemic during any particular summer. The disease was highly contagious and sometimes fatal. It attacked the lungs and limbs. It immobilized its victims. It made them struggle for breath and often forced them to breathe through mechanical iron lungs. Parents would not allow their children to go swimming or to drink out of public fountains for fear of contagion.

Those children fortunate enough to escape the illness saw their classmates return to school in the fall in leg braces and watched newsreels of people in iron lungs.

At the height of the epidemic in the 1940s and early 1950s, polio struck between 20,000 to 50,000 Americans each year. In 1 year, 1952, 58,000 people caught the disease. Most of these people were children.

Mrs. Humphrey of Sioux City became interested in polio before the height of the epidemic. In the 1930s, according to the Sioux City Journal, she saw firsthand the ravaging effects of polio after meeting a man who had been disabled by the disease.

She and her husband, the late J. Hubert Humphrey, a Sioux City dentist, became leaders in the fight against polio. They headed the Woodbury County chapter of the National Foundation for Infantile Paralysis. Mrs. Humphrey was elected State chairman of the women's division of that foundation.

The Humphreys raised thousands of dollars for equipment and therapy to battle the disease. They enlisted entertainers and circus performers in the cause, hosting these individuals at fundraising parties. Their guests included Bob Hope, clown Emmett Kelly, and even an elephant that loved ham sandwiches.

Their work contributed to a climate in which Jonas Salk developed the first polio vaccine. His vaccine, and another developed by Dr. Albert Sabin, soon became widely available. Thus, polio is virtually nonexistent in our country, although it remains a Third World threat.

Mrs. Humphrey has said she has no secret for living such a long life. She advises people to, in her words, ''just be happy and be well.'' She has never had an ache or pain. What she did have in abundance was empathy, kindness, generosity, and devotion. Because of

her contributions, millions of American children will live without a debilitating disease, polio.

On June 3, Mrs. Humphrey will be 102. In advance of her birthday, during Older Americans Month, I thank Mrs. Humphrey for helping to make our country strong. Mrs. Humphrey, with her clear vision and compassionate concern for America's children, perfectly illustrates the theme of Older Americans Month, which is: ''Honor the Past, Imagine the Future: Toward a Society for All Ages.''

I yield the floor.

The PRESIDING OFFICER. The Chair recognizes the Senator from Minnesota, Mr. GRAMS.

Mr. GRAMS. Mr. President, what business is before the Senate? Are we still in morning business?

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

Y2K ACT—MOTION TO PROCEED

The PRESIDING OFFICER. The Senate will now resume consideration of the motion to proceed to S. 96, which the clerk will report.

The assistant legislative clerk read as follows:

Motion to proceed to the consideration of S. 96, a bill to regulate commerce between and among the several States by providing for the orderly resolution of disputes arising out of computer-based problems related to processing data that includes a 2-digit expression of that year's date.

THE JUVENILE JUSTICE BILL

Mrs. BOXER. Mr. President, at the end of my remarks I am going to make a unanimous consent request—I see the Senator from Idaho is here; I want him to know that—that I be permitted to send an amendment to the desk regarding the age people have to be before they can buy a weapon or gain access to a weapon. But I will not do that now; I will wait until the end of my remarks, and then I will make that unanimous consent request. I wanted to make sure my colleagues knew I was going to do that.

I think it is really important, as we move forward on this juvenile justice bill, to debate all the issues surrounding juvenile justice as fully and as completely as we can. After all, there isn't a politician I know who does not say our future is our children. That is what our future is about. And as healthy as our children are, that is as healthy as our country will be. As stable as our children are, that is how stable our country will be. As productive as our children are, that is how productive our country will be.

As we all attempt in various capacities in our lives—as parents, and as grandparents—to ensure that our children understand that in a society that is worthy there should be as little violence as possible, if we can just transmit that to our children, this will be a better world.

In the course of the debate, we have talked about many areas in our society that need attention. There isn't one of us who could truly stand up here and say, well, I do everything I can; there is nothing wrong with me. And there is no industry that can stand up and say it. We all have to look inside ourselves to make sure our kids understand that violence is wrong, it is a black and white situation, and it isn't the way to resolve our problems, et cetera. So this debate surrounding this bill is very relevant to the lives of our people.

In my home State—and I have said this often on the floor, but it is worth repeating to some of my friends—the No. 1 cause of death among children happens to be gunshots. In other words, for children, from as soon as they are born to age 18, that is the No. 1 cause of death—that they are going to be killed by a gun.

Somebody could say, well, that is just the price you pay to live in America. That is ridiculous. That is ridiculous. In our Constitution we have the right to pursue happiness; we have the right to life, liberty, and the pursuit of happiness—life, liberty, and the pursuit of happiness. So when we see gunshots causing so much death and mutilation in our society, we have to take a look at, Where have we gone wrong? What is wrong? Can we do something?

We have taken a couple steps in this bill to try to fix this problem of guns, but we have a long way to go. I want to show a chart here which indicates why this is such an important issue in America.

In the 11 years of the Vietnam war, we lost 58,168 of our precious people, and this country—this country—was torn apart. Every one of those deaths was mourned by family and by the greater American family.

In the last 11 years, we have lost 396,572 people to guns.

Yes, it might be time to spend a few more days on this bill when you find yourself in this kind of situation. You cannot turn away from facts. You may want to turn away from facts, but you cannot turn away from facts.

As I look around and see these numbers and I see what is happening in the news—in the last few days we had about four or five other schoolkids who, it was found, thank goodness, were going to perpetrate a massacre with guns at their schools —something rings out in my mind, and that is, angry kids and guns do not mix. Angry people and guns do not mix.

It seems to me that since we know you have to be 18 years of age to buy wine, to buy beer, to buy cigarettes, you ought to have to be 18 years old before you can buy a gun.

Some people might say, well, haven't we fixed that? Well, for handguns, 21; that is, if you go to a dealer. I believe Senator ASHCROFT said you have to be 18 to buy a semiautomatic at a gun show. You have to be 18 if you go to a dealer to buy a long gun. But if you go to a gun show or you make a private purchase, you can be 14 to buy a rifle or a shotgun under Federal law. You could be 12. So I think it is time for us to look at what we are doing in this country.

Eighteen to buy cigarettes, 18 to buy beer or whiskey or wine, 18 to buy a semiautomatic handgun, 21 at a dealer. But you could buy these long guns. And we have juveniles going to unlicensed vendors at a gun show or at a flea market and buying a long gun in what we call private sales.

Now, I want to talk about what happened in the Colorado massacre, because one of the things people are saying is, well, many laws were broken there so we don't need any more laws. The truth is, the young woman who transferred those guns to the juveniles, because she said she didn't know they were going to use it for adverse purposes, broke no law. She broke no law. She was 18. She purchased, as I understand it, three weapons and gave them to these kids. She broke no law. She was 18. She gave three long guns to the shooters, legal under Federal law. It should not be. You should not be able to sell a gun to a juvenile, and you should not be able to give a gun to a juvenile unless you are the parent or the grandparent or the legal guardian.

I could see that. I have talked to my friend, PATRICK LEAHY, who told me he gave up a hunting rifle to his daughter when she was 15 or 16. That was his choice. So we have in our amendment the ability for a grandparent or a parent or a legal guardian to give such a gun, but not for a friend to run down to the store and get a gun and give it to you if you are 17 or you are 16 or you are 15. That shouldn't be appropriate.

So the amendment that I want to put forward here does not say a juvenile can't get a long gun from a parent, grandparent, or legal guardian. It would not make it illegal for that juvenile to possess a rifle or a shotgun or even to own such a gun, if a parent or a legal guardian gave it to them, or a grandparent. However, if it isn't a parent or a grandparent or a legal guardian, it would be illegal to give a juvenile a gun, any kind of gun, any kind of firearm.

My children would call this a no-brainer. It is pretty clear that we set age limits for all kinds of things, but not to own a firearm, unless it is a handgun and now a semiautomatic weapon. So there is a giant loophole.

As I understand it, all of these guns would be able to be bought by a juvenile under current law. What I want to do, Mr. President, is bring guns in line with cigarettes in terms of purchase.

I now ask unanimous consent that I may offer that amendment to S. 254 at this time.

The PRESIDING OFFICER. Is there objection?

Mr. CRAIG. Mr. President, reserving the right to object, we are in morning business. We are not on the bill. This afternoon it appears we would be back on the bill. At that time it would be appropriate to introduce that amendment. Therefore, I object.

The PRESIDING OFFICER. There is objection.

Mrs. BOXER. Mr. President, as the Senator knows, I asked unanimous consent to send this amendment to the desk now. I do not want people to be confused. In the Senate, you can send an amendment to the desk any time you want, if you ask unanimous consent and no one objects. The Senator from Idaho is objecting. He is not allowing me to send this amendment to the desk to get a vote on this amendment, to put this amendment at the desk, to put it in line, when all I am saying is you should be 18 before you can buy a firearm.

I just want to be clear, I am very disappointed that this unanimous consent request has been objected to. I will stay on the floor as long as it takes to offer this amendment, which merely says if you have to be 18 to buy cigarettes, you ought to be 18 to buy a weapon.

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

The Chair recognizes the Senator from Idaho.

Mr. CRAIG. Mr. President, how much time remains prior to adjournment for the Tuesday lunches under the unanimous consent?

The PRESIDING OFFICER. Six minutes remain.

Mr. CRAIG. And the 6 minutes is in place by unanimous consent, is it not?

The PRESIDING OFFICER. Yes, for discussion of S. 96.

Mr. CRAIG. Mr. President, I ask unanimous consent that I be allowed to proceed for 6 minutes as in morning business prior to adjournment for lunch.

The PRESIDING OFFICER. Without objection——

Mrs. BOXER. Reserving the right to object, I don't intend to object to my friend. I know that my friend objected to my laying down a new amendment. There were two amendments that already have been debated—the Kohl safety lock amendment and the Hatch-Feinstein gang amendment.

I am wondering if the Senator would object if I would ask unanimous consent that at 2:15 we resume consideration of the Kohl amendment No. 352, and that there be 5 minutes for debate, and that upon use or yielding back of the time, the Senate proceed to vote on or in relation to the amendment, and upon disposition of that, the Senate resume consideration of the Hatch-Feinstein amendment No. 353, that there be 5 minutes for debate and, upon the use or yielding back of time, the Senate proceed to vote in relation to the amendment with no intervening action, provided provisions of the previous unanimous consent remain in effect. Would the Senator allow me to offer that?

Mr. CRAIG. I would object, but I hope the Senator from California would not characterize that objection in the improper fashion. Both the chairman of the Judiciary Committee and the ranking member, who are managing this bill, are not on the floor. The Senator from California knows that the leadership at this moment, both her leader and my leader, are trying to craft a unanimous consent agreement to allow the Senator from California and others to offer appropriate amendments. I am in no way attempting to obstruct. I say that I believe her offering is inappropriate and out of context of the way the Senate operates. Certainly, she knows, as I do, that we work through our leaders, and we also work through the managers of the bill. I do not oppose her arguing her point before the Senate in the appropriate fashion, but I certainly would object to the context under which she has offered it.

Mrs. BOXER. Would the Senator yield for a brief comment on my part here?

Mr. CRAIG. Very brief, unless you object to my unanimous consent to complete the morning?

Mrs. BOXER. I do not object.

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

Mrs. BOXER. I want to make it clear to my friend, my purpose here, as a Senator from California who views this issue as one of the most important we will ever take up, is to move the bill along. That is why I offered to send my other amendment to the desk, to push forward these two amendments that have already been heard, so that we can move things along. But I appreciate the Senator has a different view.

Mr. CRAIG. I thank the Senator from California.

Mr. President, it is important that I characterize in the appropriate fashion an amendment that passed the Senate that the Senator from California voted for, I believe. That was the Ashcroft amendment on semiauto assault weapons for young juveniles. She is wrong that it was tied to 18. It is tied to the 21 age limit that is already current law, as it relates to handguns and other restricted weapons. I helped craft that law, along with Senator KOHL, several years ago, and it became law, and we are very proud of it.

She is absolutely right to be concerned about juveniles having guns. That is why we were very restrictive. Any juvenile who brings a gun to school is breaking the law. If it is a handgun and they are under 21 years of age, they have broken the law.

What we are saying is that on private property, on a ranch or a farm where they are out hunting varmints, or if they are en route to a registered shoot, if they have permission from their guardian, they fall outside the law—guardian or parent. So what the Senator from California was talking about in her proposed amendment is, in part, not unlike what is in current law in many respects.

It is true what she has said about long guns after 18 years of age. No question about it. But it is not true of the semiauto assault weapons, if you include the Ashcroft amendment that passed the Senate and is now incorporated into the juvenile justice bill.

Mr. President, in the juvenile justice bill, as it relates to guns, we have crafted a juvenile Brady provision, a very important part of the bill. We have dramatically restricted gun shows and demanded, if this becomes law, background checks. We have now, with Senator KOHL and Senator HATCH, crafted a trigger lock provision that I think is an important piece of language and ought to become law.

As I have just said, we have prohibited juveniles from owning semiauto assault weapons with extended loading devices. If we pass this bill, that becomes law.

Senator FEINSTEIN was able to pass an amendment that restricts certain importations of extended loading devices or clips. If we pass this bill, it becomes law.

But if this bill becomes simply a gun control measure and not an extensive juvenile crime provision, it will not become law. I hope the Senator from California and others know that, that we ought to work cooperatively together to pass a much broader law and language to control violent juveniles and their actions than to play the politics of guns, because that is what we have heard for the last day on the floor, the last 3 days, is the politics of guns.

The Senator from California and I have voted for some new gun control measures. We believe those are extensive measures that craft a window and close the window that she and others were objecting to. But it is interesting that once we close a window, they redefine and create a new window and say, and now this and now this, and the goalposts constantly move.

Mr. President, if the goalposts are constantly moving, then there will be no juvenile crime bill because the other side will have killed it. I think it is tragic that, after two years in a bipartisan effort by the Senate Judiciary Committee to craft a much broader bill dealing with violent juveniles, we would see that prohibited by these actions. I hope we can get past that. I

hope this afternoon we can craft a unanimous consent agreement for both sides to offer some reasonable amendments and that we can see final passage of this bill.

Mrs. BOXER. Will the Senator yield to me?

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

Mrs. BOXER. Mr. President, I ask unanimous consent that the Senator be given an additional 2 minutes.

Mr. CRAIG. I object.

The PRESIDING OFFICER. Objection is heard. Under the previous order——

Mrs. BOXER. Mr. President, the Senator made a huge mistake in the analysis of the Ashcroft amendment.

I ask unanimous consent that I may have 30 seconds to set the record straight on the Ashcroft amendment.

Mr. CRAIG. I would allow that.

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

Mrs. BOXER. Mr. President, I am holding the Ashcroft amendment in my hand. It says:

For purposes of this subsection, the term ''juvenile'' means a person who is less than 18 years of age.

So the age was not raised to 21. There are some on this side who would do that. My amendment talks about all other guns. There is no age limit to go to a gun show. They can be 12 and buy a long gun, a shotgun or a rifle.

RECESS

The PRESIDING OFFICER. Under the previous order, the hour of 12:30 having arrived, the Senate now stands in recess until the hour of 2:15 p.m.

There being no objection, the Senate, at 12:31 p.m., recessed until 2:16 p.m.; whereupon, the Senate reassembled when called to order by the Presiding Officer (Mr. INHOFE).

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. THURMOND. Mr. President, I ask to speak in morning business for about 10 minutes

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

(The remarks of Mr. THURMOND pertaining to the introduction of S. 1064 are located in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. DORGAN. Mr. President, I ask unanimous consent to speak for 15 minutes in morning business.

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

WHO IS ACCOUNTABLE?

Mr. DORGAN. Mr. President, this morning I opened the Washington Post newspaper to the Metro Section and saw on page 1 of the Metro Section, a headline that says, ''Killer Sent To Wrong Prison After 2nd Murder.'' I want to describe this killer and I want to describe what has happened in the District of Columbia, because I have spoken about this case, I suppose, five or six times on the floor of the Senate over the last 4 or 5 years.

First, let me tell you about the man they are talking about, the killer. His name is Leo Gonzales Wright. On June 10, 1974, he committed a rape and committed a burglary. On June 18, 1976, armed robbery; shot a store owner during an armed robbery. February 1, 1976, robbery and murder of a cab driver, Joseph Woodbury. Apprehended, incarcerated, pled guilty to second degree murder and armed robbery. Released on parole some 17 years later. Arrested for cocaine in the District of Columbia. Indictment in a drug case, arraigned on the drug charge, failed to report for drug testing. Failed to report for drug testing. Carjacking and armed robbery of Kristina Keyes. Failed to report for drug testing. Carjacking and murder of Bettina Pruckmayr.

Who is Bettina Pruckmayr? She was a young, 26-year-old human rights lawyer. You can't see this picture much. She had just graduated from Georgetown, a young woman who one evening was getting into her car and this Leo Gonzales Wright abducts here, forces her to drive to an ATM machine, and gets her ATM code. She cooperates in every way: gives him the PIN number for the ATM machine, says, ''I only have $20 in my account,'' and then she tries to run away.

He follows her and, according to the paper, got angry and decided to kill her, this 26-year-old lawyer. He said he was so enraged he stabbed her 38 times, plunging the knife into her body with such force that her sternum was crushed and many of the wounds, inflicted with a 5.5 inch butcher knife, were more than 6 inches deep.

This young lady, this wonderful young attorney, was killed by someone who should not have been able to kill anybody. He was on the streets, released early. He had already murdered, was put in prison, but released early and then picked up again for an offense and not put back in jail. Then he murdered this young woman. So the judge sentenced him, and the judge said, when he sentenced him 3 years ago: It is my intent, sir, that you will never be released into society again. You, sir, will die in jail. This court will do everything in its power to ensure that you will never walk the streets of this country or anyplace again.

That is what the Federal judge said to Leo Gonzales Wright, a double murderer, a man with a criminal record as long as my arm, someone who should not have been on the streets to murder Bettina Pruckmayr.

This morning the story in the paper says that, while Judge Sullivan ordered this man to be sent to Federal prison 3 years ago, he is not in a Federal prison. He has been out here at Lorton in the District of Columbia for the last 3 years. In fact, at one point he was given part of a day to go home to attend his mother's wake.

The story talks about the judge's anger. The judge has a right to be angry. All of us have a need to be angry. This is gross, utter incompetence. I don't know anybody in the criminal justice system in the District of Columbia. I don't know anybody there. But there is such gross incompetence there it just staggers the imagination.

I have spoken probably five times on the floor of the Senate about this murder, only because it is so reflective of what is wrong in our criminal justice system. We know this guy is a murderer. We knew it before and society put him in jail, and the parole folks let him out early so he could murder again.

Who is accountable for that? Is somebody going to lose his or her job? The last time a Federal judge sent him to Federal prison he didn't go. Who is accountable for that? Or he gets to go to his mother's wake, this fellow who has murdered twice. Who is accountable for that? Who is going to tell the Pruckmayr family: We are sorry. This is just the way bureaucracy works.

It ought not be the way the system works anywhere.

I want to say to the Mayor of this city and the folks who run the criminal justice system in this city, I am not someone who bashes the city of the District of Columbia. I have never done that. Some do, but I do not. But I say today I am on the Appropriations Committee and you are going to pay a price. You are going to pay a price for this gross, staggering, incompetence, unless someone is held accountable for this kind of nonsense.

People have the right to expect the streets are safe. People have the right to expect that murderers are not walking up and down the streets in this country. And in the District of Columbia, at least, they knew this fellow was a murderer—he had murdered before, committed armed robbery before, committed rape before—only for them to say somehow: We decided to put him back on the streets. Then a Federal judge says: I want him in Federal prison forever. The District of Columbia cannot even get that right.

We need to understand why. I do not mean this as a threat. I just mean it as a promise. They are going to pay a price unless they demonstrate to the American people and to this Congress they are holding people accountable for this kind of gross negligence and gross incompetence.

I never met Bettina Pruckmayr. I have spoken in the Senate about a young 11-year-old boy, I suppose, about

a half dozen times as well. They found that young boy dead. They found grass and dirt between his fingers. He was also killed by a guy who previously had been convicted of murder. That young boy was stabbed many times and left for dead in a pond, except he was not dead. He tried to crawl his way out. He died at the top of the embankment with dirt and grass between his fingers.

He should never have been murdered. He was murdered by someone we knew was a murderer, because he murdered before. But the system said it was OK that he be let out of jail.

The exact same thing is true with this young woman, Bettina Pruckmayr. She ought not have died. Her death is on someone's conscience. I do not know who it is. Who makes these decisions? Who makes the decisions that these killers be turned loose on our streets?

I have come to the floor today only to ask the question: Who makes the decision to say to a Federal judge you may want this person in a Federal prison out of society for life, but we have decided differently. We will stick him back in Lorton and when his mother dies, he can go to the wake.

Who makes that decision? Who is going to be held accountable for this, because this is the same kind of staggering incompetence that led to this person's release in the first place, that led to this person not being apprehended when he failed a drug test while on parole. It is the same staggering incompetence.

I am saying as one Member of the Senate that when we take a look at our obligations and I as an appropriator take a look at our obligations to the District of Columbia, I will insist that the mayor and others in this system demonstrate to us that they have held people accountable for this kind of behavior.

Too many innocent people die. I have had a piece of legislation in the Senate—I have never been able to get it passed and I will never quit trying—that says if a unit of government, a city, a State, decides they want to let killers out early, time off for good behavior; we want to manage you in prison, so we will give you an inducement: If you behave in prison we will give you time off. If you commit violent crimes and murder, we will let you out early if you are good behind bars so you can walk the streets early and commit another crime.

What I have said is those units of government that decide to let people convicted of violent crimes out early, if those people commit a violent crime during a period when they would have still been serving their sentence in prison, should be held responsible to the victims and the victims' families. Yes, that means lawsuits, recompense.

There ought to be responsibility. Let's find those who are letting these folks out of prison and say to them: You be responsible. If you want to let them out early, then you bear the consequences.

Am I upset by reading this story this morning? Yes, I am. Again, I did not know this young woman, but I have spoken about her often, and many others have, I believe, watched this case with bewilderment, wondering who on Earth could be in charge of a system that is so fundamentally incompetent, a system that, in my judgment, ultimately allowed this person to be free on the streets to kill this young woman, a system that now can't even comply with a simple order by a Federal judge that this person ought to be in Federal prison forever, never again to be released on the streets in this country.

People of this country deserve better and expect better. Those of us in the Congress who have some capability of applying some pressure to the people of the District of Columbia to remedy these problems have an obligation, it seems to me, to use that leverage to force that to happen.

Mr. President, I yield the floor.

Y2K ACT—MOTION TO PROCEED

The Senate continued with the consideration of the motion.

Mr. WELLSTONE. Mr. President, I am ready with an amendment. I inquire as to what the situation is right now on the floor.

The PRESIDING OFFICER. The Senate is under the motion to proceed to S. 96, the Y2K bill.

Mr. WELLSTONE. Mr. President, I actually will not ask unanimous consent because there is nobody here on the majority party side. I want to go forward with an amendment on the juvenile justice bill, but I guess I will wait until Senator HATCH comes to the floor.

I will, therefore, speak a little about an amendment I will offer. That way, it certainly will not be tricky or sneaky on my part.

JUVENILE DELINQUENCY PREVENTION EFFORTS

Mr. WELLSTONE. Mr. President, I am going to offer an amendment with Senator KENNEDY. We will be joined by other Senators as well. The operative language of this amendment, to give it some context, calls upon the States to ''address juvenile delinquency prevention efforts and system improvement efforts designed to reduce, without establishing or requiring numerical standards or quotas''—we make that explicit; nobody is talking about any quotas—''the disproportionate number of juvenile members of racial minority groups who come into contact with the juvenile justice system.''

With some charts and with some numbers, I will be able to talk about this amendment, as will other Senators. I want, for the record, to make it clear that since we are in a debate about whether or not we are ready to proceed, I am on the floor with an amendment. I am ready to go.

This particular amendment says that in our past juvenile justice legislation, most recently an amendment that was adopted by the Senate and the House in 1993, we said to States, including my own State of Minnesota: You have a situation where you have kids, young people, minorities incarcerated all out of proportion to the percentage of the population in your State. So that if you have, let's say, a 7 or 8 or 10 percent minority population but, in your juvenile justice system or correctional facilities, close to 40 or 50 percent of the kids incarcerated are kids of color, what we said back in 1993, based upon some very good work by some very good people in this field was, States, please take a look at your situation. Please collect the data. Please look at the why of this and see what kind of strategies and programs you can develop and implement to improve upon the situation. That is what this is all about.

For some reason in this bill that is before us, this language has been dropped. There are some 40 States that are working on this. There are some States that are doing a very good job, but as a Senator, I am not about to let the Senate turn the clock back. I am not about to let us, all of a sudden, say that we no longer are interested in calling upon States to deal with this problem of disproportionate minority confinement. I do not think we should do so. We cannot pass quotas. We never should. We cannot tell States how many kids should be incarcerated, for what crimes and all the rest.

What we can say is when you have disproportionate minority confinement, when you have a situation where all too many times kids of color are given much stiffer sentences for having committed the same offenses as white kids, we want to know what is going on.

What this legislation does—and it purports to be juvenile justice legislation—is take the justice out. It takes the justice out. The justice would be to make sure there is no discrimination. The justice would be to make sure there is fairness. The justice would be to make sure there is justice.

The reason I mention this is that not only do the kids of color all too often find themselves way out of proportion to their numbers in the State to be incarcerated but also to wind up in adult facilities. Moreover, these corrections facilities, if you want to call them corrections facilities, all too often become the gateway to kids then being imprisoned in adult life.

It is astounding, but in 1999, going into a new century, one-third of all African American men, I think ages 20 to

26, are either in prison or on parole or they are waiting to be sentenced.

I did not make an argument here on the floor of the Senate that we should not hold all citizens, regardless of color of skin, accountable for crimes committed. That is not my argument. But my argument is, when we have some concern about possible discrimination, then let's at least be willing to study the problem.

I see my colleague coming in. I want to, when the Senator from Utah gets settled in, try to explain the situation. I will give my colleague time to catch his breath.

I say to Senator HATCH, I did not want to ask unanimous consent to offer an amendment because I did not see anybody on the other side. I was saying to the Chair that I am ready to go forward with an amendment, this one dealing with disproportionate minority confinement, because I know you want to move the bill forward.

I have been in contact with Senator KENNEDY, and if you are ready, I am certainly ready to debate it, and we will try to do it within a reasonable time limit.

Mr. HATCH. If the Senator will yield, I believe the majority leader is going to propound a unanimous consent request. I am hopeful the minority will agree to this request so we can move this forward. If I could suggest the absence of a quorum so we can get this done, and as soon as that is granted, if that is granted, then we will move on to his unanimous consent and then try to work out the time for the Senator.

Mr. WELLSTONE. Let me say to my colleague that I think I will continue to, rather than go into a quorum call, speak about the subject matter.

Mr. HATCH. Sure.

Mr. WELLSTONE. That might help. I want to make it crystal clear that I am ready to go forward with this amendment. I am not asking unanimous consent that I be able to send this amendment to the desk because I guess until we have this agreement, then it most likely would be rejected. But I am ready for debate on this amendment.

Let me just say that when we get into the thick of this debate, I want to just bring to the attention of Senators, Democrats and Republicans alike, the strong support, the strong passionate support for this amendment on the part of the civil rights community in this country, broadly defined, on the part of children's organizations, broadly defined, and on the part of lawyers and people who have been down in the trenches working with kids for years.

This is an extremely important amendment that speaks to a fundamental flaw in this legislation. So, for the record, I am ready to offer this amendment. I will wait for the majority leader to come out.

I ask my colleague from Utah, who is leaving, could I ask unanimous consent that when we go to amendments on the juvenile justice bill, that this be the first amendment up?

Mr. HATCH. If the Senator would withhold, right now we are trying to work out a unanimous consent agreement. We are trying to work out some other matters, but I am certainly going to try to work with the Senator on this. It is an important amendment, and we have to face it. So, if the Senator will just work with me, I will try to get this so that it works.

KOSOVO

Mr. WELLSTONE. Mr. President, while we are waiting, let me just repeat a little bit of what I said yesterday. I have been speaking with some other Senators about this as well. While I understand that we have a very crowded schedule, I do believe that the Senate should take some time this week to discuss or to debate our military action in Kosovo.

I have spoken now for the last several weeks about this. I will not repeat all that I have said. Next time I come to the floor with specific proposals and ideas, I hope to be able to do that with other Senators. And I see my colleague from Washington is on the floor, so I am going to yield in about 30 seconds, if I can. But quite apart from what specific proposals I want to make as a Senator about where we are and where I believe we must go as a nation, I want to make a larger point right now, which is I believe the Senate ought to be debating this question. I believe we should have full discussion and full debate.

One thing I am certain of—and I mentioned this yesterday—when we voted on authorizing airstrikes, I asked my colleague, Senator BIDEN, what is the purpose? I read yesterday from the RECORD; and in the RECORD it was stated hopefully to be able to stop the slaughter, hopefully to be able to get Milosevic to the bargaining table, and to degrade the military force.

I think in light of the last 8 weeks and what has happened, in many ways the objectives have changed. The objectives have changed. The bombing is more than just degrading the military force. It has a different set of goals.

I am not even right now going to argue about the pluses and the minuses of all that. I think it is irresponsible for the Senate not to take up this question and not to have positive—not hateful, not demagogic—really thoughtful, substantive discussion and debate.

I know we have other business right now, but I am going to come back very soon and try to push this question much harder.

I yield the floor.

Mrs. MURRAY addressed the Chair.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, I ask unanimous consent to speak as in morning business for 10 minutes.

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

Mrs. MURRAY. Thank you, Mr. President.

BOMBING OF THE CHINESE EMBASSY

Mrs. MURRAY. Mr. President, the Senate is focused on many important issues this week, including youth violence, the important Y2K issue, emergency appropriations for our Nation's farmers, victims of Hurricane Mitch, and funding NATO's efforts in the Balkans. These are all very timely and important debates, and I look forward to joining my colleagues in discussing these important issues.

For a moment, though, I would really like to focus the Senate on the recent accidental bombing of the Chinese embassy in Belgrade and on the U.S.-China relationship.

The bombing of the Chinese embassy in Belgrade cannot be trivialized. As President Clinton has repeatedly expressed, the U.S. and NATO accepts full responsibility for this terrible mistake. We all extend our apologies to the Chinese people and the families of those who were killed and injured.

I am prepared to accept that this unfortunate accident caused a lot of anger among the Chinese Government and the Chinese people. That is to be expected. Certainly our country would be outraged and saddened if our embassy had been bombed under such circumstances.

But our regret and apologies to the Chinese people do not diminish the fact that we cannot accept the deliberate harassment of U.S. citizens and destruction of U.S. property in China. The reports from China—the television images of our embassy targeted by orchestrated mobs—troubled me a great deal.

Americans are dismayed at the growing animosity of the Chinese people towards the United States. For the U.S.-China relationship to succeed, both countries must take strides to ensure that the presentation of the relationship is balanced and fair. Clearly, this did not happen in the days before or after the tragic embassy bombing.

I am heartened that things do seem to have calmed down throughout China. It is encouraging that President Clinton and President Jiang have spoken and resumed high-level discussions over the bombing and other important U.S.-China issues.

Some of my colleagues have mentioned the phenomenal work of our Ambassador in China, Jim Sasser, who is our former Senate colleague and a close friend. He has served our country with great honor. I commend him and all of our embassy and consulate officers who are serving in China.

Ambassador Sasser has given us great insight as he addressed the tragic bombing of the Chinese Embassy and the demonstrations and violence that followed in Beijing and other Chinese cities.

Let me share a few of Ambassador Sasser's comments with my colleagues as I do believe they serve as a reminder that the U.S.-China relationship is, in my opinion, one of our most difficult and most important relationships.

Ambassador Sasser said,

When all the emotion has drained out of this terrible tragedy, then wiser heads in both China and the United States are going to realize it's in both countries' interest to try and resume constructive ties. . . . When we are all through grieving over this very tragic event that occurred, the United States will still be the economic superpower in the world and China will still be the most populous nation in the world and an emerging power in this region.

Once again, our former colleague has offered wise counsel to the Senate that will be very important to future China debates.

The unfortunate Embassy bombing should not be used by those in China as a justification for severing or postponing ties with the U.S. Nor should China think that this incident will lessen America's resolve as we address the issues of human rights, weapons proliferation, or the issues related to espionage targeted at U.S. nuclear facilities.

One of my hometown papers offered the following in an editorial last week, the editorial reads, ''China is furious and rightly so. The test, however, is whether China plays the incident like the country it wants to be, a world leader that sees events and relationships in a larger context.'' I completely agree and I believe that many in Congress will judge China's ability to play a larger role on the international scene by her handling of this temporary crisis in the relationship with the U.S.

The United States, and particularly the Congress, must also demonstrate our commitment to responsible global leadership. We should be cautious as last week's unfortunate events enter the contentious political debates over U.S.-China relations. I continue to believe a mature and stable relationship with China is in our national interest. It is not a goal we should be prepared to abandon. A mature and stable relationship is certainly in the best interest of the American and Chinese people. Though progress toward this goal has been hampered by the events of this last week, it is still a goal we should strive for. We must continue our dialogue with China.

China should expect continued U.S. interest and in fact, vigilance, on the variety of issues important to the U.S. government and the American people. There will not be widespread concessions granted by the United States. The Embassy bombing was a tragic mistake, not a propaganda tool to be deployed at the bargaining table.

Consistent with admitting the mistake and accepting responsibility, the United States and NATO should be prepared to enter into talks with China about appropriate compensation for individual and government losses. This is not unprecedented. In the late 1980's, Iraq paid compensation to the families of U.S. sailors killed in the accidental bombing of the U.S.S. *Stark* during the Iran-Iraq war. Following the downing of an Iranian passenger plane, the United States offered to compensate the victims families. And the U.S. is now in the midst of paying compensation for property damage and to the victims' families for last year's cable car accident in Italy.

The U.S. and China both stand to gain by closer relations. China has become one of our largest trading partners, creating high-wage jobs for thousands of American families and opening markets for American businesses that depend on overseas trade. While trade is the foundation of the U.S.-China relationship, my home state of Washington's relationship with China clearly illustrates the promise of broader ties between Americans and the Chinese people. Washington's many cultural, educational and commercial ties are fostering dramatic change in China; change led by and on behalf of the Chinese people.

With the recent visit to the United States by Chinese Premier Zhu Rongi and the ongoing negotiations between our two governments, the U.S. and China are poised to reach a truly historic agreement, paving the way for China's entry into the World Trade Organization this year. I support China's entry into the WTO on commercially viable terms and I encourage the United States Trade Representative and her Chinese counterparts to resume negotiations at the earliest opportunity.

Because of the importance of the U.S.-China relationship, I believe a high-level U.S. delegation to China, headed by Secretary of Defense William Cohen, is warranted as soon as possible. I realize the difficulties of sending the Secretary of Defense half way around the world while the U.S. is prosecuting military action in the Balkans. But the U.S.-China relationship is so important, and we have been struggling with so many difficult issues within the context of that relationship, that I believe the maximum effort must be made to provide the Chinese leadership with a full and complete understanding of the accidental bombing of their embassy. I know that Secretary Cohen is well respected by the Chinese, and a trip by the Secretary to China would have the dual purpose of stressing to the Chinese the great importance we place on having a mature and stable relationship and underscoring the accidental nature of the Embassy bombing.

Much progress has been made on the U.S.-China relationship in recent years. The Zhu Rongi visit was important. This followed two Presidential Summits in Washington and Beijing. It is my hope that the recent tragic events do not derail the progress made toward building a strong and comprehensive U.S.-China relationship, based on trust and mutual understanding. The relationship can only exist if both governments and both peoples can deal with each other honestly and forthrightly. Now is the time to address the issues standing in the way of accomplishing this. Now is the time to move forward.

Mr. President, I yield the floor, and 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. INHOFE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Y2K

Mr. BYRD. Mr. President, I regret that, earlier today, I was compelled to vote against the Majority Leader's cloture motion with respect to S. 96, the Y2K litigation reform bill. I did so, however, for the simple reason that I believe it is vitally important that the Senate first complete its business on the juvenile justice bill before moving on to other business. We are on the verge of finishing our work on this much-needed legislation, and it would have been, in my opinion, a grotesque waste of time and effort to simply throw that away in some artificial rush to proceed to the Y2K bill. Despite my vote, I look forward to having the opportunity to turn our attention to the Y2K litigation problem as soon as we have finished our work on the issue of youth crime and violence.

Mr. LEAHY addressed the Chair.

The PRESIDING OFFICER. The Senator from Vermont is recognized.

WILLIAM SAFIRE'S ARTICLE ON CHINA

Mr. LEAHY. Mr. President, yesterday, in the New York Times, William Safire had an essay called ''Cut the Apologies.'' I am shortly going to ask unanimous consent that it be printed in the RECORD. It perhaps says some things beyond what I might, but I am concerned. I have watched what has happened and the reactions of China to the accidental bombing of their Embassy in Belgrade. I hold no brief for the totally negligent—I might even say stupid—mistake made in the bombing

of that Embassy. It is as inexcusable and unexplainable as the maps that brought about the death of the people in the cable car in northern Italy.

Having said that, however, for the Chinese, who will not allow any kind of demonstrations—and haven't since Tiananmen Square—criticizing their own government, to whip people into a frenzy and let them go and destroy much of our Embassy and the British Embassy in Beijing, and to say how shocked they are that this is going on, and that we have done that, demanding all kinds of apologies, frankly, is irresponsible and unimaginable. I can't accept it. I don't know how many people would.

If the Chinese think that by doing this somehow we are now going to jump in and let them join the WTO and everything else, that is a sad mistake. Their conduct is incomprehensible. We have apologized for bombing the Embassy, which we would expect somebody to do with a similar mistake damaging ours. This is a war going on, and things happen, as General Schwarzkopf said, in the fog of war.

China is not the one to lecture the world on free and open demonstrations. China is not the one to lecture us on how we should conduct our economy. China has a great deal to explain on everything from their attempt to steal our secrets, spying on our country, and human rights violations in their own country and their own repression.

Mr. President, I ask unanimous consent that Mr. Safire's column be printed in the RECORD.

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

[From the New York Times, May 17, 1999]

CUT THE APOLOGIES

(By William Safire)

WASHINGTON.—After a week of whipping up hatred of Americans by accusing us of deliberately murdering Chinese journalists in Belgrade, President Jiang Zemin Deigned to accept a call from The Great Apologizer.

For the fifth time, President Clinton apologized, expressed regrets, sent condolences, kowtowed and groveled, begging to be believed that we did not bomb China's embassy on purpose.

But it is America that is owed an apology. After an accident of war, we have been falsely accused of killing Chinese with malice aforethought. That is a great insult, compounded by the calculated trashing of our embassy by a bused-in mob encouraged by police.

The truth is that Beijing's leaders, worried about demonstrations on the 10th anniversary next month of the Tiananmen massacre, are milking this mistake for all it is worth.

By lying about our intent and suppressing coverage of our prompt admission of error, the nervous rulers are diverting their people's anger toward us and away from themselves.

By demanding we investigate the accident, they seek to water down the current Congressional investigations of their nuclear spying—a series of penetrations of our laboratories and political campaigns that was no accident.

By making Clinton beg forgiveness, they are able to cancel human rights talks while extracting new trade concessions. The deal: they will accept Clinton's apologies when he caves in on their application to the World Trade Organizations.

No wonder that no reputable diplomat would accept the President's pleas to replace our fed-up ambassador in Beijing. Clinton is now trying to appoint an admiral whose amiable association with the Chinese military and U.S. arms contractors will be closely examined by the Senate.

Though Clinton is softer than ever on China, he's taken a hard line in resisting Congress's investigations into Beijing's penetration of our nuclear labs and our political process. His latest trick: the improper use of documents submitted for intelligence declassification to prepare advance refutations of evidence of security lapses.

The White House has delayed for four months the three-volume report on security laxity by the House select committee headed by Representative Chris Cox. Clinton spinners are already distributing a packet of reprints of derogations by offended scientists, China-defenders and favorite journalists.

Cox has used the ''clearance'' delay to rewrite the turgid prose and to enliven the report with photographs and diagrams showing what missiles and satellites were stolen; that might even awaken television interest.

The Senate Intelligence Committee, headed by Richard Shelby and Robert Kerrey, is not about to hold still for the abuse of clearance. After it submitted one of its reports on nuclear lab laxity for review to protect intelligence sources, it learned of a refutation of that bipartisan report in work by the National security Council response machine.

The White House was told that the submission of documents was for security clearance only. It was not to be used for (a) advance policy review so that ''rapid response'' would occur in the same news cycle as the reports' release, or for (b) leakage of portions to the press for ''inoculation'' to later reduce its impact as ''old news.''

The intelligence business is not the publicity business. National security reports are not to be equated with the Starr report about hanky-panky. The Shelby committee made plain to the Berger Rapid-Apology Center that if this undermining of inter-branch comity did not stop forthwith, ''we're going to zero out the N.S.C. staff budget.'' (By withholding some $15 million, Congress could force the spinners onto the Department of Defense payroll or cause agonizing layoffs in the White House basement).

In both House and Senate, bipartisan committees are discovering serious intelligence weaknesses: too little analysis of too much collection. ''If there's a flare-up in Iraq, North Korea or the Andes,'' worries an investigator, ''we could not handle it and Kosovo, too.''

The most troubling breakdown is in counterespionage. The F.B.I. and C.I.A., which are not blameless, are telling Congress the weakest link is the Department of Justice. What began as corrupt political protection became dangerous national security laxity. Who will apologize for that?

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

VIOLENT AND REPEAT JUVENILE OFFENDER ACCOUNTABILITY AND REHABILITATION ACT OF 1999

Mr. HATCH. Mr. President, I ask unanimous consent that the Senate now resume S. 254, and that the first five amendments previously debated to the pending juvenile justice bill now be the pending question in the order in which they were offered, with up to 5 minutes for each side for additional debate prior to a vote on or in relation to those amendments.

I further ask that following the disposition of debate on each amendment, the amendment be laid aside, and at the hour of 3:50 p.m. today the Senate proceed to vote on or in relation to the amendments in the order in which they were offered, with 2 minutes prior to each vote for explanation.

Mr. LEAHY. Reserving the right to object—and I will not object because the distinguished Senator from Utah and I have been trying to move this forward—is the Senator from Vermont correct in understanding that we would do 10-minute votes? The 2 minutes is in addition to the 5 minutes? The reason I ask is that I think the Senator from Utah will have to adjust the time of the first vote.

I want to make sure I understand. Are we talking about 5 minutes on each side, but then an additional 2 minutes between the votes, so, in effect, 7 minutes on each side?

Mr. HATCH. The 2 minutes would be after the first vote.

Mr. LEAHY. Mr. President, I ask that the unanimous consent request be modified only to this extent: The distinguished Senator from Utah gave an opening time, and I think, because we had some time slip from when this was written, the Chair be allowed to start that initial vote at the time the various 5 minutes would run out.

Mr. HATCH. Mr. President, Let me modify my request to make it no later than 4 o'clock.

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

The Senate resumed consideration of the bill.

Pending:

Lott (for Allard) amendment No. 351, to allow the erecting of an appropriate and constitutional permanent memorial on the campus of any public school to honor students and teachers who have been murdered at the school and to allow students, faculty, and administrative staff of a public school to hold an appropriate and constitutional memorial service on their campus to honor students and teachers who have been murdered at their school.

Kohl/Hatch/Chafee amendment No. 352, to amend chapter 44 of title 18, United States Code, to require the provision of a secure gun storage or safety device in connection with the transfer of a handgun.

Hatch/Feinstein amendment No. 353, authorizing funds for programs to combat gang violence.

Byrd/Kohl amendment No. 339, to provide for injunctive relief in Federal district court to enforce State laws relating to the interstate transportation of intoxicating liquor.

Feinstein modified amendment No. 354, to modify the laws relating to interstate shipment of intoxicating liquors.

Frist amendment No. 355, to amend the Individuals with Disabilities Education Act and the Gun-Free Schools Act of 1994 to authorize schools to apply appropriate discipline measures in cases where students have firearms.

Wellstone amendment No. 356, to improve the juvenile delinquency prevention challenge grant program.

Sessions/Inhofe amendment No. 357, relating to the placement of a disclaimer on materials produced, procured or disseminated as a result of funds made available under this Act.

Wellstone amendment No. 358, to provide for additional mental health and student service providers.

Sessions (for Ashcroft) amendment No. 348, to encourage States to prosecute violent juveniles as adults for certain offenses involving firearms.

Wellstone amendment No. 359, to limit the effects of domestic violence on the lives of children.

Hatch (for Santorum) amendment No. 360, to encourage States to incarcerate individuals convicted of murder, rape, or child molestation.

Ashcroft amendment No. 361, to provide for school safety and violence prevention and teacher liability protection measures.

Mr. HATCH. The five amendments that are going to come up in this order, and I hope people will not use their 5 minutes, are: the Allard amendment on school memorials; the Kohl-Hatch amendment on safety trigger locks; the Hatch-Feinstein amendment on gangs; the Byrd amendment on interstate transportation of intoxicating liquor; and the Feinstein amendment to modify the laws pertaining to interstate shipment of liquor.

Mr. President, why don't we begin with the Kohl-Hatch amendment and we will use our 5 minutes.

AMENDMENT NO. 352

Mr. KOHL. Mr. President, our amendment is a reasonable, bipartisan measure that will help protect children from the countless accidental deaths, suicides and violent crimes that result from improperly stored handguns. Simply put, it would require that every handgun be sold with a child safety device, but leaves the decision about whether to use a safety device to individual gun owners. Here's why we believe you should support it.

First, we've added a section that extends limited liability protection to gun owners who lock up their handguns properly. This liability protection is very narrow—it does not extend any immunity to manufacturers, and it does not apply if the gun owner acted negligently. We believe that this provision actually improves the bill by creating incentives to use child safety locks.

Second, the American people overwhelmingly support it. According to a recent Newsweek poll, 85 percent of the American public backs legislation requiring the sale of child safety locks with new handguns.

Third, despite the pledges of some of the largest manufacturers to sell safety locks with every handgun, most manufacturers are still not including safety locks. In fact, the Los Angeles Times reported, ''only a handful of the arms makers who eventually signed on are complying, according to industry insiders.''

Fourth, and most importantly, child safety locks will help save lives. Each year, nearly 500 children and teenagers are killed in gun-related accidents, thousands are injured, and approximately 1,500 children and teenagers commit suicide with guns. Perhaps as disturbing, nearly 7,000 violent crimes each year are committed by juveniles using guns they found in their own homes.

Just last weekend, a 7-year-old Milwaukee boy named Brian Welch killed himself accidentally with a gun he found in his father's drawer. What do we say to Brian's family, if we cannot takes steps as reasonable as this one?

You know, Mr. President, in the past few weeks there's been a lot of discussion about Republicans and ''gun control.'' Hardly a talk show goes by without a pundit opining on whether it's a true epiphany or a ''poll-driven ploy.'' Well, cynics can believe whatever they want. But my sense is that, in the wake of Littleton, both sides have grown up a bit: Democrats in acknowledging that culture has something to do with juvenile violence today; and Republicans in endorsing reasonable measures to take handguns out of the hands of kids who shouldn't have them.

So I applaud all of those on both sides of the aisle who have ''converted'' on safety locks. I appreciate those who have been with us from the beginning, including our cosponsor Senator CHAFEE, who has been so resolute in support of reasonable gun control measures. And I credit Chairman HATCH, Senator LEAHY, and Senator CRAIG for their work in making this a better amendment. And one that we all believe will shortly become law.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Mr. President, this child safety device amendment will, first, provide qualified immunity to law-abiding gun owners who use a trigger lock or gun storage device, and two, it will require the sale of a child safety device lock or gun storage device with the sale of every handgun sold by a licensee.

In the past week it has been clear that some on the other side of the aisle believe that playing politics is more important than taking action. Some—but not all. So I am pleased to say that Senators KOHL, CHAFEE, and I have joined forces to produce a compromise on child safety locks that lays aside partisan rhetoric and demonstrates the positive steps that can result from putting aside such rhetoric and focusing on protecting our children.

Under the Kohl-Hatch-Chafee amendment, for the first time every handgun purchased from a manufacturer, importer, or licensed dealer will have to be sold with a storage or child safety lock device.

This amendment will not change the fundamental principle that governmental action cannot be used to micromanage specific methods of parental responsibility. We do not expect parents to let their small children drive a car or play with matches, and we do not expect them to permit their children to have unsupervised access to firearms. This amendment will provide parents with a tool to help prevent such access.

Last year the Senate overwhelmingly agreed to an amendment that funded gun safety education by State and local entities. It also required gun dealers to stock safety devices. These efforts encouraged people to lock up their guns and to act safely and responsibly. This amendment is another step in enhancing this successful effort.

I should add that no child safety lock or gun safe will ever make our society safe from gun violence if criminals who use firearms are not aggressively prosecuted and punished. No safety device will stop a felon, but jail will. So once again I call upon the Attorney General to start prosecuting criminals who use guns. Only then will we truly be able to create a safer environment for our children.

This amendment gives law-abiding gun owners the peace of mind of knowing their children are protected. Further, it will give law-abiding gun owners qualified immunity from civil suit if they use the child safety device or child safety lock.

This amendment is a good idea for gun owners and a good idea for children. I am pleased we have bipartisan support in the Senate for this amendment. I hope it will be agreed to.

Mr. CHAFEE. Mr. President, I am pleased to join with Senator KOHL in support of the commonsense child safety lock amendment. The amendment we had offered last Friday addresses a shameful—and uniquely American—tragedy: that of children finding handguns, and accidentally causing great harm to themselves or others.

Most of these terrible shootings occur in the home, when a curious youngster finds a parent's loaded handgun in the closet, under the couch cushions, or in a bedside table drawer. The child then shoots a sibling, a friend, or him- or herself. And all too often the result is death, or permanent injury.

One of the most tragic examples of children accidentally shooting other children occurred last year in Greensboro, North Carolina. A 4-year-old who was attending the sixth birthday party of a friend, found a loaded gun in a purse in the house where the party was taking place. The 4-your-old shot and killed the 6-year-old.

The National Center for Health Statistics tells us that every day in America 13 children are shot and killed, and every day at least one of those deaths is accidental. Every year in America, approximately 1,500 children and teens commit suicide with guns. The Bureau of Alcohol, Tobacco and Firearms estimates that about 7,000 violent crimes are committed by juveniles each year with guns they found in their own homes. Today, in few other countries are children so affected by gun violence, accidental or otherwise: CDC tells us that the rate of death among children under age 15 from guns in this country is 12 times that of the other 26 major industrialized nations combined.

A 1995 study by the Journal of the American Medical Association found that there is a gun in approximately half of all U.S. households. Another 1995 study by the SAFE KIDS Campaign found that 59 percent of parents with guns admitted that they don't lock-up their guns.

The statistics about children who are harmed accidentally by handguns are appalling. They are a national shame. And to grieving parents, siblings, and friends, they are not just statistics. For them, the loss or serious injury of a child is absolutely devastating. Yet these accidents are wholly preventable.

That is why we are taking action today. The child safety lock amendment, No. 352, that we are proposing would require that all future sales of handguns be accompanied by a locking device—a mechanism that prevents the guns from being discharged without a key or combination lock.

Earlier in the debate on S. 254, the Senate voted overwhelmingly to approve an amendment offered by Senators HATCH and LEAHY that requires internet services providers to give parents a tool to filter violent material their children could be exposed to on the internet. It was an amendment to provide parents with a tool to help keep their children safe. The amendment Senator KOHL and I are offering with Senator HATCH is identical in its purpose. It is meant to provide parents with a tool—the trigger lock for a handgun—to keep their children safe.

I appreciate the support of the Judiciary Committee chairman and urge my colleagues to show the same level of support for this amendment as they showed for the internet filtering amendment last week.

Mr. KYL. Mr. President, I rise for the purpose of entering into a colloquy with the Senator from Wisconsin, Senator KOHL, regarding his Safe Handgun Storage and Child Handgun Safety Amendment (#352) to S. 254, the juvenile crime bill.

The amendment makes it unlawful for any licensed manufacturer, importer or dealer to sell, deliver or transfer any handgun to any person (other than under certain exceptions) unless the transferee is provided with a secure gun storage or safety device. I am interested in clarifying the intent of the amendment with regard to gun safety devices.

Senator KOHL, as you know, a company in my home state of Arizona has developed a handgun safety device called Saf-T-Hammer. It is a removable hammer which can be incorporated into new guns or retrofit most handguns now in circulation. When the top of the hammer is removed, the gun cannot be fired. Parents can take off the hammerhead and carry it with them when they leave home, secure in the knowledge that no unauthorized user—including children—will be able to fire the gun.

Because Saf-T-Hammer is a removable safety device, is it your intent, Senator KOHL, that Saf-T-Hammer would still qualify as a gun safety device for purposes of your amendment?

Mr. KOHL. Mr. President, I thank the Senator from Arizona for his question. I am indeed familiar with Saf-T-Hammer and share the Senator's enthusiasm for the promise of handgun safety that this device offers. I commend the intent of the developers of the device to safeguard the lives of innocent children and others who might otherwise be killed or injured by handguns.

I can assure the Senator from Arizona that it is indeed the intention of the amendment that devices such as Saf-T-Hammer, an easily removable hammer, are included within the purview of the amendment. I also believe that on its face the definition of a safety device in 18 U.S.C. 921(34) would include a device such as Saf-T-Hammer. Accordingly, when a handgun is manufactured or retrofitted with Saf-T-Hammer, it would be, under the terms of the amendment, exempt from the amendment's prohibitions on transfer. Handguns so equipped with a Saf-T-Hammer may be freely transferred under the amendment.

I hope this answers your question and clarifies the legislative intent of the amendment.

Mr. KYL. I thank the distinguished Senator from Wisconsin for his time and clarification of the amendment regarding this important issue.

Mr. CHAFEE. I just want to be clear about the civil liability provisions. Does this bill create civil liability immunity for gun manufacturers, dealers of guns accessed in the home, or manufacturers or distributors of safety devices?

Mr. KOHL. No. It creates civil liability immunity only for gun owners.

Mr. CHAFEE. Does this bill create civil liability immunity only for gun owners who use a safety device?

Mr. KOHL. That is correct.

Mr. CHAFEE. Does that immunity apply if the gun owner is negligent—even if he doesn't actually give anyone permission to use the gun, but for example leaves the key to the lock sitting next to the gun?

Mr. KOHL. No.

Mr. CHAFEE. And is it correct that this section does not change in any way existing product liability law?

Mr. KOHL. That is correct.

Mr. CHAFEE. And, finally, is it correct that any pending suits against gun owners would be allowed to continue?

Mr. KOHL. That is correct.

Mr. CHAFEE. I thank the Senator once again. On another matter, I want to make equally clear for the record exactly what a ''secure gun storage or safety device'' is and is not. Specifically, would the Senator from Wisconsin agree with me that the definition of such devices in our amendment is intended solely to include personalized guns, lockable devices which either are affixed to a firearm directly, or to secure locked containers or safes.

Mr. KOHL. I would agree.

Mr. CHAFEE. Finally, would you further concur with me that our definition of a ''secure gun storage or safety device'' is not intended to include a permanent feature of a home or motor vehicle, such as a closet or glove box, even though such environments also may be locked?

Mr. KOHL. I would agree.

The PRESIDING OFFICER. The time on the amendment has expired.

Mr. LEAHY. Mr. President, I ask unanimous consent for 1 additional minute.

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

Mr. LEAHY. Mr. President, I know the distinguished Senator from Wisconsin and distinguished Senator from Utah have worked in good faith on this amendment. My one concern is that the immunity provision does not define the term ''person,'' so it could include not only individual gun owners but also dealers, manufacturers, possibly even governments. I mention that not to in any way deter this from being agreed to, but I say to the distinguished Senator from Utah and the distinguished Senator from Wisconsin, we will all be on the conference if this bill passes. That provision I suggest we may want to define more narrowly in a conference.

The PRESIDING OFFICER. The time on the amendment has expired.

The Senate will move to the next amendment.

The Senator from Colorado.

AMENDMENT NO. 351

Mr. ALLARD. Mr. President, I understand I have 5 minutes.

The PRESIDING OFFICER. The Senator is correct.

Mr. ALLARD. I will be talking about amendment No. 351, which is the Allard amendment.

Mr. HATCH. Will the Senator yield?

Mr. ALLARD. I yield to the Senator.

Mr. HATCH. The Senator will have 2½ minutes and the other side will have 2½ minutes.

Mr. ALLARD. I stand corrected. I thank the Senator from Utah.

Basically, there are two parts to this amendment. There is a part which we refer to as the ''findings'' part, and another part which deals with the actual statutory change.

The first part, in findings, just says the local school district, working with the school board and the administration and the parents and the students in a school, if they decide to hold a memorial service or to erect a memorial, if they reach a local consensus, there is a finding by the Senate and by the Congress that it is OK for them to go ahead and do that. It is just a finding. It is not a change in law.

There is a second part that does deal with statutory changes where there is a change in law, and that says if there happens to be a lawsuit based on the first amendment or one of the other amendments, then on the first amendment it says the school district would pay for its own legal expenses and then the litigants would then pay for their own; whoever is suing would pay for their own legal expenses.

The second part of it says the U.S. Attorney General may defend the school district in the lawsuit. It is a very straightforward amendment.

The parents of Cassie Bernall recently contacted me about the difficulty they have encountered in establishing a memorial for their daughter. This is in relation to the Columbine High School tragedy. To quote Cassie's father:

> Our Cassie was the young woman who boldly answered to a gunman ''yes'' when he asked if she believed in God, prompting him to pull the trigger. Cassie's response did not surprise us. . . . It was from her strong faith in [Jesus Christ] and His promise of eternal life that she was empowered to make her stand.
>
> My wife . . . and I both believe any Columbine incident memorial should memorialize each individual in a personal way. Everyone knows . . . that Cassie was a very strong Christian. To leave this facet of her persona out would be to mis-memorialize her and others.

Mr. and Mrs. Bernall strongly support the amendment that I am proposing today because they have experienced already a threat to their first amendment rights.

I urge the Senate to vote yes for the Allard amendment.

I yield back the remainder of my time.

Mr. President, reclaiming my time, I have been informed that I have another 2½ minutes.

Mr. HATCH. I am sorry, I misstated.

Mr. ALLARD. I misunderstood.

Mr. HATCH. Will the Senator yield for a comment?

Mr. ALLARD. I will be glad to yield to the chairman.

Mr. HATCH. Mr. President, I commend Senator ALLARD for offering this amendment that conveys the Senate's heartfelt sympathy to the families and friends of all school shootings.

His amendment allows the families and friends of all victims of shootings to grieve and honor the victims at a memorial service held on school grounds. This amendment tells these families and friends that the Senate believes they have a right to congregate at a memorial service on school grounds to mourn the deaths of students and faculty.

Further, this amendment states that the Senate believes it is constitutional for these memorial services to include spiritual aspects, including the reading of prayers and scripture and the performance of religious music.

This amendment also states that the Senate believes that an appropriate and constitutional permanent memorial can be erected on school grounds, a part of which can include religious symbols, motifs, or sayings.

This amendment will, hopefully, ease some of the pain associated with preparing memorial services for loved ones killed in any act of school violence. I thank the Senator from Colorado for offering this amendment and commend him for it.

Mr. ALLARD. Mr. President, I thank the chairman. I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, I cannot think of anything that a parent, a community, or a family would want to do more than to join in their expressions of grief if a disaster struck.

In my family, a disaster like Columbine—in fact, it is almost impossible to say how one would even get through it. I suspect we would gather as a family; we would gather with our community; we would go to our church. Expressions are made in schools, of course.

I do not question the concerns of the distinguished author of this amendment, which are heartfelt. I know him as a good and honest man. I worry, though, that we set a precedent involving our first amendment.

Our Constitution says everyone has equal access to the courts to assert constitutional rights. This amendment can be read to promote one constitutional viewpoint while depriving those who hold the opposing viewpoint of their day in court.

If this becomes law, those who complain of free exercise clause violations by public authorities that exclude religious observances from public spaces could do so with the benefit of additional fee-shifting, whereas those who make the opposite claim—that the establishment clause has been violated—will be disadvantaged.

The first amendment's religion clauses are meant to ensure that the Government is neutral in matters of religion. It says you can practice any religion you want or none if you want, but the Government will remain neutral, thus providing the diversity in this Nation of so many religions, a diversity which has greatly promoted our democracy.

This legislation, by offering the Attorney General's assistance to those who take one viewpoint, while depriving those who take the opposite viewpoint of normal civil rights law remedies, violates this most basic principle of neutrality.

The congressional finding paints with far too broad a brush. It could encompass a variety of activities that violate the first amendment.

While I joined in my own State in gatherings to express condolences to those of the tragedy, I have been in memorial services, I have been in churches and in synagogues where we have prayed for those who have been the victims of tragedies. We have done it knowing that was an appropriate place to do it. I have gathered with families in public gatherings where we have expressed, within the context we do in a public setting, our feelings, and that is appropriate.

As I said, I do not know how the people, not only Columbine but so many communities which have been visited with tragedy, can even get through the tragedy. I do not know how a parent in these tragedies again, without fear, can ever send their child off to school.

Let us not, in our unified intent within this body to show our sympathy, in any way diminish the protections of our first amendment. It is too important to all of us.

I have great respect for the sponsor of this amendment. I have great respect for his honesty and his feelings of sympathy. I have joined with other Senators on the floor of the Senate in expressing my sympathy. I worry this is overly broadly against the first amendment, and because of that, I have to oppose it. I am perfectly willing to yield back time.

Mr. LEVIN. Mr. President, I have great sympathy for the motives and objectives of the Senator from Colorado in offering this amendment. We all want to support the appropriate service and memorial for victims of such tragic events. However, I did not support the Allard amendment because, in my judgement, it too broadly states a view regarding constitutionality under the First Amendment and arbitrarily singles out memorials for victims who are slain on the campus of a public school, excluding memorial services involving victims of slayings during a robbery or other event not on the school's campus

or victims of a tragic accident, for example. Also, I do not believe that the Senate should take the step of authorizing the Attorney General to become involved in litigation on one side or the other.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. ALLARD. Mr. President, I have a question to ask of the chairman. Is he ready for the yeas and nays on this amendment?

Mr. HATCH. We are going to vote in a stacked sequence.

Mr. ALLARD. I will wait for that.

Mr. HATCH. Why don't we ask for the yeas and nays. I ask unanimous consent that the yeas and nays be ordered on all five amendments.

The PRESIDING OFFICER. Is there objection to it being in order to order the yeas and nays? Without objection, it is so ordered.

Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The Senator from Utah.

AMENDMENT NO. 353

Mr. HATCH. Mr. President, the amendment which I offered with the Senator from California, Mrs. FEINSTEIN, is a much refined version of legislation we offered last Congress to address the serious and troubling issues of interstate and juvenile gangs.

I commend Senator FEINSTEIN for her hard work and dedication to this issue.

Our amendment includes improvements to the current Federal gangs statute, to cover conduct such as alien smuggling, money laundering, and high-value burglary, to the predicate offenses under the penalty enhancement for engaging in gang-related crimes, and enhances penalties for such crimes.

It criminalizes recruiting persons into a gang, with tough penalties, including a 4-year mandatory minimum if the person recruited is a minor.

It amends the Travel Act, of 1952 18 U.S.C., to include typical gang predicate offenses.

It includes the James Guelff Body Armor Act, which provides penalty enhancements for the use of body armor in the commission of a Federal crime. This provision also prohibits the purchase, possession or use of body armor by anyone convicted of a violent felony, but provides an affirmative defense for bona fide business uses. However, our amendment places no duties or restrictions on the sellers of these legitimate personal safety products. Our amendment also enhances the availability of body armor to law enforcement. It includes penalties for teaching, even over the Internet, how to make or use a bomb, with the knowledge or intent that the information will be used to commit a Federal crime.

Finally, our amendment enhances penalties under the Animal Enterprise Terrorism Act (18 U.S.C. 43) to address the growing problem of attacks on businesses and research facilities, as well as establishes a clearinghouse to track such offenses. These crimes are increasingly being committed by some juvenile gangs, particularly in my State of Utah.

Gangs are an increasingly serious and interstate problem, affecting our crime rates and our youth. A 1997 survey of eighth graders in 11 cities found in 1997 that 9 percent were currently gang members, and that 17 percent said they had belonged to a gang at some point in their lives. These gangs and there members are responsible for as many as 68 percent of all violent crimes in some cities.

My home state of Utah continues to have a serious gang problem. In 1997, there were over 7,000 gang offenses reported to the police in Utah. Although we have seen some improvement from the unprecedented high levels of gang crime a couple of years ago, gang membership in the Salt Lake area has increased 209 percent since 1992. There are now about 4,500 gang members in the Salt Lake City area. 770 of these, or 17 percent, are juveniles.

During 1998, there were at least 99 drive by shootings in the Salt Lake City area. Also, drug offenses, liquor offenses, and sexual assaults were all up significantly over the same period in 1997. And in the first 2 months of 1999, there were 14 drive by shootings in the Salt Lake City area.

An emerging gang in Utah is the Straight Edge. These are juveniles who embrace a strict code of no sex, drugs, alcohol or tobacco, and usually no meat or animal products. Normally, of course, these are traits most parents would applaud. But these juveniles take these fine habits to a dangerous extreme, frequently violently attacking those who do not share their purist outlook.

There are 204 documented Straight Edgers in Salt Lake City, with an average age of 19 years old. Like most gangs, they adopt distinctive clothing and tattoos to identify themselves. Although not all Straight Edgers engage in criminal activities, many have become very violent prone. They have engaged in coordinated attacks on college fraternities, and a murder outside the Federal Building in downtown Salt Lake City last Halloween night was Straight Edge related. This crime, in which a 15-year-old youth named Bernardo Repreza occurred during a gang-related fight against the Straight-Edgers. Three Straight Edge gang members, have been charged with the murder.

And these gangs are learning some of their tactics on the Internet, which is why our amendment includes a provision making illegal to teach another how to make or use an explosive device intending or knowing that the instructions will be used to commit a federal crime, has passed the Senate on at least three separate occasions. It is time for Congress to pass it and make the law.

Sites with detailed instructions on how to make a wide variety of destructive devices have proliferated on the Internet. As many of my colleagues know, these sites were a prominent part of the recent tragedy in Littleton, Colorado.

Let me give my colleagues an example of one of these sites. The self-styled Animal Liberation Front has been linked to numerous bombings and arson across the country, including several in my home State of Utah. Posted on their Internet site is the cyber-publication, The Final Nail #2. It is a detailed guide to terrorist activities. This chart shows just one example of the instructions to be found here—in this case, instructions to build an electronically timed incendiary igniter—the timer for a time bomb.

And how do the publishers intend that this information will be used? The suggestion is clear from threats and warnings in the guide. One page in the site shows a picture of an industry spokeswoman, warning her to ''take our advice while you still have some time: quit your job and cash in your frequent flier points for a permanent vacation.'' Now, on this chart, which comes from The Final Nail #2, we have redacted the spokeswoman's address and phone number to protect her privacy. The publishers weren't so considerate. And this is just the beginning. This same document has a 59 page list of targets, complete with names and addresses from nearly every U.S. State and Canadian province.

Let there be no mistake—the publishers know what they're doing. For instance, the instructions on how to make milk jug fire bombs come with this caution: ''Arson is a big time felony so wear gloves and old clothes you can throw away throughout the entire process and be very careful not to leave a single shred of evidence.''

It is unfortunate that people feel the need to disseminate information and instructions on bombmaking and explosives. Now perhaps we can't stop people from putting out that information. But if they are doing so with the intent that the information be used to commit a violent federal crime—or if they know that the information will be used for that purpose, then this amendment will serve to hold such persons accountable.

Unfortunately, kids today have unfettered access to a universe of harmful material. By merely clicking a mouse, kids can access pornography, violent video games, and even instructions for making bombs with ingredients that can be found in any household. Why

someone feels the need to put such harmful material on the Internet is beyond me—there certainly is no legitimate need for our kids to know how to make a bomb. But if that person crosses the line to advocate the use of that knowledge for violent criminal purposes, or gives it out knowing it will be used for such purposes, then the law needs to cover that conduct.

Mr. President, the Hatch-Feinstein Federal Gang Violence Act incorporated in this amendment is a modest but important in stemming the spread of gangs and violence across the country and among our juveniles. I urge my colleagues to support it.

I am happy to yield to the distinguished Senator from California.

The PRESIDING OFFICER. The Senator from California is recognized.

Mrs. FEINSTEIN. I thank the Chair.

I thank the distinguished chairman of the Judiciary Committee. I want him to know it has been a great pleasure for me to be able to work with him on these three issues, and now on the gang bill, for the past 3 years.

Mr. President, I think the chairman has very accurately and adequately stated what these amendments do. I would like to just provide a little bit of filler material with respect to the need. There are over 23,000 youth gangs in all 50 States in the United States. I think it will come as no surprise for people to learn that California is the No. 1 gang State, with almost 5,000 different gangs, more than three times as many as the next State. Overall, there are over 600,000 members of gangs. And they have increased tenfold since 1975.

This legislation is a direct result of the importuning of many in local law enforcement who have come to me and others in this body and said: Could the Federal Government give us a hand in fighting gangs?

In Los Angeles alone, over the past 16 years, 7,300 people were murdered from gang warfare—more people than have been killed in all the terrorist fighting in Northern Ireland.

Today, modern gangs are organized. Take, for one, the Bloods and Crips, which began in Los Angeles. They now have a presence in 119 American cities, as you can see on this chart. Take, for instance, Chicago's Gangster Disciples, which have expanded into 34 Midwest and Southern cities, with a board of directors inside prison and a board of directors outside prison.

These gangs operate very often as modern Mafia-type enterprises. They move across State lines. They move drugs. They practice a whole series of crimes. And they do so in a very organized way.

In Los Angeles alone, the 18th Street Gang now deals directly with Mexican and Colombian drug cartels. They have expanded their operations to Oregon, Utah, El Salvador, Honduras and Mexico. And it goes on and on and on; virtually every ethnic and racial group has some gang that is operating in the United States.

The chairman has accurately stated what this amendment would do. It increases sentences for gang members who commit Federal crimes. It enhances the ability of Federal prosecutors to prosecute gangs. It amends the Travel Act to include some offenses which gangs perpetrate. It adds serious juvenile drug offenses to the Armed Career Criminal Act. And it provides a 3-year mandatory minimum sentence to knowingly transferring a firearm for use in a violent crime or drug trafficking crime where the gun is transferred to a minor.

Let me move now to the second part of it. This has to do with bomb making on the Internet. In the Judiciary Committee not too long ago, I remember somebody presenting a manual called ''The Terrorist Handbook'' that could be pulled up on the Internet. I went back and we downloaded it from the Internet.

What I saw really chilled me, because what I saw was accurate information on how to steal chemicals, how to break into chemistry labs, what to buy in stores, and how to go home and make pipe bombs, telephone bombs, letter bombs, and mailbox bombs. Virtually every use in the manual is illegal. And you have to ask, Why?

The youngsters in Colorado who perpetrated the crime indicated they got the formula for the pipe bombs directly from the Internet. It well could have been from this very volume I hold up today.

Since Littleton, CO, there has been a rash of these. Police arrested five students in Brooklyn for possessing this manual that they found on the Internet.

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

Mrs. FEINSTEIN. Mr. President, I ask unanimous consent just for one additional minute.

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

Mrs. FEINSTEIN. I will ask to print in the RECORD a list of counties and cities where we have had incidents directly following Littleton: Salt Lake; Cobb County in Georgia; Port Aransas, TX; Wichita Falls; Wimberley, TX. More than 50 threats of bombs and other acts of violence have occurred in the last few weeks since Littleton, CO.

This amendment essentially says it will become a Federal crime to teach or distribute information on how to make a bomb or other weapon of mass destruction if the individual intends the information be used to commit a Federal violent crime or knows that the recipient of the information intends to use it to commit a Federal violent crime.

The Justice Department has reviewed the legislation. We believe that it is constitutional. The Fourth Circuit has heard a case and has effectively declared the methodology herein as constitutional.

The final part of this bill is the James Guelff Body Armor Act. It speeds body armor of 10,000 surplus pieces from the FBI and the DEA to local and State governments. It makes body armor more difficult to obtain by felons. And we are very hopeful this will be included.

So we have the gang amendments, we have the lawmaking amendment, and the body armor.

I thank the Chair and yield the floor.

Mr. LEAHY. Mr. President, when the predecessor to this bill was introduced in the last Congress, I raised a number of concerns about the bill. I am glad to see that this amendment is much improved from the Hatch-Feinstein gang bill in the last Congress.

This amendment also contains proposals that Senator DEWINE and I have worked on together. For example, this amendment contains new procedures for law enforcement to obtain clone pagers. These are pagers held by law enforcement that duplicate the numeric messages received by a drug dealer or other criminal. This is a useful tool for law enforcement and I have long worked to streamline the procedures for the FBI, the DEA and other law enforcement agencies to obtain legal authorization to use clone pagers.

For including this clone pager proposal in the amendment, along with the other improvements made by the sponsors, they should be commended. I know they worked hard on this amendment.

I remain concerned about some of the penalties in this amendment. The amendment calls for a new death penalty and new mandatory minimums that should be revised in conference.

Mr. CAMPBELL. Mr. President, I am pleased to see that an important provision that is based on a bill I introduced earlier this year has been included in the pending legislation.

This provision would provide Federal matching grants to help our state and local law enforcement officers acquire life saving bullet resistant equipment. This provision is based on S. 726, the Officer Dale Claxton Bullet Resistant Police Protective Equipment Act of 1999. S. 726 is named in memory of Dale Claxton, a Cortez, Colorado, police officer who was fatally shot through the windshield of his patrol car last year. A bullet resistant windshield could have saved his life.

Unfortunately, incidents like this are far from isolated. All across our nation law enforcement officers, whether in hot pursuit, driving through dangerous neighborhoods, or pulled over on the side of the road behind an automobile, are at risk of being shot through their windshields. We must do what we can to prevent these kinds of tragedies as

better, lighter and more affordable types of bullet resistant glass and other equipment become available.

While I served as a deputy sheriff in Sacramento County, California, I became personally aware of the inherent dangers law enforcement officers encounter each day on the front lines. Now that I serve as a U.S. Senator here in Washington, DC, I believe we should do what we can to help our law enforcement officers protect themselves as they risk their lives while protecting the American people from violent criminals.

One important way we can do this is to help them acquire bullet resistant glass and armored panels for patrol cars, hand held bullet resistant shields and other life saving bullet resistant equipment. This assistance is especially crucial for small local jurisdictions that often lack the funds needed to provide their officers with the life saving bullet resistant equipment they need.

This Claxton bullet resistant equipment provision builds upon the successes of the Bulletproof Vest Partnership Grant Act, S. 1605, which I introduced in the 105th Congress and the president signed into law last June. This program provides matching grants to state and local law enforcement agencies to help them purchase body armor for their officers. This provision builds upon this worthy program by expanding it to help them acquire additional types of bullet resistant equipment.

The central part of the Claxton provision authorizes a new $40 million matching grant program to help state, local, tribal and other small law enforcement agencies acquire bullet resistant equipment such as bullet resistant glass and armored panels for patrol cars, hand held bullet resistant shields and other life saving equipment.

This matching grant program is authorized for fiscal years 2000 through 2002 and would be administered by the Bureau of Justice Assistance according to a formula that ensures fair distribution for all states, local communities, tribes and U.S. territories. To help ensure that these matching grants get to the jurisdictions that need them the most the bureau is directed to make at least half of the funds available to those smaller jurisdictions whose budgets are the most financially constrained.

Another key part of the Claxton provision allocates $3 million over 3 years to the Justice Department's National Institute of Justice (NIJ) to conduct an expedited research and development program to speed up the deployment of new bullet resistant technologies and equipment. The development of new bullet resistant materials in the next few years could be as revolutionary in the next few years as Kevlar was for body armor in the 1970s. Exciting new technologies such as bonded acrylic, polymers, polycarbons, aluminized material and transparent ceramics promise to provide for lighter, more versatile and hopefully less expensive bullet resistant equipment.

The Officer Dale Claxton provision also directs the NIJ to inventory existing technologies in the private sector, in surplus military property, and in use by other countries and to evaluate, develop standards, establish testing guidelines, and promote technology transfer.

Our nation's state, local and tribal law enforcement officers regularly put their lives in harm's way and deserve to have access to the bullet resistant equipment they need. The Officer Dale Claxton bill will both get life saving bullet resistant equipment deployed into the field where it is are needed and accelerate the development of new life-saving bullet resistant technologies.

I urge my colleagues to join me in supporting this provision.

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

Mr. HATCH addressed the Chair.

The PRESIDING OFFICER. The Senator has 2 minutes 43 seconds.

Mr. HATCH. Mr. President, unless there is opposition, I would yield that 2 minutes to the Senator from California.

Has the Senator from California said all she wants to say on this?

Mrs. FEINSTEIN. I believe so, Mr. President. I thank the Senator.

AMENDMENT NO. 339

Mr. HATCH. Mr. President, the next amendment is that of Senator BYRD.

Mr. LEAHY. Mr. President, if the Senator will yield, I have been advised by the distinguished senior Senator from West Virginia that he will not require his time in favor of the amendment, other than the minute he has reserved just prior to the vote. I was prepared to yield back 5 minutes as a proponent. There may be, however, those who seek time as opponents.

Mr. HATCH. If the Senator will yield, I would like to take about a minute of Senator BYRD's time.

The PRESIDING OFFICER. The Senator from Utah is recognized.

Mr. HATCH. And then protect the right of the Senator from California to speak in opposition.

Mr. President, I am pleased to support this amendment, which is nearly identical to a bill I introduced earlier this year, S. 577, The Twenty-First Amendment Enforcement Act. If nothing else can be said about this issue—it is absolutely imperative that states have the means to prevent unlawful access to alcohol by our children.

If a 13-year-old is capable of ordering beer and having it delivered by merely ''borrowing'' a credit card and making a few clicks with her mouse, there is something wrong with the level of control that is being exercised over these sales and something must be done to address the problem.

I am a strong supporter of e-commerce. But the sale of alcohol cannot be equated with the sale of a sweater or shirt. We need to foster growth in electronic commerce, but we also need to make sure that alcohol control laws are respected.

The growth of many of our nation's wineries is tied to their ability to achieve name recognition and generate sales nationwide—tasks the Internet is uniquely suited to accomplish. I do not want to preclude them from using the Internet; I want to ensure that they use it responsibly and in accordance with state laws.

If there is a problem with the system, we need to fix the system, not break the laws.

The 21st amendment gives states the right to regulate the importation of alcohol into their states. However, efforts to enforce laws relating to the importation of alcohol have run into significant legal hurdles in both state and Federal courts.

The scope of the 21st amendment is essentially a federal question that must be decided by the federal courts—and ultimately the Supreme Court. For that reason, among others, I believe a federal court forum is appropriate for state enforcement efforts.

Most states do not permit direct shipping of alcohol to consumers. Therefore most Internet sales of alcohol are currently prohibited. If a state wants to set up a system to allow for the direct shipment of alcohol to consumers, such as New Hampshire and Louisiana have already done, then that is their right under the 21st amendment. But the decision to permit direct shipping, and under what conditions, is up to the states, not the purveyors of alcohol.

The bill is supported by a host of interests including, *inter alia,* Utah interests (Governor Leavitt, Attorney General Graham, Utah's Department of Alcoholic Beverage Control, the Utah Hospitality Association, numerous Utah Congressional Representatives and Senator BENNETT), SADD, the National Licensed Beverage Association, the National Beer Wholesalers Association, the Wine and Spirits Wholesalers, Geerlings and Wade (leading direct marketer of fine wines to 27 states and more than 81 percent of the wine consuming public), Americans for Responsible Alcohol Access, the National Association of Beverage Retailers, the National Alcohol Beverage Control Association, and the National Conference of State Liquor Administrators.

Having said that, I will yield back the remainder of any time the proponents have.

Mr. LEAHY. Mr. President, I commend the Senior Senator from West Virginia for his dedication to enforcing state liquor laws. But I must disagree

with his approach. The Byrd amendment would permit the enforcement of state liquor laws in Federal court. This expansion of the jurisdiction of the Federal courts is not warranted and raises constitutional problems because one state may impose its laws on the citizens of another state under this amendment.

In the Judiciary Committee, we recently held a hearing on this issue of direct sales of alcohol products over the Internet and via mail order. In our hearing, several expert witnesses raised questions about a similar bill by Senator HATCH, S. 577. I would like to work with Senator BYRD, Senator HATCH and others on the Judiciary Committee to see if we can refine this legislation to make sure it will pass constitutional muster. I have my doubts about constitutionality of the language before us today and will have to vote against the Byrd amendment as currently drafted.

If the full Senate is to pass an amendment today on the interstate shipment of alcohol, I believe the amendment by Senator FEINSTEIN is a more targeted and sounder approach.

Her amendment would require clear labeling of alcoholic beverages shipped interstate and require the signature of an adult upon delivery of the alcoholic beverages.

The Feinstein amendment does not raise constitutional issues and is targeted at preventing any underage purchase of alcoholic beverages over the Internet or through other direct sales.

I will vote against the Byrd amendment and for the Feinstein amendment, because I believe that hers is constitutionally far more acceptable but also hits the problem far better.

Mr. HATCH. Mr. President, before I relinquish the floor to Senator FEINSTEIN, let me say that I think States need the ability to take action on their own to enforce their State liquor laws. Senator BYRD's amendment provides States with a Federal court forum to enjoin violations of their alcohol laws, denying violators the ability to hide behind a jurisdictional curtain.

Mr. President, this is a summary of the Byrd amendment:

First, it permits the chief law enforcement officer of a state to seek an injunction in federal court to prevent the violation of any of its laws regulating the importation or transportation of alcohol;

Second, allows for venue for the suit where the defendant resides and were the violations occur;

Third, no injunctions issued without prior notice to the opposing party;

Fourth, requires that injunctions be specific as to the parties, the conduct and the rationale underlying the issuance of the injunction;

Fifth, allows for quick consideration of the application for an injunction; conserves court resources by avoiding redundant proceedings; and

Sixth, mandates a bench trial.

Having said that, I probably will support both the Byrd amendment and the next amendment by the distinguished Senator from California, Mrs. FEINSTEIN.

Mrs. FEINSTEIN. I thank the ranking member for his comments. My views parallel his. I think the Byrd method is very well intentioned. I happened to be on the floor when the Senator presented it. However, I must say I believe it is overly broad. It would essentially permit States to deputize the Federal courts which exist to enforce Federal laws, not State laws. I believe it would have the unintended consequence of dramatically expanding the power of any one State in a matter which would diminish consumer choice and really harm legitimate businesses.

This is more or less an intra-industry fight. California is home to 90 percent of the domestic wine industry. The vast majority of these wineries are small family farms. The wine industry is certainly vital. Many of these small wineries essentially have wine tastings. Individuals come in, taste the wine. They do not have shelf space. The wine is expensive, and they will use the Internet to be able to ship this wine.

The problem which has been presented for remedy is children obtaining this kind of alcoholic beverage through the Internet. I happen to doubt that children would buy $90 bottles of wine, but, nonetheless, the second amendment I will present in essence tackles the question at hand by saying that any of these shipments must be clearly labeled, and they must be received by someone who has the qualification to receive them, identification showing that that individual is entitled to receive them and is in fact an adult.

Therefore, I do not believe this throwing of State alcohol law into the Federal courts is necessary to solve the problem at hand.

I urge a no vote on the Byrd amendment and an aye vote on the Feinstein amendment.

The PRESIDING OFFICER. All time on the amendment has expired.

AMENDMENT NO. 354, AS MODIFIED

The PRESIDING OFFICER. The Senate will now move to the debate on the Feinstein amendment.

The Senator from California.

Mrs. FEINSTEIN. Mr. President, if I may, I ask unanimous consent to modify my amendment No. 354.

The PRESIDING OFFICER. Without objection, the amendment is modified.

The amendment (No. 354), as modified, is as follows:

At the appropriate place, add the following:

SEC. ___. INTERSTATE SHIPMENT AND DELIVERY OF INTOXICATING LIQUORS.

(a) IN GENERAL.—Chapter 59 of title 18, United States Code, is amended—

(1) in section 1263—

(A) by inserting ''a label on the shipping container that clearly and prominently identifies the contents as alcoholic beverages, and a'' after ''accompanied by''; and

(B) by inserting ''and requiring upon delivery the signature of a person who has attained the age for the lawful purchase of intoxicating liquor in the State in which the delivery is made,'' after ''contained therein,''; and

(2) in section 1264, by inserting ''or to any person other than a person who has attained the age for the lawful purchase of intoxicating liquor in the State in which the delivery is made,'' after ''consignee,''.

Mrs. FEINSTEIN. Mr. President, the modification I have sent to the desk changes the penalty, and I will explain that in a moment.

The amendment, as I have just described it, would require persons who ship alcoholic beverages across State lines to: First, clearly and prominently label the contents as alcoholic beverages; second, state the full name of the person causing the package to be shipped; i.e., the seller; and third, state that an adult's signature is required. It would require the shippers—for example, Federal Express—to not deliver a package so labeled unless they can: One, verify that the person receiving the delivery is of legal age for purchasing alcoholic beverages; and, two, obtain that person's signature.

Mr. President, the amendment I sent to the desk to modify would simply provide that existing penalties would apply to this bill. Those are criminal penalties of up to 1 year imprisonment and fines of up to $200,000 for organizations or $100,000 for individuals. A seller who violates this requirement on three or more occasions may have their ATF basic permit revoked. That is the effect of the law today, and we would repeat that penalty in this particular instance.

I thank the Chair.

The PRESIDING OFFICER. Does any Senator wish to speak in opposition?

Mr. HATCH addressed the Chair.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Mr. President, I am prepared to yield back all the time in opposition to this amendment on our side. We are prepared to vote.

VOTE ON AMENDMENT NO. 351

The PRESIDING OFFICER. The question is on agreeing to amendment No. 351. 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 Kansas (Mr. BROWNBACK) is necessarily absent.

Mr. REID. I announce that the Senator from New York (Mr. MOYNIHAN) is necessarily absent.

I further announce that, if present and voting, the Senator from New York (Mr. MOYNIHAN) would vote ''no.''

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

The result was announced—yeas 85, nays 13, as follows:

[Rollcall Vote No. 121 Leg.]

YEAS—85

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

NAYS—13

Bingaman	Hollings	Murray
Boxer	Kerrey	Reed
Durbin	Lautenberg	Wellstone
Feingold	Leahy	
Harkin	Levin	

NOT VOTING—2

Brownback	Moynihan

The amendment (No. 351) was agreed to.

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

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

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senator will withhold. The Senate will be in order. The Senator from Utah.

Mr. HATCH. Mr. President, we are making headway. I ask unanimous consent that the remaining votes in this series be limited to 10 minutes in length.

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

The Senator from Vermont.

Mr. LEAHY. Mr. President, just a point of clarification before we start to vote. Each side gets 1 minute before these votes. I urge Senators on both sides to give attention to both proponents and opponents so they can be heard. Senator HATCH and I have worked very hard to get it down to this list, so we should make sure both sides are protected and can be heard.

AMENDMENT NO. 352

The PRESIDING OFFICER. There are 2 minutes equally divided on the Kohl-Hatch amendment. Who yields time? The Senator from Utah.

Mr. HATCH. Mr. President, let me just make one quick comment and then yield to Senator KOHL.

The Kohl-Hatch amendment provides qualified immunity to law-abiding gun owners who use a child safety lock or gun storage unit and requires that all handguns be sold with a child safety lock or gun storage unit.

The PRESIDING OFFICER. The Senator from Wisconsin.

Mr. KOHL. Mr. President, none of us is naive enough to believe today's vote signals a bipartisan consensus on all gun control issues, or even most of them. But after a week of back-and-forth—and forth-and-back—over firearms, it is good to see a consensus developing on at least this commonsense measure to keep handguns away from children. Simply put, the Kohl-Hatch-Chafee amendment will ensure that a child safety device—or trigger lock—is sold with every handgun.

This proposal will move us forward today, and it will help save lives. I hope we can all support it.

The PRESIDING OFFICER. Who yields time in opposition to the amendment?

Mr. HATCH. We yield back the time.

The PRESIDING OFFICER. All time is yielded back. The question is on agreeing to the Hatch-Kohl amendment. 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 Kansas (Mr. BROWNBACK) is necessarily absent.

Mr. REID. I announce that the Senator from New York (Mr. MOYNIHAN) is necessarily absent.

I further announced that, if present and voting, the Senator from New York (Mr. MOYNIHAN) would vote ''aye.''

The result was announced—yeas 78, nays 20, as follows:

[Rollcall Vote No. 122 Leg.]

YEAS—78

Abraham	Fitzgerald	Lott
Akaka	Frist	Lugar
Baucus	Gorton	McCain
Bayh	Graham	McConnell
Bennett	Grassley	Mikulski
Biden	Gregg	Murkowski
Bingaman	Hagel	Murray
Boxer	Harkin	Reed
Breaux	Hatch	Reid
Bryan	Hollings	Robb
Byrd	Hutchinson	Roberts
Campbell	Hutchison	Rockefeller
Chafee	Inouye	Roth
Cleland	Jeffords	Santorum
Cochran	Johnson	Sarbanes
Collins	Kennedy	Schumer
Conrad	Kerrey	Smith (OR)
Daschle	Kerry	Snowe
DeWine	Kohl	Specter
Dodd	Kyl	Stevens
Domenici	Landrieu	Thurmond
Dorgan	Lautenberg	Torricelli
Durbin	Leahy	Voinovich
Edwards	Levin	Warner
Feingold	Lieberman	Wellstone
Feinstein	Lincoln	Wyden

NAYS—20

Allard	Crapo	Nickles
Ashcroft	Enzi	Sessions
Bond	Gramm	Shelby
Bunning	Grams	Smith (NH)
Burns	Helms	Thomas
Coverdell	Inhofe	Thompson
Craig	Mack	

NOT VOTING—2

Brownback	Moynihan

The amendment (No. 352) was agreed to.

Mr. STEVENS. I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senator from Utah.

AMENDMENT NO. 353

Mr. HATCH. Mr. President, this next amendment is the Hatch-Feinstein amendment. It is an amendment to give enhanced authority to combat gang violence. In addition to combating gang violence, this also is an amendment that bans bombmaking information on the Internet or information on the Internet with intent to injure.

I described this rather fully in my opening remarks earlier in the day. I give the rest of my time to the distinguished Senator from California.

Mrs. FEINSTEIN. Thank you very much, I say to the Senator. And thank you, Mr. President.

This amendment essentially has four parts. One relates to gangs that move across interstate lines practicing criminal enterprise, the second is body armor, the third is bombmaking, and the fourth is animal terrorism.

Essentially, with respect to gangs, this bill will increase sentences for gang members who commit Federal crimes. It will enhance the ability of Federal prosecutors to prosecute gangs for this crime. And it will add serious juvenile drug offenses to the Armed Career Criminal Act.

With respect to body armor, there are about 10,000 surplus pieces of body armor that the FBI and DEA have.

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

Does anyone yield time in opposition to the amendment? The Senator from Vermont.

Mr. LEAHY. Mr. President, it is not in opposition, but I will use that time if nobody else is seeking it.

This is much improved from what it was last year. It has included a proposal that Senator DEWINE and I have worked on together. My one concern is the penalties. It does call for a new death penalty and new mandatory minimum.

I will tell the distinguished Senator from California and the distinguished Senator from Utah, these are issues that will be raised in conference.

The PRESIDING OFFICER. All time has expired. The question is on agreeing to amendment No. 353. The yeas and nays are ordered. The clerk will call the roll.

The legislative clerk called the roll.

Mr. NICKLES. I announce that the Senator from Kansas (Mr. BROWNBACK) is necessarily absent.

Mr. REID. I announce that the Senator from New York (Mr. MOYNIHAN) is necessarily absent.

I further announce that, if present and voting, the Senator from New York (Mr. MOYNIHAN) would vote ''aye.''

The result was announced—yeas 85, nays 13, as follows:

[Rollcall Vote No. 123 Leg.]

YEAS—85

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

NAYS—13

Biden	Harkin	Murray
Conrad	Inouye	Thompson
Dodd	Kennedy	Wellstone
Dorgan	Lautenberg	
Feingold	Levin	

NOT VOTING—2

Brownback	Moynihan

The amendment (No. 353) was agreed to.

AMENDMENT NO. 339

Mr. BYRD addressed the Chair.

The PRESIDING OFFICER (Mr. HAGEL). The Senator from West Virginia is recognized.

Mr. BYRD. Mr. President, this proposal by Senator KOHL and myself simply authorizes the attorney general of a State to go into Federal district court and seek an injunction against any person importing alcohol into that State in violation of that State's law. Unfortunately, recent Federal court decisions have held that States do not necessarily have the power to seek such an injunction despite the fact that the 21st amendment to the Constitution and the Webb-Kenyon Act give States the power to prohibit alcohol importation. As a consequence, many States are at a loss when it comes to enforcing their own laws.

For those who may have concerns with this proposal, let me state unequivocally that the amendment will not restrict the lawful manufacture, advertisement, sale, transportation, or importation of any alcoholic beverage. As long as a distiller, or a brewer, or a winemaker complies with the laws of the given State, they will have no additional restrictions placed upon them by this amendment. The only ones who need to fear this amendment are those who are conducting their business in an unlawful manner, particularly those who are willing to sell alcohol to our children.

Mr. President, as the Senate considers this juvenile justice bill, designed to reduce the scourge of youth violence and crime, I beseech my colleagues to remember that alcohol use and abuse constitute an important facet of this national problem. Let us not overlook the pernicious effects that alcohol has on our young people. Let us not turn our backs on them by foregoing this opportunity to put a stop to those who choose to evade our laws. I urge my colleagues to support this amendment.

Mrs. FEINSTEIN addressed the Chair.

The PRESIDING OFFICER. The Senator from California is recognized.

Mrs. FEINSTEIN. Mr. President, I rise to oppose the amendment. The amendment really is developed because of problems with alcohol being shipped to minors, and the amendment has major concern to the California wine industry. We believe it opens the Federal courts to State law. It does not focus on underage drinking, it is not supported by Mothers Against Drunk Driving, and it is opposed by the largest Internet trade group and by the wine industry.

Rather, my amendment would focus directly on underage drinking by requiring that any shipment be clearly marked with a label as to what the contents are and require that the recipient be qualified to receive it—in other words, be able to present identification that that person is, in fact, an adult.

The PRESIDING OFFICER. The question is on agreeing to Amendment No. 339.

The yeas and nays have been ordered.

The clerk will call the roll.

The assistant legislative clerk called the roll.

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

Mr. NICKLES. I announce that the Senator from Kansas (Mr. BROWNBACK) is necessarily absent.

Mr. REID. I announce that the Senator from New York (Mr. MOYNIHAN) is necessarily absent.

I further announce that, if present and voting, the Senator from New York (Mr. MOYNIHAN) would vote ''no.''

The result was announced—yeas 80, nays 17, as follows:

[Rollcall Vote No. 124 Leg.]

YEAS—80

Abraham	Craig	Gramm
Akaka	Crapo	Grams
Ashcroft	Daschle	Grassley
Baucus	DeWine	Gregg
Bennett	Dodd	Hagel
Biden	Domenici	Harkin
Breaux	Dorgan	Hatch
Bryan	Durbin	Helms
Bunning	Edwards	Hollings
Burns	Enzi	Hutchinson
Byrd	Feingold	Hutchison
Cleland	Fitzgerald	Inhofe
Cochran	Frist	Inouye
Conrad	Gorton	Jeffords
Coverdell	Graham	Johnson
Kennedy	Murkowski	Smith (OR)
Kerry	Nickles	Snowe
Kohl	Reid	Specter
Kyl	Robb	Stevens
Lautenberg	Roberts	Thomas
Levin	Rockefeller	Thompson
Lieberman	Santorum	Thurmond
Lincoln	Sarbanes	Voinovich
Lott	Schumer	Warner
Lugar	Sessions	Wellstone
McConnell	Shelby	Wyden
Mikulski	Smith (NH)	

NAYS—17

Allard	Chafee	Mack
Bayh	Collins	Murray
Bingaman	Feinstein	Reed
Bond	Kerrey	Roth
Boxer	Landrieu	Torricelli
Campbell	Leahy	

NOT VOTING—2

Brownback	Moynihan

ANSWERED ''PRESENT''—1

McCain

The amendment (No. 339) was agreed to.

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

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

The motion to lay on the table was agreed to.

AMENDMENT NO. 354, AS MODIFIED

The PRESIDING OFFICER. The question now is on the Feinstein amendment. There are 2 minutes equally divided.

Who seeks recognition?

Mr. HATCH. May I ask the distinguished Senator from California, since everybody understands this, why don't we yield back the time?

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

Mr. HATCH. If I could ask the distinguished Senator from California—I certainly support this amendment; I believe everyone understands that—why don't we just yield back the time?

Mrs. FEINSTEIN. I will be happy to.

Mr. HATCH. I yield back the time on this side.

Mr. GRAMM. Can't we just voice vote it?

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

Mr. HATCH. Can we voice vote this amendment? I ask unanimous consent that the yeas and nays be vitiated.

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

Mr. HATCH. I thank the Chair.

The PRESIDING OFFICER. If there be no further debate, the question is on agreeing to the amendment.

The amendment (No. 354), as modified, was agreed to.

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

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

The motion to lay on the table was agreed to.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Mr. President, in just a few minutes we believe we can get consent to have three more votes this evening and we will put over a stacked group of amendments for tomorrow, but we are just a few minutes away from having that consent. I suggest the absence of a quorum while we get it.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HATCH. 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. HATCH. Mr. President, I ask unanimous consent that the Senate now resume S. 254, and the amendments, in this order tonight: Amendment No. 358, followed by amendment No. 348; that these will be the next two amendments, previously debated, to the pending juvenile justice bill, which will now be the pending question, in the order in which they were offered, with up to 5 minutes equally divided for additional debate prior to a vote on or in relation to these two amendments.

I further ask that notwithstanding a vote in relation to an amendment, if any amendment is not tabled or skipped in the voting sequence, it then be laid aside for additional votes in the sequence, with the amendments reoccurring at the end of the sequence ending with amendment No. 361.

I further ask that following the disposition of each debate on each amendment, the amendment be laid aside, and at the hour of 5:50 p.m. today the Senate proceed to vote on or in relation to the amendments, in the order in which they were offered, with 2 minutes prior to each vote for explanation.

Mr. LEAHY. Mr. President, reserving the right to object, and I shall not——

Mr. HATCH. Will the Senator yield for one other question? I believe I said amendment 358, but the two amendments tonight will be 359 and 348, in that order. I ask unanimous consent.

Mr. KENNEDY. Reserving the right to object.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KENNEDY. As I understand, the Senator has asked for rollcalls on those two votes, but then he asked for consent after that to sequence which amendments and in what order?

Mr. HATCH. To sequence the remaining amendments, the skipped amendments, in the order in which they were following amendment No. 361. In other words, we are putting them at the end of the group of amendments.

Mr. KENNEDY. I have no objection.

I understand that Senator HARKIN is not here.

Mr. HARKIN. I am here. I am trying to figure it out myself.

Mr. LEAHY addressed the Chair.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. What this does, I tell Senators on my side of the aisle, is say we will have two votes tonight. They have to go out of the sequence, but then we go back to the sequence. It is my understanding, from the distinguished Senator from Mississippi, that those will be the only two rollcall votes we will have tonight, and then we will be back on the sequence tomorrow, if I am correct.

Mr. LOTT. That is correct.

If I could get recognition, if the Senator desires to have some debate on his amendment tonight, that will be fine and will be anticipated also. So we will do these two out of sequence, with the last vote occurring probably around 6:15 or so.

Mr. LEAHY. Or earlier.

Mr. LOTT. Or perhaps earlier. That will be the last vote tonight. The next amendment in order will be the amendment the Senator from Iowa is concerned about. And if he would like to debate that tonight, that would be fine.

Mr. HARKIN. Reserving the right to object, it is my understanding that for 359 and 348, we will have those two votes. That will be all tonight?

Mr. LOTT. Right.

Mr. HARKIN. Then what will occur after that? What is the next thing in sequence?

Mr. HATCH. Could I make it clear? After that will occur No. 360, then No. 361, then No. 356, then No. 357, and last will be No. 355, which is the amendment the distinguished Senator is concerned with.

Mr. HARKIN. And your unanimous consent did not put any time limit on that?

Mr. LEAHY. No.

Mr. HATCH. We did not. I ask unanimous consent that they be put in that order, with No. 355, the one with which the distinguished Senator is concerned, last on the list.

The PRESIDING OFFICER. Is there objection?

Mr. HARKIN. Reserving the right to object, is there a time limit?

Mr. HATCH. There is not.

Mr. HARKIN. On any of these?

Mr. HATCH. No.

Mr. LEAHY. No. It is my understanding that there is a time limit on only the two this evening.

Mr. HARKIN. I see.

Mr. HATCH. We are hoping we can set aside basically the other controversial, but not seriously controversial, amendments to be stacked tomorrow at some time, in accordance with the wishes of the majority and minority leaders, and they will proceed in the same way these have. But we understand on No. 355 there is not a time limit.

Mr. HARKIN. I will not object as long as I understand and the record is clear that on amendment No. 355, the Frist-Ashcroft amendment on IDEA, there is no time limit.

Mr. HATCH. No time limit. It will be the last of the amendments in the order we are listing them.

I ask unanimous consent that that be so.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. HATCH. I hope we can move to these two amendments. We have 5 minutes to debate them.

AMENDMENT NO. 359

Mr. HATCH. The first amendment coming up will be Senator WELLSTONE's on domestic violence for 2½ minutes.

Mr. WELLSTONE addressed the Chair.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. WELLSTONE. Might I ask a question first? I am sorry. I do not intend to take a lot of time.

Is there a time limit on this amendment tonight?

Mr. HATCH. The time limit of 5 minutes equally divided.

Mr. LEAHY. Could we have order.

The PRESIDING OFFICER. The Senate will be in order.

Mr. WELLSTONE. Thank you, Mr. President.

Mr. President, this amendment goes right to the heart of this legislation. If we are serious about youth violence, one of the things we want to do is help kids before they get into trouble.

This amendment would authorize grant money which would go to the community level for counselors and courts and schools and health care providers and teachers and battered women programs to provide support and help to those children who witness violence in their homes.

We have focused on the violence against the adult—usually the woman, I am very sorry to say. But one of the things I found around the country, I say to my colleagues, is that we have not provided the support for kids. If you care about this issue of family violence, and if you care about trying to get more support for children who witness this and see it all the time and then cannot do well in school and are in trouble, then you need to support this amendment.

In the bill right now, the language is not specific; it is very weak. It just simply talks about kids at risk, but it does not focus specifically on the problem of violence in homes and the effects on children who witness this violence. This is one of the best amendments we could support.

For those of you who have done this work dealing with the issues of family violence, for those of you who care about reducing violence in families and supporting children, this is really an important amendment. I hope it will have strong support.

The PRESIDING OFFICER. Who seeks recognition?

Mr. HATCH. Mr. President, I yield back the remainder of my time on this amendment, except let me just say this: I very much appreciate the efforts of the Senator from Minnesota. As I read it, it provides for six new grant programs totaling $170 million.

Mr. President, as you know, the issue of domestic violence, including its impact on children, is one that has been of paramount concern to me over the past 10 years. Working with Senator BIDEN, and the Senate, the Senate acted decisively in 1994 by passing the Violence Against Women Act. Moreover, in the years following passage of this landmark legislation, this Senate has consistently funded programs authorized by that legislation.

I do agree with my colleague; we probably could do more. We certainly can do better. For that reason, Senator BIDEN and I have begun working on a significant and thorough review of the act.

In 1994, we created many new programs, and we have spent hundreds of millions of dollars to fund them. I think it is time to examine what works and what doesn't as we look to reauthorizing this Act. Further, I think we need to examine carefully whether and what kind of additional programs are necessary and appropriate.

The Senator's amendment raises an important issue—the impact of domestic violence on children and what can be done to alleviate this problem. I am not prepared, however, at this time, to endorse his solutions.

I understand why the Senator would try to use this bill as a vehicle for his amendment, but I disagree. Rather, these suggestions, along with others, ought to be considered in the context of reauthorizing the Violence Against Women Act. For example, several of the NEW grant programs proposed sound to me as if they ought to be considered as a discretionary use of funds in existing VAWA programs. Further, whereas we have a major Act on the books that deals with domestic violence, the new Wellston grant programs contain a new and different definition of domestic violence. Mr. President, these are not the kind of changes we should be making in the context of a juvenile crime bill.

Let me close by commending the Senator from Minnesota. But for the reasons stated, I will at the appropriate time move to table his amendment because I think we are going to work this out in the future. And let's work it out in the appropriate bill.

I yield back any further time we have.

AMENDMENT NO. 348

Mr. HATCH. Mr. President, we now move to the Ashcroft amendment No. 348.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. ASHCROFT. Mr. President, thank you very much.

Mr. President, 50 percent of all arsons, 37 percent of all burglaries are committed by juveniles, 17 percent of all forcible rapes.

Our juvenile justice system is no longer being asked to deal with chewing gum and spitballs in the hall but real violent crime.

This amendment is very straightforward and simple. It says that while juveniles are committing adult crimes with firearms, they should be treated as adults; that if juveniles are going to be involved in rapes, murders, armed robberies, armed assaults, that kind of violent crime, using firearms, that we want to provide the encouragement, incentive, and resources from the Federal level for States to treat those individuals as adults. So this amendment provides States with incentives to try juveniles as adults when they commit armed violent crimes.

Specifically, this amendment encourages States to try juveniles as adults when youth over 14 use firearms. This is not just any kind of crime, but when youth over 14 use firearms to commit murder, forcible rape, armed robbery, armed assault, and use firearms in major drug crimes. We have a real serious situation where young people are committing crimes that we once thought were reserved to adults.

Juveniles should understand that we will not consider this to be some sort of status offense or delinquency, that the commission of real violent crime by juveniles will be treated as adult crime. The unpleasant fact is that all too many juveniles commit serious armed crime. The answer is to prosecute these crimes vigorously to the full extent of the law.

This amendment provides States with substantial incentives to give adult time to juveniles who commit adult crimes. The purpose and thrust of this amendment, thus, is very narrow. For a narrow range of crimes—murder, rape, robbery, assault, major drug crimes—committed with a firearm, we provide Federal incentives and resources to try those criminals as adults with adult penalties.

It is with that in mind that this amendment obviously is one which I believe merits the support of all the Members of the Senate.

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

Mr. ASHCROFT. Yes.

Mr. DURBIN. How many States presently have laws on the books which impose the penalty of add-ons for children, those under the age of 14, for these crimes?

Mr. ASHCROFT. First of all, this amendment refers to children 14 or over, not under the age of 14.

Mr. DURBIN. How many States?

Mr. ASHCROFT. I don't know the exact number of States, but a number of States do.

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

The Senator from Vermont.

Mr. LEAHY. Mr. President, I will tell the Senator from Illinois, there are only two States, Kentucky and Mississippi, that would be in compliance with this amendment's mandate, only two States in the whole country. Basically, the amendment would tell all the other States, your legislatures are irrelevant. We know better here.

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

Mr. LEAHY. Surely.

Mr. DURBIN. Do I understand, then, that 48 other States would be disqualified from Federal grants?

Mr. LEAHY. That is right. In fact, the National Governors' Association wrote to both the Republican and Democratic leaders of the Senate last year and asked them to oppose this kind of intrusion into the domain of State legislatures.

Mr. DURBIN. So under the provision of this amendment, only two States, Mississippi and Kentucky, could receive Federal funds to try to deter juvenile crime?

Mr. LEAHY. That is right. The other 48 States would be cut out.

Mr. DURBIN. This is a good idea for Mississippi and Kentucky. I don't know about the rest of us.

Mr. LEAHY. It kind of hurts the rest of us.

Mr. President, how much time remains?

The PRESIDING OFFICER. One minute 27 seconds.

Mr. LEAHY. Mr. President, I have to oppose this. I have to oppose this, because, one, it would help only two States in the country, Kentucky and Mississippi. It conditions the juvenile accountability block grant in the bill to the other 48 States only if their legislatures did something that they have all refused to do.

We are telling these other States that their legislatures are totally irrelevant; they must change their law because we know better here. I really don't think that is the way to go. I come from a State that has probably the toughest juvenile laws in the country, but I am not going to tell my State how they must do. Frankly, Mr. President, I oppose the amendment. I hope the 48 States that would be cut out by this would listen to what the National Governors' Association said when they, Republicans and Democrats alike, urged the Senate not to go forward with this.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Mr. President, I made a mistake in the sequence. Number 358 should follow immediately after No. 357, so I ask unanimous consent that that be so.

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

The Senator from Iowa.

PRIVILEGE OF THE FLOOR

Mr. HARKIN. Mr. President, I ask unanimous consent that Tom Hlavacek, a fellow on my staff, be granted the privilege of the floor for the pendency of this matter.

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

The Senator from Utah.

VOTE ON AMENDMENT NO. 359

Mr. HATCH. Mr. President, I move to table the Wellstone amendment and ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the motion to table amendment No. 359. The yeas and nays have been ordered. The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. REID. I announce that the Senator from New York (Mr. MOYNIHAN) is necessarily absent.

I further announce that, if present and voting, the Senator from New York (Mr. MOYNIHAN) would vote ''no.''

The result was announced—yeas 55, nays 44, as follows:

[Rollcall Vote No. 125 Leg.]

YEAS—55

Abraham	Frist	McConnell
Allard	Gorton	Murkowski
Ashcroft	Gramm	Nickles
Bennett	Grams	Roberts
Bond	Grassley	Roth
Brownback	Gregg	Santorum
Bunning	Hagel	Sessions
Burns	Hatch	Shelby
Campbell	Helms	Smith (NH)
Chafee	Hollings	Smith (OR)
Cochran	Hutchinson	Specter
Collins	Hutchison	Stevens
Coverdell	Inhofe	Thomas
Craig	Jeffords	Thompson
Crapo	Kyl	Thurmond
DeWine	Lott	Voinovich
Domenici	Lugar	Warner
Enzi	Mack	
Fitzgerald	McCain	

NAYS—44

Akaka	Edwards	Lieberman
Baucus	Feingold	Lincoln
Bayh	Feinstein	Mikulski
Biden	Graham	Murray
Bingaman	Harkin	Reed
Boxer	Inouye	Reid
Breaux	Johnson	Robb
Bryan	Kennedy	Rockefeller
Byrd	Kerrey	Sarbanes
Cleland	Kerry	Schumer
Conrad	Kohl	Snowe
Daschle	Landrieu	Torricelli
Dodd	Lautenberg	Wellstone
Dorgan	Leahy	Wyden
Durbin	Levin	

NOT VOTING—1

Moynihan

The motion was agreed to.

Several Senators addressed the Chair.

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

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

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Mr. President, I ask unanimous consent that at 12:20 p.m. on Wednesday the Senate resume the following amendments previously debated to the pending juvenile justice bill: No. 357, No. 358, No. 360, and No. 361, with 10 minutes equally divided for additional debate prior to the vote on or in relation to these amendments.

I further ask following disposition of debate on each amendment, the amendment be laid aside and at the hour of 1 p.m. Wednesday, the Senate proceed to vote on or in relation to the amendments in the order in which they were offered, with 2 minutes prior to each vote for explanation.

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

Mr. HATCH. Mr. President, for the information of all Senators, the Senate will resume the juvenile justice bill at 10 a.m. on Wednesday, with Members offering new amendments from the list of amendments. However, votes will occur on previously offered amendments, beginning at 1 p.m. on Wednesday, so I urge my colleagues to offer their amendments in the morning for swift passage of the juvenile justice bill.

Mr. LEAHY. If the Senator will yield, if there are things we can do on the bill tonight we will still do them but without recorded votes, is that correct?

Mr. HATCH. We are going to be working on the managers' amendment this evening.

AMENDMENT NO. 348

The PRESIDING OFFICER. There is to be 2 minutes equally divided on the Ashcroft amendment No. 348. Who yields time?

Mr. HATCH. Could I ask the Senator to yield back his time?

Mr. ASHCROFT. Mr. President, I am prepared to yield back my time if the other side is prepared to yield back theirs.

Mr. LEAHY. In fairness to the Senator from Missouri, I will speak for 30 seconds on this.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. ASHCROFT. Mr. President, violent crime by juveniles is a major problem: forcible rape, murder, armed robbery, armed assault. This amendment simply says if you are going to commit armed robbery, forcible rape with the use of a firearm, murder using a firearm, assault using a firearm, or major drug crimes using a firearm, you should be tried as an adult. This is a way of sending the clearest message that adult crime deserves adult time and that use of a firearm is unacceptable. Chapter 44 in the code addresses the use of a firearm over and over again. Use of firearms is something we care about federally. We spend a lot of time debating it.

The question is, are we serious about curtailing the use of firearms, especially among young people? I think we should be. This amendment provides for trying those as adults and provides access to resources in return for so doing.

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

Mr. LEAHY. Mr. President, the reason the Governors of these States, all of them, wrote to the Democratic and Republican leaders in opposition to this is it would knock out the juvenile accountability block grant in the bill to 48 of the States—48 of the States. The only two that would get anything would be Kentucky and Mississippi. It would tell the other 48 States that their legislatures are irrelevant, their laws are irrelevant. We know better. That is true even in some States that have tougher laws than this would propose.

Because of that, I agree with the Governors, Republican and Democrat; we should not override our States this way. I oppose it.

The PRESIDING OFFICER. The question is on agreeing to the Ashcroft Amendment No. 348. The yeas and nays have not been ordered.

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

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

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

The yeas and nays have been ordered.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. REID. I announce that the Senator from New York (Mr. MOYNIHAN), is necessarily absent.

I further announce that, if present and voting, the Senator from New York (Mr. MOYNIHAN), would vote ''no.''

The result was announced—yeas 26, nays 73, as follows:

[Rollcall Vote No. 126 Leg.]

YEAS—26

Abraham	Craig	Johnson
Allard	Domenici	Lott
Ashcroft	Fitzgerald	Lugar
Bond	Frist	McConnell
Bunning	Gramm	Murkowski
Byrd	Helms	Smith (NH)
Campbell	Hutchinson	Thurmond
Cochran	Hutchison	Warner
Coverdell	Inhofe	

NAYS—73

Akaka	DeWine	Inouye
Baucus	Dodd	Jeffords
Bayh	Dorgan	Kennedy
Bennett	Durbin	Kerrey
Biden	Edwards	Kerry
Bingaman	Enzi	Kohl
Boxer	Feingold	Kyl
Breaux	Feinstein	Landrieu
Brownback	Gorton	Lautenberg
Bryan	Graham	Leahy
Burns	Grams	Levin
Chafee	Grassley	Lieberman
Cleland	Gregg	Lincoln
Collins	Hagel	Mack
Conrad	Harkin	McCain
Crapo	Hatch	Mikulski
Daschle	Hollings	Murray

Nickles	Sarbanes	Thomas
Reed	Schumer	Thompson
Reid	Sessions	Torricelli
Robb	Shelby	Voinovich
Roberts	Smith (OR)	Wellstone
Rockefeller	Snowe	Wyden
Roth	Specter	
Santorum	Stevens	

NOT VOTING—1

Moynihan

The amendment (No. 348) was rejected.

Mr. LEAHY. I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

Mr. CLELAND. Mr. President, Winston Churchill once said that we build our homes, then our homes build us. I can say happily that my home built me! I was fortunate to have had a great childhood—with two wonderful parents, a great church, and more than a few wise and supportive teachers throughout my school years. I grew up in Lithonia, Georgia, in a community that cared. Unfortunately, not all children growing up in America today are so blessed. Not all children have homes that shape and prepare them to deal with the culture of violence in the world today.

Back in the 50s, my action heroes were Roy Rogers, the Lone Ranger, and Gene Autry. They were the good guys, who righted wrong and always got the girl. A witness at a Commerce Committee hearing 2 weeks ago described today's action heroes: Teenage Mutant Ninja Turtles and Mighty Morphin Power Rangers, whose TV show, we were told, averaged 100 acts of violence every single episode.

When I was in school, the strongest drug around was aspirin, and the most lethal weapon was a sling shot. Last year, over 6,000 students were expelled for carrying a weapon to school—and most said they carried the weapon ''out of a need for protection.'' So far this year—and the year is only 5 months old—19 young people have met a violent death while in school. Our schools were once safe havens in this country, and there is something very wrong, as President Clinton points out, ''when kids are more worried about guns and violence than math and science.''

The underlying fear of Littleton is that it is symptomatic of a broader pattern of youth violence in this country. Events at Columbine High echo the school shootings in Springfield, OR, when a student invaded the cafeteria, killed a fellow student, and wounded 22 others. It echoes events in Jonesboro, AR, where two Middle School students opened fire, killing five students all under the age of 13 and wounding 10 others. One of the young killers was reportedly angry over the breakup with his girlfriend. It echoes the West Paducah, KY murders in which a fourteen-year-old student stormed a prayer group meeting before school, killed three teenaged girls, and wounded five more students. It was reported that the teen killer may have been teased by members of the prayer group as well as members of the school's football team.

In interviews with the neighbors of the Littleton killers, each one—almost without exception—saw little sign of the tragedy that lay ahead. These are the words of one of those neighbors:

I turn on the news and I see their house, and I think, ''That's my house! . . . It's the exact same house, the same windows, same driveway, same trim, everything except the color. I lie in bed thinking: 200 feet from my bedroom is where the guy conceived this idea to destroy everything we thought we had. Everything you thought you knew about your neighborhood, your schools, your churches—all just shattered. Vaporized. We feel like we are at ground zero.''

What causes two seemingly ''normal'' teenagers to go on a killing rampage? Is it a change in our culture? Is it our marketing of violent movies like ''The Basketball Diaries'' and gory video games like ''Doom?'' Is it access to Internet recipes for building bombs? Is it the plight of ''latchkey'' kids who come home every day after school to an empty house? What is the WHY of Littleton? What are the toxic factors that are producing the alarming trend in this country where young people settle their grievances with mass murders?

I am proud to be a cosponsor of the amendment by Senator LIEBERMAN which would create a National Commission on Youth Violence. It will bring together religious leaders, educators, Cabinet heads, experts in parenting, in law enforcement, and psychology all focused on a single mission: To understand what factors conspire to create a Littleton and what actions we can take to address the possible causes of youth violence. The task will not be easy and the answers will not be simple. But this amendment is a critically important step in addressing the culture of violence that is pervading every segment of our society.

It is obvious to me that we are in a cultural war in this country for the hearts and minds of our young people. And in anything and everything we can do to help and strengthen our children through safe schools, through smaller classrooms, through greater adult interaction and support, we should absolutely do. This Congress has a role. And one of the things we can—and should do—is to adopt the Lieberman amendment. The national commission will seek answers to the perplexing questions of how we deal with the hearts and minds of our youngsters in this cultural war. And, sadly enough, like real war, there are casualties. Littleton, CO is an example of that. Our hope is that we can take some positive action that mitigates the death and destruction of the Columbine tragedy.

What is at stake is no less than this Nation's most precious resource, our number one asset—our children. As the writer James Agee said, ''In every child who is born, under no matter what circumstances, and of no matter what parents, the potentiality of the human race is born again.'' Mr. President, on behalf of America's children, I am very pleased that the Lieberman amendment has been accepted by both sides and is part of this important legislation.

MORNING BUSINESS

Mr. HATCH. 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.

THE VERY BAD DEBT BOXSCORE

Mr. HELMS. Mr. President, at the close of business yesterday, Monday, May 17, 1999, the federal debt stood at $5,587,730,041,115.05 (Five trillion, five hundred eighty-seven billion, seven hundred thirty million, forty-one thousand, one hundred fifteen dollars and five cents).

Five years ago, May 17, 1994, the federal debt stood at $4,588,709,000,000 (Four trillion, five hundred eighty-eight billion, seven hundred nine million).

Ten years ago, May 17, 1989, the federal debt stood at $2,781,561,000,000 (Two trillion, seven hundred eighty-one billion, five hundred sixty-one million).

Fifteen years ago, May 17, 1984, the federal debt stood at $1,486,043,000,000 (One trillion, four hundred eighty-six billion, forty-three million).

Twenty-five years ago, May 17, 1974, the federal debt stood at $469,577,000,000 (Four hundred sixty-nine billion, five hundred seventy-seven million) which reflects a debt increase of more than $5 trillion—$5,118,153,041,115.05 (Five trillion, one hundred eighteen billion, one hundred fifty-three million, forty-one thousand, one hundred fifteen dollars and five cents) during the past 25 years.

BUDGET SCOREKEEPING REPORT

Mr. DOMENICI. Mr. President, I hereby submit to the Senate the budget scorekeeping report prepared by the Congressional Budget Office under Section 308(b) and in aid of Section 311 of the Congressional Budget Act of 1974, as amended. This report meets the requirements for Senate scorekeeping of Section 5 of S. Con. Res. 32, the First Concurrent Resolution on the Budget for 1986.

This report, my first for fiscal year 1999, shows the effects of congressional action on the budget through May 7,

1999. The estimates of budget authority, outlays, and revenues are consistent with the technical and economic assumptions of S. Res. 209, a resolution to provide budget levels in the Senate for purposes of fiscal year 1999, as amended by S. Res. 312. The estimates show that current level spending is above the budget resolution by $0.6 billion in budget authority and above the budget resolution by $0.2 billion in outlays. Current level is $0.2 billion above the revenue floor in 1999. The current estimate of the deficit for purposes of calculating the maximum deficit amount is $52.4 billion, less than $50 million above the maximum deficit amount for 1999 of $52.4 billion.

I ask unanimous consent that the report and transmittal letter dated May 12, 1999, be printed in the RECORD.

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

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, May 12, 1999.

Hon. PETE V. DOMENICI,
Chairman, Committee on the Budget,
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The enclosed report, my first for fiscal year 1999, shows the effects of Congressional action on the 1999 budget and is current through May 7, 1999. The estimates of budget authority, outlays, and revenues are consistent with the technical and economic assumptions of S. Res. 209, a resolution to provide budget levels in the Senate for purposes of fiscal year 1999, as amended by S. Res. 312. This report is submitted under section 308(b) and in aid of section 311 of the Congressional Budget Act, as amended.

Sincerely,

DAN L. CRIPPEN,
Director.

Enclosures.

TABLE 1.—FISCAL YEAR 1999 SENATE CURRENT LEVEL REPORT, AS OF CLOSE OF BUSINESS, MAY 7, 1999

[In billions of dollars]

	Budget resolution S. Res. 312	Current level	Current level over/under resolution
ON-BUDGET			
Budget Authority	1,452.5	1,453.1	0.6
Outlays	1,411.3	1,411.5	0.2
Revenues:			
1999	1,358.9	1,359.1	0.2
1999–2003	7,187.0	7,187.7	0.7
Deficit	52.4	52.4	(1)
Debt Subject to Limit	(2)	5,620.2	NA
OFF-BUDGET			
Social Security Outlays:			
1999	321.3	321.3	0.0
1999–2003	1,720.7	1,720.7	0.0
Social Security Revenues:			
1999	441.7	441.7	(1)
1999–2003	2,395.6	2,395.5	−0.1

[1] Less than $50 million.
[2] Not included in S. Res. 312.
NA = Not applicable.

Note.—Current level numbers are the estimated revenue and direct spending effects of all legislation that the Congress has enacted or sent to the President for his approval. In addition, full-year funding estimates under current law are included for entitlement and mandatory programs requiring annual appropriations even if the appropriations have not been made. The current level of debt subject to limit reflects the latest information from the U.S. Treasury.

Source: Congressional Budget Office.

TABLE 2.—SUPPORTING DETAIL FOR THE FISCAL YEAR 1999 ON-BUDGET SENATE CURRENT LEVEL REPORT, AS OF CLOSE OF BUSINESS, MAY 7, 1999

[In millions of dollars]

	Budget authority	Outlays	Revenues
Enacted in Previous Sessions:			
Revenues			1,359,099
Permanents and other spending legislation	919,197	880,664	
Appropriation legislation	820,578	813,989	
Offsetting receipts	−296,825	−296,827	
Total previously enacted	1,442,950	1,397,826	1,359,099
Entitlements and Mandatories:			
Budget resolution baseline estimates of appropriated entitlements and other mandatory programs not yet enacted	10,143	13,661	
Totals:			
Total Current Level	1,453,093	1,411,487	1,359,099
Total Budget Resolution	1,452,512	1,411,334	1,358,919
Amount remaining:			
Under Budget Resolution			
Over Budget Resolution	581	153	180

Source: Congressional Budget Office.

DAIRY POLICY REFORM

Mr. LUGAR. Mr. President, Secretary of Agriculture Glickman recently announced reforms for the Federal milk marketing order system. These reforms were authorized by the 1996 farm bill in an effort to modernize and streamline an out-dated and arcane structure for pricing the nation's milk. As was the case with other commodities, the farm bill intended that Federal dairy policy be more modern and market-oriented to reflect innovations in the milk industry and to position the United States to become a major trader in world markets. In announcing the reforms, Secretary Glickman said, ''These reforms will help make sure that America's dairy farmers receive a fair price and that American consumers continue to enjoy an abundant, affordable supply of milk. Our changes will also simplify the wholesale milk pricing system, making it more market-oriented and more equitable.'' The changes are positive steps toward accomplishing the goals stated by the secretary. The new structure is more market-oriented, more beneficial to consumers and more equitable to farmers across the Nation.

During consideration of the 1996 farm bill, Congress could not agree on a policy to modernize milk marketing orders. The task of designing a consumer-friendly and market-oriented program was turned over to the Department of Agriculture. The Secretary was given until 1999 to design this new policy. In the interim between 1996 and 1999, Congress allowed the northeast region of the country to set up a dairy compact in which producers could receive a higher price for their milk. Authority for the compact was scheduled to end with the implementation of the new milk marketing order policy.

On January 2, 1998, as Secretary Glickman prepared to consider changes to federal dairy policy, I wrote to him suggesting several ways to make dairy policy more consumer friendly and market oriented. Included in my recommendations was an overhaul of Class I differentials which set the prices that farmers receive for fluid milk. Shortly thereafter, USDA released its proposed rule for milk marketing order reform. The proposed rule contained seven different options for pricing structures and noted Secretary Glickman's preference for the more market-oriented ''Option 1B'' for pricing Class I milk. On February 25, 1998, I again wrote to Secretary Glickman in support of his commitment to a more market-oriented approach and made recommendations for other changes that modernize federal dairy policy.

The contents of the final rule were highly controversial. No one interested in dairy policy—producers, processors or consumers—was satisfied. Contradictory bills to amend portions of the final rule were introduced in both chambers of Congress. If I had written the final rule, I would have made some changes also.

However, we should reflect on the entire rule and the process that led to its promulgation. Because of the complexity of, and controversies surrounding, dairy policy, Congress, in the 1996 farm bill, gave USDA the responsibility to draw upon its expertise, consult with the public and design a thoughtful milk marketing reform policy. USDA spent three years formulating the reforms contained in the final rule. During this process, the department received more than 8,000 comments from interested parties. The final rule, though not perfect, is more equitable to all the nation's dairy farmers and pro-consumer. It is a good first step toward a policy that places the nation's dairy industry in a position to better meet the challenges of the global markets of the new century.

When we begin deliberations on the next farm bill, we will have an opportunity to review and develop additional market-oriented reforms for dairy policy. But, I am convinced that the Congress cannot improve upon the department's good-faith, balanced effort either in committee or on the Senate floor. If dairy farmers approve the new policy in referenda in their order areas, we should allow the final rule to be implemented on October 1, as scheduled, without intervening legislation and I will work toward that end.

PARTICIPATION IN CLINICAL TRIALS—A BASIC HEALTH CARE RIGHT

Mr. KENNEDY. Mr. President, a recent article in the New York Times demonstrates the importance of clinical trials in treating cancer and the serious problems that patients and researchers are now facing because of the lack of adequate enrollment in these trials.

Clinical trials are the primary means of testing new therapies for serious diseases. In fact, these trials may be the only available treatment for patients whose conditions have failed to respond to conventional therapies.

The survey by the American Society of Clinical Oncologists discussed in the article found that less than five percent of cancer patients in the country are enrolled in clinical trials—although 20 percent are eligible to participate and would often receive better quality care if they did. As the article points out, ''Patients who participate receive at least state-of-the-art treatment and often get to take advantage of otherwise unavailable approaches.''

Several barriers exist to enrolling patients in clinical trials. But a critical element is the increasing reluctance of HMOs and other managed care plans to allow their enrollees to participate in such trials or to pay the routine hospitals costs of their participation is a critical element. Until recently, health insurance routinely paid for the doctor and hospital costs associated with clinical trials. But managed care is reducing that commitment. Today, managed care plans often will not permit their patients to enroll in clinical trials, and they will not pay for their participation when they choose to do so on their own.

The American Association of Health Plans—the HMO trade association—has recognized that plans should encourage patients to participate in clinical trials, where medically appropriate. But, too often, there is little or no participation.

The decision to enter a clinical trial should be made by the treating physician and the patient. Yet the survey showed that only about half of eligible patients are even told such trials are available.

S. 6, the Patients' Bill of Rights, and its companion bill, HR 358, require health insurance plans to allow their enrollees to participate in quality clinical trials sponsored by the NIH, the Department of Defense, and the Veterans Administration. The lack of access highlighted by the article clearly demonstrates the need for passage of the Patients' Bill of Rights. Without the protections in that bill, patients will not be guaranteed the right to participate in these life-saving trials. Virtually every major cancer group in the nation has endorsed the Patients' Bill of Rights, and highlighted the clinical trials provision as a major reason for enactment.

Patients are dying and cures of the future are being delayed. Patients deserve this opportunity for life. The rights guaranteed in the Patients' Bill of Rights are essential for patients with cancer, congestive heart failure, lupus, Alzheimer's Disease, Parkinson's Disease, diabetes, and many other deadly illnesses. Every day we delay more patients suffer. Congress has an obligation to act.

I ask unanimous consent that the article from the New York Times may be printed in the RECORD.

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

[From the New York Times, May 16, 1999]

FEW TAKE PART IN CANCER TESTS, SLOWING RESEARCH, SURVEY FINDS

ATLANTA, May 15 (AP).—Fewer than 5 percent of cancer patients in the nation take part in experiments to test new treatments, a figure at least four times lower than ideal if the most pressing cancer questions are to be answered quickly, according to a survey released today.

''We need clinical trials to know what works and what doesn't,'' said Dr. Allen Lichter, president of the American Society of Clinical Oncology.

Cancer experts almost universally endorse the need for patients to participate in formal studies, but data on how many do so have been scarce. So the oncology society, the nation's largest group of cancer practitioners, commissioned a survey of about 7,000 of its members and released the results at its annual meeting here.

The survey found that about 40,000 Americans—3 percent to 5 percent of those found to have cancer each year—are enrolled in studies of the disease. Far more patients could take part in the experiments, which doctors call clinical trials, the study found.

The survey estimated that about 20 percent of cancer patients would be eligible to participate in the studies taking place of their kinds of conditions.

Dr. Ezekiel Emmanuel of the National Institutes of Health, the study's primary author, said doctors should try to enroll the entire 20 percent.

The experiments typically test new medicines or combinations of drugs to see whether they work better than standard approaches. Patients who participate receive at least state-of-the-art treatment and often get to take advantage of otherwise unavailable approaches.

Only about half of eligible patients are told the studies are available. And only 20 percent of cancer specialists have time set aside to do this kind of cancer research.

The survey found that a doctor's cost of enrolling and keeping a single patient in a clinical trial averages $2,000.

The National Cancer Institute, the single largest sponsor of these studies, pays doctors $750 a patient for this work, while pharmaceutical companies' average payment is about $2,500.

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.)

NOTICE ON CONTINUATION OF EMERGENCY WITH RESPECT TO BURMA—MESSAGE FROM THE PRESIDENT—PM 29

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Banking, Housing, and Urban Affairs.

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent the enclosed notice to the *Federal Register* for publication, stating that the emergency declared with respect to Burma is to continue in effect beyond May 20, 1999.

As long as the Government of Burma continues its policies of committing large-scale repression of the democratic opposition in Burma, this situation continues to pose an unusual and extraordinary threat to the national security and foreign policy of the United States. For this reason, I have determined that it is necessary to maintain in force these emergency authorities beyond May 20, 1999.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *May 18, 1999*.

MESSAGES FROM THE HOUSE

At 2:23 p.m., a message from the House of Representatives, delivered by Mr. Hays, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 1555. An act to authorize appropriations for fiscal year 200 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes.

ENROLLED BILL SIGNED

The message also announced that the Speaker has signed the following enrolled bill:

H.R. 669. An act to amend the Peace Corps Act to authorize appropriations for fiscal years 2000 through 2003 to carry out that Act, and for other purposes.

The enrolled bill was signed subsequently by the President pro tempore (Mr. THURMOND).

MEASURE PLACED ON THE CALENDAR

The following bill was read the first and second times and placed on the calendar:

H.R. 1555. An act to authorize appropriations for fiscal year 2000 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes.

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–3024. A communication from the Program Support Specialist, Aircraft Certification Service, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Request for Comments; Bell Helicopter Textron Canada Model 407 Helicopters; Docket No. 99–SW–16–AD'' (RIN2120–AA64), received April 9, 1999; to the Committee on Commerce, Science, and Transportation.

EC–3025. A communication from the Program Support Specialist, Aircraft Certification Service, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Boeing Model 747 Series Airplanes; Docket No. 98–NM–163–AD; Amendment 39–11106; AD 99–08–02'' (RIN2120–AA64), received April 9, 1999; to the Committee on Commerce, Science, and Transportation.

EC–3026. A communication from the Program Support Specialist, Aircraft Certification Service, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Avions Pierre Robin Model R2160 Airplanes; Docket No. 98–CE–82–AD'' (RIN2120–AA64), received April 9, 1999; to the Committee on Commerce, Science, and Transportation.

EC–3027. A communication from the Program Support Specialist, Aircraft Certification Service, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Lockheed Model L–1011–385 Series Airplanes; Docket No. 97–NM–315–AD; Amendment 39–11128; AD 99–08–20'' (RIN2120–AA64), received April 15, 1999; to the Committee on Commerce, Science, and Transportation.

EC–3028. A communication from the Program Support Specialist, Aircraft Certification Service, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Robinson Helicopter Company Model R22 Helicopters; Docket No. 99–SW–24–AD'' (RIN2120–AA64), received April 15, 1999; to the Committee on Commerce, Science, and Transportation.

EC–3029. A communication from the Program Support Specialist, Aircraft Certification Service, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Dornier Model 328–100 Series Airplanes; Docket No. 98–NM–157–AD; Amendment 39–11114; AD 99–08–08'' (RIN2120–AA64), received April 19, 1999; to the Committee on Commerce, Science, and Transportation.

EC–3030. A communication from the Program Support Specialist, Aircraft Certification Service, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Empressa Brasileira de Aeronautica S.A. (EMBRAER) Model EMB–145 Series Airplanes; Docket No. 99–NM–93–AD; Amendment 39–11159; AD 99–10–05'' (RIN2120–AA64), received May 4, 1999; to the Committee on Commerce, Science, and Transportation.

EC–3031. A communication from the Program Support Specialist, Aircraft Certification Service, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Avions Pierre Robin Model R2160 Airplanes; Docket No. 98–CE–81–AD'' (RIN2120–AA64), received May 4, 1999; to the Committee on Commerce, Science, and Transportation.

EC–3032. A communication from the Program Support Specialist, Aircraft Certification Service, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Bell Helicopter Textron Canada Model 230 Helicopters; Docket No. 98–SW–48–AD'' (RIN2120–AA64), received April 22, 1999; to the Committee on Commerce, Science, and Transportation.

EC–3033. A communication from the Program Support Specialist, Aircraft Certification Service, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Avions Pierre Robin Model R2160 Airplanes; Docket No. 98–CE–79–AD'' (RIN2120–AA64), received May 4, 1999; to the Committee on Commerce, Science, and Transportation.

EC–3034. A communication from the Program Support Specialist, Aircraft Certification Service, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Robinson Helicopter Company Model R44 Helicopters; Docket No. 99–SW–25–AD'' (RIN2120–AA64), received April 19, 1999; to the Committee on Commerce, Science, and Transportation.

EC–3035. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment to Macon-Fowler Municipal Airport Class E Airspace Area, MO; Direct Final Rule; Request for Comments; Docket No. 99–ACE–20/4–20 (4–22)'' (RIN2120–AA66) (1999–0142), received April 22, 1999; to the Committee on Commerce, Science, and Transportation.

EC–3036. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Stockton Municipal Airport Class E Airspace Area, MO; Direct Final Rule; Confirmation of Effective Date; Docket No. 99–ACE–7/5–7 (5–6)'' (RIN2120–AA66) (1999–0173), received May 4, 1999; to the Committee on Commerce, Science, and Transportation.

EC–3037. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Revision of Class E Airspace; Galveston, TX; Request for Comments; Docket No. 99–ASW–09/5–5 (5–6)'' (RIN2120–AA66) (1999–0171), received May 4, 1999; to the Committee on Commerce, Science, and Transportation.

EC–3038. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Revision of Class E Airspace; Shreveport, LA; Request for Comments; Docket No. 99–ASW–10/5–5 (5–6)'' (RIN2120–AA66) (1999–0172), received May 4, 1999; to the Committee on Commerce, Science, and Transportation.

EC–3039. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Revision of Class E Airspace; Barter Island, AK; Docket No. 99–AAL–21/4–20 (4–22)'' (RIN2120–AA66) (1999–0140), received April 22, 1999; to the Committee on Commerce, Science, and Transportation.

EC–3040. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Revision of Class E Airspace; Soldatna, AK; Docket No. 99–AAL–22/4–20 (4–22)'' (RIN2120–AA66) (1999–0139), received April 22, 1999; to the Committee on Commerce, Science, and Transportation.

EC–3041. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Revision of Class E Airspace; Port Heiden, AK; Docket No. 98–AAL–25/4–20 (4–22) 4/20/99'' (RIN2120–AA66) (1999–0137), received April 22, 1999; to the Committee on Commerce, Science, and Transportation.

EC–3042. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Revision of Class E Airspace; Lake Charles; Direct Final Rule; Correction; Docket No. 99–ASW–04/4–20 (4–22)'' (RIN2120–AA66) (1999–0136), received April 22, 1999; to the Committee on Commerce, Science, and Transportation.

EC–3043. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Revision of Class E Airspace; Eieison Air Force Base, AK; Docket No. 99–AAL–1/4–20 (4–22)'' (RIN2120–AA66) (1999–0138), received April 22, 1999; to the Committee on Commerce, Science, and Transportation.

EC–3044. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''FAA Policy on Enforcement of the Hazardous Materials Regulations; Penalty Guidelines; General Statement of Policy'' (RIN2120–ZZ18), received April 22, 1999; to the Committee on Commerce, Science, and Transportation.

EC–3045. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment to Harlan Municipal Airport Class E Airspace, IA; Request for Comments; Docket No. 99–ACE–22/5–7 (5–6)'' (RIN2120–AA66)(1999–0174), received May 4, 1999; to the Committee on Commerce, Science, and Transportation.

EC–3046. A communication from the Under Secretary for Oceans and Atmosphere, Department of Commerce, transmitting, pursuant to law, the annual report of the Coastal Zone Management Fund for fiscal year 1998; to the Committee on Commerce, Science, and Transportation.

EC–3047. A communication from the General Counsel, Department of Defense, transmitting, pursuant to law, a report relative to prisoner transfers; to the Committee on Armed Services.

EC–3048. A communication from the Congressional Review Coordinator, Regulatory Analysis and Development, Policy and Program Development, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Commuted Traveltime Periods: Overtime Services Relating to Imports and Exports'', received May 11, 1999; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3049. A communication from the Administrator, Food and Consumer Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Retailer Integrity, Fraud Reduction and Penalties'', received May 4, 1999; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3050. A communication from the Administrator, Farm Service Agency, Farm and Foreign Agricultural Services, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Dairy Market Loss Assistance Program'' (RIN0560–AF67), received May 5, 1999; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3051. A communication from the Administrator, Farm Service Agency, Farm and Foreign Agricultural Services, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Final Rule: 1998 Single-Year and Multi-Year Crop Loss Disaster Assistance Program'' (RIN0560–AF75), received May 13, 1999; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3052. A communication from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Diphenylamine; Pesticide Tolerance'' (FRL # 6077–3), received May 10, 1999; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3053. A communication from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting, pursuant to law, the report of two rules entitled ''Iprodione; Pesticide Tolerance'' (FRL # 6064–5) and ''Myclobutanil; Extension of Tolerance for Emergency Exemptions'' (FRL # 6074–9), received May 4, 1999; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3054. A communication from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting, pursuant to law, the report of two rules entitled ''Azoxystrobin; Extension of Tolerance for Emergency Exemptions'' (FRL # 6074–2) and ''Halosulfuron; Pesticide Tolerance'' (FRL # 6078–5), received May 6, 1999; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3055. A communication from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Dimethomorph, (E,Z) 4-(3-(4-chlorophenyl)-3-(,4-dimethoxyphenyl)-1-oxo-2-propenly)morpholine; Pesticide Tolerances'' (FRL # 6079–5), received May 5, 1999; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3056. A communication from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting, pursuant to law, the report of two rules entitled ''Methacrylic Copolymer; Exemption from the Requirement of a Tolerance'' (FRL # 6077–7) and ''Sulfosulfuro; Pesticide Tolerance'' (FRL # 6078–4), received May 11, 1999; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3057. A communication from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting, pursuant to law, the report a rule entitled ''Emamectin Benzoate; Pesticide Tolerance'' (FRL # 6079–7), received May 14, 1999; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3058. 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 four rules entitled ''Approval and Promulgation of Implementation Plans; California State Implementation Plan, Six California Air Pollution Control Districts'' (FRL # 6337–8), ''Findings of Significant Contribution and Rulemaking on Section 126 Petitions for Purposes of Reducing Interstate Ozone Transport'' (FRL # 6336–9), ''Guidelines Establishing Test Procedures for the Analysis of Oil and Grease Non-polar Material Under the Clean Water Act and Resource Conservation and Recovery Act; Final Rule'' (FRL # 6341–9) and ''Technical Amendment to Finding of Significant Contribution and Rulemaking for Certain States in the Ozone Transport Assessment Group (OTAG) Region for Purposes of Reducing Regional Transport of Ozone'' (FRL # 6338–6), received May 10, 1999; to the Committee on Environment and Public Works.

EC–3059. 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 four rules entitled ''Clean Air Act Approval and Promulgation of New Source Review Provisions Implementation Plan for Nevada State Clark County Air Pollution Control District'' (FRL # 6336–6), ''National Priorities List for Uncontrolled Hazardous Waste Sites'' (FRL # 6338–5), ''Revisions to the Clean Water Regulatory Definition of 'Discharge of Dredged Material' '' (FRL # 6338–9) and ''Technical Amendment to Finding of Significant Contribution and Rulemaking for Certain States in the Ozone Transport Assessment Group (OTAG) Region for Purposes of Reducing Regional Transport of Ozone'' (FRL # 6338–6), received May 5, 1999; to the Committee on Environment and Public Works.

EC–3060. 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 five rules entitled ''Appendix A—Test Methods: Three New Methods for Velocity and Volumetric Flow Rate Determination in Stacks or Ducts'' (FRL # 6337–1), ''Approval and Promulgation of Air Quality Plans; Maine; Approval of Fuel Control Program under Section 211(c)'' (FRL # 6338–2), ''Approval and Promulgation of Air Quality Implementation Plans; Utah; Foreword and Definitions, Revision to Definition for Sole Source of Heat and Emissions Standards Nonsubstantive Changes; General Requirements, Open Burning and Nonsubstantive Changes; and Foreword and Definitions, Addition of Definition for PM10 Nonattainment Area'' (FRL # 6340–1), ''Approval and Promulgation of Implementation Plans under Section 112(l); State of Iowa'' (FRL # 6340–3) and ''Approval and Promulgation of Implementation Plans; California State Implementation Plan Revisions, Mojave Desert Air Quality Management District and Tehama County Air Pollution Control District'' (FRL # 6334–5), received May 6, 1999; to the Committee on Environment and Public Works.

EC–3061. A communication from the Director, Ofice of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting, pursuant to law, the report of three rules entitled ''Approval and Promulgation of Air Quality Plans; Georgia; Revised Format for Materials Being Incorporated by Reference'' (FRL # 6335–9), ''Identification of Additional Ozone Areas Attaining the 1-Hour Standard and to Which the 1-Hour Standard is No Longer Applicable'' (FRL # 6344–4) and ''National Emission Standards for Hazardous Air Pollutants for Polyether Polyols Products'' (FRL # 6344–7), received May 13, 1999; to the Committee on Environment and Public Works.

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–119. A resolution adopted by the Senate of the Legislature of the Commonwealth of Massachusetts relative to Social Security; to the Committee on Finance.

SENATE RESOLUTION

Whereas, the Congress of the United States, as part of its efforts to address the financial crisis confronting the Social Security System, is considering a proposal mandating Social Security coverage for public employees, including public employees in Massachusetts who presently do not participate in the Social Security system; and

Whereas, the Commonwealth of Massachusetts and its cities and towns provided retirement benefits to employees prior to the creation of Social Security and, after being explicitly precluded from participation in the Social Security System, adopted a retirement structure providing adequate retirement and survivor benefits to employees including vital benefits for those permanently disabled in the line of duty; and

Whereas, in the early 1980's the Commonwealth of Massachusetts and its cities and towns were confronted by a similar financial crisis in retirement funding which, through the adoption of aggressive funding and investment policies following major statutory reforms, has been averted resulting in the secure financing of retirement benefits; and

Whereas, conservative estimates indicate that such public employee mandated Social Security coverage would impose billions of dollars in added costs on public employers in the Commonwealth of Massachusetts thereby diverting public resources from education, public safety, public works, health care and child care without having a serious impact on the fiscal condition of the Social Security System; and

Whereas, it has been determined that nationally such mandatory Social Security coverage would provide a short term fiscal solution that ultimately would extend the Social Security trust fund solvency by only two years; and

Whereas, the mandating of Social Security coverage for non-federal public employees may raise significant legal issues; now therefore be it

Resolved, that the Massachusetts Senate hereby urges the Congress of the United States to reject any proposal to reform Social Security that includes mandatory Social Security coverage for public employees; and be it further

Resolved, that a copy of these resolutions be transmitted by the clerk of the Senate to the President of the United States, the presiding officers of both Houses of Congress and the entire congressional delegation from the Commonwealth.

POM–120. A concurrent resolution adopted by the Legislature of the State of Hawaii relative to Social Security; to the Committee on Finance.

HOUSE CONCURRENT RESOLUTION 203

Whereas, an administrative fee to process the state supplement for Supplemental Security Income was implemented by section 5102 of the Balanced Budget Act of 1997; and

Whereas, the administrative fee to process the state supplement for Supplemental Security Income increases annually, and in fiscal year 2003 will increase to coincide with the Consumer Price Index; and

Whereas, there is no increase in the services provided by the Social Security Administration; and

Whereas, therefore, in fiscal year 1999, Hawaii is paying $7.60 to issue a supplement of $4.90; and

Whereas, Hawaii must continue to pay the administrative fee to avoid jeopardizing Medicaid reimbursements; and

Whereas, the contracting of the state supplement for Supplemental Security Income to a private vendor will decrease eligibility for Aged, Blind, and Disabled individuals because the Social Security Administration will allow the State to use only the Supplemental Security Income Federal Benefit Rate as the standard of assistance for all individuals regardless of living arrangement; now, therefore, be it

Resolved by the House of Representatives of the Twentieth Legislature of the State of Hawaii, Regular Session of 1999, the Senate concurring, That this body urges the United States Congress, the President of the United States, and the Secretary of Health and Human Services to support United States Senator Daniel K. Akaka, United States Senator Daniel K. Inouye, United States Representative Neil Abercrombie, and United States Representative Patsy T. Mink's federal legislation to amend the Social Security Act in the following manner:

(1) To allow Hawaii to not issue a state supplement for Supplemental Security Income;

(2) To limit the cost of the administrative fees to process the state supplement for Supplemental Security Income by determining a maximum fee;

(3) To prohibit the Social Security Administration from increasing the amount of administrative fees to process the state supplement for Supplemental Security Income without any increase in services; and

(4) To allow Hawaii to contract the processing of state supplements for Supplemental Security Income to a private vendor without being penalized by decreasing the standard of assistance to the Federal Benefit Rate only; and be it further

Resolved, That certified copies of this Concurrent Resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, the President of the United States, the Secretary of the United States Department of Health and Human Services, and the members of Hawaii's congressional delegation.

POM–121. A joint resolution adopted by the Legislature of the State of Maine relative to the proposed ''Prescription Drug Fairness for Seniors Act''; to the Committee on Finance.

JOINT RESOLUTION

We, your Memorialists, the Members of the One Hundred and Nineteenth Legislature of the State of Maine now assembled in the First Regular Session, most respectfully present and petition the President of the United States and the United States Congress, as follows:

Whereas, the elderly of the United States are 14% of the population and consume 30% of the prescription drugs and Medicare does not cover the cost of prescription drugs except in a very few cases; and

Whereas, the House Government Reform and Oversight Committee conducted studies in 20 congressional districts in 1998 and discovered there are vast differences between prices that pharmaceutical companies charge their favored customers, such as HMOs, large hospitals and the Federal Government, and the prices they charge uninsured senior citizens; and

Whereas, older Americans, who are often on fixed and limited incomes, pay on the average nearly double the price for prescription drugs that the favored customers of the pharmaceutical companies pay; and

Whereas, there is now before Congress legislation that would address this inequity by protecting the elderly from drug price discrimination and making prescription drugs available to Medicare beneficiaries at substantially reduced prices; and

Whereas, the Prescription Drug Fairness for Seniors Act, sponsored by Representative Tom Allen of the First District in Maine and cosponsored by countless others, would not establish new federal bureaucracy but would utilize an existing pharmacy distribution system; and

Whereas, this important legislation would ensure that no older American would need to choose between buying food or medicine or paying the basic bills or choosing to live in pain and anxiety; now, therefore, be it

Resolved, That We, your Memorialists, request that the President of the United States and the United States Congress work together to pass this important and far-reaching legislation that would help the elderly and, in turn, all Americans; and be it further

Resolved, That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the Honorable William J. Clinton, President of the United States; the President of the United States Senate; the Speaker of the House of Representative of the United States and to each Member of the Maine Congressional Delegation.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. MCCAIN, from the Committee on Commerce, Science, and Transportation, without amendment:

H.R. 1034. A bill to declare a portion of the James River and Kanawha Canal in Richmond, Virginia, to be nonnavigable waters of the United States for purposes of title 46, United States Code, and the other maritime laws of the United States.

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 Ms. COLLINS:

S. 1063. A bill to amend title XVIII of the Social Security Act to provide for a special rule for long existing home health agencies with partial fiscal year 1994 cost reports in calculating the per beneficiary limits under the interim payment system for such agencies; to the Committee on Finance.

By Mr. THURMOND:

S. 1064. A bill to provide for the location of the National Museum of the United States Army; to the Committee on Armed Services.

By Mr. DODD:

S. 1065. A bill to authorize negotiation for the accession of Chile to the North American Free Trade Agreement, to provide for Fast Track Consideration and for other purposes; to the Committee on Finance.

By Mr. ROBERTS (for himself, Mr. MURKOWSKI, Mr. GRAMS, Mr. HAGEL, and Mr. CRAIG):

S. 1066. A bill to amend the National Agricultural Research, Extension, and Teaching Policy Act of 1977 to encourage the use of and research into agricultural best practices to improve the environment, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. ROCKEFELLER (for himself, Mr. CHAFEE, Mr. DEWINE, Ms. COLLINS, Ms. LANDRIEU, Mr. LEVIN, Mr. MOYNIHAN, Mr. KERREY, Mr. DORGAN, Mr. CONRAD, Mr. INOUYE, Mr. BREAUX, Mr. DURBIN, and Mr. TORRICELLI):

S. 1067. A bill to promote the adoption of children with special needs; to the Committee on Finance.

By Mr. KERRY (for himself, Mr. BOND, Mr. HOLLINGS, Mr. WELLSTONE, Mr. TORRICELLI, Mr. MOYNIHAN, Mr. JOHNSON, Ms. LANDRIEU, and Mr. LEVIN):

S. 1068. A bill to provide for health, education, and welfare of children under 6 years of age; to the Committee on Health, Education, Labor, and Pensions.

By Mr. WELLSTONE (for himself, Mrs. MURRAY, and Mr. SCHUMER):

S. 1069. A bill to provide economic security and safety for battered women, and for other purposes; to the Committee on Finance.

By Mr. BOND (for himself, Mr. ENZI, Mr. JEFFORDS, Mr. BURNS, Mr. VOINOVICH, Ms. SNOWE, Mr. ASHCROFT, Mr. MCCONNELL, Mr. LOTT, Mr. NICKLES, Mr. HUTCHINSON, Mr. MACK, Mr. COVERDELL, Mr. SHELBY, Mr. KYL, Mr. FITZGERALD, Mr. ABRAHAM, Mr. GREGG, Mrs. HUTCHISON, Mr. HELMS, Mr. BUNNING, Mr. CRAPO, Mr. BENNETT, Mr. DEWINE, Mr. HAGEL, Mr. SESSIONS, Mr. CHAFEE, Ms. COLLINS, and Mr. BROWNBACK):

S. 1070. A bill to require the Secretary of Labor to wait for completion of a National Academy of Sciences study before promulgating a standard, regulation or guideline on ergonomics; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CRAPO (for himself and Mr. CRAIG):

S. 1071. A bill to designate the Idaho National Engineering and Environmental Laboratory as the Center of Excellence for Environmental Stewardship of the Department of Energy Land, and establish the Natural Resources Institute within the Center; to the Committee on Armed Services.

By Mr. DEWINE (for himself, Mr. HELMS, and Mr. VOINOVICH):

S. 1072. A bill to make certain technical and other corrections relating to the Centennial of Flight Commemoration Act (36 U.S.C. 143 note; 112 Stat. 3486 et seq.); to the Committee on Governmental Affairs.

By Mr. ASHCROFT (for himself, Mr. INOUYE, Mr. BURNS, Mr. GRASSLEY, Mr. ROBERTS, Mr. ENZI, and Mr. HAGEL):

S. 1073. A bill to amend the Trade Act of 1974 to ensure that United States industry is consulted with respect to all aspects of the WTO dispute settlement process; to the Committee on Finance.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. HUTCHINSON (for himself, Mr. WELLSTONE, Mr. FEINGOLD, Mr. SMITH of New Hampshire, Ms. COLLINS, Mr. BUNNING, Mr. KYL, Mr. ABRAHAM, Mr. SESSIONS, Mr. GRASSLEY, Ms. SNOWE, Mr. JEFFORDS, and Mr. BROWNBACK):

S. Res. 103. A resolution concerning the tenth anniversary of the Tiananmen Square massacre of June 4, 1989, in the People's Republic of China; to the Committee on Foreign Relations.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Ms. COLLINS:

S. 1063. A bill to amend title XVIII of the Social Security Act to provide for a special rule for long existing home health agencies with partial fiscal year 1994 cost reports in calculating the per beneficiary limits under the interim payment system for such agencies; to the Committee on Finance.

MEDICARE HOME HEALTH TECHNICAL CORRECTIONS LEGISLATION

Ms. COLLINS. Mr. President, I rise today to introduce legislation that would make a technical correction to a provision of the Balanced Budget Act of 1997 that is causing great unfairness to long-established home health agencies and their patients. It would provide for a special rule for long-existing home health agencies that have been classified as ''new'' home health agencies for purposes of the Interim Payment System (IPS) simply because they happened to change the ending date of their fiscal year, and, as a consequence, do not have a full 12-month cost reporting period in federal fiscal year 1994.

Under the complicated formula for the Medicare Interim Payment System for home health agencies, Medicare determines a limit for most established agencies using a formula that recognizes the agency's historical costs and blends them, in a proportion of 75 percent to 25 percent, with regional norms. For new home health agencies without a historic record of cost reports, the per-beneficiary limit is set at the national median.

In defining the difference between new and existing agencies, the Administration focused on fiscal year 1994 and established a general rule that the national median per-beneficiary limit would apply to ''new providers and providers without a 12-month reporting period ending in fiscal year 1994.'' Congress did, however, specifically exclude from the ''new'' category any home health agency that had changed its name or corporate structure.

Nevertheless, one of the home health agencies in my State —Hancock County HomeCare—has been classified as a ''new'' home health agency, even though it has been serving the people of rural Down East Maine for more than 60 years. I am sure that there are other long-standing home health agencies across the country that have found themselves in a similar situation as a consequence of this provision.

Hancock County HomeCare is a division of Blue Hill Memorial Hospital, a charitable, tax-exempt hospital. Hancock County HomeCare emerged as a result of a merger of the hospital with the Four Town Nursing Service and Bar Harbor Public Health Nursing, both non-profit home health agencies that have provided uninterrupted service to residents of Hancock County, Maine for more than 60 years. The unified agency, which provides skilled home nursing and therapies to residents of 36 towns, has been part of Blue Hill Memorial Hospital since 1981.

Despite its 60-year history of service to the community, Hancock County HomeCare has been classified as a ''new'' agency simply because it happened to change the ending date of its fiscal year during 1994, when Blue Hill Memorial and its affiliate changed theirs. Solely because it changed its fiscal year from a period ending June 30 to a period ending March 31, this 60-year old agency is being treated as a new agency by HCFA. Given the care taken by Congress to exclude name changes and corporate structure changes from the definition of a ''new'' agency, I simply do not believe that it was our intent to visit radically different treatment upon an agency that simply changed its financial reporting practices, but otherwise has a continuous history of operation and is fully able to provide 12 months of reliable data in accordance with Medicare cost reporting requirements.

I believe that the statute gives the Health Care Financing Administration sufficient discretion to deal with this situation administratively. Unfortunately, however, HCFA does not agree with that interpretation and insists that further legislative action is necessary if Hancock County HomeCare is to be considered an ''old'' agency for purposes of the Interim Payment System.

The legislation that I am introducing today to clarify the law was prepared with technical assistance from HCFA. Essentially, the bill would provide for a special rule for home care agencies that were in existence and had an active Medicare provider number prior to fiscal year 1980, but which had less than a 12-month cost reporting period in fiscal year 1994 because the agency changed the end date of its cost reporting period in that year. For these agencies, Medicare could, upon the request of the agency, use the agency's partial-year cost report from fiscal year 1994 to determine the agency-specific portion of the per beneficiary limit. As a consequence, the agency could then be treated as an ''old'' agency for purposes of the Interim Payment System.

Mr. President, this legislation is simply a technical correction to address a specific problem that Congress clearly did not intend to create when it enacted the Balanced Budget Act of 1997. The legislation is narrowly drafted and, in all likelihood, will not affect more than a few home health agencies, but it will make a critical difference in the ability of those agencies to continue to serve their elderly clients.

Home health agencies across the country, however, are experiencing acute financial problems due to other problems with a critically-flawed payment system that effectively penalizes our most cost-efficient agencies. These agencies are finding it increasingly difficult to cope with cash-flow problems, which inhibit their ability to deliver much-needed care. As many as twenty organizations in Maine have either closed or are no longer providing home care services because their reimbursement levels under Medicare fell so far short of their actual operating costs. Other agencies are laying off staff or are declining to accept new patients with more serious health problems. The real losers in this situation are our seniors, since cuts of this magnitude cannot be sustained without ultimately affecting patient care.

Moreover, these payment problems have been exacerbated by a number of new regulatory requirements imposed by HCFA, including the implementation of OASIS, sequential billing, medical review, and IPS overpayment recoupment. I will soon be introducing legislation to provide some relief for these beleaguered home health agencies and also plan to hold a hearing next month in the Permanent Subcommittee on Investigations to examine the combined effect that these payment reductions coupled with the multiple new regulatory requirements have

had on home health agencies' ability to meet their patients' needs.

Mr. President, I ask unanimous consent that the text of this legislation providing a special rule for long-existing home health agencies with partial fiscal year 1994 cost reports be included in the RECORD.

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

S. 1063

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SPECIAL RULE FOR LONG EXISTING HOME HEALTH AGENCIES WITH PARTIAL FISCAL YEAR 1994 COST REPORTS.

(a) IN GENERAL.—Section 1861(v)(1)(L) of the Social Security Act (42 U.S.C. 1395x(v)(1)(L)) is amended by adding at the end the following:

''(x)(I) If requested by an applicable agency, the limitation under clause (v) shall be determined for such agency by substituting in subclause (I) of that clause 'the reasonable costs (including nonroutine medical supplies) for the agency's cost report for the most recent partial cost reporting period ending in fiscal year 1994' for 'the reasonable costs (including nonroutine medical supplies) for the agency's 12-month cost reporting period ending during fiscal year 1994'.

''(II) In this clause, the term 'applicable agency' means an agency that—

''(aa) was in existence prior to fiscal year 1980;

''(bb) had an active medicare provider number prior to such date; and

''(cc) had less than a 12-month cost reporting period ending in fiscal year 1994 because such agency changed the end date of its cost reporting period during fiscal year 1994.

''(III) The limitation determined for an applicable agency pursuant to this clause shall be excluded from any calculation under this subparagraph of—

''(aa) a standardized regional average of costs; or

''(bb) a national median of limits.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect as if included in the enactment of the Balanced Budget Act of 1997.

By Mr. THURMOND:

S. 1064. A bill to provide for the location of the National Museum of the United States Army; to the Committee on Armed Services.

NATIONAL MUSEUM OF THE UNITED STATES ARMY SITE ACT OF 1999

Mr. THURMOND. Mr. President, it is not an exaggeration to say that Washington, DC possesses one of the highest concentrations of museums, art galleries, research institutions, monuments, and memorials to be found anywhere in the world. This is a city where we chronicle our history, honor our heroes, and introduce people from around the world to the ''American experience''.

Each year millions of people travel to Washington to visit the many attractions that are located within the capital city. Some of the most popular destinations for visitors are the many excellent museums and galleries, located where individuals are able to gain a knowledge and perspective about the United States that they may not have possessed before their trip to Washington.

Sadly, one aspect of American history which is not told very well is that of the United States Army. While many of the museums in the Capital area address military history in general terms, the region lacks a museum dedicated solely to the purpose of telling the story of our Army. This absence is a discredit to those interested in American history as the story of our Army is the story of our Nation, and quite obviously the reverse is true. It is also a discredit to the millions who have served as soldiers, theirs is a story well worth telling to others.

The United States is a Nation born of battle, as a matter of fact, the Army is older than our country. The Army was formed in 1775, while the United States was formed in 1776. At every critical juncture of the history of the United States, we find the brave soldiers of the Army. Whether it was earning our freedom from a colonial power; the mapping expedition of Lewis & Clark; the westward expansion of the nation; the Civil War, where the Army fought to maintain the unity of the young nation; the World Wars where we battled to preserve global peace; the Cold War where the Army stood vigilant against the expansionist desires of communist countries; in the Persian Gulf chasing a petty dictator and bully out of Kuwait; spearheading humanitarian relief efforts in any number of countries; or enforcing a fragile peace in Bosnia, the soldiers of our Army were there, doing their duty. Certainly this is a story worthy of chronicling through a museum, and the time has come to build such a facility.

What I propose is not new. Over the past two decades, many sites have been suggested and most are unsatisfactory because they have unrealistic development requirements, because their locations are unsuitable for such an esteemed building, or they lacked an appropriate Army setting. Since 1983, the process of choosing a site for the Army Museum has been a long and cumbersome undertaking. A site selection committee was organized and it developed a list of seventeen criteria which any candidate site is required to possess before it was to be selected as home to the Army Museum. Among other requirements, these criteria required such things as: an area permitting movement of large vehicles for exhibits and tractor trailer trucks for shipments; commanding an aesthetically pleasing vista; positive impact on the environment; closeness to public transportation; closeness to a Washington Tourmobile route; convenience to Fort Myer for support by the 3d Infantry—The Old Guard; accessibility by private automobile; adequate parking for 150 staff and official visitors; adequate parking for a portion of the 1,000,000 visitors-a-year that will not use public transportation; food service for staff and visitors; an area that is low in crime and is safe for staff and visitors; suitable space—at least 300,000 square feet—for construction; a low water table; good drainage; no history of flooding; and, suitability for subterranean construction.

Since 1984, more than 60 sites have been studied, yet only a handful have been worthy of any serious consideration.

The most prominent recent site suggestions have included Carlisle, Pennsylvania, the Washington Navy Yard, the ''Marriott property'' in northern-Virginia, and Fort Belvoir, Virginia. Three of these sites clearly have characteristics which are directly contrary to the established criteria for site selection. The extraordinary distance of Carlisle from Washington speaks for itself. The ''Marriott property'' was carefully studied numerous times, and though it was the Army's first choice, it was always determined that the site was too small and that the cost of the property too high. The suggestion that the Army locate its museum in Washington's Navy Yard is also directly contrary to prerequisites for site selection. The Washington Navy Yard is situated in a difficult to get to part of the District, on the Anacostia River, as well as on a precarious 50-year flood plain. Because this area floods so often, a ''Washington Navy Yard Army Museum''—I will repeat this awkward location—a ''Washington Navy Yard Army Museum'', might well suffer the embarrassment of being closed due to flooding. Furthermore, the Navy Yard is simply too small to allow the construction of a facility that can chronicle the more than 225-year history of the Army. From even before the first blueprint is drawn, architects and historians trying to create a museum that will be recognized as a world-class facility for the study of the American Army and military history will be limited by the lack of space available at the Navy Yard. Secondly, the Navy Yard is situated in a part of the District of Columbia well off the circuit that visitors travel when they come to Washington. The Navy Yard abuts a residential district with narrow streets which means it will be confusing for people to drive there, streets will be congested with traffic, and there will be a lack of parking for cars and tour buses. Additionally, the Navy Yard has become less military in character and more of a patchwork home to various government offices. To locate the Army Museum in an old Navy yard, which sometimes may be under water, would send a clear signal to visitors that choosing a home to their history

was nothing more than an afterthought. Finally, it is simply not appropriate to have a museum chronicling the history of the Army at a Navy facility. The Army museum belongs on an Army installation.

As an interesting footnote, the April 27, 1999 issue of the Washington Post carried an article about the search for a new location to house the headquarters for the Bureau of Alcohol, Tobacco & Firearms and reported that a site on New York Avenue seemed to be the first choice. It mentioned that another site in the District had previously been considered as the new home of the BATF, that of the Southeast Federal Center, ''. . . a huge development envisioned for the Anacostia River waterfront south of Capitol Hill, next to the Washington Navy Yard.'' Not surprisingly, the article also reported that BATF had resisted that option because it was considered—and I quote—''. . .too remote''. If the Navy Yard is too remote a site for the BATF, how is it any more convenient for the Army Museum or those hundreds of thousands of people who will visit it every year?

In 1991, the Deputy Secretary of Defense directed that the site searches include the Mount Vernon Corridor as a possible location for the Army Museum. Fort Belvoir quickly became a very attractive location. Fort Belvoir offers a 48-acre site; it is only five minutes from Interstate 95, which is traveled by more than 300 million vehicles each year; it is only three minutes from the Fairfax County Parkway; it is served by Metro Bus; and Richmond Highway is next to the main gate of Fort Belvoir.

Beyond its ideal location, Fort Belvoir is also a winner historically. It is on a portion of General George Washington's properties when he was Commander-in-Chief of the Continental Army. It is located on the historical heritage trail of the Mount Vernon Estate, Woodlawn Plantation, Pohick Church, and Gunston Hall. Situating the Army Museum at Fort Belvoir is a natural tie to a long established military and historic installation that has already been approved by the National Capital Planning Commission to be used for community activities, which includes museums, as a part of the Fort Belvoir Master Plan. The Fort Belvoir site meets all 17 criteria originally established by the Army. With the Marine Corps planning to build its heritage center at nearby Quantico, these two facilities would most certainly complement each other.

Indeed, the planned Marine Corps museum is an excellent example of a carefully contemplated facility that not only will capture the rich history of that service, but make the complex an attractive tourist destination. The Marines' heritage complex will be 460,000 square feet and will include a museum, a welcome center, an IMAX theater, a conference center, and a hotel. Clearly, the Marine Corps has come-up with a winning equation for a facility that will tell the story of that service and the Army should be allowed to do the same. Placing the Army Museum at the Navy Yard will not only inhibit efforts to present the history of the Army, but it will also force the establishment of a museum that is inferior and not all that it can be. Finally, co-locating the Army and Marine museums in the same geographic area would create a military history ''zone'', so to speak, and greatly increase the number of visitors that will take time to stop at both museums to learn more about our armed services and the valuable contributions they have made to the nation.

Mr. President, we have been trying to find a suitable site for the Army Museum since 1983. While I find it hard to believe that it should take 16-years to identify a suitable site, I am willing to concede that we should spare no effort in making certain that we find the perfect place to locate the Army Museum. I fear that citizens would hesitate visiting the Navy Yard if designated as the home for the Army Museum. Simply put, Fort Belvoir enjoys every advantage over the Navy Yard, the Marriott property, Carlisle Barracks, or any other site, as a place to build the Army Museum.

The bill I am introducing today names Fort Belvoir as the site for the Army Museum. Fort Belvoir is the best location in the Washington area to host the Army Museum. Army veterans want to remember and show their contribution to history in an Army setting and culture in which they themselves once served. Fort Belvoir is the perfect place to do this and it qualifies on every criterion established in 1983 by the Army's Site Selection Committee. Fort Belvoir is Army and should host Army history. Therefore, I ask that my colleagues support this bill and bring the 16-year search for a home for the Army Museum to a close by selecting a worthy home for one of this nation's greatest institutions.

Mr. President, Thomas Jefferson wrote to John Adams in 1817, ''A morsel of genuine history is a thing so rare as to be always valuable.'' I am pleased to see that the National U.S. Army Museum is a task for this Congress at the beginning of a new century, at a time when all Americans are proud of their nation's accomplishments and those who made it all possible. I am absolutely concerned that all our veterans are honored and honored appropriately. Every year, Army veterans bring their families to Washington and are disappointed that no museum exists as a tribute to their service and sacrifice. Time is running out for many Army veterans, especially those of World War II. I urge my colleagues to review this important piece of legislation and support its passage. Mr. President, I ask unanimous consent that the text of this bill be printed in the RECORD.

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

S. 1064

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 ''National Museum of the United States Army Site Act of 1999''.

SEC. 2. FINDINGS AND PURPOSES.

(a) FINDINGS.—Congress makes the following findings:

(1) The Nation does not have adequate knowledge edge of the role of the Army in the development and protection of the United States.

(2) The Army, the oldest United States military service, lacks a primary museum with public exhibition space and is in dire need of a permanent facility to house and display its historical artifacts.

(3) Such a museum would serve to enhance the preservation, study, and interpretation of Army historical artifacts.

(4) Many Army artifacts of historical significance and national interest which are currently unavailable for public display would be exhibited in such a museum.

(5) While the Smithsonian Institution would be able to assist the Army in developing programs of presentations relating to the mission, values, and heritage of the Army, such a museum would be more appropriate institution for such programs.

(b) PURPOSES.—The purposes of this Act are—

(1) to provide for a permanent site for a museum to serve as the National Museum of the United States Army;

(2) to ensure the preservation, maintenance, and interpretation of the artifacts and history collected by such museum;

(3) to enhance the knowledge of the American people to the role of the Army in United States history; and

(4) to provide a facility for the public display of the artifacts and history of the Army.

SEC. 3. LOCATION OF NATIONAL MUSEUM OF THE UNITED STATES ARMY.

The Secretary of the Army shall provide for the location of the National Museum of the United States Army at Fort Belvoir, Virginia.

By Mr. DODD:

S. 1065. A bill to authorize negotiation for the accession of Chile to the North American Free Trade Agreement, to provide for Fast Track Consideration and for other purposes; to the Committee on Finance.

CHILE FAST TRACK ACT OF 1999

● Mr. DODD. Mr. President, nearly five years ago, a bipartisan majority of this body ratified the North American Free Trade Agreement. Since then the promises of new jobs, increased exports, lower tariffs and a cleaner environment have all come true. In other words, Mr. President, NAFTA has succeeded despite the predictions of some that America could not compete in today's global economy.

With the success of NAFTA as a backdrop, it is now time to move forward and expand the free trade zone to other countries in our hemisphere. To help accomplish that important goal, I am introducing legislation today which will authorize and enable the President to move forward with negotiations on a free trade agreement with Chile.

Chile, Mr. President, is surely worthy of membership in NAFTA. In fact, Chile already signed a free trade agreement with Canada in 1996. Today, the Chilean economy is growing at a healthy annual rate of more than 7 percent. Chile is noted for its concern for preserving the environment and has put in place environmental protections that are laudable. Chile's fiscal house is in order as evidenced by a balanced budget, strong currency, strong foreign reserves and continued inflows of foreign capital, including significant direct investment.

Chile has already embraced the ideals of free trade. Last January, the Chilean tariff on goods from countries with which Chile does not yet have a free trade agreement fell from 11 percent to 10 percent. That tariff is scheduled to continue to fall gradually to 6 percent in 2003. While some goods are still assessed at a higher rate, the United States does a brisk export business to Chile, sending approximately $4.5 billion in American goods to that South American nation. That represents 25 percent of Chile's imports. That $4.5 billion in exports represents thousands of American jobs across the nation. Furthermore, the United States currently runs a trade surplus of nearly $3 billion per year.

Our firm belief in the importance of democracy continues to drive our foreign policy. After seventeen years of dictatorship, Chile returned to the family of democratic nations following the 1988 plebiscite. Today, the President and the legislature are both popularly elected and the Chilean armed forces effectively carry out their responsibilities as spelled out in Chile's Constitution. American investment and trade can play a critical role in building on Chile's political and economic successes.

It is unrealistic to think that the President will be able to negotiate a free trade agreement without fast track authority. Nor should we ask Chilean authorities to conduct negotiations under such circumstances. Therefore, the bill I am introducing today will provide him with a limited fast track authority which will apply only to this specific treaty. I believe that fast track is key to enabling the President to negotiate the most advantageous trade agreements, and should therefore be re-authorized. At this point, however, there are stumbling blocks we must surmount before generic fast track can be re-authorized. Those stumbling blocks should not be allowed to stand in the way of free trade with Chile.

Naysayers claim that free trade prompts American business to move overseas and costs American workers their jobs. They will tell you that America, the nation with the largest and strongest economy, the best workers and the greatest track record of innovation cannot compete with other nations.

Mr. President, the past five and a half years since we ratified NAFTA have proven them wrong. Today, tariffs are down and exports are up. The environment in North America is cleaner. Most importantly, NAFTA has created 600,000 new American jobs all across the nation.

The successes of NAFTA are an indication of the potential broader free trade agreements hold for our economy. Furthermore, trade and economic relationships foster American influence and support our foreign policy. In other words, Mr. President, this bill represents new American jobs in every state in the nation, a stronger American economy and greater American influence in our own Hemisphere. Mr. President, I urge my colleagues to support this bill.●

BY Mr. ROBERTS (for himself, Mr. MURKOWSKI, Mr. GRAMS, Mr. HAGEL, and Mr. CRAIG):

S. 1066. A bill to amend the National Agricultural Research, Extension, and Teaching Policy Act to 1977 to encourage the use of and research into agricultural best practices to improve the environment, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

CARBON CYCLE AND AGRICUTURAL BEST PRACTICES RESEARCH ACT

Mr. ROBERTS. Mr. President I rise today to introduce an important component to further the scientific understanding of the earth's role as it relates to the environment, specifically the carbon cycle. What sparked my interest in introducing a carbon cycle research bill was a 1998 finding by academic and federal researchers that the North American continent from 1988 to 1992 absorbed an equivalent amount of the carbon dioxide emitted from fossil fuel emissions during the same time. Scientists know it happened, but cannot pinpoint the mechanisms of the process. Although you cannot watch carbon dioxide move into soil, you can see soil with high levels of carbon like river bottomland that has rich dark soil. Naturally, the question arises of how agriculture supplements this natural process.

By introducing this bill, it is my intention to follow through on the advice of climate scientists that there is a need for more research because the carbon cycle issue is complex. The bill makes sure that USDA is researching voluntary agricultural best practices such as conservation tillage, buffer strips, the Conservation Reserve Program, and new technology like precision sprayers that have multiple environmental benefits.

These voluntary agricultural best practices increase soil carbon levels also tend to reduce soil erosion, reduce fuel costs for producers, improve soil fertility, and increase production. It's a win win win. Nonetheless, there are agencies and individuals with agendas that believe agriculture is a source of greenhouse gas emissions and do not care about the multitude of benefits accruing from production agriculture. Therefore, we must arm agriculture with sound science on the carbon cycle.

This bill is intended to give producers and policymakers better understanding of the link between the carbon cycle and voluntary best practices. It authorizes USDA to conduct basic research on the mechanics of carbon being stored in soil and applied research to fine tune voluntary agricultural practices to increase the storage of carbon in soils. Furthermore, research will be helpful in finding out if agriculture can be a tool to solve the challenge of climate change.

I also want to make clear that this is a research bill. It has nothing to do with trading carbon credits or setting up a scheme for early action rewards if the Protocol becomes effective. The whole point of this bill is that there needs to be an understanding of the science and examining methods to meet the challenge of climate change without an international treaty. This bill compliments other legislation, such as Mr. MURKOWSKI's bill, that calls for increased energy efficiency research.

The bill taps into USDA's broad research capabilities as it relates to production techniques and soil databases, but I have also incorporated state-of-the-art research tools including satellite-based technology. Satellite based remote sensing is becoming more useful as an agricultural production component. Right now, satellites measure the greening up of wheat during spring months, making more precise estimates of wheat harvests. In discussions with remote sensing leaders at the University of Kansas, remote sensing has a role in providing the ''big picture'' as it relates to what agriculture is doing as it relates to the carbon cycle, such as mapping vegetation and estimating the amount of carbon it can store in soil.

Because of the National Oceanic and Atmospheric Administration's initial research that shows the North American Continent is a net carbon sink, I have included bill language to use air monitors to study the regional interaction of carbon dioxide. For instance, measure the movement of air from Denver to Kansas City. If the carbon dioxide level is lower in Kansas City than Denver, Kansas agriculture and

land is absorbing carbon. With this data, scientists can start looking at specific ag practices.

It is my hope that the Senate can enact this legislation to be proactive in meeting the climate challenge, encouraging voluntary agricultural best practices and technology that have multiple benefits. This is a strategy that is based on commonsense, not suggestions made by the International Panel on Climate Change that would halt production agriculture as we know it. Producers can use technology to feed a troubled and hungry world, plus absorb carbon dioxide.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 1066

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 ''Carbon Cycle and Agricultural Best Practices Research Act''.

SEC. 2. FINDINGS.

Congress finds that—

(1) agricultural producers in the United States—

(A) have, in good faith, participated in mandatory and voluntary conservation programs, the successes of which are unseen by the general public, to preserve natural resources; and

(B) have a personal stake in ensuring that the air, water, and soil of the United States are productive since agricultural productivity directly affects—

(i) the economic success of agricultural producers; and

(ii) the production of food and fiber for developing and developed nations;

(2) in addition to providing food and fiber, agriculture serves an environmental role by providing benefits to air, soil, and water through agricultural best practices;

(3) those conservation programs and Federal land provide the United States with an enormous potential to increase the quantity of carbon stored in agricultural land and commodities through the carbon cycle;

(4) according to the Climate Modeling and Diagnostics Laboratory of the National Oceanic and Atmospheric Administration, North American soils, crops, rangelands, and forests absorbed an equivalent quantity of carbon dioxide emitted from fossil fuel combustion as part of the natural carbon cycle from 1988 through 1992;

(5) the estimated quantity of carbon stored in world soils is more than twice the carbon in living vegetation or in the atmosphere;

(6) agricultural best practices can increase the quantity of carbon stored in farm soils, crops, and rangeland;

(7) although there is a tremendous quantity of carbon stored in soil that supports agricultural operations in the United States, the quantity of carbon stored in soil may be increased by using a strategy that would benefit the environment without implementing a United Nations-sponsored climate change protocol or treaty;

(8) Federal research is needed to identify—

(A) the agricultural best practices that supplement the natural carbon cycle; and

(B) Federal conservation programs that can be altered to increase the environmental benefits provided by the natural carbon cycle;

(9) increasing soil organic carbon is widely recognized as a means of increasing agricultural production and meeting the growing domestic and international food consumption needs with a positive environmental benefit;

(10) agricultural best practices include the more efficient use of agriculture inputs and equipment; and

(11) tax credits should be offered in order to facilitate the widespread use of more efficient agriculture inputs and equipment and to increase environmental benefits.

SEC. 3. AGRICULTURAL BEST PRACTICES.

Title XIV of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3101 et seq.) is amended by adding at the end the following:

''Subtitle N—Carbon Cycle and Agricultural Best Practices

''SEC. 1490. DEFINITIONS.

''In this subtitle:

''(1) AGRICULTURAL BEST PRACTICE.—The term 'agricultural best practice' means a voluntary practice used by 1 or more agricultural producers to manage a farm or ranch that has a beneficial or minimal impact on the environment, including—

''(A) crop residue management;

''(B) soil erosion management;

''(C) nutrient management;

''(D) remote sensing;

''(E) precision agriculture;

''(F) integrated pest management;

''(G) animal waste management;

''(H) cover crop management;

''(I) water quality and utilization management;

''(J) grazing and range management;

''(K) wetland management;

''(L) buffer strip use; and

''(M) tree planting.

''(2) CONSERVATION PROGRAM.—The term 'conservation program' means a program established under—

''(A) subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3830 et seq.);

''(B) section 401 or 402 of the Agricultural Credit Act of 1978 (16 U.S.C. 2201, 2202);

''(C) section 3 or 8 of the Watershed Protection and Flood Prevention Act (16 U.S.C. 1003, 1006a); or

''(D) any other provision of law that authorizes the Secretary to make payments or provide other assistance to agricultural producers to promote conservation.

''SEC. 1491. CARBON CYCLE AND AGRICULTURAL BEST PRACTICES RESEARCH.

''(a) IN GENERAL.—The Department of Agriculture shall be the lead agency with respect to any agricultural soil carbon research conducted by the Federal Government.

''(b) RESEARCH SERVICES.—

''(1) AGRICULTURAL RESEARCH SERVICE.—The Secretary, acting through the Agricultural Research Service, shall collaborate with other Federal agencies to develop data and conduct research addressing soil carbon balance and storage, making special efforts to—

''(A) determine the effects of management and conservation on carbon storage in cropland and grazing land;

''(B) evaluate the long-term impact of tillage and residue management systems on the accumulation of organic carbon;

''(C) study the transfer of organic carbon to soil; and

''(D) study carbon storage of commodities.

''(2) NATURAL RESOURCES CONSERVATION SERVICE.—

''(A) RESEARCH MISSIONS.—The research missions of the Secretary, acting through the Natural Resources Conservation Service, include—

''(i) the development of a soil carbon database to—

''(I) provide online access to information about soil carbon potential in a format that facilitates the use of the database in making land management decisions; and

''(II) allow additional and more refined data to be linked to similar databases containing information on forests and rangeland;

''(ii) the conversion to an electronic format and linkage to the national soil database described in clause (i) of county-level soil surveys and State-level soil maps;

''(iii) updating of State-level soil maps;

''(iv) the linkage, for information purposes only, of soil information to other soil and land use databases; and

''(v) the completion of evaluations, such as field validation and calibration, of modeling, remote sensing, and statistical inventory approaches to carbon stock assessments related to land management practices and agronomic systems at the field, regional, and national levels.

''(B) UNIT OF INFORMATION.—The Secretary, acting through the Natural Resources Conservation Service, shall disseminate a national basic unit of information for an assessment of the carbon storage potential of soils in the United States.

''(3) ECONOMIC RESEARCH SERVICE REPORT.—Not later than 1 year after the date of enactment of this section, the Secretary, acting through the Economic Research Service, shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that analyzes the impact of the financial health of the farm economy of the United States under the Kyoto Protocol and other international agreements under the Framework Convention on Climate Change—

''(A) with and without market mechanisms (including whether the mechanisms are permits for emissions and whether the permits are issued by allocation, auction, or otherwise);

''(B) with and without the participation of developing countries;

''(C) with and without carbon sinks; and

''(D) with respect to the imposition of traditional command and control measures.

''(c) CONSORTIA.—

''(1) IN GENERAL.—The Secretary may designate not more than 2 carbon cycle and agricultural best practices research consortia.

''(2) SELECTION.—The consortia designated by the Secretary shall be selected in a competitive manner by the Cooperative State Research, Education, and Extension Service.

''(3) DUTIES.—The consortia shall—

''(A) identify, develop, and evaluate agricultural best practices using partnerships composed of Federal, State, or private entities and the Department of Agriculture, including the Agricultural Research Service;

''(B) develop necessary computer models to predict and assess the carbon cycle, as well as other priorities requested by the Secretary and the heads of other Federal agencies;

''(C) estimate and develop mechanisms to measure carbon levels made available as a result of voluntary Federal conservation programs, private and Federal forests, and other land uses; and

''(D) develop outreach programs, in coordination with extension services, to share information on carbon cycle and agricultural best practices that is useful to agricultural producers.

''(4) CONSORTIA PARTICIPANTS.—The participants in the consortia may include—

''(A) land-grant colleges and universities;

''(B) State geological surveys;

''(C) research centers of the National Aeronautics and Space Administration;

''(D) other Federal agencies;

''(E) representatives of agricultural businesses and organizations; and

''(F) representatives of the private sector.

''(5) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this subsection $5,000,000 for each of fiscal years 2000 through 2002.

''(d) PROMOTION OF AGRICULTURAL BEST PRACTICES.—The Secretary shall promote voluntary agricultural best practices that take into account soil organic matter dynamics, carbon cycle, ecology, and soil organisms that will lead to the more effective use of soil resources to—

''(1) enhance the carbon cycle;

''(2) improve soil quality;

''(3) increase the use of renewable resources; and

''(4) overcome unfavorable physical soil properties.

''(e) ANNUAL REPORT.—The Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate an annual report that describes programs that are or will be conducted by the Secretary, through land-grant colleges and universities, to provide to agricultural producers the results of research conducted on agricultural best practices, including the results of—

''(1) research;

''(2) future research plans;

''(3) consultations with appropriate scientific organizations;

''(4) proposed extension outreach activities; and

''(5) findings of scientific peer review under section 103(d)(1) of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7613(d)(1)).

''SEC. 1492. CARBON CYCLE REMOTE SENSING TECHNOLOGY.

''(a) CARBON CYCLE REMOTE SENSING TECHNOLOGY PROGRAM.—

''(1) IN GENERAL.—The Secretary, in cooperation with the Administrator of the National Aeronautics and Space Administration, shall develop a carbon cycle remote sensing technology program—

''(A) to provide, on a near-continual basis, a real-time and comprehensive view of vegetation conditions; and

''(B) to assess and model agricultural carbon sequestration.

''(2) USE OF CENTERS.—The Administrator of the National Aeronautics and Space Administration shall use regional earth science application centers to conduct research under this section.

''(3) RESEARCHED AREAS.—The areas that shall be the subjects of research conducted under this section include—

''(A) the mapping of carbon-sequestering land use and land cover;

''(B) the monitoring of changes in land cover and management

''(C) new systems for the remote sensing of soil carbon; and

''(D) regional-scale carbon sequestration estimation.

''(b) REGIONAL EARTH SCIENCE APPLICATION CENTER.—

''(1) IN GENERAL.—The Secretary, in cooperation with the Administrator of the National Aeronautics and Space Administration, shall carry out this section through the Regional Earth Science Application Center located at the University of Kansas (referred to in this section as the 'Center'), if the Center enters into a partnership with a land-grant college or university.

''(2) DUTIES OF CENTER.—The Center shall serve as a research facility and clearinghouse for satellite data, software, research, and related information with respect to remote sensing research conducted under this section.

''(3) USE OF CENTER.—The Secretary, in cooperation with the Administrator of the National Aeronautics and Space Administration, shall use the Center for carrying out remote sensing research relating to agricultural best practices.

''(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $5,000,000 for fiscal years 2000 through 2002.

''SEC. 1493. CONSERVATION PREMIUM PAYMENTS.

''In addition to payments that are made by the Secretary to producers under conservation programs, the Secretary may offer conservation premium payments to producers that are participating in the conservation programs to compensate the producers for allowing researchers to scientifically analyze, and collect information with respect to, agricultural best practices that are carried out by the producers as part of conservation projects and activities that are funded, in whole or in part, by the Federal Government.

''SEC. 1494. ASSISTANCE FOR AGRICULTURAL BEST PRACTICES AND NATURAL RESOURCE MANAGEMENT PLANS UNDER CONSERVATION PROGRAMS.

''(a) IN GENERAL.—In addition to assistance that is provided by the Secretary to producers under conservation programs, the Secretary, on request of the producers, shall provide education through extension activities and technical and financial assistance to producers that are participating in the conservation programs to assist the producers in planning, designing, and installing agricultural best practices and natural resource management plans established under the conservation programs.

''(b) INFORMATION TO DEVELOPING NATIONS.—The Secretary shall disseminate to developing nations information on agricultural best practices and natural resource management plans that—

''(1) provide crucial agricultural benefits for soil and water quality; and

''(2) increase production.

''SEC. 1495. CARBON CYCLE RESEARCH MONITORING SYSTEM.

''(a) ESTABLISHMENT.—The Secretary, in conjunction with the Administrator of the National Oceanic and Atmospheric Administration and the United States Global Change Research Program, may establish a nationwide carbon cycle monitoring system (referred to in this section as the 'monitoring system') to research the flux of carbon between soil, air, and water.

''(b) PURPOSE OF SYSTEM.—The monitoring system shall focus on locating network monitors on or near agricultural best practices that are—

''(1) undertaken voluntarily;

''(2) undertaken through a conservation program of the Department of Agriculture;

''(3) implemented as part of a program or activity of the Department of Agriculture; or

''(4) identified by the Administrator of the National Oceanic and Atmospheric Administration.

''(c) MEMORANDUM OF UNDERSTANDING.—The Secretary may enter into a memorandum of understanding with the Administrator of the National Oceanic and Atmospheric Administration to ensure that research goals of programs established by the Federal Government related to carbon monitoring are met through the monitoring system.

''(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this subtitle $10,000,000.''.

By Mr. ROCKEFELLER (for himself, Mr. CHAFEE, Mr. DEWINE, Ms. COLLINS, Ms. LANDRIEU, Mr. LEVIN, Mr. MOYNIHAN, Mr. KERREY, Mr. DORGAN, Mr. CONRAD, Mr. INOUYE, Mr. BREAUX, Mr. DURBIN, and Mr. TORRICELLI):

S. 1067. A bill to promote the adoption of children with special needs; to the Committee on Finance.

THE ADOPTION EQUALITY ACT OF 1999

Mr. ROCKEFELLER. Mr. President, I rise today to introduce the Adoption Equality Act of 1999. I would like to thank Senator CHAFEE for his leadership on behalf of vulnerable children, including our bipartisan work on this legislation. He joins me today as an original co-sponsor of this legislation as do Senators DEWINE, COLLINS, LEVIN, LANDRIEU, MOYNIHAN, BREAUX, KERREY, DORGAN, CONRAD, INOUYE, DURBIN and TORRICELLI. Work on this legislation is based on the bipartisan work of the Senate coalition that supported the 1997 Adoption and Safe Families Act.

A unique bipartisan coalition formed in 1997 worked hard to forge consensus on the Adoption and Safe Families Act of 1997 (ASFA). This law, for the first time ever, establishes that a child's health and safety must be paramount when any decisions are made regarding children in the abuse and neglect system. While this law was the most sweeping and comprehensive piece of child welfare legislation passed in over a decade, more work needs to be done to truly achieve the goals promoted in the Act of safety, stability and permanence for all abused and neglected children. Senator CHAFEE and I and all of the other co-sponsors I have named committed ourselves to continuing that work and that is why we are here today.

Throughout the process of developing the Adoption Act we heard about the challenging circumstances facing children described as having ''special needs''. These include children who are the most difficult to place into permanent homes, often due to their age, disability or status as part of a group of siblings needing to be placed together. I spent time learning about the special needs children in my own state of West Virginia. Prior to the passage of ASFA, there were 870 children, most with special needs, awaiting adoption in West Virginia. Today, I am proud to report

that this number has been reduced to 621. The dedication of our state adoption staff, when combined with the incentives and focus on permanence provided in ASFA have successfully effected the placement of nearly a third of the waiting children.

One of the most significant provisions of ASFA was the assurance of ongoing health care coverage for all children with special needs who move from foster care to adoption. The Adoption Equality Act is an essential second step in this ongoing process. This important legislation will promote and increase adoptions by making all children with special needs eligible for Federal adoption subsidy. The bill is designed to ''level the playing field'' by ensuring that all children with special needs, and the loving families who adopt them, have the support they need to grow and develop.

Current law provides for the payment of federal adoption subsidies to families who adopt only those special needs children whose biological family would have been qualified for welfare benefits under the old 1996 AFDC standards. Federal adoption subsidy payments provide essential income support to help families finance the daily costs of raising these special children (food, clothing) and also special services (equipment, therapy, tutoring, etc.). Federal adoption subsidies are a vital link in securing adoptive homes for special needs children who by definition would not be adopted without support.

Under current law, a child's eligibility for these important benefits is dependent on the income of his or her biological parents even though these parents' legal rights to the child have been terminated, and these are the parents who either abused or neglected the child. This is, simply, wrong. The Adoption Equality Act will eliminate this anomaly in Federal law by making all special needs children eligible for Federal adoption subsidies.

First, the bill removes the requirement that an income eligibility determination be made in regard to the child's biological parents, whom the child is leaving, thereby allowing Federal adoption subsidy to be paid to all families who adopt children who meet the definition of special needs.

Second, the bill gives States flexibility in determining their own criteria, which may, but need not, include judicial determination, to the effect that continuation in the home would be contrary to the safety or welfare of the child, as well as their own definition of which of the children in their state are children with special needs.

Third, the bill requires that states re-invest the monies they save as a result of this bill back into their state child abuse and neglect programs.

When we talk about how to help abused and neglected children in this country, many complex questions are raised about what constitutes best policy, and how Federal tax dollars should be spent. Yet, at the heart of it all are the children who desperately want a family to call their own, and the families who want to adopt them. The lack of adequate financial resources to support these adoptions is often the only barrier that stands between an abused child and a safe, loving and permanent home. With the numbers of abused and neglected children rising dramatically—in West Virginia alone child abuse reports have doubled—from 13,000 in 1986 to over 26,000 in 1996—we need to remove every barrier in our efforts to make a difference. A West Virginia family recently told me:

I knew we had enough love to give a child with special needs—even siblings. But could we afford it? More children means more of everything. This obstacle was removed through the adoption subsidy program and we now have four children in our lives. Our lives have truly changed. Special needs for us was a very special way to adopt a waiting child.

Federal adoption subsidies are designed to encourage adoption of children with special needs—those children who have the hardest time finding permanent, adoptive families. It is an absurd policy to discriminate against thousands of children with special needs based upon the income of their biological (and often abusive) parents. It is time to create a Federal policy that levels the playing field and gives all children with special needs an equal and fair chance at being adopted.

I am confident that the Adoption Equality Act will do just that, and at the same time, with the re-investment requirement, states should have the incentive to make additional improvements in their child welfare systems. These will be valuable steps in our efforts to be more able to effectively address the needs of our Nation's most vulnerable children. I urge my colleagues join us in co-sponsoring and passing this bill.

I ask unanimous consent that the text of the bill and a brief fact sheet be printed in the RECORD.

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

S. 1067

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 ''Adoption Equality Act of 1999''.

SEC. 2. PROMOTION OF ADOPTION OF CHILDREN WITH SPECIAL NEEDS.

(a) IN GENERAL.—Section 473(a) of the Social Security Act (42 U.S.C. 673(a)) is amended by striking paragraph (2) and inserting the following:

''(2)(A) For purposes of paragraph (1)(B)(ii), a child meets the requirements of this paragraph if such child—

''(i)(I) at the time of termination of parental rights was in the care of a public or licensed private child placement agency or Indian tribal organization pursuant to a voluntary placement agreement, relinquishment, or involuntary removal of the child from the home, and the State has determined, pursuant to criteria established by the State (which may, but need not, include a judicial determination), that continuation in the home would be contrary to the safety or welfare of such child;

''(II) meets all medical or disability requirements of title XVI with respect to eligibility for supplemental security income benefits; or

''(III) was residing in a foster family home or child care institution with the child's minor parent (pursuant to a voluntary placement agreement, relinquishment, or involuntary removal of the child from the home, and the State has determined, pursuant to criteria established by the State (which may, but need not, include judicial determination), that continuation in the home would be contrary to the safety or welfare of such child); and

''(ii) has been determined by the State, pursuant to subsection (c), to be a child with special needs, which needs shall be considered by the State, together with the circumstances of the adopting parents, in determining the amount of any payments to be made to the adopting parents.

''(B) Notwithstanding any other provision of law, and except as provided in paragraph (7), a child who is not a citizen or resident of the United States and who meets the requirements of subparagraph (A) shall be treated as meeting the requirements of this paragraph for purposes of paragraph (1)(B)(ii).

''(C) A child who meets the requirements of subparagraph (A), who was determined eligible for adoption assistance payments under this part with respect to a prior adoption (or who would have been determined eligible for such payments had the Adoption and Safe Families Act of 1997 been in effect at the time that such determination would have been made), and who is available for adoption because the prior adoption has been dissolved and the parental rights of the adoptive parents have been terminated or because the child's adoptive parents have died, shall be treated as meeting the requirements of this paragraph for purposes of paragraph (1)(B)(ii).''.

(b) EXCEPTION.—Section 473(a) of the Social Security Act (42 U.S.C. 673(a)) is amended by adding at the end the following:

''(7)(A) Notwithstanding any other provision of this subsection, no payment may be made to parents with respect to any child that—

''(i) would be considered a child with special needs under subsection (c);

''(ii) is not a citizen or resident of the United States; and

''(iii) was adopted outside of the United States or was brought into the United States for the purpose of being adopted.

''(B) Subparagraph (A) shall not be construed as prohibiting payments under this part for a child described in subparagraph (A) that is placed in foster care subsequent to the failure, as determined by the State, of the initial adoption of such child by the parents described in such subparagraph.''.

(c) REQUIREMENT FOR USE OF STATE SAVINGS.—Section 473(a) of the Social Security Act (42 U.S.C. 673(a)), as amended by subsection (b), is amended by adding at the end the following:

''(8) A State shall spend an amount equal to the amount of savings (if any) in State expenditures under this part resulting from the

application of paragraph (2) on and after the effective date of the amendment to such paragraph made by section 2(a) of the Adoption Equality Act of 1999 to provide to children or families any service (including post-adoption services) that may be provided under this part or part B.''.

(d) DETERMINATION OF A CHILD WITH SPECIAL NEEDS.—Section 473(c) of the Social Security Act (42 U.S.C. 673(c)) is amended to read as follows:

''(c) For purposes of this section, a child shall not be considered a child with special needs unless—

''(1)(A) the State has determined, pursuant to a criteria established by the State (which may or may not include a judicial determination), that the child cannot or should not be returned to the home of his parents; or

''(B) the child meets all medical or disability requirements of title XVI with respect to eligibility for supplemental security income benefits; and

''(2) the State has determined—

''(A) that there exists with respect to the child a specific factor or condition (such as ethnic background, age, or membership in a minority or sibling group, or the presence of factors such as medical conditions or physical, mental, or emotional handicaps) because of which it is reasonable to conclude that the child cannot be placed with adoptive parents without providing adoption assistance under this section and medical assistance under title XIX; and

''(B) that except where it would be against the best interests of the child because of such factors as the existence of significant emotional ties with prospective adoptive parents while in the care of such parents as a foster child, a reasonable, but unsuccessful, effort has been made to place the child with appropriate adoptive parents without providing adoption assistance under this section or medical assistance under title XIX.''.

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect on October 1, 1999.

THE SOCIAL SECURITY ACT, TITLE IV, PART E—FEDERAL PAYMENTS FOR FOSTER CARE AND ADOPTION ASSISTANCE, FACT SHEET AND EXPLANATION, ADOPTION ASSISTANCE PROGRAM, SECTION 473

PRESENT LAW

Current law provides for the payment of federal adoption subsidies to families who adopt ''special needs'' children whose biological family would have been qualified for welfare benefits under the old 1996 AFDC standards. Federal adoption subsidy payments provide essential income support to help families finance the daily costs of raising these special children (food, clothing) and also special services (equipment, therapy, tutoring, etc.). Federal adoption subsidies are a vital link in securing adoptive homes for special needs children who by definition would not be adopted without support.

Under current law, a child's eligibility for these important benefits is dependent on the income of his or her biological parents even though these parents' legal rights to the child have been terminated, and these are the parents who either abused or neglected the child.

Current law also allows for the payment of federal adoption subsidies to families who adopt a ''special needs'' child who meets all the requirements of title XVI with respect to eligibility for supplemental security income benefits (SSI), again, linking a child's eligibility for subsidy to the income and assets of the biological parents as well as to the child's disability.

Current law defines a child with special needs, as a child who has a specific factor or condition (such as ethnic background, age, or membership in a minority or sibling group, or the presence of factors such as medical conditions or physical, mental, or emotional handicaps) because of which it is reasonable to conclude that such child cannot be placed with adoptive parents without providing adoption assistance under this section and medical assistance under title XIX, and that except where it would be against the best interests of the child because of such factors as the existence of significant emotional ties with prospective adoptive parents while in the care of such parents as a foster child, a reasonable, but unsuccessful, effort has been made to place the child with appropriate adoptive parents without providing adoption assistance under this section or medical assistance under title XIX.

Under current law, the amount of payments to be made are determined through an agreement between the adoptive parents and the State or local agency. This agreement takes into account both the special needs of the child and the circumstances of the adopting parents. It may be periodically adjusted, and can continue to be paid until the child reaches the age of 18 (or 21 if the child has a physical or mental handicap which warrants that the payments continue). The amount of payment may never exceed the amount that would be paid as a foster care maintenance payment if the same child had remained in foster care.

EXPLANATION OF PROVISION

This bill makes all special needs children eligible for Federal adoption subsidies by ''delinking'' a child's eligibility from the archaic AFDC guidelines, or other income-eligibility determinations that would be based upon the income of the biological parents, whom the child is leaving.

First, the bill removes the requirement that an income eligibility determination be made in regard to the child's biological parents, thereby allowing Federal adoption subsidy to be paid to all families who adopt children who meet the definition of special needs.

The bill does NOT change the definition of special needs as described above. Nor does this bill change the method by which the payment amount is determined.

Second, the bill gives States flexibility in determining their own criteria, which may, but need not, include judicial determination, to the effect that continuation in the home would be contrary to the safety or welfare of the child.

Third, the bill allows for Federal adoption subsidy to be paid to families who adopt special needs children who meet the medical/disability requirements, without requiring that they, or their biological parents, meet the income standards, of title XVI with respect to supplemental security income benefits.

Fourth, the bill requires that states re-invest the monies they save as a result of this bill back into their state child abuse and neglect programs.

REASON FOR CHANGE

Federal adoption subsidies are designed to encourage adoption of children with special needs—those children who have the hardest time finding permanent, adoptive families. It is an absurd policy to discriminate against thousands of children with special needs based upon the income of their biological (and often abusive) parents. It is time to create a Federal policy that levels the playing field and gives all children with special needs an equal and fair chance at being adopted.

The proposed changes will do just that. They are designed to remove a significant barrier to the adoption of these children by making all special needs children eligible for Federal adoption subsidies, regardless of income of the biological (and often abusive) parents whom they are leaving.

At the same time, with the re-investment requirement, states should have the incentive to make additional improvements in their child welfare systems.

By Mr. KERRY (for himself, Mr. BOND, Mr. HOLLINGS, Mr. WELLSTONE, Mr. TORRICELLI, Mr. MOYNIHAN, Mr. JOHNSON, Ms. LANDRIEU, and Mr. LEVIN):

S. 1068. A bill to provide for health, education, and welfare of children under 6 years of age; to the Committee on Health, Education, Labor, and Pensions.

EARLY CHILDHOOD DEVELOPMENT ACT OF 1999

• Mr. KERRY. Mr President, in the aftermath of the tragic school shootings in Littleton, and in this debate here in the Senate about juvenile justice, we've heard a great deal about efforts to keep guns out of the hands of violent students, we've heard about efforts to try juvenile offenders as adults, about stiffer sentences, about so many answers to the problem of kids who have run out of second and third chances—kids who are violent, kids who are committing crimes, children who are a danger to themselves and a danger to those around him. Mr. President, I was a prosecutor in Massachusetts before I entered elected office. I've seen these violent teenagers and young people come to court, and Mr. President let me tell you there is nothing more tragic than seeing these children who—in too many cases—have a jail cell in their future not far down the road, children who have done what is, at times, irreparable harm to their communities.

And Mr. President, I keep asking myself, why is it we only start to care about these kids at that point—after the violence, after the arrest, after the damage has been done, when it may be too late—when we could have started intervening in our kids' lives early on, before it was too late. Mr. President, we can't say that we're having a real debate about juvenile justice if we're not talking about early childhood development efforts.

The truth is that early intervention can have a powerful effect on reducing government welfare, health, criminal justice, and education expenditures in the long run. By taking steps now we can reduce later destructive behavior such as dropping out of school, drug use, and criminal acts like the ones we have seen in Littleton and Jonesboro.

A study of the High/Scope Foundation's Perry Preschool found that at-risk toddlers who received pre-schooling and a weekly home visit reduced

the risk that these children would grow up to become chronic law breakers by a startling 80 percent. The Syracuse University Family Development Study showed that providing quality early-childhood programs to families until children reached age five reduces the children's risk of delinquency ten years later by 90 percent. It's no wonder that a recent survey of police chiefs found that nine out of ten said that ''America could sharply reduce crime if government invested more'' in these early intervention programs.

Let me tell you about the Early Childhood Initiative (ECI) in Allegheny County, Pennsylvania—an innovative program which helps low-income children from birth to age five become successful, productive adults by enrolling them in high quality, neighborhood-based early care and education programs ranging from Head Start, center-based child care, home-based child care, and school readiness programs. ECI draws on everything that's right about Allegheny County—the strengths of its communities—neighborhood decision-making, parent involvement, and quality measurement. Parents and community groups decide if they want to participate and they come together and develop a proposal tailored for the community. Regular review programs ensure quality programming and cost-effectiveness. We're talking about local control getting results locally: 19,000 pre-school aged children from low-income families, 10,000 of which were not enrolled in any child care or education program. By the year 2000, through funding supplied by ECI, approximately 75% of these under-served pre-schoolers will be reached. Early evaluations show that enrolled children are achieving at rates equivalent to their middle income peers. And as we know, without this leveling of the playing field, low-income children are at a greater risk of encountering the juvenile justice system. That's a real difference.

These kinds of programs are successful because children's experiences during their early years of life lay the foundation for their future development. But in too many places in this country our failure to provide young children what they need during these crucial early years has long-term consequences and costs for America.

Recent Scientific evidence conclusively demonstrates that enhancing children's physical, social, emotional, and intellectual development will result in tremendous benefits for children, families, and our nation. The electrical activity of brain cells actually changes the physical structure of the brain itself. Without a stimulating environment, the baby's brain suffers. At birth, a baby's brain contains 100 billion neurons, roughly as many nerve cells as there are stars in the Milky Way. But the wiring pattern between these neurons develops over time. Children who play very little or are rarely touched develop brains 20 to 30 percent smaller than normal for their age.

Mr. President, reversing these problems later in life is far more difficult and costly. We know that—if it wasn't so much harder, we wouldn't be having this difficult debate in the Senate. Well I think it's time we talked about giving our kids the right start in their lives they need to be healthy, to be successful, to mature in a way that doesn't lead to at-risk and disruptive behavior and violence down the road.

We should stop and consider what's really at stake here. Poverty seriously impairs young children's language development, math skills, IQ scores, and their later school completion. Poor young children also are at heightened risk of infant mortality, anemia, and stunted growth. Of the 12 million children under the age of three in the United States today, three million—25 percent—live in poverty. Three out of five mothers with children under three work, but one study found that 40 percent of the facilities at child care centers serving infants provided care of such poor quality as to actually jeopardize children's health, safety, or development. In more than half of the states, one out of every four children between 19 months and three years of age is not fully immunized against common childhood diseases. Children who are not immunized are more likely to contract preventable diseases, which can cause long-term harm. Children younger than three make up 27 percent of the one million children who are determined to be abused or neglected each year. Of the 1,200 children who died from abuse and neglect in 1995, 85 percent were younger than five and 45 percent were younger than one.

Literally the future of millions of young people is at stake here. Literally, that's what we're talking about. But is it reflected in the investments we make here in the Senate? I would, respectfully, say no—not nearly enough Mr. President.

Unfortunately, Mr. President, our government expenditure patterns are inverse to the most important early development period for human beings. Although we know that early investment can dramatically reduce later remedial and social costs, currently our nation spends no more than $35 billion over five years on federal programs for at-risk or delinquent youth and child welfare programs.

That is a course we need to change, Mr. President. We need to start talking in a serious and a thoughtful way—through a bipartisan approach—about making a difference in the lives of our children before they're put at risk. We need to accept the truth that we can do a lot more to help our kids grow up healthy with promising futures in an early childhood development center, in a classroom, and in a doctor's office than we can in a courtroom or in a jail cell.

Mr. President, these questions need to be a part of this juvenile justice debate, but they're not being included to the extent to which they should. My colleague KIT BOND and I are introducing our Early Childhood Development Act to move us forward in a bipartisan way towards that discussion—and towards actions we can take to provide meaningful intervention in the lives of all of our children. KIT BOND and I are appreciative of the deep support we've found for this legislation, evident in the co-sponsorship of the Kerry-Bond bill by Senator HOLLINGS, Senator JOHNSON, Senator LANDRIEU, Senator LEVIN, Senator MOYNIHAN, Senator WELLSTONE, and my colleague from New Jersey, Senator BOB TORRICELLI. We are looking forward to working with all of you, from both sides of the aisle, to make that debate on the Kerry-Bond bill a productive one, a debate that leads to the kind of actions we know can make the difference in addressing violence ten years before it starts, in getting all our children off to the right start towards full and productive lives.●

● Mr. BOND. Mr. President, I rise today to introduce the ''Early Childhood Development Act of 1999'' with my friend and colleague from Massachusetts, Senator KERRY.

Through this legislation, we are seeking to support families with the youngest children to find the early childhood education and quality child care programs that can help those families and parents provide the supportive, stimulating environment we all know their children need.

Recent research shows that the first few years of life are an absolutely crucial developmental period for each child with a significant bearing on future prospects. During this time, infant brain development occurs more rapidly than previously thought, and the sensations and experiences of this time go a long way toward shaping that baby's mind in a way that has long-lasting effects on all aspects of the child's life.

And parents and family are really the key to this development. Early, positive interaction with parents, grandparents, aunts, uncles, and other adults plays a critical role.

Here's what's going on during these amazing early years that in so many ways are crucial to each child. At birth, a baby's brain contains 100 billion neurons, roughly as many nerve cells as there are stars in the Milky Way. But the wiring pattern between these neurons develops over time. Most things happening in the surrounding world—such as a mother's caress, a father's voice, even playing with a brother or sister—helps this wiring pattern expand and connect. A baby with a stimulating environment will make these connections at a tremendous

rate. However, infants and children who play very little or are rarely touched or stimulated develop brains that can be 20 to 30 percent smaller than normal for their age.

Really we shouldn't be surprised that parents have known instinctively for generations some of these basic truths that science is just now figuring out. Most parents just know that babies need to be hugged, caressed, and spoken to.

Of course, the types of interaction that can most enhance a child's development change as the baby's body and mind grow. The types of behavior that are so instinctual for the youngest babies may not be quite so obvious for two- and three-year-olds. Raising a child is perhaps the most important thing any of us will do, but it is also one of the most complicated.

And parents today also face a variety of stresses and problems that were unheard of a generation ago. In many families, both parents work. Whether by choice or by necessity, many parents may not be able to read mountains of books and articles about parenting and child development to keep perfectly up-to-date on what types of experiences are most appropriate for their child at his or her particular stage of development. They also must try to find good child care and good environments where their children can be stimulated and educated while they work. Simply put, most parents can probably use a little help.

Many communities across the country have developed successful early childhood development programs to meet these needs. Most of the programs work with parents to help them understand their child's development and to discuss ways to help further develop the little baby's potential. Others simply provide basic child care and an exciting learning environment for children of parents who both have to work.

In a report released in 1998, the prestigious RAND Corporation reviewed early childhood programs like these and found that they provide higher-risk children with both short- and long-run benefits. These benefits include enhanced development of both the mind and the child's ability to interact with others, they include improvement in educational outcomes, and they include a long-term increase in self-sufficiency through finding jobs and staying off government programs.

Of course, it's no mystery to many people from Missouri that this type of program can be successful. In Missouri, we are both proud and lucky to be the home of Parents as Teachers. This tremendous initiative is an early childhood parent education program that has been designed to empower all parents to giver their young child the best possible start in life. Expanding Parents as Teachers to a statewide program was perhaps my proudest accomplishment when I was Missouri's Governor.

With additional resources, these programs could be expanded and enhanced to improve the opportunities for many more infants and young children. And we have found that all children can benefit from these programs. Economically successful, two-income families can benefit from early childhood programs just as much as a single-parent family with a mother seeking work opportunities.

The legislation that Senator KERRY and I are introducing will support families by building on local initiatives like Parents as Teachers that have already been proven successful in working with families as they raise their infants and toddlers. The bill will help improve and expand these successful programs, of which there are numerous other examples, such as programs sponsored by the United Way, Boys and Girls Clubs, as well as state initiatives such as ''Success by Six'' in Massachusetts and Vermont and the ''Early Childhood Initiative'' in Pennsylvania.

The bill will provide federal funds to states to begin or expand local initiatives to provide early childhood education, parent education, and family support. The bill will also expand quality child care programs for families, especially infant care. Best of all, we propose to do this with no federal mandates, and few federal guidelines.

Many of our society's problems, such as the high school dropout rate, drug and tobacco use, and juvenile crime can be traced in part to inadequate child care and early childhood development opportunities. Increasingly, research is showing us that a child's social and intellectual development as well as there likelihood to become involved in these types of difficulties is deeply rooted in the early interaction and nurturing a child receives in his or her early years.

Ultimately, it is important to remember that the likelihood of a child growing up in a healthy, nurturing environment is the primary responsibility of his or her parents and family. Government cannot and should not become a substitute for parents and families, but we can help them become stronger by equipping them with the resources to meet the everyday challenges of parenting.●

By Mr. WELLSTONE (for himself, Mrs. MURRAY, and Mr. SCHUMER):

S. 1069. A bill to provide economic security and safety for battered women, and for other purposes; to the Committee on Finance.

BATTERED WOMEN'S ECONOMIC SECURITY AND SAFETY ACT

Mr. WELLSTONE. Mr. President, today, I am joined by Senator MURRAY and Senator SCHUMER in introducing the Battered Women's Economic Security Act. Battered women face tremendous economic barriers when they leave their abusive relationships and set out to make a new life for themselves and their children. Our bill addresses the numerous and critical issues that victims of domestic violence face as they try to escape the violence in their lives.

I know that Senator MURRAY joins me in applauding Senator BIDEN's efforts in crafting legislation to reauthorize the programs in the Violence Against Women Act. As I and many of my colleagues have heard from folks back home, these programs have provided invaluable and life saving resources to battered women and their families. I am proud to be an original co-sponsor of the bipartisan bill that Senator BIDEN has developed to build on the success of VAWA I and expand those programs.

As a result of VAWA I, we now have an infrastructure in place that helps the community respond to this violence. VAWA provides the resources to enable local law enforcement and the courts prosecute those who batter women. And many other programs are now in place to help women leave their abusers.

But, when a woman does take the initial step to leave her abuser and seek help, she is beginning a journey that is filled with obstacles, largest of which are economic. All to often battered women stay with their abuser because of the economic support he provides for her and her children. Now that we have begun to build an infrastructure that provides for the initial immediate needs of shelter and legal services, we need to look at the bigger picture. We must provide economic supports that allow battered women to provide for themselves and their children, and keep them safe after they leave temporary shelters. That is the reason Senator MURRAY and I are introducing the Battered Women's Economic Security Act.

The Battered Women's Economic Security Act addresses the economic obstacles women who are victims of domestic violence face when trying to leave their abuser. For example, finding affordable and safe housing is critical for all battered women and their children, but particularly for low-income women. A 1998 report funded by the Ford Foundation found that of all homeless women and children, 50 percent of them are fleeing domestic violence. Let me say that again, half of all homeless women and children leave their home because the violence there threatens their lives.

Not only are over half of homeless women fleeing violence, but too many of them do not find shelter that they need. A report from the U.S. Conference of Mayors found that homeless shelters are finding an increasing need for women and children. Of that growing need, 1 out of every 3 families that

shows up at a homeless shelter is turned away, and ends up on the street for the night.

It is simply unacceptable for us to allow women and children, who are fleeing violence, to be turned out into the streets. When are we as a society going to stand up and say no more? Without safe shelter, women and their children will continue to stay in violent relationships because at least they have a roof over their heads. Such a situation is shameful in such a prosperous country as our own, and in such a booming economy as this one.

Our bill makes sure that money goes directly to shelters for victims of domestic violence so that the people who are directly involved with helping battered women can help them find new housing. We also made sure that our bill provided resources to find that new housing by boosting the McKinney Homeless Act to provide funding for battered women and their children.

Anyone who has known someone fleeing a violent relationship or has talked to advocates knows that safe shelter and housing are the first and immediate needs. But women cannot stay in shelters or transitional housing indefinitely. Women also need to find work to keep them on that path to independence and safety. Our bill protects women in the workplace so that they can keep their job and continue to deal with the multitude of issues that arise when a woman flees a violent relationship.

All too often, domestic violence follows women to work. According to recent studies, between 24 and 30 percent of women surveyed had lost their job, due at least in part, to domestic violence. Many victims lose their jobs because of their batterer's disruptive behavior. Many miss work because they are beaten. Others miss work because their abusers force them to stay home.

Many companies are poorly educated about the impact of domestic violence on women at work. Employers may fail to grant sufficient time off to attend civil or criminal legal proceedings or for safety planning. Some battered women find themselves penalized by their abuser's actions when employers dismiss or otherwise sanction employees once they learn they are in an abusive relationship One study found that 96% of the women who were working while involved in an abusive relationship had problems at work. Problems run the gamut from being late to missing work to having difficulty performing their job. More than 50 percent of these women reported being reprimanded at work for such problems and more than a ⅓ of them said they had lost their jobs as a result.

Our bill allows women to use the Family and Medical Leave Act to take time off to deal with the problems arising from leaving a violent relationship. Women need to deal with the court and legal system when they file for protective orders. Many times women need counseling for themselves and their children to support them as they establish a life separate from their batterers. Allowing women to use the FMLA to take this necessary time off will help women become more productive workers and give then the financial independence they need to begin a new, violence free life.

Not only do we need to provide women with the flexibility that they need, but need to ensure that their rights are protected should they unfairly lose their job. This bill prohibits discrimination against an employee based on her status or experience as a victim of domestic violence. It recognizes that we need not only policies that prohibit discrimination, but teeth to give those policies some bite. Our bill would give women the legal means to challenge any discrimination they may have faced as a result of being a victim of domestic violence.

As many of you know, we are still struggling to get all sectors of society to understand that domestic violence affects all aspects of a battered woman's life. Too many times women who have applied for health insurance are denied or charge exorbitant rates when insurance companies find out that they are victims of domestic violence. This is outrageous! Insurance discrimination penalizes victims of domestic violence for the actions of their abusers. Our bill makes sure that this form of discrimination will not be allowed.

VAWA I took the first step in dedicating federal resources to addressing the domestic violence crisis, but its focus is law enforcement and emergency response. We need to go to the next level to truly end violence against women. We need to address their economic needs and problems. I believe our legislation meets this test and will eliminate many of the economic barriers that trap women and children in violent homes and relationships.

I ask unanimous consent that a summary of the bill be printed in the RECORD.

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

BATTERED WOMEN'S ECONOMIC SECURITY AND SAFETY ACT OF 1999—LEGISLATIVE SUMMARY

TITLE I.—DOMESTIC VIOLENCE PREVENTION

Subtitle A. Domestic Violence and Sexual Assault Victims' Housing.—Makes funding available for supportive housing services through the McKinney Homeless Assistance Act, including rental assistance to victims trying to establish permanent housing safe from the batterer.

Subtitle B. Full Faith and Credit for Protection Orders.—Clarifies VAWA's full faith and credit provisions to ensure meaningful enforcement by states and tribes; provides grants to states and Tribes to improve enforcement and record keeping.

Subtitle C. Victims of Abuse Insurance Protection.—Prohibits discrimination in issuing and administering insurance policies to victims of domestic violence with uniform protection from insurance discrimination.

Subtitle D. Access to Safety and Advocacy.—Issues grants to provide legal assistance, lay advocacy and referral services to victims of domestic violence who have inadequate access to sufficient financial resources for appropriate legal assistance; includes set-aside for tribes.

Subtitle E. Battered Women's Shelters and Services.—Amends the Family Violence Prevention and Services Act to authorize $1 billion to battered women's shelters over the next five years; includes additional oversight and review; caps spending for training and technical assistance by State coalitions with the remaining money to go to domestic violence programs; adds new proposals for training and technical assistance; allots money for tribal domestic violence coalitions.).

Subtitle F. Battered Immigrant Women's Economic Security and Safety—Addresses gaps, errors and oversights in current legislation that impede battered immigrant women's ability to flee violent relationships and survive economically; ensures that battered immigrants with pending immigration applications are able to access public benefits, Food Stamps, SSI, housing, work permits, and immigration relief.

TITLE II. VIOLENCE AGAINST WOMEN AND THE WORKPLACE

Subtitle A. National Clearinghouse on Domestic Violence and Sexual Assault and the Workplace Grant.—Establishes clearinghouse and resource center to give information and assistance to businesses, employers and labor organizations in their efforts to develop and implement responses to assist victims of domestic violence and sexual assault.

Subtitle B. Victims' Employment Rights.—Prohibits employers from taking adverse job actions against an employee because they are the victims of domestic violence, sexual assault or stalking.

Subtitle C. Workplace Violence Against Women Prevention Tax Credit.—Provides tax credit to businesses implementing workplace safety programs to combat violence against women.

Subtitle D. Employment Protection for Battered Women.—Ensures eligibility for unemployment compensation to women separated from their jobs due to circumstances directly resulting from domestic violence; requires employers who already provide leave to employees to allow employees to use that leave for the purpose of dealing with domestic violence and its aftermath; allows women to use their family and medical leave or existing leave under state law or a private benefits program to deal with domestic abuse, including going to the doctor for domestic violence injuries, seeking legal remedies, attending court hearings, seeking orders of protection and meeting with a lawyer; provides for training of personnel involved in assessing unemployment claims based on domestic violence.

TITLE III.—PROTECTIONS FOR VICTIMS OF DOMESTIC VIOLENCE UNDER PROGRAMS AUTHORIZED UNDER THE SOCIAL SECURITY ACT

Section 301. Waivers for Victims of Domestic Violence under the TANF Program.—Finds that Congressional intent of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 was to allow states to take the effects of domestic violence into consideration by allowing good cause, temporary waivers of the requirements of the program for victims of domestic violence; places no numerical limits upon

States in the granting of good cause waivers; provides that individuals granted good cause waivers shall not be included in the participation rate for purposes of applying limitations or imposing penalties on the States; allows for Secretarial review and possible revocation of good cause waivers granted in States where penalties have been imposed.

Section 302. Disclosure Protections under the Child Support Program.—Protects victims fleeing from domestic violence from disclosure of their whereabouts through the federal child support locator service.

Section 303. Bonus to Encourage Women and Children's Well-Being.—Amends the Social Security Act to provide bonuses to States that demonstrate high performance in operating their State welfare programs by providing recipients and low-income families with adequate access to affordable and quality child care; by effectively placing recipients in sustainable wage, non-traditional employment; and by adequately addressing domestic violence in the lives of recipients of assistance; requires HHS and others to develop a formula for measuring State performance.

TITLE IV—MISCELLANEOUS PROVISIONS

Contains technical amendments to assure access to services by tribal women.

Mrs. MURRAY. Mr. President, I am pleased to be joined today by Senator WELLSTONE to introduce the Battered Women's Economic Security Act. This has been a seven year effort and one that I will continue to pursue. I want to thank Senator WELLSTONE for his efforts on this important legislation. I also need to recognize the leadership of Senator BIDEN regarding the Violence Against Women Act. Without his work on this historic legislation since 1994, we could not be here today talking about the economic needs of victims of domestic violence.

In 1994, we enacted the landmark Violence Against Women Act. For the first time, Congress said violence against women was a national disgrace and a public health threat. We had to act. This was no longer just a family matter or a family dispute, this was and is a serious threat against women and a serious threat to the community. We have had police officers in Washington state killed responding to domestic violence calls. We have seen too many women in the emergency room and too many families devastated by violence.

VAWA set in motion a national response to this crisis. We are now in the process of reauthorizing and strengthening VAWA. This is my major priority. Reauthorization of VAWA cements the foundation we need to build the structure that will ultimately end domestic violence and abuse.

The Battered Women's Economic Security Act takes the next logical step. As a result of the work that I have done concerning family violence, I have come to understand that the real long-term solution is to tear down the economic barriers that trap women in violent homes and relationships.

Our legislation addresses many of the economic barriers that I know force a cycle of violence. I have met with many of the advocates in the state of Washington and heard from them first hand, about how these barriers make long term security for women and their children difficult. From housing to child care to job protection to welfare waivers, our legislation attempts to deal with the long term economic problems.

Women should not have to be forced to choose between job security and violence. Each year one million individuals become victims of violent crimes while working on duty. Men are more likely to be attacked at work by a stranger, women are more likely to be attacked by someone they know. One-sixth of all workplace homicides of women are committed by a spouse, ex-spouse, boyfriend or ex-boyfriend. Boyfriends and husbands, both current and former, commit more than 13,000 acts of violence against women in the workplace every year. This does not include harassment or the threat of violence. Clearly, women face a serious threat in the work place and yet if they leave to avoid harm, they are denied workers compensation. Perhaps even more offensive is the fact that some states require victims of domestic violence to seek employment in order to receive TANF benefits. To have any economic safety net some women are forced to jeopardize their own safety.

This is not just an issue that effects victims of domestic violence. We all suffer the economic consequences of violence. it has been estimated that work place violence resulted in $4.2 billion in lost productivity and legal expenses for American businesses. From what I have heard from victims and advocates, this is a very conservative estimate. The health care costs are also equally staggering. Both the American Medical Association (AMA) and the Surgeon General have labeled violence against women a public health threat. Violence is the number one reason women ages 19 to 35 end up in the emergency room. One out of every three women can expect to be the victim of violence at some point in her life.

Our legislation would also prohibit discriminating against victims of domestic violence in all lines of insurance. If a woman seeks treatment in an Emergency Room and reports this as domestic violence, she should not be denied disability or life insurance. If an estranged husband burns the house to the ground the woman should not be denied compensation simply because it was an act of domestic violence. To say that victims of domestic violence engage in high risk behavior similar to sky diving or race care driving is simply outrageous. It is the ultimate example of blaming the victim.

Our legislation is not the final solution, but it begins the process of addressing long term economic needs. I am hopeful that once we have secured reauthorization of VAWA we can begin to focus on these economic problems. Without VAWA we have no foundation.

I will be working with PAUL and other Members of the Senate towards enactment of key provisions of the bill. I am also committed to continuing my work with Senator BIDEN in an effort to enact Violence Against Women Reauthorization during this session.

I urge all of my colleagues to review the Battered Women's Economic Security Act. I encourage all of you to talk to your advocates and your police, ask them what issues keep women trapped in a violent home or relationship. Ask them what needs to be done to provide long term solutions. I know that after careful review and consideration, you will reach the same conclusions. There are economic barriers that must be torn down. I hope that many of you will join in cosponsoring this legislation and work with me to enact this comprehensive solution to ending the cycle of violence that too many women and children face every day.

By Mr. BOND (for himself, Mr. ENZI, Mr. JEFFORDS, Mr. BURNS, Mr. VOINOVICH, Ms. SNOWE, Mr. ASHCROFT, Mr. MCCONNELL, Mr. LOTT, Mr. NICKLES, Mr. HUTCHINSON, Mr. MACK, Mr. COVERDELL, Ms. COLLINS, Mr. SHELBY, Mr. KYL, Mr. FITZGERALD, Mr. ABRAHAM, Mr. GREGG, Mrs. HUTCHISON, Mr. HELMS, Mr. BUNNING, Mr. CRAPO, Mr. BENNETT, Mr. DEWINE, Mr. HAGEL, Mr. SESSIONS, Mr. CHAFEE, and Mr. BROWNBACK):

S. 1070. A bill to require the Secretary of Labor to wait for completion of a National Academy of Sciences study before promulgating a standard, regulation or guideline or ergonomics; to the Committee on Health, Education, Labor, and Pensions.

SENSIBLE ERGONOMICS NEEDS SCIENTIFIC EVIDENCE ACT

Mr. BOND. Mr. President, I rise today as chairman of the Senate Committee on Small Business to introduce the Sensible Ergonomics Needs Scientific Evidence Act of SENSE Act. This bill calls on the Occupational Safety and Health Administration (OSHA) to do the sensible thing—wait for sound science before imposing new ergonomics regulations on small businesses. If enacted, the SENSE Act would require OSHA to wait for the results of a study by the National Academy of Sciences (NAS) before issuing proposed or final regulations, standards or guidelines on ergonomics. As a native of Missouri, the ''Show Me State,'' waiting for the NAS study makes good sense to me.

In introducing the SENSE Act, I am pleased to be joined by numerous colleagues from all across the country—including Senators ENZI, JEFFORDS, BURNS, VOINOVICH, SNOWE, ASHCROFT,

MCCONNELL, LOTT, NICKLES, HUTCHINSON, MACK, COVERDELL, COLLINS, SHELBY, KYL, FITZGERALD, ABRAHAM, GREGG, HUTCHISON, HELMS, BUNNING, CRAPO, BENNETT, DEWINE, HAGEL, SESSIONS, and CHAFEE. These Senators, like me, agree with their small business constituents that it makes good sense for OSHA to wait for the results of the NAS study before proposing additional regulatory requirements for small businesses.

Just last year, Congress and the President agreed to spend $890,000 for NAS to undertake a thorough, objective, and de novo review of the scientific literature to examine the cause-and-effect relationship between repetitive tasks in the workplace and musculoskeletal disorders. The study is intended to achieve a scientific understanding of the conditions and causes of musculoskeletal disorders. The NAS has selected a panel of experts to conduct the study. The panel will examine the scientific data on the multiple factors and influences that contribute to musculoskeletal disorders and answer seven questions provided by Representatives BONILLA and Livingston. The NAS will complete its study by January 2001. As intended by Congress and the President, the NAS study will assist OSHA and the Congress in determining whether sound science supports a comprehensive ergonomics regulation as envisioned by OSHA.

In theory, an ergonomics regulation would attempt to reduce musculoskeletal disorders, such as Carpal Tunnel Syndrome, muscle aches and back pain, which, in some instances, have been attributed to on-the-job activities. However, the medical community is divided sharply on whether scientific evidence has established a true cause-and-effect relationship between such problems and workplace duties. We need to understand the relationship between work and these injuries before moving forward.

Regrettably, rather than waiting for NAS' findings, OSHA now plans to publish a proposed rule by September of 1999. In fact, OSHA officials have suggested that a final rule could be issued by the end of 2000—just a few months before NAS will complete its study. This simply doesn't make sense. The NAS study should identify scientific and medical studies that are based on sound science and provide solid scientific evidence regarding the causation of ergonomics injuries. Our intent is simply to ensure that the requirements of any ergonomics program proposed by OSHA are based on sound science and are effective to improve workplace safety and health. It only makes sense for OSHA to wait for the scientific and medical information needed to know whether it is headed down the right path.

Waiting for the NAS study won't stop the progress being made as ergonomic principles are applied to the workplace. And, progress is being made. According to recent data from the Bureau of Labor Statistics, the number of injuries and illnesses involving repeated trauma, strains, sprains, tears, and carpal tunnel syndrome are all on the decline. Employers are actively implementing measures to address ergonomic risk factors. The SENSE Act is in no way intended to discourage employers from continuing to implement voluntary measures where appropriate and effective. Similarly, the SENSE Act does not prevent OSHA from continuing to work on ergonomics. In fact, I would encourage OSHA to use the time prior to the completion of the NAS study to research ergonomics further, identify successful prevention strategies, and provide technical assistance. For those who would argue that waiting for the NAS study will result in more employees being injury, OSHA can exercise its enforcement authority under the General Duty Clause, Section 5(a)(1) of the Occupational Safety and Health Act, to ensure a safe workplace and address any significant ergonomic hazards. My bill doesn't change that authority provided under current law.

Simply put, the SENSE Act requires OSHA to wait for NAS to complete its study and submit the findings in a report to Congress. Congress would then have 30 days to review the final report before OSHA issues proposed or final regulations, standards or guidelines. From where I stand, it only makes sense for Congress and OSHA to have the benefit of the NAS study before OSHA proposes to require employers to implement a comprehensive program addressing musculoskeletal disorders.

Tomorrow in the other body, the compansion bill to the SENSE Act is scheduled for mark up. H.R. 987, known as the ''Workplace Preservation Act,'' was introduced by Representantive ROY BLUNT from Missouri on March 4. Representative BLUNT is doing an excellent job shepherding his bill through the other body. In fact, his efforts have produced a bipartisan list of 138 cosponsors. I expect the Senate to show similar support for our Nation's small businesses.

I urge my collagues in the Senate to take a good look at the SENSE Act and join us in supporting legislation to ensure that the federal government does not propose an ergonomics regulation for small businesses until Congress can assess the findings of the NAS study.

I ask unanimous consent that the Sensible Ergonomics Needs Scientific Evidence (SENSE) Act be printed at this point in the RECORD.

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

S. 1070

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 ''Sensible Ergonomics Needs Scientific Evidence Act'' or the ''SENSE Act''.

SEC. 2. FINDINGS.

Congress finds the following:

(1) The Department of Labor, through the Occupational Safety and Health Administration (referred to in this Act as ''OSHA''), has announced that it plans to propose regulations during 1999 to regulate ''ergonomics'' in the workplace. A draft of OSHA's ergonomics regulation became available in February 19, 1999.

(2) In October, 1998, Congress and the President agreed that the National Academy of Sciences shall conduct a comprehensive study of the medical and scientific evidence regarding musculoskeletal disorders. The study is intended to evaluate the basic questions about diagnosis and causes of such disorders. Given the uncertainty and dispute about these basic questions, and Congress' intention that they be addressed in a comprehensive study by the National Academy of Sciences, it is premature for OSHA to propose a regulation on ergonomics as being necessary or appropriate to improve workers' health and safety until such study is completed.

(3) An August, 1998, workshop on ''work related musculoskeletal injuries'' held by the National Academy of Sciences reviewed existing research on musculoskeletal disorders. It showed that there is insufficient evidence to assess the level of risk to workers from repetitive motions.

(4) A July, 1997, report by the National Institute for Occupational Safety and Health (NIOSH) reviewing epidemiological studies that have been conducted of ''work related musculoskeletal disorders of the neck, upper extremity, and low back'' showed that there is insufficient evidence to assess the level of risk to workers from repetitive motions. Such evidence would be necessary to write an efficient and effective regulation.

SEC. 3. DELAY OF STANDARD, REGULATION OR GUIDELINE.

The Secretary of Labor, acting through the Occupational Safety and Health Administration, may not propose or issue in final form any standard, regulation, or guideline on ergonomics until—

(1) the National Academy of Sciences—

(A) completes a peer-reviewed scientific study, as mandated by Public Law 105–277, of the available evidence examining a cause and effect relationship between repetitive tasks in the workplace and musculoskeletal disorders or repetitive stress injuries; and

(B) submits to Congress a report setting forth the findings resulting from such study; and

(2) the expiration of the 30-day period beginning on the date on which the final report under paragraph (1)(B) is submitted to Congress.

By Mr. CRAPO (for himself and Mr. CRAIG):

S. 1071. A bill to designate the Idaho National Engineering and Environmental Laboratory as the Center of Excellence for Environmental Stewardship of the Department of Energy land, and establish the Natural Resources Institute within the Center; to the Committee on Armed Services.

ENVIRONMENTAL STEWARDSHIP AND NATURAL RESOURCES ACT OF 1999

• Mr. CRAPO. Mr. President, I rise in support of the Environmental Stewardship and Natural Resources Act which I am introducing today with Senator CRAIG as cosponsor.

The nuclear defense capability of the United States has protected our form of government and ensured our freedoms since its inception during World War II. In order to sustain and develop our nuclear deterrence, a vast industrial complex was established. This complex of facilities was built under the auspices of the Atomic Energy Commission and its successor agency, the Department of Energy. Uranium mines, factories, laboratories, and reactors were located throughout the country to provide nuclear and conventional components for weapons. These facilities were mostly located on large tracts of land, which also included surrounding buffer areas for security.

With the end of the cold war, and the mutual reduction of the United States and Russian nuclear arsenals, many of our nuclear facilities are closing, changing or reducing their missions. Land management at these facilities, throughout their production lives was limited to accomplishing their missions and providing isolation and security. Protection of the ecosystems and natural resources, on which our nuclear arsenal was built, did not rate high priority in the agency's planning. Any environmental benefits or natural resources protection on these facilities was truly incidental to their isolation.

In addition to lack of natural resource planning, there exists a contamination legacy which has resulted in the largest and most expensive cleanup program in the federal government. Regardless of the effectiveness and efficiency of the cleanup program, some levels of contaminants will remain, and will need to be monitored and managed. Long term stewardship is the process of managing and protecting the natural resources that are unaffected by contamination, and also the continual monitoring and stabilization of contaminants that remain in place following mediation. Even after a facility is cleaned up and closed, no matter how effective the remediation effort, the federal government is still liable for any subsequent action that may be necessary to insure that no harm will come to humans or the environment.

The Idaho National Engineering and Environmental Laboratory, INEEL, has a long history with the Atomic Energy Commission and the Department of Energy. Originally known as the National Reactor Testing Station, this site constructed, tested, and operated 52 reactors for various defense and civilian purposes since the early 1950's. All but a handful of these reactors have been decontaminated and dismantled. In addition to this nuclear mission, the INEEL has developed expertise and experience in the modeling the movement of contaminants in the environment; and research and development of technologies necessary for the detection, monitoring, stabilization, and mediation of contamination. I propose, with this bill, to establsh the INEEL as the Department of Energy Center of Excellence for the development of technologies, techniques, and methodologies for the implementation of an effective Long Term Stewardship program throughout the nuclear weapons production complex.

I also propose the establishment of a Natural Resource Institute at the INEEL. This institute will bring together scientists, scholars, and others in the field of natural resources management, to study complex issues that affect natural resources policy. The institute will also work on specific natural resource and environmental issues and problems, by utilizing the resources of the INEEL, northwest universities, states, and various federal agencies. The INEEL is a national laboratory, not is just a laboratory for the Department of Energy. The expertise, experience, and resources of this site must be made available to all. The natural Resource Institute will be the conduit for bringing expertise to the INEEL and for making information, data, and good science available for the solution of natural resource issues throughout the inland northwest.•

By Mr. ASHCROFT (for himself, Mr. INOUYE, Mr. BURNS, Mr. GRASSLEY, Mr. ROBERTS, Mr. ENZI, and MR. HAGEL):

S. 1073. A bill to amend the Trade Act of 1974 to ensure that United States industry is consulted with respect to all aspects of the WTO dispute settlement process; to the Committee on Finance.

WORLD TRADE ORGANIZATION ENFORCEMENT ACT OF 1999

Mr. ASHCROFT. Mr. President, developing trade policy that will increase Americans' competitiveness in the 21st century must be a priority of this Congress and of the administration. That is why I rise today, joined by Senators DANIEL INOUYE, CHUCK GRASSLEY, CONRAD BURNS, PAT ROBERTS, CHUCK HAGEL, and MIKE ENZI, to introduce the World Trade Organization Enforcement Act of 1999. It is a bill that will increase transparency and give the public more input into the dispute settlement process of the WTO. It is analogous to a ''Sunshine Law'' for the WTO.

The United States plays a major role in leading the world and shaping its economy and must continue to do so. We must be leaders, not simply participants. Our leadership as a country will be effective only if our trade policy is clearly defined and is based on the vital interests of the American people, because if Americans do not accept our leadership on trade policy, neither will the rest of the world.

Our success of more than 200 years has been because American is a nation dedicated to We the People. We are a nation whose greatness flows not from government, but from the creativity and ingenuity of the American people. Our service providers, manufacturers, retailers, farmers and ranchers, and investors are top notch compared with their competitors, and it is time for us in public service to lay aside the values and priorities of Washington, D.C., and promote the values and priorities of the American people.

As I have traveled around Missouri, one thing is clear: citizens want America to be defined today as she was 100-plus years ago. We have been known as a land of ascending opportunity, that every generation in America has more opportunity than the previous generation. This is a definition of America that we must maintain—''the best is yet to come.''

Already, U.S. companies are first-class in their production, processing, and marketing at home and abroad—always responding to the challenges of our competitive free-market system. While the United States can produce more goods and provide more services than any other country, we account for only five percent of the world's consuming population. That leaves 95 percent of the world's consumers outside of our borders—this is an astounding statistic when we put it in terms of creating opportunities.

For example, nearly 40 percent of all U.S. agricultural production is exported, but in September of last year, American farmers and ranchers faced the first monthly trade deficit of U.S. farm and food products since the United States began tracking trade data in 1941. Our farmers, or any other sector, simply will not succeed if they face descending opportunity. With manufacturing productivity increasing and with the consuming capacity of the world largely outside of our borders, our companies need equally increasing access to foreign demand. The prosperity of the next generation of Americans is tied to our current competitiveness in global markets.

We must develop policies that will shape opportunities for the 21st century—opening new markets, ensuring that our trading partners live up to their commitments, and to the greatest extent possible avoiding sanctions that hurt only our market opportunities abroad.

I still believe we must make a concerted effort to pass fast track trade negotiating authority. Because fast track has languished, U.S. businesses are increasingly being put at a competitive disadvantage. While Canada has already concluded a free trade agreement with Chile, and Mexico is expanding its free trade arrangement

with Chile, the United States lags behind. Our companies clearly are being put at a competitive disadvantage in our own hemisphere. America must lead, not follow—in our back yard and around the world.

As we approach the next round of negotiations in the WTO, fast track is crucial to U.S. businesses. Clearly, trade negotiations designed to reduce or eliminate barriers and trade distorting practices have benefited our companies and our economy, and we need to continue our leadership role in multiple trade fora.

However, support for fast track and new negotiations is tied in the public mind to the benefit they receive from existing trade agreements. It is of utmost importance that the United States closely monitor and vigorously enforce our trade agreements. The private sector must be able to rely on U.S. agreements to be productive and long-lasting.

Opening foreign markets looms before us as a brick barricade. With the same will and authority of President Reagan before the Berlin Wall when he said—''Mr. Gorbachev, tear down this wall''—we must face head-on the barricades before our exporters. It's not an easy task, but then again, neither was dismantling the Evil Empire. As John Wayne said in ''The Big Trail'': ''No great trail is ever blazed without hardship. You've got to fight. That's life.''

Just last week, the Europeans stood on their massive wall of protectionism built across the trail of free trade and simply rejected U.S. beef, even in the face of having lost the WTO case. We've got a trail to blaze—the Europeans cannot be allowed to make a mockery of the competitive spirit of our cattle ranchers. In this case, results, not words, count the most.

Failing to implement agreements already negotiated creates an environment of descending opportunity. It is imperative, therefore, that the Administration follow through with enforcing the decisions the U.S. has won in the WTO. What good is winning a case if we are unable to enforce the judgment?

It is clear that the most contentious issues ever to be brought before the WTO—whether it is negotiating new agreements or suing the dispute settlement process to enforce existing ones—have been about the agricultural policies of the United States and the European Union.

One of the significant changes in the dispute settlement process in 1994 was that panels would be set up and panel decisions would be adopted but for a consensus against doing so. Also, strict time lines were built into the process. Soon thereafter, the U.S. took two agriculture cases against the EU through the new WTO dispute process—the banana case and the beef case (which had already been before the GATT panel). The new dispute settlement changes in the WTO worked, and the United States won these two agriculture cases without the EU having the ability to block unilaterally the cases from moving forward.

For every triumph, however, the United States has suffered multiple defeats. Our most recent triumphs were getting the EU to accept a WTO dispute settlement process that is quick and binding, and winning agriculture cases against the EU in that settlement process. However, the EU is now denying U.S. farmers and ranchers the benefits of the WTO cases we won by stalling endlessly in the implementation of those decisions.

If the EU, or any other country, is allowed to use delaying tactics, there could be detrimental effects on these agriculture cases and on future cases regardless of the sector litigated. Also, the public support for the WTO system and its ability to benefit U.S. interests will be undermined.

It is essential that the administration make the EU beef ban a top priority. The United States has won this case against the EU numerous times, and we are clearly within our rights to benefit from the cases we litigate and win.

We must take the position that if the EU insists on ''paying'' for its protectionism, the EU should ''pay'' at the highest levels allowable and on products that will hurt it the most. While U.S. ranchers can never be compensated fully for the EU's protectionist policies, the value of concessions withdrawn from the EU must at least equal the value of the beef producers current damage.

Beef producers in Missouri will not benefit if the level of retaliation is not such that will induce the EU to change its protectionist policies. A strong response to the EU's treatment of U.S. agricultural products is long overdue. We must have reciprocity in our cross-Atlantic agricultural trade. If U.S. meat is not welcome in the EU, then EU meat should not be accepted in the United States.

The EU's repeated, damaging actions against America's cattlemen must not go unaswered—that is why I have called on the Administration to retaliate with authority and that is why I am introducing the WTO Enforcement Act.

The WTO Enforcement Act has two major objectives: ensure that the U.S. government affords adequate transparency and public participation in the U.S. decision-making process, and begin multilateral negotiations with a view toward incorporating more transparency and consultation in the multilateral context of the WTO dispute settlement process.

If the farm groups and U.S. companies were to increase their public comment in the implementation and post-implementation stages of the WTO dispute settlement process, this will heighten the pressure on the foreign country to comply with the Panel decisions. Currently, while the USTR, Congress, and industry groups consult during the implementation stages of Panel decisions, making the comment and reporting requirements more established and anticipated will increase accountability. The WTO system needs to be given a chance to work, but the best way to do so is to increase pressure on those countries that would try to circumvent the implementation of panels. This is imperative not only for agriculture and our relations with the EU, it could affect all sectors that are litigated under the WTO dispute settlement process.

The proposed modifications to U.S. domestic rules regarding dispute settlement will prove more effective if the losing party to a WTO dispute provides to the winning party its plan to comply with the WTO decision and if the winning party is given meaningfully opportunity to comment on the plan prior to its implementation.

The WTO is currently in the midst of a review of the organization's dispute settlement procedures. Therefore, under the WTO Enforcement Act, the United States must request reforms that would oblige member government's to submit a proposed remedy well in advance of the deadline to comply to the decision and as well as consult with the other parties to the proceeding on the proposal.

If the WTO Enforcement Act is passed, the U.S. public would be able to obtain more information about the foreign government's plans for compliance with WTO panel decisions and would be afforded a more formal opportunity to comment on how the process is working. If we negotiate trade agreements for American citizens wishing to do business in foreign markets, they have every right to voice their support for or objections to the way foreign governments or the U.S. government is making those agreements beneficial.

It is time for us to enact policies that reflect our support for U.S. companies' efforts to reach their competitive potential internationally and policies that create ascending opportunity for Americans for the 21st century so that we can say, with confidence, ''the best is yet to come.''

ADDITIONAL COSPONSORS

S. 3

At the request of Mr. GRAMS, the name of the Senator from Kentucky (Mr. MCCONNELL) was added as a cosponsor of S. 3, a bill to amend the Internal Revenue Code of 1986 to reduce individual income tax rates by 10 percent.

S. 15

At the request of Mrs. HUTCHISON, the name of the Senator from Maine (Ms.

COLLINS) was added as a cosponsor of S. 15, a bill to amend the Internal Revenue Code of 1986 to provide that married couples may file a combined return under which each spouse is taxed using the rates applicable to unmarried individuals.

S. 30

At the request of Mr. DASCHLE, the name of the Senator from Maryland (Mr. SARBANES) was added as a cosponsor of S. 30, a bill to provide contercyclical income loss protection to offset extreme losses resulting from severe economic and weather-related events, and for other purposes.

S. 38

At the request of Mr. CAMPBELL, the name of the Senator from Kentucky (Mr. MCCONNELL) was added as a cosponsor of S. 38, a bill to amend the Internal Revenue Code of 1986 to phase out the estate and gift taxes over a 10-year period.

S. 56

At the request of Mr. KYL, the name of the Senator from Kentucky (Mr. MCCONNELL) was added as a cosponsor of S. 56, a bill to repeal the Federal estate and gift taxes and the tax on generation-skipping transfers.

S. 135

At the request of Mr. DURBIN, the name of the Senator from Nevada (Mr. REID) was added as a cosponsor of S. 135, a bill to amend the Internal Revenue Code of 1986 to increase the deduction for the health insurance costs of self-employed individuals, and for other purposes.

S. 147

At the request of Mr. ABRAHAM, the name of the Senator from Arkansas (Mr. HUTCHINSON) was added as a cosponsor of S. 147, a bill to provide for a reduction in regulatory costs by maintaining Federal average fuel economy standards applicable to automobiles in effect at current levels until changed by law, and for other purposes.

S. 216

At the request of Mr. JEFFORDS, the name of the Senator from Alaska (Mr. MURKOWSKI) was added as a cosponsor of S. 216, a bill to amend the Internal Revenue Code of 1986 to repeal the limitation on the use of foreign tax credits under the alternative minimum tax.

S. 285

At the request of Mr. MCCAIN, the names of the Senator from Rhode Island (Mr. REED) and the Senator from Tennessee (Mr. FRIST) were added as cosponsors of S. 285, a bill to amend title II of the Social Security Act to restore the link between the maximum amount of earnings by blind individuals permitted without demonstrating ability to engage in substantial gainful activity and the exempt amount permitted in determining excess earnings under the earnings test.

S. 311

At the request of Mr. MCCAIN, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 311, a bill to authorize the Disabled Veterans' LIFE Memorial Foundation to establish a memorial in the District of Columbia or its environs, and for other purposes.

S. 331

At the request of Mr. JEFFORDS, the name of the Senator from Nebraska (Mr. HAGEL) was added as a cosponsor of S. 331, a bill to amend the Social Security Act to expand the availability of health care coverage for working individuals with disabilities, to establish a Ticket to Work and Self-Sufficiency Program in the Social Security Administration to provide such individuals with meaningful opportunities to work, and for other purposes.

S. 333

At the request of Mr. LEAHY, the name of the Senator from New York (Mr. MOYNIHAN) was added as a cosponsor of S. 333, a bill to amend the Federal Agriculture Improvement and Reform Act of 1996 to improve the farmland protection program.

S. 335

At the request of Ms. COLLINS, the name of the Senator from Tennessee (Mr. THOMPSON) was added as a cosponsor of S. 335, a bill to amend chapter 30 of title 39, United States Code, to provide for the nonmailability of certain deceptive matter relating to games of chance, administrative procedures, orders, and civil penalties relating to such matter, and for other purposes.

S. 337

At the request of Mr. HUTCHINSON, the name of the Senator from Kentucky (Mr. MCCONNELL) was added as a cosponsor of S. 337, a bill to preserve the balance of rights between employers, employees, and labor organizations which is fundamental to our system of collective bargaining while preserving the rights of workers to organize, or otherwise engage in concerted activities protected under the National Labor Relations Act.

S. 348

At the request of Ms. SNOWE, the name of the Senator from New Hampshire (Mr. SMITH) was added as a cosponsor of S. 348, a bill to authorize and facilitate a program to enhance training, research and development, energy conservation and efficiency, and consumer education in the oilheat industry for the benefit of oilheat consumers and the public, and for other purposes.

S. 387

At the request of Mr. GRAHAM, the name of the Senator from Delaware (Mr. BIDEN) was added as a cosponsor of S. 387, a bill to amend the Internal Revenue Code of 1986 to provide an exclusion from gross income for distributions from qualified State tuition programs which are used to pay education expenses.

S. 429

At the request of Mr. DURBIN, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 429, a bill to designate the legal public holiday of ''Washington's Birthday ''as ''Presidents' Day'' in honor of George Washington, Abraham Lincoln, and Franklin Roosevelt and in recognition of the importance of the institution of the Presidency and the contributions that Presidents have made to the development of our Nation and the principles of freedom and democracy.

S. 487

At the request of Mr. GRAMS, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. 487, a bill to amend the Internal Revenue Code of 1986 to provide additional retirement savings opportunities for small employers, including self-employed individuals.

S. 566

At the request of Mr. LUGAR, the name of the Senator from Pennsylvania (Mr. SANTORUM) was added as a cosponsor of S. 566, a bill to amend the Agricultural Trade Act of 1978 to exempt agricultural commodities, livestock, and value-added products from unilateral economic sanctions, to prepare for future bilateral and multilateral trade negotiations affecting United States agriculture, and for other purposes.

S. 622

At the request of Mr. KENNEDY, the name of the Senator from Maine (Ms. SNOWE) was added as a cosponsor of S. 622, a bill to enhance Federal enforcement of hate crimes, and for other purposes.

S. 664

At the request of Mr. CHAFEE, the names of the Senator from Louisiana (Ms. LANDRIEU) and the Senator from Pennsylvania (Mr. SPECTER) were added as cosponsors of S. 664, a bill to amend the Internal Revenue Code of 1986 to provide a credit against income tax to individuals who rehabilitate historic homes or who are the first purchasers of rehabilitated historic homes for use as a principal residence.

S. 707

At the request of Mr. GRASSLEY, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 707, a bill to amend the Older Americans Act of 1965 to establish a national family caregiver support program, and for other purposes.

S. 741

At the request of Mr. GRAHAM, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 741, a bill to provide for pension reform, and for other purposes.

S. 757

At the request of Mr. LUGAR, the name of the Senator from Oklahoma (Mr. NICKLES) was added as a cosponsor

of S. 757, a bill to provide a framework for consideration by the legislative and executive branches of unilateral economic sanctions in order to ensure coordination of United States policy with respect to trade, security, and human rights.

S. 758

At the request of Mr. ASHCROFT, the name of the Senator from New York (Mr. MOYNIHAN) was added as a cosponsor of S. 758, a bill to establish legal standards and procedures for the fair, prompt, inexpensive, and efficient resolution of personal injury claims arising out of asbestos exposure, and for other purposes.

S. 763

At the request of Mr. THURMOND, the name of the Senator from Florida (Mr. MACK) was added as a cosponsor of S. 763, a bill to amend title 10, United States Code, to increase the minimum Survivor Benefit Plan basic annuity for surviving spouses age 62 and older, and for other purposes.

S. 789

At the request of Mr. MCCAIN, the names of the Senator from Georgia (Mr. CLELAND) the Senator from Louisiana (Ms. LANDRIEU) and the Senator from Maine (Ms. COLLINS) were added as cosponsors of S. 789, a bill to amend title 10, United States Code, to authorize payment of special compensation to certain severely disabled uniformed services retirees.

S. 817

At the request of Mrs. BOXER, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 817, a bill to improve academic and social outcomes for students and reduce both juvenile crime and the risk that youth will become victims of crime by providing productive activities during after school hours.

S. 876

At the request of Mr. HOLLINGS, the name of the Senator from West Virginia (Mr. BYRD) was added as a cosponsor of S. 876, a bill to amend the Communications Act of 1934 to require that the broadcast of violent video programming be limited to hours when children are not reasonably likely to comprise a substantial portion of the audience.

S. 878

At the request of Mr. TORRICELLI, the name of the Senator from Massachusetts (Mr. KENNEDY) was added as a cosponsor of S. 878, a bill to amend the Federal Water Pollution Control Act to permit grants for the national estuary program to be used for the development and implementation of a comprehensive conservation and management plan, to reauthorize appropriations to carry out the program, and for other purposes.

S. 880

At the request of Mr. INHOFE, the names of the Senator from Alabama (Mr. SESSIONS) the Senator from Nebraska (Mr. KERREY) and the Senator from Georgia (Mr. CLELAND) were added as cosponsors of S. 880, a bill to amend the Clean Air Act to remove flammable fuels from the list of substances with respect to which reporting and other activities are required under the risk management plan program

S. 895

At the request of Mr. LIEBERMAN, the name of the Senator from Minnesota (Mr. GRAMS) was added as a cosponsor of S. 895, a bill to provide for the establishment of Individual Development Accounts (IDAs) that will allow individuals and families with limited means an opportunity to accumulate assets, to access education, to own their own homes and businesses, and ultimately to achieve economic self-sufficiency, and for other purposes.

S. 918

At the request of Mr. KERRY, the names of the Senator from Louisiana (Mr. BREAUX) and the Senator from Oregon (Mr. WYDEN) were added as cosponsors of S. 918, a bill to authorize the Small Business Administration to provide financial and business development assistance to military reservists' small business, and for other purposes.

S. 926

At the request of Mr. DODD, the name of the Senator from Iowa (Mr. HARKIN) was added as a cosponsor of S. 926, a bill to provide the people of Cuba with access to food and medicines from the United States, and for other purposes.

S. 941

At the request of Mr. WYDEN, the name of the Senator from Louisiana (Mr. BREAUX) was added as a cosponsor of S. 941, a bill to amend the Public Health Service Act to provide for a public response to the public health crisis of pain, and for other purposes.

S. 955

At the request of Mr. WARNER, the name of the Senator from North Carolina (Mr. HELMS) was added as a cosponsor of S. 955, a bill to allow the National Park Service to acquire certain land for addition to the Wilderness Battlefield in Virginia, as previously authorized by law, by purchase or exchange as well as by donation.

S. 960

At the request of Mr. GRASSLEY, the name of the Senator from New Mexico (Mr. BINGAMAN) was added as a cosponsor of S. 960, a bill to amend the Older Americans Act of 1965 to establish pension counseling programs, and for other purposes.

S. 980

At the request of Mr. BAUCUS, the name of the Senator from North Dakota (Mr. DORGAN) was added as a cosponsor of S. 980, a bill to promote access to health care services in rural areas.

SENATE JOINT RESOLUTION 21

At the request of Ms. SNOWE, the names of the Senator from Washington (Mr. GORTON) and the Senator from Texas (Mr. GRAMM) were added as cosponsors of Senate Joint Resolution 21, A joint resolution to designate September 29, 1999, as ''Veterans of Foreign Wars of the United States Day.''

SENATE CONCURRENT RESOLUTION 9

At the request of Ms. SNOWE, the names of the Senator from New Jersey (Mr. TORRICELLI) and the Senator from Wisconsin (Mr. KOHL) were added as cosponsors of Senate Concurrent Resolution 9, A concurrent resolution calling for a United States effort to end restrictions on the freedoms and human rights of the enclaved people in the occupied area of Cyprus.

SENATE RESOLUTION 34

At the request of Mr. TORRICELLI, the names of the Senator from New Mexico (Mr. DOMENICI) the Senator from Wyoming (Mr. THOMAS) the Senator from Texas (Mrs. HUTCHISON) the Senator from Florida (Mr. MACK) the Senator from Iowa (Mr. GRASSLEY) and the Senator from Maine (Ms. SNOWE) were added as cosponsors of Senate Resolution 34, A resolution designating the week beginning April 30, 1999, as ''National Youth Fitness Week.''

SENATE RESOLUTION 81

At the request of Mr. CRAPO, the names of the Senator from Alabama (Mr. SESSIONS) and the Senator from Massachusetts (Mr. KERRY) were added as cosponsors of Senate Resolution 81, A resolution designating the year of 1999 as ''The Year of Safe Drinking Water'' and commemorating the 25th anniversary of the enactment of the Safe Drinking Water Act.

SENATE RESOLUTION 92

At the request of Mrs. BOXER, the names of the Senator from Maryland (Ms. MIKULSKI) the Senator from Maryland (Mr. SARBANES) the Senator from South Carolina (Mr. THURMOND) and the Senator from New Jersey (Mr. TORRICELLI) were added as cosponsors of Senate Resolution 92, A resolution expressing the sense of the Senate that funding for prostate cancer research should be increased substantially.

AMENDMENT NO. 357

At the request of Mr. ROBB his name was withdrawn as a cosponsor of amendment No. 357 proposed to S. 254, a bill to reduce violent juvenile crime, promote accountability by rehabilitation of juvenile criminals, punish and deter violent gang crime, and for other purposes.

SENATE RESOLUTION 103—CONCERNING THE TENTH ANNIVERSARY OF THE TIANANMEN SQUARE MASSACRE OF JUNE 4, 1989, IN THE PEOPLE'S REPUBLIC OF CHINA

Mr. HUTCHINSON (for himself, Mr. WELLSTONE, Mr. FEINGOLD, Mr. SMITH of New Hampshire, Ms. COLLINS, Mr. BUNNING, Mr. KYL, Mr. ABRAHAM, Mr.

SESSIONS, Mr. GRASSLEY, Ms. SNOWE, Mr. JEFFORDS, and Mr. BROWNBACK) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 103

Whereas the United States was founded on the democratic principle that all men and women are created equal and entitled to the exercise of their basic human rights;

Whereas freedom of expression and assembly are fundamental human rights that belong to all people and are recognized as such under the United Nations Declaration of Human Rights and the International Covenant on Civil and Political Rights;

Whereas the death of the former General Secretary of the Communist Party of the People's Republic of China, Hu Yaobang, on April 15, 1989, gave rise to peaceful protests throughout China calling for the establishment of a dialogue with government and party leaders on democratic reforms, including freedom of expression, freedom of assembly, and the elimination of corruption by government officials;

Whereas after that date thousands of prodemocracy demonstrators continued to protest peacefully in and around Tiananmen Square in Beijing until June 3 and 4, 1989, when Chinese authorities ordered the People's Liberation Army and other security forces to use lethal force to disperse demonstrators in Beijing, especially around Tiananmen Square;

Whereas nonofficial sources, a Chinese Red Cross report from June 7, 1989, and the State Department Country Reports on Human Rights Practices for 1989, gave various estimates of the numbers of people killed and wounded in 1989 by the People's Liberation Army soldiers and other security forces, but agreed that hundreds, if not thousands, were killed and thousands more were wounded;

Whereas 20,000 people nationwide suspected of taking part in the democracy movement were arrested and sentenced without trial to prison or reeducation through labor, and many were reportedly tortured;

Whereas human rights groups such as Human Rights Watch, Human Rights in China, and Amnesty International have documented that hundreds of those arrested remain in prison;

Whereas the Government of the People's Republic of China continues to suppress dissent by imprisoning prodemocracy activists, journalists, labor union leaders, religious believers, and other individuals in China and Tibet who seek to express their political or religious views in a peaceful manner; and

Whereas June 4, 1999, is the tenth anniversary of the date of the Tiananmen Square massacre: Now, therefore, be it

Resolved, That the Senate—

(1) expresses sympathy to the families of those killed as a result of their participation in the democracy protests of 1989 in the People's Republic of China, as well as to the families of those who have been killed and to those who have suffered for their efforts to keep that struggle alive during the past decade;

(2) commends all citizens of the People's Republic of China who are peacefully advocating for democracy and human rights; and

(3) condemns the ongoing and egregious human rights abuses by the Government of the People's Republic of China and calls on that Government to—

(A) reevaluate the official verdict on the June 4, 1989, Tiananmen prodemocracy activities and order relevant procuratorial organs to open formal investigations on the June fourth event with the goal of bringing those responsible to justice;

(B) establish a June Fourth Investigation Committee, the proceedings and findings of which should be accessible to the public, to make a just and independent inquiry into all matters related to June 4, 1989;

(C) release all prisoners of conscience, including those still in prison as a result of their participation in the peaceful prodemocracy protests of May and June 1989, provide just compensation to the families of those killed in those protests, and allow those exiled on account of their activities in 1989 to return and live in freedom in the People's Republic of China;

(D) put an immediate end to harassment, detention, and imprisonment of Chinese citizens exercising their legitimate rights to the freedom of expression, freedom of association, and freedom of religion; and

(E) demonstrate its willingness to respect the rights of all Chinese citizens by proceeding quickly to ratify and implement the International Covenant on Civil and Political Rights which it signed on October 5, 1998.

• Mr. HUTCHINSON. Mr. President, today I, along with Senators WELLSTONE, FEINGOLD, BOB SMITH, BUNNING, COLLINS, KYL, SESSIONS, GRASSLEY, ABRAHAM, SNOWE, and JEFFORDS, am submitting a resolution commemorating the anniversary of the Tiananmen Square massacre. Ten years ago, the Chinese Communist government unleashed lethal force on peaceful demonstrators in Beijing. For ten years, demonstrators from Tiananmen have been suffering in prison.

The resolution that I am submitting today simply calls on the government of the People's Republic of China to make amends. To reevaluate the verdict of Tiananmen Square. To release the prisoners. To stop harassing Chinese citizens seeking freedom. It says that if they are serious about being a respected member of the international community, then they will implement and ratify the International Covenant on Civil and Political Rights. They will respect universal standards and they will respect their own citizens.

At the moment, there is a great deal of tension between the U.S. and China. Chinese espionage of sensitive technology, allegations of illegal campaign donations, competing security interests in the Asia-Pacific region, and disagreements over Kosovo are just a few problems—problems that illuminate the adversarial behavior of the Chinese Communist government.

Most recently, there has been a great deal of Chinese furor over the mistaken bombing of the Chinese embassy in Belgrade. I do not take lightly this egregious error and this tragic loss of life. But as regrettable as this mistake was, the Chinese government has been using this event as a catch-all refutation of the United States. It was no accident that the human rights dialogue and the ongoing arms talks were other casualties of the embassy bombing—the two areas where the Chinese government refuses to be responsible. It was no accident that the Chinese government bused demonstrators from universities to the U.S. embassy where they pelted rocks at American property, breaking windows, keeping Ambassador Sasser and his staff hostage at the embassy. It was no accident that the Chinese government used propaganda to inflame the emotions of the Chinese people.

But Mr. President, there is no moral equivalency in the accidental bombing of the embassy and the Tiananmen Square massacre. I the midst of the high stack of issues surrounding U.S.-China relations, I hope that human rights does not tumble to the bottom. The well-being of the Chinese people, the ability to express themselves, is fundamental to any future relationship between the U.S. and China. That is why I am submitting this resolution.

Mr. President, the Beijing protests began in April 1989 as a call for the government to explain itself—to explain its dismissal of an official who had been sympathetic to students demanding political reform in 1986. The demonstrators, students and workers, asked that the government take action against corruption. They asked for freedom for the independent press. They asked for democratic reforms. These students from Beijing University and 40 other universities, these Beijing residents protested in and around Tiananmen Square. They held hunger strikes. They defied martial law. They were met with brutal repression.

On May 30, after almost a month of student demonstrations in support of increased democratization in the Peoples Republic of China, the protest leaders erected a symbol of their growing movement—a symbol to be a ''powerful cementing force to strengthen our resolve'' and to ''declare to the world that the great awakening of the Chinese people to democratic ideas has reached a new stage.'' The symbol these students chose was the Goddess of Democracy—a thirty-seven foot high monument of foam and plaster with a striking resemblance to the Statute of Liberty. This symbol of democracy gave those thousands of onlookers a hope for a future free of communism.

But on June 3, 1989, police officers attacked students with tear gas, rubber bullets, and electric truncheons. People's Liberation Army (PLA) officers armed with AK–47s opened fire on the innocent people who would dare stand in their way. But that was not enough for the government. They sent convoys of tanks to Tiananmen Square to absolutely crush the demonstrators. Their armored vehicles rammed the Goddess of Democracy, knocking it down, flattening it beneath their steel treads. They killed a symbol of democracy and massacred their own people. On June 4, the PLA and security forces killed 1,500

and wounded 10,000. By June 7, the Chinese Red Cross reported 2,600 people aspiring to democracy dead, In the end, the Chinese government killed and wounded thousands of demonstrators. They imprisoned thousands more for their participation.

But the nightmare did not end there. For the hundreds that remain in prison, for their families, each passing day is a living horror. This ten year terror must stop. The resolution that we are introducing today simply calls on the government of the People's Republic of China to do what is right—to do what is consistent with their constitution and international standards. It is a message to those fighting for democracy—we will not forget the massacre of pro-democracy demonstrators by police and PLA forces on June 3 and 4. We will not forget the suffering of those who saw their friends die for freedom. We will not forget that with each passing day, hundreds of prisoners still languish in prison simply because they desire freedom in China.

Mr. President, I believe that it is time to move to a post-Tiananmen era. But this cannot happen without the release of Tiananmen Square prisoners. And it will not happen until we shed the scales of the Clinton Administrations' blind China policy and open our eyes.

Let me suggest four tenets for an open-eye China policy. First, we must re-engage our allies. Our relationship with China has come at the expense of our relationships with Japan, Taiwan, and South Korea. We need to rebuild a realistic picture of security in the Asia-Pacific and recognize China's aggressive military aims in the region—aims that will only be reached at the expense of our allies.

Second, we must protect our sensitive technology. Recent investigations show that we need increased security at our national labs and other facilities, common sense background checks, controls on technology transfers, and a Justice Department that does not hinder its own FBI's investigations. While espionage may be a fact of life, we can still take comprehensive measures to minimize foreign spying. Serious theft of nuclear and technological secrets have already increased China's military prowess.

Third, we must engage the people of China, rather than the Communist regime. We need sustained engagement, not just one time, highly publicized political visits. I therefore advocate increased funding for Radio Free Asia, the Voice of America, democracy building programs, and rule of law initiatives.

Finally, businesses must do their part and aggressively advocate human rights. The door for China's entry to the WTO is still open, but a WTO deal is not just a deal between the U.S. and China. It is also a deal between the U.S. government and American businesses. A WTO deal must include an understanding that American businesses in China must not be complicit with slave labor or other human rights violations. Instead, American businesses must be advocates for human rights, to the Beijing government and to the people. The simple fact is that China desperately wants American trade and American business. U.S. companies must use this leverage to advance more than profits.

Mr. President, I urge all of my colleagues to join with me in supporting this bipartisan resolution—to recognize this regime for what it truly is and to never forget the tragedy that occurred ten years ago on June 3 and June 4, 1989.●

● Mr. FEINGOLD. Mr. President, I rise today as an original co-sponsor of S. Res. 103, which marks the tenth anniversary of the Tiananmen Square massacre of June 4, 1989, in China.

The resolution conveys the sense of the Senate that the United States expresses its sympathy for those killed at Tiananmen Square and commends the Chinese citizens who have continued over the last decade to peacefully advocate greater democracy and respect for human rights in China. This resolution further calls on the authorities in China to reevaluate the events of June 1989, establish a commission to investigate what happened, release those still being held in connection with the democratic rally, and cease current harassment and detention of those still seeking democratic reform. This resolution makes a simple, clear request, one that the Senate has made many times before—free the Tiananmen Square democratic protesters and accept the legitimacy of the voices that still cry out for peaceful democratic reform in China.

Mr. President, first I would like this opportunity to express my deep regret at the unfortunate, and unintentional, bombing of the Chinese Embassy in Belgrade. Regardless of my continuing concerns with some of China's practices, I certainly feel great sorrow that innocent civilians were hurt under these circumstances.

Nevertheless, we can not, we will not, let this tragic accident, nor the impact it may have on our relations with China, silence our voices on the subject of democracy and human rights in China, or cause us to overlook the continuing ramifications of the events in Tiananmen Square ten years ago. China's human rights practices remain abhorrent, and we will not allow recent events to dampen our continued vigilance and willingness to condemn such practices. It is noteworthy that the demonstrations in China in reaction to the bombing are perhaps the largest since the Tiananmen Square protests. It is ironic that public protest is OK when it serves the government's interest, and not OK when it threatens the government's hold on power. This is an unacceptable double standard, and I believe we would be derelict in our duties if we did not keep our attention focused on the lack of freedom in China.

As we all know, this April, under considerable pressure from the Congress, the United States sponsored a resolution at the United Nations Commission on Human Rights to condemn China's ongoing abuses of human rights. As in past years, China's leaders aggressively lobbied against efforts at the Commission earlier and more actively than the countries that supported the resolution. Once again, Beijing's vigorous efforts have resulted in a ''no action'' motion at the Commission. While I commend the Administration's actions this year, I question whether our late and halfhearted support for condemnation of China doomed that resolution to failure. We must not allow China to believe that its human rights practices are acceptable. We must remember that if was only under the pressure of previous Geneva resolutions that China signed in 1997 the UN Covenant of Social Economic and Cultural Rights and in October 1998 the International Covenant on Civil and Political Rights. We should also not overlook the fact that neither of these important international documents has yet been ratified or implemented.

Mr. President, while recent attention has been drawn to the Embassy bombing, repeated allegations of espionage and of efforts to influence our elections, and the negotiations for China's entrance to the WTO, these current concerns should not obscure our views of the ongoing human rights abuses that abound throughout China and Tibet. According to Amnesty International, the human rights situation in China shows no fundamental change, despite the recent promises from the government of China. At least 2,000 people remain in prison for counter-revolutionary crimes that are no longer even on the books in China. At least 200 individuals detained or arrested for Tiananmen Square activities a decade ago are also still in prison. By China's own statistics, there are nearly a quarter of a million Chinese people imprisoned under the ''re-education through labor'' system. This situation demonstrates that China has yet to learn the lesson of Tiananmen Square—that the aspiration of the Chinese people for human rights and democratic reform will not disappear with time or repression.

On this, the tenth anniversary of the traumatic Tiananmen Square massacre, we must remember the brave Chinese citizens who stood before the tanks and gave their lives to express their hopes for freedom. They breathed their last on the bloody pavement of Tiananmen, hoping that their sacrifice would help bring democratic reform

and respect for human rights to their fellow countrymen. We must continue to honor those who made such dramatic sacrifices for their beliefs. In this momentous year in which China marks not only the tenth anniversary of Tiananmen Square, but also the fiftieth anniversary of the founding of the People's Republic of China, we must not choose silence on this issue. Only by repeating our demands for change, can we appropriately honor those who were willing to sacrifice all to achieve a better life for the people of China.

Mr. President, I strongly commend my friends, the Senator from Arkansas (Mr. HUTCHINSON) and the Senator from Minnesota (Mr. WELLSTONE) for their leadership on this important, long-standing issue.●

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. GRAMS. Mr. President, I ask unanimous consent that the Senate Committee on Commerce, Science, and Transportation be authorized to meet on Tuesday, May 18, 1999, at 9:30 a.m. on TV violence and safe harbor legislation.

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

COMMITTEE ON FINANCE

Mr. GRAMS. Mr. President, the Finance Committee requests unanimous consent to conduct a hearing on Tuesday, May 18, 1999 beginning at 10:00 a.m. in room 215 Dirksen.

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

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. GRAMS. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet for a hearing on ''ESEA: Educating the Forgotten Half'' during the session of the Senate on Tuesday, May 18, 1999, at 10:00 a.m.

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

SUBCOMMITTEE ON CLEAN AIR, WETLANDS, PRIVATE PROPERTY, AND NUCLEAR SAFETY

Mr. GRAMS. Mr. President, I ask unanimous consent that the Subcommittee on Clean Air, Wetlands, Private Property, and Nuclear Safety be granted permission to conduct a hearing on the Environmental Protection Agency's proposed sulfur standard for gasoline as contained in the proposed Tier Two standard for automobiles Tuesday, May 18, 9:30 a.m., Hearing Room (SD–406).

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

SUBCOMMITTEE ON ENERGY RESEARCH, DEVELOPMENT, PRODUCTION, AND REGULATION

Mr. GRAMS. Mr. President, I ask unanimous consent that the Subcommittee on Energy Research, Development, Production, and Regulation of the Committee on Energy and Natural Resources be granted permission to meet during the session of the Senate on Tuesday, May 18, for purposes of conducting a subcommittee hearing, which is scheduled to begin at 2:30 p.m. The purpose of this hearing is to receive testimony on S. 924, the Federal Royalty Certainty Act.

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

SUBCOMMITTEE ON FORESTRY CONSERVATION AND RURAL REVITALIZATION

Mr. GRAMS. Mr. President, I ask unanimous consent that the Committee on Agriculture, Nutrition, and Forestry Subcommittee on Forestry, Conservation and Rural Revitalization be allowed to meet during the session of the Senate on Tuesday May 18, 1999. The purpose of this meeting will be to discuss noxious weeds and plant pests.

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

ADDITIONAL STATEMENTS

OLDER AMERICANS MONTH

● Mr. GRASSLEY. Mr. President, it may be human nature to overlook the hardships of previous generations. We don't think about suffering we don't have to endure. This is the way it should be. And this is the hope of America's innovators, who work to ease misfortune for our children and grandchildren.

One of those innovators is a 101-year-old woman from Sioux City, Iowa. Louise Humphrey was a leading light in the battle against polio, one of the most terrifying illnesses of our century. Because of her work, and the work of others devoted to finding a cure, polio is virtually non-existent in our country.

It's hard for anyone who didn't live through the 1940s and 1950s to understand fully the fear of polio. The disease was highly contagious and sometimes fatal. It attacked the lungs and the limbs. It immobilized its victims, made them struggle for breath and often forced them to breathe through mechanical iron lungs. Parents wouldn't allow their children to go swimming, or to drink out of public fountains, for fear of contagion. Those children fortunate enough to escape the illness saw their classmates return to school in leg braces and watched news reels of people in iron lungs.

At the height of the epidemic, during the late 1940s and early 1950s, polio struck between 20,000 to 50,000 Americans each year. In one year—1952—58,000 people caught the disease. Most of them were children.

Mrs. Humphrey of Sioux City became interested in polio before the height of the epidemic. In the 1930s, according to the Sioux City Journal, she saw firsthand the ravaging effects of polio after meeting a man who had been disabled by the disease. She and her husband, the late Dr. J. Hubert Humphrey, a Sioux City dentist, became leaders in the fight against polio. They headed the Woodbury County chapter of the National Foundation for Infantile Paralysis. Mrs. Humphrey was elected state chairman of the woman's division of the foundation.

The Humphreys raised thousands of dollars for equipment and therapy to battle the disease. They enlisted entertainers and circus performers in the cause, hosting these individuals at fund-raising parties. Their guests included Bob Hope, clown Emmett Kelly and a ham sandwich-eating elephant.

Their work contributed to a climate in which Jonas Salk developed the first polio vaccine. His vaccine, and another developed by Dr. Albert Sabin, soon became widely available. Polio is virtually non-existent in our country, although it remains a Third World threat.

Mrs. Humphrey has said she has no secret for living such a long life. She advises people to ''just be happy and be well.'' She has never had an ache or pain. What she did have in abundance was empathy, kindness, generosity and devotion. Because of her contributions, millions of American children will live without a debilitating disease.

On June 3, Mrs. Humphrey will turn 102. In advance of her birthday, during Older Americans Month, I want to thank Mrs. Humphrey for helping to make our country strong. Mrs. Humphrey, with her clear vision and compassionate concern for America's children, perfectly illustrates the theme of Older Americans Month: ''Honor the Past, Imagine the Future: Toward a Society for All Ages.''●

TRIBUTE TO JOE TAUB

● Mr. LAUTENBERG. Mr. President, I rise today to pay tribute to a great friend, Joe Taub, in celebration of his 70th birthday on May 19th. Joe is a tremendously hard worker and a world-class philanthropist, and I'm proud to say he's been my friend for almost 50 years.

Joe came from humble beginnings in Paterson, NJ to join me in founding Automatic Data Processing in 1949. Today, the company employs over 30,000 people in the U.S. and Europe. Even after leaving ADP in 1971, Joe continued to lead an active business life, starting his own company and becoming owner of the New Jersey Nets basketball team. Along the way, Joe donated his time to several charities and with his wife, Arlene, established the Taub-Gorelick Laboratory at Memorial Sloan Kettering Cancer Center to aid breast cancer victims.

Joe has always worked to improve the world around him. To help keep

inner city kids off the streets, he financed several scholarships and started the Taub-Doby Basketball League. And he contributed to the redevelopment of Paterson by giving the city a museum documenting its history.

Mr. President, Joe isn't remarkable just for his business achievements and philanthropy. He's also been a loving, devoted husband for 45 years and has done a wonderful job as a father and grandfather.

I would like to extend my heartfelt best wishes to a long-time friend and former business partner in honor of his 70th birthday. Joe, on behalf of myself and all those whose lives you have touched, we wish you the best.●

HONORING SAMUEL STROUM

● Mr. GORTON. Mr. President, I submit the following letter to be printed in the RECORD.

The letter follows:

U.S. SENATE,
Washington, DC, June 19, 1999.

Mr. KERRY KILLINGER,
Honorary Chair, North West Industry Partnership, Seattle, WA.

DEAR MR. KILLINGER: tonight, you are gathered to recognize the outstanding accomplishments of Samuel Stroum. Nothing could give me more pleasure than to congratulate my friend, Sam Stroum, the 1999 recipient of the Donnall Thomas Medal of Achievement award. Dr. Thomas was a man of great vision, integrity, determination, and he possessed a strong commitment to helping his fellow citizens. Because Sam personifies these same characteristics, it is only fitting that he should be the recipient of this award.

For half a century, Sam has been an established leader in our state. Sam has continued to give back to his community in immeasurable and invaluable ways. He has set the tone, led by example, and has propelled his peers to do better. Tonight as Sam is being lauded for his many accomplishments and contributions, I suspect that there as many untold stories where Sam has quietly made a difference.

In the past decade, our state has experienced tremendous developments in the high-tech industry. From the very beginning, Sam could see the future of that industry and knew how it would benefit Washington. He encouraged its development and became actively involved in expanding the software business in Washington, creating more jobs and spurring unprecedented economic growth.

More importantly, Samuel understands that there is more to life than business. There is art, community cohesion, and the need and desire to continue one's education. Sam has rescued community centers from financial disaster, expanded art galleries, and raised funds for hundreds of organizations.

Sam is an invaluable asset to our community for his vision, leadership, and compassion for those in need. I am convinced that Washington state is far better because of him.

Sincerely,

SLADE GORTON,
U.S. Senator.●

TRIBUTE TO THE RIGHT REVEREND MARION BOWMAN

● Mr. GRAHAM. Mr. President, I rise today to offer a solemn tribute to an educator and clergyman whose life spanned most of this great century: the Right Reverend Marion Bowman of Florida.

Father Marion Bowman passed away last week, and was buried on Friday, May 14, 1999, at the St. Leo Abbey Cemetery. As coach, teacher and president, Father Bowman was a guiding force at St. Leo College in St. Leo, FL. He is survived by a large and loving family, and a legion of alumni and friends of St. Leo College.

Born on June 30, 1905, in Lebanon, KY, he made his first profession of vows twenty years later, and was ordained as a priest in 1931. His association with St. Leo began as a young man; he graduated from St. Leo College Prep School in 1923.

Father Bowman served as the third abbot of St. Leo Abbey, from 1954–69. On April 27, 1970, Father Bowman was elected president of St. Leo College and served on the institution's Board of Trustees as well.

A versatile man, Father Bowman taught math, physics and chemistry at the prep school, and for four years was St. Leo's sole coach, heading the football, baseball, basketball and track teams. He also served as athletic director, and played a key role in converting St. Leo from a prep school to a college.

In 1971, St. Leo College bestowed an honorary Doctor of Humanities degree on Father Bowman.

Mr. President, as we approach a new millennium and look back on the all-but-completed Twentieth Century, we are reminded of the importance of the dedicated people who impart knowledge, teach values, coach athletes and manage our schools. Father Marion Bowman—teacher, cleric and friend of St. Leo College—did all those things and many more, and we salute his dedication and his multiple contributions.●

DEPLOYMENT OF A NATIONAL MISSILE DEFENSE

Mr. HATCH. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of calendar No. 78, H.R. 4.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

A bill (H.R. 4) to declare it to be the policy of the United States to deploy a national missile defense.

There being no objection, the Senate proceeded to consider the bill.

Mr. HATCH. Mr. President, I ask unanimous consent that all after the enacting clause be stricken and the text of S. 257, as passed by the Senate, be inserted in lieu thereof. I further ask consent that the bill then be read a third time and passed, and the motion to reconsider be laid upon the table.

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

The bill (H.R. 4), as amended, was read the third time and passed.

PUBLIC SAFETY MEDAL OF VALOR ACT

Mr. HATCH. I ask unanimous consent that the Senate now proceed to the consideration of calendar No. 95, S. 39.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 39) to provide a national medal for public safety officers who act with extraordinary valor above and beyond the call of duty, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. LEAHY addressed the Chair.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. I commend, as a cosponsor, Senator STEVENS and the others who worked so hard on this.

Mr. HATCH. I feel exactly the same way.

I ask unanimous consent that the bill be read a third time and passed, the motion to reconsider be laid upon the table, and that any statements relating to the bill be printed at the appropriate place in the RECORD.

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

The bill (S. 39) was read the third time and passed, as follows:

S. 39

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be referred to as the ''Public Safety Medal of Valor Act''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Authorization of Medal of Valor.
Sec. 3. Medal of Valor Review Board.
Sec. 4. Board personnel matters.
Sec. 5. National medal office.
Sec. 6. Definitions.
Sec. 7. Authorization of appropriations.
Sec. 8. Conforming repeal.
Sec. 9. Consultation requirement.

SEC. 2. AUTHORIZATION OF MEDAL OF VALOR.

The President may award, and present in the name of Congress, a Medal of Valor of appropriate design, with ribbons and appurtenances, to a public safety officer who is cited by the Attorney General, upon the recommendation of the Medal of Valor Review Board, for extraordinary valor above and beyond the call of duty. The Public Safety Medal of Valor is the highest national award for valor by a public safety officer.

SEC. 3. MEDAL OF VALOR REVIEW BOARD.

(a) ESTABLISHMENT OF BOARD.—There is hereby established a Medal of Valor Review

Board (hereafter in this Act referred to as the ''Board''), which shall be composed of 11 members appointed in accordance with subsection (b), and shall conduct its business in accordance with this Act.

(b) MEMBERSHIP.—

(1) MEMBERS.—The members of the Board shall be individuals with knowledge or expertise, whether by experience or training, in the field of public safety, of which—

(A) two shall be appointed by the Majority Leader of the Senate;

(B) two shall be appointed by the Minority Leader of the Senate;

(C) two shall be appointed by the Speaker of the House of Representatives;

(D) two shall be appointed by the Minority Leader of the House of Representatives; and

(E) three shall be appointed by the President, including one with experience in firefighting, one with experience in law enforcement, and one with experience in emergency services.

(2) TERM.—The term of a Board member shall be 4 years.

(3) VACANCIES.—Any vacancy in the membership of the Board shall not affect the powers of the Board and shall be filled in the same manner as the original appointment.

(4) OPERATION OF THE BOARD.—

(A) MEETINGS.—The Board shall meet at the call of the Chairman, who shall be elected by the Board, and shall meet not less than twice each year. The initial meeting of the Board shall be conducted not later than 90 days after the appointment of the last member of the Board.

(B) VOTING AND RULES.—A majority of the members shall constitute a quorum to conduct business, but the Board may establish a lesser quorum for conducting hearings scheduled by the Board. The Board may establish by majority vote any other rules for the conduct of the Board's business, if such rules are not inconsistent with this Act or other applicable law.

(c) DUTIES.—The Board shall select candidates as recipients of the Medal of Valor from among applications received by the National Medal Office. Not more than once each year, the Board shall present to the Attorney General the name or names of persons it recommends as Medal of Valor recipients. In a given year, the Board is not required to select any recipients, but is limited to a maximum number of 10 recipients. The Attorney General may in extraordinary cases increase the number of recipients in a given year. The Board shall set an annual timetable for fulfilling its duties under this Act.

(d) HEARINGS.—

(1) IN GENERAL.—The Board may hold such hearings, sit and act at such times and places, administer such oaths, take such testimony, and receive such evidence as the Board considers advisable to carry out its duties.

(2) WITNESS EXPENSES.—Witnesses requested to appear before the Board may be paid the same fees as are paid to witnesses under section 1821 of title 28, United States Code. The per diem and mileage allowances for witnesses shall be paid from funds appropriated to the Board.

(e) INFORMATION FROM FEDERAL AGENCIES.—The Board may secure directly from any Federal department or agency such information as the Board considers necessary to carry out its duties. Upon the request of the Board, the head of such department or agency may furnish such information to the Board.

(f) INFORMATION TO BE KEPT CONFIDENTIAL.—The Board shall not disclose any information which may compromise an ongoing law enforcement investigation or is otherwise required by law to be kept confidential.

SEC. 4. BOARD PERSONNEL MATTERS.

(a) COMPENSATION OF BOARD MEMBERS.—

(1) NON-GOVERNMENT.—Except as provided in paragraph (2), each member of the Board shall be compensated at a rate equal to the daily equivalent of the annual rate of basic pay prescribed for level IV of the Executive Schedule under section 5315 of title 5, United States Code, for each day (including travel time) during which such member is engaged in the performance of the duties of the Board.

(2) GOVERNMENT.—All members of the Board who serve as officers or employees of the United States, a State, or local government, shall serve without compensation in addition to that received for those services.

(b) TRAVEL EXPENSES.—The members of the Board shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter 1 of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of service for the Board.

SEC. 5. NATIONAL MEDAL OFFICE.

There is established within the Department of Justice a national medal office. The office shall generally support the Board and shall, with the concurrence of the Board, establish criteria and procedures for the submission of recommendations of nominees for the Medal of Valor.

SEC. 6. DEFINITIONS.

For purposes of this Act—

(1) the term ''public safety officer'' means a person serving a public agency, with or without compensation, as a firefighter, law enforcement officer (including a corrections or court officer or a civil defense officer), or emergency services officer, as defined by the Attorney General in implementing this Act; and

(2) the term ''State'' means each of the several States of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.

SEC. 7. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to the Attorney General such sums as may be necessary to carry out this Act.

SEC. 8. CONFORMING REPEAL.

Section 15 of the Federal Fire Prevention and Control Act of 1974 is repealed.

SEC. 9. CONSULTATION REQUIREMENT.

The Attorney General shall consult with the Institute of Heraldry within the Department of Defense regarding the design and artistry of the Medal of Valor. The Attorney General shall also consider suggestions received by the Department of Justice regarding the design of the medal, including those made by persons not employed by the Department.

ORDERS FOR WEDNESDAY, MAY 19, 1999

Mr. HATCH. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 10 a.m. on Wednesday, May 19. I further ask that on Wednesday, immediately following the prayer, the Journal of proceedings be approved to date, the morning hour be deemed to have expired, and the time for the two leaders be reserved for their use later in the day.

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

PROGRAM

Mr. HATCH. For the information of all Senators, the Senate will convene at 10 a.m. and immediately resume debate on the juvenile justice bill. New amendments to that legislation can be offered until 12:20 p.m. during tomorrow's session. At 12:20 p.m., the Senate will begin debate on amendments Nos. 357, 358, 360, and 361, which were previously offered to the bill. Senators can expect a stacked series of four votes to begin at 1 p.m. I encourage my colleagues to offer their amendments tomorrow morning so that we can finish this important legislation in a timely manner.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. HATCH. Mr. President, if there is no further business to come before the Senate, I now ask unanimous consent that the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 6:44 p.m., adjourned until Wednesday, May 19, 1999, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate May 18, 1999:

NATIONAL COMMISSION ON LIBRARIES AND INFORMATION SCIENCE

JACK E. HIGHTOWER, OF TEXAS, TO BE A MEMBER OF THE NATIONAL COMMISSION ON LIBRARIES AND INFORMATION SCIENCE FOR A TERM EXPIRING JULY 19, 1999, VICE ROBERT S. WILLARD, RESIGNED.

JACK E. HIGHTOWER, OF TEXAS, TO BE A MEMBER OF THE NATIONAL COMMISSION ON LIBRARIES AND INFORMATION SCIENCE FOR A TERM EXPIRING JULY 19, 2004. (REAPPOINTMENT)

FOREIGN SERVICE

THE FOLLOWING-NAMED PERSON OF THE AGENCY INDICATED FOR APPOINTMENT AS FOREIGN SERVICE OFFICER OF THE CLASS STATED, AND ALSO FOR THE OTHER APPOINTMENTS INDICATED HEREWITH:

FOR APPOINTMENT AS FOREIGN SERVICE OFFICER OF CLASS FOUR, CONSULAR OFFICER AND SECRETARY IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

DEPARTMENT OF STATE

STEPHEN A. DODSON, OF TEXAS

HOUSE OF REPRESENTATIVES—*Tuesday, May 18, 1999*

The House met at 12:30 p.m. and was called to order by the Speaker pro tempore (Mr. PEASE).

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
May 18, 1999.

I hereby appoint the Honorable EDWARD A. PEASE to act as Speaker pro tempore on this day.

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

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Sherman Williams, one of his secretaries.

MORNING HOUR DEBATES

The SPEAKER pro tempore. Pursuant to the order of the House of January 19, 1999, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning hour debates. The Chair will alternate recognition between the parties, with each party limited to 30 minutes, and each Member, except the majority leader, the minority leader, or the minority whip, limited to 5 minutes.

The Chair recognizes the gentleman from Texas (Mr. PAUL) for 5 minutes.

SUPPLEMENTAL APPROPRIATIONS

Mr. PAUL. Mr. Speaker, we will later today vote on the conference report to H.R. 1141, the bill to further fund NATO's aggression in Yugoslavia. The President has requested $7.9 billion but Congress has felt compelled to give him $15 billion.

Congress does not endorse the war. We voted overwhelmingly against declaring war and yet we are giving the President twice the amount he requested to wage the war. It does not make any sense.

We are asking the President to seek reimbursement from NATO members since we have assumed the financial burden for fighting this war. This has tremendous appeal but cannot compensate for the shortsightedness of spending so much in the first place. The money may well never be recouped from our allies, and even if some of it is it only encourages a failed policy of military adventurism. If this policy works, the United States, at Congress' urging, becomes a hired gun for the international order, a modern day government mercenary. This is not constitutional and it is a bad precedent to set.

Reimbursement for the Persian Gulf War has helped to perpetuate that conflict now going on for nearly a decade. It is time to think about a more sensible foreign policy.

We should not encourage the senseless and immoral NATO aggression against Serbia. The funding of this war should not be approved, no matter what special interest appropriations have been attached to the initial request to gain support for this special spending measure.

Our bombing continues to complicate the mess we helped create in Yugoslavia. Just about everyone concedes that the war cannot be won without massive use of ground troops, which fortunately no one is willing to commit. So the senseless bombing continues while civilian casualties mount. And whom are we killing? It looks like we are killing as many innocent Albanians for whom we have gone to war as innocent Serbs.

Why are we killing anybody? There has been no aggression against the United States and no war has been declared. It is time to stop this senseless bombing.

The U.S. has become the world's bully. In recent months we have bombed Serbia, Bulgaria, Kosovo, Afghanistan, Sudan, Iraq and China; and in recent years, many others.

The fetish we have with bombing anybody who looks cross-eyed at us has preoccupied our leaders for several decades regardless of which party has been in power.

We may not be willing to admit it, but it is hardly the way to win friends and influence people. It is lousy diplomacy. It must stop. The only reason we get away with it is because we are the military and economic superpower, but that only leads to smoldering resentment and an unsustainable financial commitment that will in due time come to an end. Our superiority is not guaranteed to last.

NATO, through their daily briefings, has been anxious to reassure us that its cause is just. Yet NATO cannot refute the charge that the refugee problem was made much worse with the commencement of the bombing.

Yesterday it was reported in the Los Angeles Times by Paul Watson, in stark contrast to NATO's propaganda, that in Svetlje, Yugoslavia, 15,000 Albanians displaced by the bombing remain near their homes in north Kosovo, including hundreds of young military age men, quote, strolling along the dirt roads or lying on the grass on a sunny day. There were no concentration camps, no forced labor and no one serving as human shields according to an Albanian interviewed by the Los Angeles Times. Many admitted they left their homes because they were scared after the bombing started. Some of the Albanians said the only time they saw the Serb police was when they came to sell cigarettes to the Albanians.

We should not be in Yugoslavia for obvious constitutional and moral reasons, but the American people should not believe the incessant propaganda that is put out by NATO on a daily basis. NATO's motives are surely suspect. I meet no one who can with a straight face claim that it was NATO's concern for the suffering of the refugees that prompted the bombing and demands by some to escalate the war with the introduction of ground troops.

Even with NATO's effort to justify its aggression, they rarely demonstrate a hit on a military target. All this fine star wars technology and we see reruns of strikes with perfect accuracy hitting infrastructures like bridges and buildings. I have yet to see one picture of a Serbian tank being hit, and I am sure if they had some classy film like that we would have seen it many times on the nightly television.

NATO must admit its mistake in entering this civil war. It violates the NATO treaty and the U.N. Charter, as well as the U.S. Constitution. The mission has failed. The policy is flawed. Innocent people are dying. It is costing a lot of money. It is undermining our national security and there are too many accidents.

I am sick and tired of hearing NATO's daily apologies.

There's nothing America can be proud of in this effort and if we don't quickly get out of it, it could very well escalate and the getting out made impossible. The surest and quickest way to do this is for Congress today to reject the funding for this war.

The only answer to senseless foreign intervention is a pro-American constitutional policy of non-intervention in the affairs of other nations; a policy of friendship and trade with those who are willing and neutrality with others who are involved in conflict. This is the only policy that makes sense and can give us the peace and prosperity all Americans desire.

KUDOS FOR BETTE MIDLER

The SPEAKER pro tempore. Under the Speaker's announced policy of January 19, 1999, the gentleman from Oregon (Mr. BLUMENAUER) is recognized during morning hour debates for 5 minutes.

Mr. BLUMENAUER. Mr. Speaker, my goal in Congress is to help the Federal Government be a better partner with State and local governments, with business and private citizens, to do everything it can in promoting livable communities, because what our families really care about is that their children are safe when they go out the door to school in the morning, that families are economically secure and healthy.

There is a vital component to this livability movement that goes well beyond the crafting of Federal legislation. The most powerful livability champions out there make the message real. They are the folks who take the rhetoric one step farther and actually walk the talk. For the last 3 months I have been especially intrigued by one such person, Bette Midler, who first got my attention when she took to national syndicated television a few months back and confessed that if she had not gone into entertainment she probably would have pursued a career as an urban planner, and she certainly has moved to the forefront in promoting livability with her personal advocacy and investment.

This was most apparent last week when she spearheaded the rescue of 112 pocket parks and community gardens in New York City from being sold for redevelopment. Had Miss Midler not stepped in, along with the Trust for Public Land and a group that she founded in 1994, the New York Restoration Project, a great number of New Yorkers would have lost the joy they have received from these gardens.

Over a third of a century ago, author Jane Jacobs captured in her book, The Life and Death of Great American Cities, the importance of places for people to congregate over sterile formal parks, planned with even the best of intentions, in ways that do not speak to people's needs for diversity and connection.

In threatening to auction these small gardens to the highest bidder, Mayor Giuliani not only added to the evidence that he does not get the revitalization taking place in New York City, that it needs to be about more than simply adding police officers on the corner, talking tough and bribing the New York Yankees to stay in New York City.

Revitalization is most effective when it brings people together. When people invest in their communities, they feel that they have ownership in the neighborhood, and this feeling of ownership is undoubtedly the most effective deterrent to crime and deterioration.

Community gardens take little enclaves that otherwise might be garbage dumps or staging areas for crime and turns them not just into green oasis but a place where people want to go. They define community pride, engagement and involvement.

Under the guise of providing money and housing opportunities, Giuliani proposed selling off for a couple million dollars these little neighborhood gems. Put aside for a moment that the amount of money is minuscule compared to the hundreds of millions of dollars Giuliani has talked about subsidizing for a few selected businesses. Also ignore for a moment that there are thousands of run-down, dilapidated buildings and vacant lots that would be prime candidates for redevelopment in New York City.

This case illustrates the strengths of partnership and why I for one do not trust any one single level of government on its own because there is clearly enough insensitivity and ineptitude to go around.

The public which has fought so hard to establish these toeholds fortunately pushed back, and luckily the partners existed in New York City that make livable communities strong and vital. They provided not just money and interest but the spark that brought those pieces together.

Today the community gardens are safe, New York City is richer and hopefully politicians like Giuliani have learned a lesson. Sometimes that just means listening to the people about what makes communities and neighborhoods work.

Congress can certainly do its part by enacting legislation to make contributions to the public easier for things like scenic and conservation easement, agriculture and timberlands and wetland conservation. The public has learned, with the help of Miss Midler and others, that it can challenge city hall and win, which may be the most important lesson of all for livable communities.

ADDRESSING THE CONCERNS OF FOLKS BACK HOME

The SPEAKER pro tempore. Under the Speaker's announced policy of January 19, 1999, the gentleman from Illinois (Mr. WELLER) is recognized during morning hour debates for 5 minutes.

Mr. WELLER. Mr. Speaker, it is my privilege to represent a very diverse district in Illinois. I represent the south side of Chicago and the south suburbs in Cook and Will Counties, a lot of bedroom communities and farm towns, too. When one represents such a diverse district, they learn to listen to the concerns back home and try and respond to those concerns.

I have had one very common message that I hear in the city and in the suburbs and in the country in the diverse district that I represent, and that message is pretty simple. People back home want us to work together and find solutions to the challenges that we are facing.

I am proud to say that over the last 4½ years, we have listened and we have responded to those concerns to work to change how Washington works, to make Washington more responsive to the folks back home. I am proud to say that we accomplished some things we were told we could not do. We were told we could not balance the budget. We were told we could not balance the budget and lower taxes. We were told we could never reform our welfare system, but we did.

I am proud to say in the last 4½ years that we balanced the budget for the first time in 28 years, producing a projected $2.8 trillion surplus of extra tax revenues. We lowered taxes for the middle class for the first time in 16 years and 3 million Illinois children now qualify for the $500 per child tax credit back home in my State of Illinois. That is $1.5 billion that will stay in Illinois rather than coming here to Washington.

We also reformed our welfare system, which was failing beyond imagination. We reformed our welfare system for the first time in a generation. As a result of our welfare reform, we have seen the welfare rolls in Illinois cut in half. We have balanced the budget. We lowered taxes for the middle class. We reformed our welfare system. That is pretty good.

Folks often say those are real accomplishments, but what is next on Congress' agenda? We are working to continue responding to the issues and concerns of the folks back home and we have a simple agenda in this Congress. The Republican agenda is simple: Good schools, low taxes and a secure retirement for all America, and our budget that were working on today reflects that.

I am often asked some questions in town meetings back home. One of the most important ones we addressed this year. I am often asked by folks, whether at a senior citizen's center, a union hall or a VFW, when are the politicians in Washington going to stop raiding the Social Security trust fund? That is a pretty important, basic question. Of course, Washington has raided the Social Security trust fund for over 30 years. Back when LBJ was president, Washington began that process, and bad habits are hard to break. I am proud to say this Republican Congress is going to lock away 100 percent of Social Security revenues for social security only.

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Let me point out here what this means, and I will compare the Republican budget with the Clinton-Gore budget on Social Security. The Republican budget, of course, locks away 100 percent of Social Security for Social

Security. I would point out that $137 billion of the Social Security surplus under our lockbox will stay in Social Security.

Now, the President talks about 62 percent of the surplus for Social Security, and what the President and Vice President Gore are talking about doing is spending 38 percent of Social Security on other things. That is what the folks back home call raiding the Social Security Trust Fund.

Republicans say 100 percent of Social Security for Social Security. Clinton-Gore, they say 62 percent and spend the rest on other things. We want to put a stop to that, and that is why the lockbox proposal Republicans are moving through the Congress is so important, because it is the first step we should take as we work to save Social Security. Let us lock away Social Security first before we consider any other reforms.

Another question I am often asked is no one ever talks about the national debt. Let me point out that in this budget this year, we are in a position where we are going to be able to pay down $1.8 trillion of the national debt. Last year we paid off $50 billion; this year we are projected to pay off $100 billion of the national debt, and under our budget we propose the potential of paying down $1.8 trillion of the national debt. Saving Social Security, paying down the debt.

I am also asked at the union halls and the VFWs and the other community centers and the grain elevators in the district that I represent, when are we going to do something about the tax burden on families? Today the average family in Illinois sends 40 percent of their income to Washington and Springfield and the local courthouse in taxes.

The tax burden today for the middle class is at its highest level ever in peacetime history. Twenty-one percent of our gross domestic product goes to Washington. That is the highest level ever in peacetime history, and it is putting a tremendous squeeze on middle class families.

I believe as we work to lower the tax burden on middle class families we should simplify the Tax Code; we should work to bring fairness to the Tax Code, beginning with the elimination of the marriage tax penalty. It is simply wrong that under our Tax Code 21 million married working couples on average pay $1,400 more in higher taxes just because they are married. Let us lower taxes by simplifying the Tax Code by eliminating the marriage tax penalty, let us pay down the national debt and let us save Social Security.

ISRAEL'S COMMITMENT TO DEMOCRATIC VALUES CONTINUES

The SPEAKER pro tempore. Under the Speaker's announced policy of January 19, 1999, the gentleman from Texas (Mr. BENTSEN) is recognized during morning hour debates for 5 minutes.

Mr. BENTSEN. Mr. Speaker, as we all know, yesterday the people of Israel demonstrated their commitment to democratic values by electing a new Prime Minister, Ehud Barak, a highly respected, decorated soldier and former leader of the Israeli Army. Despite the strong differences voiced during the campaign, both Mr. Barak and Prime Minister Netanyahu deserve our congratulations for articulating thoughtful visions for the people of their country.

As he prepares to leave office, I commend Prime Minister Netanyahu's accomplishments. He stood by his commitment to take Israel down a road of less reliance on U.S. economic assistance and a greater reliance on the powerful forces of capitalism and free markets. I commend him for setting his nation on a course of economic independence. Because of his willingness to work with his fellow citizens and his demonstrated leadership, Israel is a vibrant, strong, self-reliant nation.

The Prime Minister-elect, Ehud Barak, left the ranks of the military just four years ago after a highly distinguished 36-year career as a platoon leader, tank battalion chief, senior intelligence analyst and head of the Israeli Army. As Israel's most decorated soldier, Ehud Barak is perhaps best known as the catalyst of the 1972 storming of a Sabena airliner hijacked by guerrillas at Tel Aviv's airport.

Following his retirement from the military, Mr. Barak served as the Army Chief of Staff and Interior Minister under former Prime Minister Yitzhak Rabin, then Foreign Minister under Prime Minister Shimon Peres. When I traveled to Israel in 1997, I had a chance to meet with Mr. Barak, who was serving as the leader then of the Labor Party. I was impressed with Mr. Barak's meticulous attention to detail, commitment to important issues, and his construction of an aggressive grassroots political operation. Throughout the campaign, Barak promised, if elected, to continue Yitzhak Rabin's legacy of reviving negotiations with the Palestinians and making an impassioned personal commitment to the peace effort.

I am also impressed with Prime Minister-elect Barak's appreciation and understanding of the American-Israeli partnership, a partnership that goes beyond common political and strategic bonds. Both nations share a common set of values: freedom, individual responsibility, hope and opportunity. It is no coincidence that the birth of Israel coincided with the rise of the United States as the world's preeminent power. Our futures, both the United States' and Israel's, are tightly intertwined. Our shared traditions, which respect and value human rights, democracy, free speech, religious tolerance, are the seeds of a lasting peace throughout the world and in the Middle East.

The elections held yesterday are proof that the people of Israel are determined to withstand pressures and maintain a democracy, build a vibrant economy and achieve peace and security in the entire region. Our Nation has watched and admired a brave, determined and sometimes very divided people build a democracy under difficult circumstances that often have tested their resolve.

Throughout the past decade, Israel has lived and thrived through especially difficult circumstances: the assassination of Israel's great leader Yitzhak Rabin, repeated terrorist attacks, waves of immigrants challenging Israel's complex and the very contentious national elections. Through it all, the people of Israel stood strong, holding to its values and its belief that their country will remain strong and at peace.

I have also been encouraged by Mr. Barak's willingness to return to the land-for-peace Israeli commitments under the Wye River Peace Agreement brokered by President Clinton last October. As the Israeli government now changes hands, I am hopeful that the Middle East peace process can take meaningful steps forward.

It is critical that the United States continue to support Israel's commitment to see an end to terrorist aggression and State-sponsored attacks against its citizens and cities. We must also support Israel's desire to move the peace process by requiring that existing peace agreements be respected by all sides. We should embrace these conditions, for they have at their core the values of any true democracy, the values of personal freedom.

Now that the citizens of Israel have spoken again, we must work to ensure that the Nation of Israel remains on course towards peace. Because of the perseverance, ingenuity and faith of its people, Israel has overcome the most daunting of challenges and become one of the world's great nations. I am confident that the people of the United States stand ready to help the people of Israel as they continue moving down a road of peace, security and economic self-reliance.

ENFORCE THE WAR POWERS ACT

The SPEAKER pro tempore. Under the Speaker's announced policy of January 19, 1999, the gentleman from North Carolina (Mr. JONES) is recognized during morning hour debates for 5 minutes.

Mr. JONES of North Carolina. Mr. Speaker, 56 days ago President Clinton launched a massive offensive air campaign against Yugoslavia. Over the

past few weeks we have witnessed the capture and release of three United States soldiers. We have seen destruction, lives lost, and hundreds of thousands of men, women and children forced to leave their homes and seek refuge.

Most would call this a war. But Article I, Section 8 of the United States Constitution grants Congress, not to the Commander in Chief, the authority to declare war. Approaching two months of repeated air strikes, President Clinton has never asked for congressional authorization. Now, in order to proceed with Operation Allied Force, President Clinton must either ask Congress for authorization or remove our troops from the region. Unfortunately, he has made no indication that he is eager to do either.

Mr. Speaker, I am disappointed that President Clinton has violated our Constitution as it pertains to the declaration of war. Therefore, I join the efforts of the gentleman from California (Mr. CAMPBELL) and 15 of our colleagues in the House in filing a lawsuit against President Clinton in order to clarify Congress's constitutional war authority. I regret that we are forced to call upon the courts, but until we do, further administrations will continue to violate the Constitution and the War Powers Act.

Mr. Speaker, I agree with many of my colleagues who have very grave doubts about the United States involvement in Operation Allied Force. While I agree that the situation in Kosovo is a tragic one, our national security is not threatened. Our armed services already suffer from years of neglect under this administration. When we continue to commit troops in our limited resources on peacekeeping operations, we undermine our military's primary goals, to protect and defend the citizens of this great country, and we leave ourselves vulnerable in an unstable post-Cold War climate.

Mr. Speaker, a constituent of mine recently forwarded to me a letter from Charles Hunter, a military Reservist who served in Bosnia for nine months. I want to share with my colleagues some of what he observed. I feel very strongly that his words and observations will prove much more powerful than my own.

In an open letter to Congress, Mr. Hunter wrote, ''It would be interesting to note what light further history will cast on the actions currently being implemented by this administration and enabled by this Congress.'' Mr. Hunter further states, ''It is interesting to note that this is the first time that we have attacked another sovereign nation unprovoked and uninvited by a host or exiled government.'' He further states, ''To me, this is a huge and pivotal point, the possible effects of which are frightening.'' Mr. Hunter further states, ''Should we some day have a revolution in our land that is an affront to some sort of world entity, we have now forfeited the right to handle things as we as a Nation see fit. If we continue down this road before us, we will be handing national sovereignty, for any Nation, over to some non-elected multinational body.''

Mr. Hunter further states, ''My oath as a soldier and yours as a Senator included the phrase, 'to uphold and defend the Constitution of the United States against all enemies, foreign and domestic.' Never has there been a vow made to an international constitution or treatise, so why the concern over the honor of NATO? Why is Congress not concerned with the honor of the United States?''

Mr. Speaker, these are words of a United States soldier who spent nine months in the Balkans, and he is absolutely correct. We need to restore the honor we once valued and treasured. President Clinton, my colleagues in Congress and I took an oath to uphold and defend the Constitution. Especially now, we must keep that oath. Once again, I urge the President to seek congressional authority to declare war or bring our troops home.

Mr. Speaker, in closing, I will submit the full text of Mr. Hunter's letter for the RECORD. God bless our troops and God bless this Nation.

A BALKANS SOLDIER'S OPEN LETTER

(By Charles W. Hunter)

I am a reservist. I have served in Bosnia for nine months. I am a linguist and interviewed between 100 and 200 people each day while I was there. I have also had the unique experience of losing a job due to my reserve commitment. I do hope that you will take these following points into consideration as you think about the possible future commitment of ground forces to, and our general involvement in, Yugoslavia.

As a point of clarification, I refer to the leader of the United States as ''impeached'' President Clinton, because that is the title that the House of Representatives voted to give him. I am not demeaning the office of the president or the person of William Jefferson Clinton. They, not I, put him in a classification different from recent past presidents.

1. THE YUGOSLAV PEOPLE DO NOT THINK AS WE DO

Due to the unique position and job which I had while I was in Bosnia, I had the opportunity to interview between 100 and 200 people each day for nearly 8 months. These people were mostly Croats and Muslims. However, during the last month of my tour my focus was with the Serbs. Because I had learned the language, these people felt that I was different than the majority of British and American soldiers they met and as a result they opened up to me. All of these people told me that as soon as we leave, if it is in one year, five years, or fifty years, they will go back to killing each other.

All of the sides committed mass executions, as is the case in Kosovo now. Look at the history of the region. I think that you will find it was not too long ago that the KLA was viewed to be a terrorist organization. They were raping, executing, burning and looting the Serbs in an attempt to drive them out of Kosovo. This was not that long ago. Our response at the time was probably tempered by the fact that our Secretary of State was not Serb, as now Mrs. Albright is Albanian. These people do not forget the wrongs done to them. Unless a firm handed dictator is in power, like Tito or perhaps NATO, these people will not live together. Period.

2. HUMANITARIANISM IS A POOR EXCUSE FOR MILITARY DIPLOMACY

If we are to use the humanitarian crisis in the region as a reason for this gunboat diplomacy, then we are setting a dangerous precedent, as well as an inconsistent one. Millions of people have been killed in Sierra Leone in the past couple of years. The ethnic cleansing in Rwanda and Burundi has created over 1 million dead and 3 million refugees. Turkey has been killing the Kurds for years.

The list could go on, as you well know, yet to these tragedies a blind eye is turned. With this current administration it is even blasphemy to mention the abuses occurring in China. Yet, in all of these areas we do nothing. These examples serve only to show the glaring inconsistency of this as U.S. foreign policy. It also sets up a dangerous precedent. China will not renounce the possible use of force in relations to Taiwan. Tensions are still high between Iraq and Iran, India and Pakistan. What of the Taleban in Afghanistan? Will this foreign policy change dictate our future involvement in these areas? Why not?

3. FORGOTTEN LESSONS OF HISTORY

It has been well quoted, ''Those who fail to learn from history are doomed to repeat it.'' I am afraid that we are at such a crossroads now.

Some critics of this administration feel that all actions done by Impeached President Clinton are done so to create a legacy for history. It would be interesting to note what light future history will cast on the actions currently being implemented by this administration and enabled by this Congress. It is interesting to note that this is the first time in the history of our once great nation, that we have attacked another sovereign nation unprovoked and uninvited by a host or exiled government. To me, this is a huge and pivotal point, the possible effects of which are frightening.

Should we someday have a revolution in our land that is an affront to some sort of world entity, we have now forfeited the rights to handle things as we as a nation see fit. If we continue down this road before us we will be handing National Sovereignty, for any nation, over to some non-elected, multinational body. My oath as a soldier and yours as a senator included the phrase ''. . . to uphold and defend the Constitution of the United States against all enemies, foreign and domestic.'' Never has there been a vow made to an international constitution or treatise, so why the concern over the honor of NATO? Why is Congress not concerned with the honor of the U.S.?

The specter of Vietnam is all over this operation. Vietnam started with U.S. bombing, so did this Yugoslav operation. The politically correct response to this is that this is a NATO mission. Yeah, right! 90 percent of the flights are U.S. aircraft, not to mention the cruise missiles. If this is the proportion of U.S. involvement now what precedent is being set for when a ''permissive environment'' is achieved? This is a U.S. mission.

Vietnam had a gradual escalation with no thought-out plan of execution. This is paralleled here as the nation witnesses the AH–

64 debacle. No ground troops were to be committed to Vietnam, and then were. Newspaper headlines today are saying the same thing. Congress was misled and half-informed in the '60s with lies and half-truths. Many Congressman from both parties have expressed their frustration over these same problems in this situation. In Vietnam, a war was waged without the understanding of the psyche, intent and motivation of the enemy. By even being optimistic of peace happening between these peoples, a lack of understanding of them is being exemplified.

None of the lessons learned in Vietnam are being applied to any of this administration's military endeavors. From the police action in Southeast Asia three major lessons of military doctrine were learned. These pearls of military doctrine were to: (1) have defined, accomplishable objectives; (2) have a defined or structured period of involvement; (3) have a planned exit strategy. The last two parts of this doctrine are predicated by the first. These lessons were played out to grand effectiveness during the Reagan and Bush years (outside of Beruit). From Grenada to Desert Storm, even Somalia, these three points were practiced.

If one recalls, the U.S. involvement in Somalia was to be ended at a specified time. When Impeached President Clinton was elected, he extended the U.S. withdrawal indefinitely. Several Rangers had to die before Congress forced the end to that mission. U.S. forces are still in Haiti, as was I in '95. What is interesting, is that for the average Haitian all is as it was. Those who have the guns still have the power, yet we are still sending troops and dollars there.

For years Impeached President Clinton has been playing with the Iraqi President. Suddenly, he starts a bombing campaign to force compliance with U.N. weapons inspectors. ''To what end?'' I ask. Are there now, or will there be, U.N. inspectors in Iraq? To gain congressional approval for the operation in Bosnia, Impeached President Clinton outlined a plan for a one-year occupation. He held this claim until the day after his re-election. The day after his re-election he announced an additional 18 months of occupation, then it became an indefinite extension. Where is Congress and why is Impeached President Clinton not held accountable for his word?

Now the U.S. is faced with a police action in Yugoslavia. The Media labels this a war. Only Congress can declare war on another country. A police action can be stopped by Congress by not authorizing funding. In this action against the sovereign nation of Serbia, objectives and conditions for victory have never been defined and have been ever changing. One element which has been consistent is for an indefinite, multinational peace keeping force to be placed on the ground.

The people of this region of the world have a long and great history of hating each other. This hatred is not restricted to the Serbs. I mentioned the atrocities committed by the Albanians against the Serbs earlier. That was only one decade ago. As I would talk to the people in my AO while in Bosnia, I would ask them how the Bosnian conflict started. For an answer I received a history lesson that often started prior to WWII and sometimes would start back with the Ottoman Empire. To a person, everyone I spoke with said that as soon as we leave they will start at it (fighting) again. This is the problem for the current administration.

If the U.S. forces are withdrawn, war in Bosnia will erupt again, highlighting a bad foreign policy. In order for the illusion to be maintained, U.S. presence in the region must be passed on to the next presidency. If that administration were to remove our forces, again, war would start and that administration will get the blame, so the illusion will be maintained. In the end, there might be an administration with enough honor to end the illusion. However, because all of the time, resources and lives spent which will have been wasted, that administration will be through. Again, look at history. Impeached President Clinton says that the current campaign against Serbia is based upon lessons learned from Bosnia. What is clear to me, and to every other soldier who has served there, is that nothing was learned—otherwise we would not now be engaged.

Many historians believe that if Hitler had listened to the advice of his general staff, the war would have gone in favor of Germany. The Washington Times reported that the U.S. military advisors to Impeached President Clinton advised him that this mission would not be successful, but rather, would only exacerbate the conflict. Impeached President Clinton chose rather to listen to the advice of Mrs. Albright. Once so ordered, the military advisers were bound by oath to carry on.

In a fashion which has not been seen since the fall of the Soviet Union, history is being rewritten by this administration. Another reason that Impeached President Clinton gives for this action is the preservation of U.S. interests in Europe by preventing another world war; after WWI and WWII both started in this region. This is false. WWI started here, that is true. I walked the bridge where the Archduke was assassinated. The real cause of the war was the entangling alliances throughout the region. No such alliances exist today outside of the growing relationship of Russia with Serbia. WWII did not start in this area. In truth, Hitler could have done what he wanted if he had not attacked Poland. The attack on Poland brought England into the war. WWII escalated from there.

One point about WWII, which is quite valid, is that the Serbs were the best friends a U.S. pilot had. In addition, ill clothed, ill fed, and ill armed the Serb partisans pinned down 24 German Divisions. The power of the Luftwaffe and the might of the Wehrmacht was all but lost in the terrain of Yugoslavia. Something to consider as you go to cast your vote on the escalation of this conflict and the introduction of U.S. ground forces.

Indeed, ''Those who fail to learn from history are doomed to repeat it.''

4. OUR POSITION IN YUGOSLAVIA IS MORALLY WRONG

In setting up this government and finding the principles upon which this Republic was established, the Founders of this country took great inspiration and insight from the Holy Scriptures, among other sources. In his Farewell Address, George Washington wrote, ''Of all the disposition and habits which lead to political prosperity, Religion and morality are indispensable supports.'' Up until the early '60s, primers and many secondary school language texts were based on the Bible. So powerful was the union of this country with Scripture, that in 1805 a man was convicted of treason against the United States for blaspheming the name of Jesus Christ. The founders understood well the Sovereignty of God. It was that understanding by which our Constitution was conceived.

By that same great Tome, which so inspired our Founders, our aggression towards Yugoslavia is wrong. Throughout Scripture this is made very clear. In the book of Daniel we are instructed that successions of governments are determined by God. The book of Romans states that ''There is no authority except from God, and those which exist are established by God.'' If one believes in the Sovereignty of Almighty God, then in the course of that same belief, in light of Scripture, as long as Molosevic is acting within his own borders then the only correct position to take is one of neutrality.

As was pointed out by the Chinese Premier, President Lincoln used force to hold this country together. In that war more Americans died than in any since. Both England and France were considering entering the war, but on the side of the South. What would have been the result if that had occurred? Freedom and a living form of democracy cannot be instilled in another people. It must be won by those for whom it is meant.

5. THE OVERSHADOWING OF OTHER REAL ISSUES

The people of this nation by course of the mainstream media are so preoccupied, and thus our elected officials, with the plight of the Albanians that real focus is being lost.

One of the problems with the Gulf War was that victory there was a cheap victory. One hundred thousand casualties and 100,000 prisoners were afflicted upon Iraqi forces while the U.S. suffered only 149 dead in both Desert Shield and Desert Storm. While I have no intent to minimize the sacrifice those brave and proud men gave, or the effect upon the conscience of this country. Desert Storm, like Vietnam was waged in the living rooms of America. However there is one great difference.

Instead of seeing men dying from limbs blown off or sucking chest wounds, the people of this country saw something like a video game on their computer. Bombs guided into windows with amazing accuracy. Deserted tanks being demolished in live-fire exercises. Here, the human element was removed. War became acceptable. What a tragedy.

Our attacks on Serbia are causing untold suffering for the general population of Serbia. This is acceptable because they are the villains, the evil Serbs, the scourge of the world. Has the lust for blood become so strong that we have become that which we hate?

Of greater national interest and security, but that which is all but off of the radar screen, is the ongoing Chinese/Impeached President Clinton saga. Impeached President Clinton opens trade through which missile guidance technology is transferred to the Chinese thereby allowing them to deliver the MRV technology stolen in the late 1980s to the shores of the United States. In 1995, Neutron Bomb technology is stolen by the Chinese. Problems are reported to the Administration in 1996. The suspected individual is allowed to continue working and even given a promotion in the facility. The Justice department head and Impeached President Clinton appointee, Janet Reno tells her agencies to leave it alone. In 1999 the story breaks, the individual is arrested.

Impreached President Clinton initially states there were security problems, inherited from the Republicans, but that no technology has been stolen by the Chinese on his watch as President. Once the story breaks in full, he denies any knowledge of the events. Subsequently, in a press conference with the Chinese Premier, impeached President Clinton jokes before national news media over the incident. China refuses to commit to a non-military resolution to the Taiwan issue.

Impeached President Clinton rebuffs critiques of Chinese human rights policies. In a news conference the Chinese Premier states that there has been enough talk of human rights. He further says that the Chinese just have a different way of looking at things. The media and, apparently Congress, buy off on this as a valid explanation as to the ongoing and increasing human rights atrocities being committed in China (as reported by Amnesty International). Put this together with the campaign fund-raising issue with the Chinese and an interesting puzzle starts to form.

WHY ARE WE BOMBING THE SERBS AND COURTING THE CHINESE? POSSIBLE ANSWER:

Mrs. Albright is Albanian and lost a grandfather and two cousins to Serb cleansing after WWII, as was reported in the New York Times. China was a staunch ally of Albania during the period of the cold war. Impeached President Clinton and China have a strange involved relationship, which is under investigation. Impeached President Clinton has always hated the United States Military. He is quoted as having stated that he loathed the military. Through the course of the policies and practices of the current administration: morale of the military is at a 25-year low; deployments are at an all time high; Reserve and National Guard units are being used on a regular basis in places such as Haiti, Bosnia, Central America and the Sinai; cruise missile and other munitions stores are being completely depleted and not replaced; all branches of the military are under manned; service members are leaving in record numbers; recruitment is at a two-decade low and China has gained 40 years worth of nuclear technology in the last six years.

I believe that the U.S. involvement in Yugoslavia is for only two real reasons:

1. Mrs. Albright's ancestral hatred of the Serbs. Now she is in power as an impeached President Appointee to seek revenge for her people—the Albanians.

2. Impeached President Clinton's ongoing relationship with the Chinese and his M.O. to use the military to divert and confuse the already short and anemic attention span of the American people.

I am not by nature a conspirator. I am a patriot. I am a critical thinker. I doubt that you will agree with my bold answer to my bold question. However, as to my five main points, I do hope that you will muse on them. As a soldier, I will go to wherever I am sent. As with all soldiers, I will do my duty to the best of my ability. I have had a terrible three years of employment since I lost my job due to my military service in Haiti. I was shot at and could have been killed as I stopped a Croat from blowing up his car at my base in Bosnia. I volunteered to go to Desert Storm; as a soldier I felt that I should be with my brothers in arms. I do not want, however, to see my children in a Vietnam-like situation. A situation in which at the end of the day, after the waste of lives, material, resources and National Honor, no difference will have been made.

Would you be willing to possibly die for the United States of America? Impeached President Clinton has clearly answered that question, in a manner quite different from the way the proud men and women of the U.S. Armed Forces today have answered that question. How would you, Senator, answer that question? How about your sons and daughters, would you commit them to possibly die for Old Glory?

Would you be willing to possibly die for Kosovo? When it was Vietnman, many did. In 1974 their deaths became meaningless? If we continue down the present path the same will be true for those who will lose their lives in Yugoslavia. Is this what you want, if it were your son who could die on the Field of the Blackbirds near Pristina? Is this what you want for the lives of the sons and daughters of your constituents?

Congress has not declared a war. Congress can stop this before it becomes a U.S. tragedy. I urge you, for the sake of this country, stop the conflict in Yugoslavia. Pull our forces out of the Balkans. You have the power to either end this or escalate it.

It is not unlike riding a bike up a road that is increasingly getting steeper. One either has to pedal harder, or get off of the bike. Let's get off. At the top of this hill is a cliff.

AMERICAN LEGION URGES WITHDRAWAL OF TROOPS FROM YUGOSLAVIA

The SPEAKER pro tempore. Under the Speaker's announced policy of January 19, 1999, the gentleman from Florida (Mr. STEARNS) is recognized during morning hour debates for 5 minutes.

Mr. STEARNS. Mr. Speaker, I do not know of any group that is more respected and has more credibility when it comes to our Nation's veterans than the American Legion. Mr. Speaker, the Legion, representing over 3 million of our Nation's veterans, has gone on record against our involvement in Kosovo.

I would like to share with my colleagues this afternoon a portion of a letter sent to the President by the American Legion about our involvement in Kosovo, and I quote: ''The American Legion, a wartime veterans' organization of nearly 3 million members, urges the immediate withdrawal of American troops participating in Operation Allied Force.''

The letter went on to outline resolution number 44, the American Legion's statement on Yugoslavia that was adopted unanimously by their organization on May 5, 1999:

''This resolution voices grave concern about the commitment of U.S. armed forces to Operation Allied Force unless the following conditions are fulfilled: One, there is a clear statement by the President of why it is in our vital national interests to engage in Operation Allied Force. Two, guidelines be established for the mission, including a clear exit strategy. Three, that there be support of the mission by the United States Congress and the American people. Four, that it be made clear U.S. forces will be commanded by U.S. officers whom we acknowledge are superior military leaders.

The Legion believes that at least three of these conditions have not been met, and if they are not all met, then the President should withdraw American forces immediately.''

Mr. Speaker, I agree with this position.

The President has committed the armed forces of the United States in a joint operation with NATO, Operation Allied Force, but has not yet clearly defined what Americans' vital interests are in this region. The American people have a right to know why we are there. The President, in eight weeks of military action, has not properly defined what the specific objectives of NATO are, nor has the White House defined an exit strategy. And if my colleagues will remember, Mr. Speaker, the President promised our Nation that the U.S. military forces would be out of Bosnia in one year. Three years and six months later, U.S. personnel are still in Bosnia, and I expect that they will continue to be there for years to come.

□ 1300

How long will our forces be in Kosovo? Will the President claim they will be there for just 1 year once again?

I continue to be troubled with America's participation in this conflict. U.S. forces continue to carry the overwhelming share of the military burden, rather than our European NATO allies. Only 13 of NATO's 19 member nations are actively engaged in Operation Allied Force. American pilots are flying some 90 percent of the missions.

It also seem to me that the Clinton administration continues to disregard attempts to reach a diplomatic solution. After a bipartisan congressional delegation met with the parliamentary leaders of Russia in Vienna recently to start formulating terms of a negotiated settlement to establish a cease-fire and establish peacekeeping operations, and after Reverend Jackson's successful trip to release the three American servicemen, the administration has not attempted to follow through on any of these overtures.

Many of us here in Congress are veterans. We swore an oath to defend our country and her interests. But we must remember, wars are fought to protect national security interests, not for human rights. In fact, no major conflict has been waged solely for the purpose of defending a beleaguered people. The United States has a moral interest in Yugoslavia, but we have no national interest.

This conflict violates the conservative principle that goes back to our American Founding Fathers: nonintervention in the internal affairs of other countries, except to counter threats to our national interest. Our dedication to free markets and democratic institutions are exportable only by example, not by force.

My greatest hope is that we can reach a diplomatic solution to this crisis and bring our men and women home safely.

In closing, Mr. Speaker, the American people are suffering from what I call Clinton fatigue. They question our reasons for being in Kosovo, and they now question the bases for which the President is choosing his policy.

I include for the RECORD the full text of the American Legion letter of May 5.

The letter referred to is as follows:

THE AMERICAN LEGION,
OFFICE OF THE NATIONAL COMMANDER,
Washington, DC, May 5, 1999.

The PRESIDENT,
The White House,
Washington, DC.

DEAR MR. PRESIDENT: The American Legion, a wartime veterans organization of nearly three-million members, urges the immediate withdrawal of American troops participating in ''Operation Allied Force.''

The National Executive Committee of The American Legion, meeting in Indianapolis today, adopted Resolution 44, titled ''The American Legion's Statement on Yugoslavia.'' This resolution was debated and adopted unanimously.

Mr. President, the United States Armed Forces should never be committed to wartime operations unless the following conditions are fulfilled:

That there be a clear statement by the President of why it is in our vital national interests to be engaged in hostilities;

Guidelines be established for the mission, including a clear exit strategy;

That there be support of the mission by the U.S. Congress and the American people; and

That it be made clear that U.S. Forces will be commanded only by U.S. officers whom we acknowledge are superior military leaders.

It is the opinion of The American Legion, which I am sure is shared by the majority of Americans, that three of the above listed conditions have not been met in the current joint operations with NATO (''Operation Allied Force'').

In no case should America commit its Armed Forces in the absence of clearly defined objectives agreed upon by the U.S. Congress in accordance with Article I, Section 8, of the Constitution of the United States.

Sincerely,

HAROLD L. ''BUTCH'' MILLER,
National Commander.

NATIONAL EXECUTIVE COMMITTEE, THE AMERICAN LEGION, MAY 5, 1999

RESOLUTION NO. 44: THE AMERICAN LEGION STATEMENT ON YUGOSLAVIA

Whereas, the President has committed the Armed Forces of the United States, in a joint operation with NATO (''Operation Allied Force''), to engage in hostilities in the Federal Republic of Yugoslavia without clearly defining America's vital national interests; and

Whereas, neither the President nor the Congress have defined America's objectives in what has become an open-ended conflict characterized by an ill-defined progressive escalation; and

Whereas, it is obvious that an ill-planned and massive commitment of U.S. resources could only lead to troops being killed, wounded or captured without advancing any clear purpose, mission or objective; and

Whereas, the American people rightfully support the ending of crimes and abuses by the Federal Republic of Yugoslavia, and the extending of humanitarian relief to the suffering people of the region; and

Whereas, America should not commit resources to the prosecution of hostilities in the absence of clearly defined objectives agreed upon by the U.S. Congress in accordance with Article I Section 8 of the Constitutional of the United States; now, therefore, be it

Resolved, by the National Executive Committee of The American Legion in regular meeting assembled in Indianapolis, Indiana, May 5–6, 1999, That The American Legion, which is composed of nearly 3 million veterans of war-time service, voices its grave concerns about the commitment of U.S. Armed Forces to Operation Allied force, unless the following conditions are fulfilled.

That there be a clear statement by the President of why it is in our vital national interests to be engaged in Operation Allied Force;

Guidelines be established for the mission, including a clear exit strategy;

That there be support of the mission by the U.S. Congress and the American people; and

That it be made clear U.S. Forces will be commanded only by U.S. officers whom we acknowledge are superior military leaders; and, be it further

Resolved, that, if the aforementioned conditions are not met, The American Legion calls upon the President and the Congress to withdraw American forces immediately from Operation Allied Force; and, be it further

Resolved, that The American Legion calls upon the Congress and the international community to ease the suffering of the Kosovar refugees by providing necessary aid and assistance; and, be it finally

Resolved, that The American Legion reaffirms its unwavering admiration of, and support for, our American men and women serving in uniform throughout the world, and we reaffirm our efforts to provide sufficient national assets to ensure their well being.

RECESS

The SPEAKER pro tempore (Mr. PEASE). Pursuant to clause 12 of rule I, the Chair declares the House in recess until 2 p.m.

Accordingly (at 1 o'clock and 1 minute p.m.), the House stood in recess until 2 p.m.

□ 1400

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at 2 p.m.

PRAYER

The Chaplain, Reverend James David Ford, D.D., offered the following prayer:

We place before You, gracious God, the concerns of our hearts and souls. You have invited us to offer our prayers for ourselves and others and You have said that we can place our private petitions before You and seek Your peace. With the confidence of Your presence, O God, we utter our private feelings to You, expressing our hopes and fears, our joys and sorrows, and our faith for a new day. Bless our petitions and our prayers, O God, for it is in You that we place our trust. In Your name we pray. Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Pennsylvania (Mr. PITTS) come forward and lead the House in the Pledge of Allegiance.

Mr. PITTS 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.

EMERGENCY SUPPLEMENTAL APPROPRIATIONS ACT

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

Mr. GIBBONS. Mr. Speaker, today I rise to urge my colleagues to support the emergency supplemental bill because this vote will be the first step in putting this Nation's military back on its feet.

America's military is today a hollow force, due in fact to 14 years of consecutive cuts in defense spending while our military operations have increased 300 percent.

For example, Allied Force is the 33rd deployment of U.S. armed forces in the last 9 years. Our military men and women should receive their doctorate degrees in the school of ''doing more and more with less and less.''

Mr. Speaker, I am proud that this Republican Congress has added to the President's defense budget for 4 straight years and that the Committee on Armed Services, in a bipartisan manner, has had the foresight and the will to address these shortfalls.

But today is only the first step. Our forces are stretched to the limit, ammunition supplies are depleted, training funds are used to sustain real-world contingencies, recruiting goals are not being met, and weapons procurement has been delayed.

A ''yes'' vote sends the right message to our troops and to America's enemies around the world that the American military will be properly equipped, properly trained, and ready.

Mr. Speaker, America's security and our military men and women deserve no less.

CHINA BUILDS SUPER MISSILE USING AMERICAN SECRETS

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

Mr. TRAFICANT. Mr. Speaker, the news is China has built a super missile. The bad news is experts say the missile was built with American secrets and American dollars.

Now, if that is not enough to grab our assets and threaten our liberty, when questioned, the White House said, ''no comment.''

Unbelievable, Mr. Speaker. China steals our secrets and the only response we get is ''no comment.'' Beam me up.

It is time for a congressional investigation into this communist China business. It is time to pass the supplemental and make sure we have an adequate military, because we certainly have a super threat staring us right in the eye.

With that, I yield back any backbone we have left.

FREEDOM AND DEMOCRACY FOR ENSLAVED PEOPLE OF CUBA

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

Ms. ROS-LEHTINEN. Mr. Speaker, tomorrow at 1 p.m. in Room 2200 of the Rayburn Building, the House of Representatives will have a unique opportunity to meet modern-day heroes.

Angel Cuadra, Carmen Arias, Alberto Grau Sierra, and Ana Lazara Rodriquez are men and women of principle, lovers of freedom and democracy, defenders of human and civil liberties.

In Castro's island prison, they risked their freedom, their lives, to speak out against the inhumanity and brutal injustices that that regime imposes upon the people of Cuba. They bring with them not only a message of hope about the Cuban people's struggle against the cruel nature of the oppressive Castro regime, but also a message from those who still languish in Cuban jails for expressing their God-given rights as free human beings.

I welcome all Members and visitors to join us tomorrow at 1 p.m. in room 2200 of the Rayburn Building to listen to their testimonials and in rendering our support for their continuing struggle for freedom and democracy for the enslaved people of Cuba.

HUMAN RIGHTS VIOLATIONS IN NORTH KOREA

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

Mr. PITTS. Mr. Speaker, I rise today to protest the horrifying human rights violations in North Korea.

I recently met with three courageous individuals who escaped from prison camps in North Korea. They describe prisoners being beaten, tortured, used as targets for prison guards' practice of martial arts, and forced to watch the execution of ''enemies of the state,'' such as peaceful religious believers.

The government of the North Korea will not discuss the existence of these prison camps, yet we know from eyewitness accounts that these places of death exist. Despite the fact that groups of people are brought to the prison camps each day, the prison camp population remains the same. What happens to these prisoners?

Mr. Speaker, these prison camps must be abolished without further death and destruction to the people inside them. Our government must urge the North Korean government to cease these human rights violations.

TIME IS NOW TO REPEAL THE DEATH TAX

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

Mr. KNOLLENBERG. Mr. Speaker, it is time to repeal the death tax.

Under the guise of making the rich pay their fair share, this unfair tax is leading to the demise of small, family-owned businesses and the elimination of good paying jobs.

According to the Center for the Study of Taxation, 70 percent of family businesses do not survive through the second generation and 87 percent cannot survive through the third. This is because family members often must downsize, must liquidate, and sometimes sell the business outright to pay the death taxes, which can reach as high as 57 percent of the estate in question.

It also must be pointed out that the death tax represents double and sometimes triple taxation. While every American has a duty to pay taxes, it is simply wrong for the Federal Government to tax the same money time and time again.

Mr. Speaker, I have introduced a bill to eliminate the Federal estate tax. This bill will restore fairness to our Tax Code, protect family-owned businesses, and encourage saving and investment. I urge my colleagues to support it.

EMERGENCY SUPPLEMENTAL BILL

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

Mr. GUTKNECHT. Mr. Speaker, I believe it was Mark Twain who once observed that, of all of God's creations, man is the only one who can blush, or needs to.

I raise that issue today as we talk about the emergency supplemental spending bill. In this bill, my colleagues, there are emergencies such as $70 million for livestock assistance, including reindeer research. Now, maybe that is appropriate underneath this Christmas tree. There is $26 million that is an emergency for Alaskan crab fishermen. There is $1.5 million to fill the San Carlos Lake in Arizona.

Mr. Speaker, those are not emergencies, and worse, in that they are not offset with other spending in other parts of the budget. What it means is, unlike the budget resolution which we passed just a little over a month ago, we are going to start taking money out of the Social Security Trust Fund to fund some of these ''emergencies.''

Mr. Speaker, we are losing the battle on the spending caps. We are losing the battle on the Social Security Trust Fund. I hope that we are not going to lose our ability to blush.

CONTINUATION OF EMERGENCY WITH RESPECT TO BURMA—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 106–67)

The Speaker pro tempore (Mr. MILLER of Florida) laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on International Relations and ordered to be printed.

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent the enclosed notice to the *Federal Register* for publication, stating that the emergency declared with respect to Burma is to continue in effect beyond May 20, 1999.

As long as the Government of Burma continues its policies of committing large-scale repression of the democratic opposition in Burma, this situation continues to pose an unusual and extraordinary threat to the national security and foreign policy of the United States. For this reason, I have determined that it is necessary to maintain in force these emergency authorities beyond May 20, 1999.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *May 18, 1999*.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12 of rule I, the Chair declares the House in recess until approximately 5 p.m.

Accordingly (at 2 o'clock and 10 minutes p.m.), the House stood in recess until approximately 5 p.m.

□ 1707

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro

tempore (Mr. THORNBERRY) at 5 o'clock and 7 minutes p.m.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 1654, NATIONAL AERONAUTICS AND SPACE ADMINISTRATION AUTHORIZATION ACT OF 1999

Mr. REYNOLDS, from the Committee on Rules, submitted a privileged report (Rept. No. 106–147) on the resolution (H. Res. 174) providing for consideration of the bill (H.R. 1654) to authorize appropriations for the National Aeronautics and Space Administration for fiscal years 2000, 2001, and 2002, and for other purposes, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 1553, NATIONAL WEATHER SERVICE AND RELATED AGENCIES AUTHORIZATION ACT OF 1999

Mr. REYNOLDS, from the Committee on Rules, submitted a privileged report (Rept. No. 106–148) on the resolution (H. Res. 175) providing for the consideration of the bill (H.R. 1553) to authorize appropriations for fiscal year 2000 and fiscal year 2001 for the National Weather Service, Atmospheric Research, and National Environmental Satellite, Data and Information Service activities of the National Oceanic and Atmospheric Administration, and for other purposes, which was referred to the House Calendar and ordered to be printed.

WAIVING POINTS OF ORDER AGAINST CONFERENCE REPORT ON H.R. 1141, 1999 EMERGENCY SUPPLEMENTAL APPROPRIATIONS ACT

Mrs. MYRICK. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 173 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 173

Resolved, That upon adoption of this resolution it shall be in order to consider the conference report to accompany the bill (H.R. 1141) making emergency supplemental appropriations for the fiscal year ending September 30, 1999, and for other purposes. All points of order against the conference report and against its consideration are waived. The conference report shall be considered as read.

The SPEAKER pro tempore. The gentlewoman from North Carolina (Mrs. MYRICK) is recognized for 1 hour.

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

Mr. Speaker, yesterday the Committee on Rules met and granted a rule to provide for consideration of the conference report to accompany H.R. 1141, the Emergency Supplemental Appropriations Act for fiscal year 1999. The rule waives all points of order against the conference report and against its consideration. The rule also provides that the conference report shall be considered as read.

Mr. Speaker, House Resolution 173 should not be controversial. It is a normal conference report rule, allowing for timely consideration of the emergency supplemental bill.

While I suspect that many of us will have strong opinions about the underlying spending bill, let us pass this rule and have the debate on the floor.

I urge my colleagues to support this rule, Mr. Speaker, and I reserve the balance of my time.

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

Mr. Speaker, as my colleague has described, this rule waives all points of order against the conference report to accompany H.R. 1141, which is the Emergency Supplemental Appropriation Act for fiscal year 1999.

The measure appropriates $15 billion for military operations in Kosovo and other defense spending, humanitarian assistance to refugees and misplaced persons in the Balkans, hurricane-related relief in Central America and the Caribbean, aid to the country of Jordan, assistance to U.S. farmers hurt by low commodity prices, tornado victims in Oklahoma, Kansas, and for other purposes.

Most of the spending is considered emergency, and therefore is not offset by spending cuts in other programs.

Mr. Speaker, there is something for everyone in this massive spending bill. If Members like the bill, they can find critical programs that are funded. If they do not like the bill, they can find wasteful spending and harmful cuts.

I am particularly pleased with the refugee relief and humanitarian assistance provided by the measure. The conference agreement includes $1.1 billion for international assistance programs, refugee resettlement, and State Department funding. This is more than 60 percent above the level approved by the House.

I am grateful to the conferees for including $149.2 million in food assistance to refugees and misplaced persons in the Balkans through the PL–480 Food for Peace program. Failure to include money for this program was a serious omission, and I am glad that this has been corrected in the conference committee. These funds will ensure America provides its share of the food needed in the Balkans through the end of the year 2000.

Equally important, this change follows the longstanding tradition of providing food aid through the Food for Peace program, which is an established channel that benefits America's farmers. This program has proven to be the most effective way to provide the large quantities of food essential to any relief effort.

Including funding for PL–480 food aid is an example of bipartisan leadership at its best, and I am particularly grateful to the gentlewoman from Missouri (Mrs. EMERSON), the gentlewoman from New Jersey (Mrs. ROUKEMA), the gentlewoman from California (Ms. PELOSI), the gentleman from New Mexico (Mr. SKEEN), the gentleman from Alabama (Mr. CALLAHAN), the gentleman from Virginia (Mr. WOLF), and the gentleman from Wisconsin (Mr. OBEY).

The measure also includes $2.2 billion for enhancing military operations and maintenance, and this will improve the readiness of our armed services.

I am concerned about some of the offsets for nonemergency spending. The offsets include cuts in food stamps and Section 8 housing for low-income individuals. Also, I regret that the conferees rejected a Senate proposal to include funding to pay the money the U.S. owes to the United Nations for back dues. I think it is a disgrace that our Nation has not paid our debt to the U.N., and this bill would have been a good vehicle to include that payment.

On the whole, the conference report represents a good compromise, and I say that in a good way. It is much better than the House-passed version, and I intend to support it. Though the measure under consideration is by no means ordinary, this is the standard rule for conference reports.

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

Mrs. MYRICK. Mr. Speaker, I yield 2 minutes to the gentleman from Florida (Mr. DIAZ-BALART).

Mr. DIAZ-BALART. Mr. Speaker, I thank my distinguished colleague for yielding time to me.

Mr. Speaker, this supplemental appropriations conference report contains critically needed resources for our armed forces to assure that they continue unchallenged as the finest fighting force in the world for the protection of the people and the freedom of the people of the United States.

Mr. Speaker, the conference report, among other things, contains aid for America's farmers, and it contains humanitarian and development assistance for our neighbors in Central America who suffered the recent natural disaster known as Hurricane Mitch.

I think, Mr. Speaker, this Congress today makes a clear demonstration of solidarity with and concern for the well-being of our friends and neighbors in Central America.

I wish at this point to thank all of those who have worked to make this a reality, especially the gentleman from Illinois (Speaker HASTERT), the gentleman from Florida (Chairman BILL YOUNG), the gentleman from Alabama (Mr. CALLAHAN), and all of the congressional leaders who have made this day possible.

It is a day in the best tradition of the generosity of the American people, and I rise to support the rule, as well as the underlying legislation.

□ 1715

Mr. HALL of Ohio. Mr. Speaker, I yield 4 minutes to the gentlewoman from Illinois (Ms. SCHAKOWSKY).

Ms. SCHAKOWSKY. Mr. Speaker, the gentleman from Florida (Mr. YOUNG), chairman of the Committee on Appropriations, said, ''This $15 billion bill is about helping people: American farmers, American troops, storm victims here in the United States and in Central America; and Balkan refugees will all immediately benefit from passage of this essential aid package.''

These are all laudable goals, and I support that. But I want to make the point that this $15 billion emergency spending bill also creates an emergency for the most vulnerable people right here at home. For those who are hungry and homeless right here at home, this bill is a disaster.

What if the American people knew that, in order to fund these laudable goals and a bunch of other things in the bill, that we had to cut programs for the hungry and homeless and those who are in need of subsidized housing?

The bill cuts $350 million from the Housing and Urban Development Section 8 housing program. The HUD says that the loss of this money could create the displacement of approximately 60,000 families right here at home.

We are worried, of course we are, about the displacement of people in Kosovo. We should be. But we also need to worry about the possible displacement of 60,000 families right here at home because of this. It creates a longer waiting list of people who need subsidized housing and increases the number of families in need who are underserved right here at home.

What if the American people knew that this bill cuts $1.25 billion from the food stamp program? I am told that this money is not being spent. Does that mean that there are not hungry people right here? No.

In a 1999 survey of U.S. food banks, a report released in March by the gentleman from Ohio (Mr. HALL), we discovered that 87 percent of the food banks surveyed indicated that requests were up in the last year. On average, requests for food assistance outstripped food available by 22 percent.

The Midwest Antihunger Network reports that, in Illinois, that there is a drop of 15 sponsors of the summer food service program in 1998. This is a nutrition program for low-income children in the summertime. These sponsors cited welfare reform cuts in meal disbursement rates that Congress instituted among the principal reasons. So there are going to be children this summer who do not have food programs. This is money that is being cut from the food stamp program in order to fund this.

What if the American people knew some of the things that were being funded in this program; that in this supplemental emergency bill, there is $5 billion in defense spending above the President's request, $26 million for Alaska fishermen to compensate for Federal fishing restrictions, $3.7 million to renovate homes for congressional pages, $3 million for commercial reindeer ranchers, $2.2 million for sewers in Salt Lake City for the Olympics, $30 million for renovations to D.C. area airports, $422 million above the President's request for farmers crippled by low prices.

This is a piece of legislation that has many needed things and many things that we do not need and does create an emergency for our hungry and homeless people in need of housing and food right here at home.

Mrs. MYRICK. Mr. Speaker, I yield 2 minutes to the gentlewoman from Florida (Ms. ROS-LEHTINEN).

Ms. ROS-LEHTINEN. Mr. Speaker, I thank the gentlewoman from Ohio for yielding me this time.

Mr. Speaker, as we watch the developing human catastrophe taking place in the Balkans on our television sets night after night, we must not forget that in our own hemisphere our neighbors in Central America have undergone a humanitarian crisis of their own, one caused by a hurricane which ravaged homes and wiped out entire communities.

More than 6 months after Hurricane Mitch swept through Central America, the region is still waiting for the much-needed funds to rebuild their infrastructure and to start healing the wounds that the hurricane left long after the rains and the floods have stopped.

But today we have an opportunity to end their suffering, to help revitalize the economies of our neighbors to the south, to give children back their schools, families back their homes and their churches, communities back their sense of normalcy. The funds are not a handout. They are a helping hand to those who have suffered almost insurmountable hardships.

My district in south Florida has experienced the disastrous effects of a hurricane. It is not an easy task to rebuild, even less so for those who have limited resources on hand. It is within our power and it is indeed our duty and responsibility as brothers and sisters in the greater hemispheric family to help them with this aid and to stop prolonging their suffering.

Supporting this measure is not only beneficial to Central America but to the greater economic stability and prosperity of our hemisphere.

Under the leadership of the gentleman from Florida (Mr. YOUNG) with this measure, Mr. Speaker, we are helping both American farmers and our American troops as well as storm victims here in the U.S. and in Central America. I urge my colleagues to adopt this measure today.

Mr. HALL of Ohio. Mr. Speaker, I yield 2½ minutes to the gentleman from Ohio (Mr. KUCINICH).

Mr. KUCINICH. Mr. Speaker, this rule would authorize a resolution that asks for money to support an undeclared war. It would appropriate money for bombs, yet Congress has voted against the bombing. It appropriates money for ground troops, yet Congress opposes the use of troops in Kosovo.

It contains provisions that will enable the prosecution of a wide war against the Federal Republic of Yugoslavia, even though Congress has expressly voted not to declare war. This war is without constitutional authorization, and it is losing its moral authority as well.

In the name of helping the refugees, NATO has bombed refugee convoys. From the Los Angeles Times a few days ago, I quote: ''Many of the refugees in Korisa were asleep when explosions sprayed shrapnel and flames everywhere, survivors said. Mattresses left behind in covered wagons and in the dirt underneath were soaked with blood.

''At least a dozen children were among the dead. An infant buttoned up in terry cloth sleepers lay among the corpses that filled the local morgue.

''Another child was incinerated in a fire that swept through the camp. The child's carbonized body was still lying on the ground Friday morning beside that of an adult, in the middle of a tangle of farmers' tractors and wagons that were still burning 12 hours after the attack.''

NATO and the United States have been bombing villages to save villages. NATO and this country have bombed passenger trains, buses, an embassy, factories, office buildings. Cluster bombs are raining down and maiming and killing countless children.

Today we are being asked to pay for the bills for this war. We ought to put a stop payment on the checks which will be used to kill innocent civilians and to wage an undeclared war. We ought to stop the bombing and negotiate a withdrawal of Serbian troops and stop the KLA's military activities.

We need an international peacekeeping force in Kosovo as a product of a peace agreement. We need to rebuild the province. Our government should

work as vigorously for peace as it does to prosecute a war. This war is rapidly becoming a debacle that rivals Vietnam itself.

We need to stand up and speak out against this war and ask good thinking people everywhere to keep the consciousness of peace alive and keep working for peace. The people in the State Department ought to hear that message first.

Mrs. MYRICK. Mr. Speaker, I yield 5 minutes to the gentleman from California (Mr. ROHRABACHER).

Mr. ROHRABACHER. Mr. Speaker, I rise in support of the rule, but in opposition to the emergency supplemental appropriation.

The President came to us and promised if we approved his plan for Bosnia that American participation in the operation would last a year and cost about $1 billion. That was nearly 4 years ago and $10 billion ago.

The gentleman from Texas (Mr. ARMEY), who I often quote, has said that the definition of insanity is doing the same thing over and over again but expecting different results. Well, today we are being asked to drop more tax dollars down this bottomless pit. It will lead to tens of billions of dollars more being similarly dumped into the Balkans.

Those voting for this bill should realize their fingerprints will be all over this ongoing and misguided commitment. Do not kid yourselves. In the end, tens of billions of dollars will be spent in the Balkans, and it will come right out of the hide of Social Security and Medicare reform, right out of any effort to modestly reduce the tax burden on our people, and right out of the hide of our military personnel who are being put at risk in other areas of the world where our national security interests are at stake, those military personnel who are currently being stretched to the point of exhaustion.

Perhaps the most distasteful part of what we are doing today is that, in order to get even limited help to our vulnerable defenders, we are being told that we must provide $6 billion more for a military operation that is questionable at best.

Even the money that we originally voted for in this House that was supposed to be aimed at improving the overall plight of America's military we now find has been reduced to $4.5 billion, which includes projects that have nothing to do with our national security or improving the lot of our troops and their families.

Military plus-up dollars will be spent, among other things, on naval bases in Portugal, barracks and tank washes in Germany, and base improvements throughout Europe. In other words, it is being spent to keep us mired in Europe's problems and paying for Europe's defense.

We have been suckered in again. For decades we have provided Europe's defense and got little thanks for it. Now that the Cold War is over, they insist that we spend tens of billions of dollars more for their stability and that we must reaffirm our commitment, a very expensive commitment to their security for decades to come.

We have done our part for NATO. We have done our part for Europe. Let us have the Europeans step forward and carry their own load rather than taking it out of the hide of the American people.

I have no doubt that the Serbs are committing the crimes against the people of Kosovo that are claimed. Long ago we should have armed freedom-loving and democracy-loving Kosovars so they can defend themselves as Ronald Reagan did with the Afghans.

Instead of giving into the demands of our European buddies, we are now carrying the full load. We have given into the demands of our European friends, and we end up carrying the full load, leading the fight, emptying our Treasury, and recklessly putting our own forces in other parts of the world in jeopardy.

Mr. Speaker, I ask my colleagues not to associate themselves with this irrational and risky strategy, this expensive strategy that is draining our Treasury. Do not be blackmailed into supporting this poorly conceived Balkan operation, this undeclared war.

The issues of plussing up our military should be separate from this wasting of even more of limited defense dollars on such an adventure as we see down in the Balkans.

Vote against this emergency supplemental. Send a message to our European allies. We have carried their burden for too long. Yes, they deserve to be applauded for their emotional pleas that something must be done, but let them do it.

Why is it up to the United States to always lead the charge, to empty our Treasury, to put our people at risk? This is not a case of a dichotomy of either doing nothing and watching the Kosovars go under or sending our troops in and spending $50 billion.

No, we could have helped the Kosovars, or the other option is let the Europeans take care of the problem in their own backyard. This is the responsible position. It is irresponsible for us to continue spending limited defense dollars, stretching our troops out to the point that they are vulnerable everywhere, and just taking it out of the hide of the American people. I ask for this emergency supplemental to be defeated.

Mr. HALL of Ohio. Mr. Speaker, I yield 4 minutes to the gentleman from Florida (Mr. DEUTSCH).

Mr. DEUTSCH. Mr. Speaker, no bill is perfect, as we all know, but this bill is less than perfect. This House passed a much cleaner bill. Our colleagues in the Senate, although the Speaker and the chairman of the Committee on Appropriations and the subcommittee chairman worked very hard to take out some of the pork and some of the riders, they did not.

□ 1730

And the facts are we have some environmental riders in this bill that are almost beyond our imagination that they are in the bill. There are three environmental riders, and I think it is important for our colleagues to know that they are in the bill.

One repeals the Mining Act of 1872 and effectively lets open-pit mines take their waste and put it on our Federal land. So we are talking about several hundred acres of pristine Federal land with toxic waste from open-pit mines. It is incredible, it is almost beyond the straight-face test that that is in fact what this legislation does. But that is exactly what this legislation does.

Another thing that it does is it stops hard mining regulations which would have required bonding for open-pit mines, so that when they do not clean up their mess, it cannot get cleaned up.

The third environmental rider deals with oil royalties. All of us know that this is going on. On Federal land there is a 12-percent royalty that is supposed to be paid. And what is being done is there is a gaming of the system, that companies are charging their subsidiaries a price one-tenth of the actual price, eliminating 90 percent of the tax. In effect, we will be saving a hundred million dollars of their money but costing us a hundred million dollars of our money.

These riders ought to be taken out of the bill. We will have that opportunity in a motion to recommit later on this evening.

Mr. Speaker, I yield to my colleague, the gentleman from the State of Washington (Mr. INSLEE).

Mr. INSLEE. Mr. Speaker, there are some things wrong with this bill, but there are other things that are rotten about this bill. What are rotten about this bill is, under the cover of darkness, conferees, folks from the other chamber, are attempting to shove down our throats measures that would never pass the laugh test, the straight-face test, on the floor of this House.

Individuals have a thing called the gag reflex: When they put something down our throats, we can gag on it. And the House of Representatives ought to stand up and gag on these last-minute subterfuges to try to go backwards on the environment. And we will have our chance to do that.

I just wanted to alert other Members, this afternoon we will have a motion to recommit, to strip this bill of the environmental degradation that would go on with it, to make sure we can pass a clean bill. And we are going to do that

24 hours later after we pass this motion to recommit.

I want to say, if my colleagues go out and talk to their constituents about mining, and when they ask them do they think we should go forward on mining reform or backward, they will certainly say we should not go backward, we should go forward.

And on hard rock mining? On the Mining Act of 1872, these provisions do not take a small step backward, they take a giant leap backward. That is why we ought to recommit and pass a clean bill. I want to reiterate, this chamber and the other chamber can do that very quickly.

It would be a travesty for people, in their zeal to hand out special-interest favors against the environment, to take camouflage behind our troops in the field to try to pass this. That would indeed be a sad day in the House of Representatives.

Let us go forward on the environment, not backward. Let us go forward on mining reform, not backward. Let us stand up for people and the troops. Pass our motion to recommit, and then pass the clean bill 24 hours later.

Mrs. MYRICK. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. PAUL).

Mr. PAUL. Mr. Speaker, I thank the gentlewoman for yielding me the time.

Mr. Speaker, I rise in support of the rule but in strong opposition to the supplemental appropriation.

The President came to us and asked us to fund the NATO war, asked for $7.9 billion, but we in the conservative Congress have decided that not only would we give it to him, but we would bump that up to $15 billion, which does not make a whole lot of sense, especially if Congress has spoken out on what they think of the war.

And Congress has. We have had several votes already. We have voted and said that we did not think that ground troops should be sent in. And most military people tell us that the only way we are going to win the war is with ground troops. So we have taken a strong position. We have had a chance to vote on declaration of war and make a decision one way or the other. We have strongly said we are not going to declare war.

We have spoken out on the air war. We did not even endorse the air war. And the President has spent a lot of money. They are hoping to get a lot of this money back from the European nations, but all that makes us are professional mercenaries fighting wars for other people, which I do not agree with.

But here we are getting ready to fund Europe, fund a war that is undeclared. It does not make any sense. We are giving more money to the President than he asked for in a war that cannot be won and a war that we are not even determined to fight. It just does not make any sense. So in order to get enough votes to pass the bill, of course we put a little bit of extras on there to satisfy some special interests in order to get some more votes.

But the real principle here today that we are voting on is whether or not we are going to fund an illegal, unconstitutional war. It does not follow the rules of our Constitution. It does not follow the rules of the United Nations Treaty. It does not follow the NATO Treaty. And here we are just permitting it, endorsing it but further funding it. This does not make any sense.

We have to finally say, ''enough is enough.'' This is how we get into trouble. This is how we make mistakes. And every day we hear of another mistake and apologies being made, innocent people dying. We should not vote for this supplemental funding.

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

Mr. BLUMENAUER. Mr. Speaker, I thank the gentleman for yielding me the time.

It is a sad day when, regardless of our feelings about the tragedy in Latin America and the continuing carnage in the Balkans, that the price that we have to pay on the floor of this House is to inflict damage on the American taxpayer and the landscape.

There has been certain reference to the mining law of 1872, which has been an enormous waste of taxpayer dollars. Since that law was enacted, the United States Government has given away almost $250 billion in mineral reserves.

In addition to robbing the Treasury, poorly managed mining operations have severely and permanently damaged public land. It is estimated the cost of cleaning up these polluted mines in the United States is between $32 billion and $72 billion, costs that will not be paid by those who profited from the mining operations.

Finally, the Department of the Interior, not the Members of Congress, are attempting to correct some of the flaws in the mining policy, as Interior recently has denied an application for mining operations in the State of Washington which sought to dump tons of toxic waste on public land. This denial relied on a previously unused section of the 1872 mining law and could be applied to mining operations across this country.

In addition, the Bureau of Land Management has been attempting for the past 3 years to promulgate new mining regulations that would address modern mining practices, impose meaningful environmental standards, and help protect taxpayers from the cost of cleaning up abandoned mines.

I am appalled that the legislation before us today to deal with disaster relief contains environmental riders which would prevent us from cleaning up mining in the United States. The first rider would permit the unsound mining practices to go forward not just in the State of Washington but allows similar practices throughout the United States until the end of the year. And for the third time in 3 years are riders included which delays implementation of the Bureau of Land Management's new mining regulations.

I strongly urge that we oppose this legislation and move to support the motion to recommit.

Mrs. MYRICK. Mr. Speaker, I yield 2 minutes to the gentleman from South Carolina (Mr. SANFORD).

Mr. SANFORD. Mr. Speaker, I rise in ambivalence toward the rule but in strong opposition to the supplemental itself.

Because my dad used to have a saying, and that was that ''the road to hell is paved with good intentions.'' And I think that that fairly well sums up this supplemental, because it may have the best of intentions in a whole lot of different areas within the government, but it is most certainly the road to hell in saving Social Security.

I mean, last fall we spent $20 billion on an ''emergency basis.'' Now we find ourselves about to spend another $13 billion on this ''emergency basis.'' That is $33 billion sucked out of my kids' Social Security account. So I think we really are on the road to hell with these ''emergency bills'' because they are coming out of one pot and that is the Social Security pot.

Now, leaving aside the fact that it has got a lot of strange stuff in it, whether it is $2.2 million for a sewer for the winter Olympics, $3 million to redo dormitories, $100,000 for a YMCA down in Southern California, $330,000 for the minority leader and the majority whip, $25,000 for the chief deputy whips to the Republican and Democrat parties, a lot of stuff that is by no means emergency.

What I think we need to take from this thing is a lesson; and that is, if this same $33 billion was in individual accounts across this country, in individual Social Security accounts across this country, then Washington came up short for the YMCA down in Southern California, or who knows what, and wanted to take that money out of that account, I think people would go berserk.

I think we have really got to look at creating some kind of real firewall between people's Social Security money and political forces in D.C. Because, if not, we are going to continue to go the way these supplemental bills are going.

Mr. HALL of Ohio. Mr. Speaker, I yield 4 minutes to the gentleman from Texas (Mr. DOGGETT).

Mr. DOGGETT. Mr. Speaker, certainly there are many sorry provisions in this conference report. It is hard to really concentrate on just one or two of them. But it seems to me the one that has gotten attention from several

speakers because of its very adverse environmental consequences, the crown jewel open-pit gold mine, is appropriately placed in this bill.

The problem is that those who are supporting this conference report view the Social Security surplus as the crown jewel open-pit gold mine to fund whatever it is they want to fund. This bill has very little to do with busting Belgrade and a great deal to do with bursting the budget.

Keep in mind that well over $10 billion in this proposal is paid for directly out of the Social Security surplus. This is the same surplus which the Republican leadership was planning to come to the floor this week and lock up in a lockbox. Well, they were ashamed to come out the same week that they are turning on the spigot on the Social Security surplus, because that is just exactly what is happening here when we drain out for short-term, allegedly emergency purposes the Social Security surplus to pay for things that ought not to be paid for by the next generation.

In this particular proposal that we are considering, the Republican Congressional Budget Office only within the last month told us what it would take to fund this war. They said $600 million in the initial phase and about a billion dollars per month to sustain an air campaign. Supposedly in this emergency appropriation we would fund those appropriations necessary to carry us to September 30, when the regular appropriations bill would come into play.

How did that amount of money get blown into almost $15 billion of money? In the way this Congress seems to operate, too often Republicans said that they did not like this war, they were proud to vote against the President on this war. Well, I have to tell my colleagues, if these generous folks give this much to a war that they do not like, heaven protect the taxpayer from one that they do like.

I think that we do need to provide reasonable humanitarian relief, we need to provide our young men and women in the Balkans with whatever they need to protect themselves and to carry out their mission, whatever that may be. But let us be very clear that the billions of dollars that are the price tag of this bill do not have anything to do with securing our military position in Yugoslavia. They may have something to do with securing the position of some of the Members of this Congress.

Under the Republican leadership, this Congress in the last 4 years has voted to provide the Pentagon with $27 billion more than it requested, and yet only 14 percent of those unrequested monies went for readiness rather than for pork. And so if there has been any emergency created here on readiness, it has been by the priorities of a Congress led by Republicans for the last 4 years.

I do not believe that the money provided to the military in this bill could be spent for purposes in Yugoslavia between now and September 30 if they were dropping it out in bails over Belgrade each night.

□ 1745

No, it funds things like libraries in Germany, a dormitory in the District of Columbia, a road in Bahrain, ATMs on ships, things that have nothing to do with the emergency situation we face in Yugoslavia, all designed to permit a raid on the Social Security surplus rather than to meet the legitimate needs of our military in the Balkans.

I believe that it was a former member of the Committee on Appropriations who said, ''Every emergency is an opportunity.'' Certainly there are those who found great opportunity to deal with many other subjects here. But when all is said and done, it is the taxpayer who must pick up the tab, and in this case it is the Social Security surplus that must feel the pinch.

Mr. HALL of Ohio. Mr. Speaker, I yield 2½ minutes to the gentlewoman from California (Ms. WATERS).

Ms. WATERS. Mr. Speaker, I support disaster relief for the people of Central America and the Caribbean. This assistance is long overdue. I support funding for our troops in Kosovo. I also support full funding for Census 2000. Nevertheless, I must oppose H.R. 1141, the Emergency Supplemental Appropriations Act for Fiscal Year 1999. This supplemental bill includes a $1.25 billion cut in food stamp funding, a $350 million cut in the Section 8 affordable housing program, and a $22.4 million cut in unemployment insurance programs. These harmful cuts target the most vulnerable sections of our Nation's population. And they will cause tremendous suffering to numerous low-income Americans. The food stamp cut in this bill is unprecedented and immoral. Excess funds provided to the food stamp program have always been used for other nutrition programs. They have never been transferred to nonnutrition programs. The proposed cut in food stamp funding would take away food from hungry people and set a dangerous precedent for using nutritional assistance as a budgetary offset.

I am also deeply concerned about the $350 million cut in the Section 8 affordable housing program, which provides housing assistance to poor and elderly people, including many of our Nation's veterans. According to the Department of Housing and Urban Development, this rescission will result in a loss of subsidy for approximately 60,000 families and exacerbate the current waiting list problem on which many families must wait months or years to receive the housing assistance they so desperately need. The rescission could also disrupt the Section 8 program and cause many landlords to opt out of the program altogether.

Let me just say, Mr. Speaker, the President asked for $7.2 billion for both of the supplementals. This is almost $15 billion. Members have thrown in everything but the kitchen sink. The American taxpayers are tired of this kind of programming, this kind of legislating. You ought to be ashamed of yourselves. We cannot move forward with this mess. It is outrageous and we should not want this on our records.

Mr. Speaker, I support disaster relief for the people of Central America and the Caribbean; this assistance is long overdue. I support funding for our troops in Kosovo. I also support full funding for Census 2000. Nevertheless, I must oppose H.R. 1141, the Emergency Supplemental Appropriations Act for fiscal year 1999.

This supplemental bill includes a $1.25 billion cut in food stamp funding, a $350 million cut in the Section 8 affordable housing program and a $22.4 million cut in unemployment insurance programs. These harmful cuts target the most vulnerable segments of our nation's population, and they will cause tremendous suffering to numerous low-income Americans.

The food stamp cut in this bill is unprecedented and immoral. Excess funds provided to the food stamp program has always been used for other nutrition programs; they have never been transferred to non-nutrition programs. The proposed cut in food stamp funding would take food away from hungry people and set a dangerous precedent for using nutrition assistance as a budgetary offset.

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Supporters of these rescissions claim that the funds being cut from housing assistance, food stamps and unemployment insurance will probably not be used during this fiscal year. If this is the case, the money can be rescinded at the end of the fiscal year or used to fund housing, nutrition and unemployment programs for fiscal year 2000.

We know there are unemployed, hungry and homeless people in America today who have been left behind despite recent economic growth. If the funds Congress has provided for these people are not reaching them, it stands to reason that we should improve the outreach of the programs, not cut their funding.

H.R. 1141 is supposed to be an emergency spending bill. Emergency spending bills are not subject to budgetary spending caps and should not require any offsets at all.

The Republicans have been blatantly inconsistent on the subject of offsets in emergency spending bills and they have needlessly politicized the appropriations process. First they included offsets in H.R. 1141, which was originally a bill to provide disaster relief to the victims of Hurricane Mitch in Central America

and the Caribbean. Then they included billions of dollars in non-emergency defense spending but no offsets in H.R. 1664, the Kosovo supplemental bill. Now they have combined these two contradictory approaches and included a whole new set of offsets at the expense of the poorest people in America. If the Republicans would stop loading emergency spending bills with non-emergency projects, they would not need to worry about offsets.

I strongly support the extension of funding for the Commerce, State and Justice Departments and the federal court system through September 30, 1999, which is contained in this supplemental appropriations bill. Without this extension, the Commerce, State and Justice Departments and the federal court system could be shut down completely for the remainder of the fiscal year. However, if the Republican majority had fulfilled its responsibility to appropriate the funds that were necessary to operate these departments last year, the Republicans would not have needed to include this extension in an emergency spending bill.

I urge my colleagues to vote against the Emergency Supplemental Appropriations Act and oppose the disastrous offsets, which could cause tremendous harm to poor, hungry and unemployed people throughout the United States.

Mr. HALL of Ohio. Mr. Speaker, I yield 1 minute to the gentleman from Oregon (Mr. DEFAZIO).

Mr. DEFAZIO. Mr. Speaker, I thank the gentleman for yielding me this time. Congress has failed to authorize the ongoing war in Kosovo but the House and Senate Republican leaders are happy enough to see the President's $7 billion request for emergency funding and raise him $8 billion. That is right. $15 billion of so-called emergency funding, every penny of which will come from the Social Security trust funds. $15 billion in pork and special interest waivers under the guise of a military emergency in Kosovo. Something stinks. I guess that is why this bill includes $2.2 million for sewers in Salt Lake City for the Olympics. That is an emergency. And a mining giveaway in Washington State. Waiver of environmental laws. That is an emergency under this bill. Special breaks for oil and gas producers who just raised the price of gas 50 cents a gallon. That is an emergency. $3.7 million for the page dorm. $3 million for reindeer ranchers. $23 million for fishers in Alaska. Hundreds of thousands for Democratic and Republican leaders. These are not emergencies. Say no to this legislation.

Mr. HALL of Ohio. Mr. Speaker, I yield 2 minutes to the gentlewoman from North Carolina (Mrs. CLAYTON).

Mrs. CLAYTON. Mr. Speaker, I rise to oppose this bill, but I do so with great reluctance. I so very much wanted to vote for this emergency bill because just as it addresses an emergency situation in Kosovo and Central America, it also addresses an emergency situation for farmers all across this Nation. My reluctance is due to the fact that the bill contains vitally needed funding for domestic farm aid and I along with others from rural America have pleaded with Congress to provide these funds for months. This vitally needed farm aid is well overdue. The operating funds for the Farm Service Agency are vital and will help that agency to help farmers.

Mr. Speaker, small farmers are having a difficult time, struggling to survive in America. Most are losing money and fighting to stay in the farming business. In North Carolina, hogs, the State's top farm commodity, have experienced a 50 percent drop. Wheat is down 42 percent. Soybeans are down 36 percent. I can go on and on. In fact, Mr. Speaker, there is no commodity that is making money for farmers in my State.

The conference report includes language that prohibits the Federal Government from using the tax settlement. That is important to my State. So it is with great reluctance that I oppose this conference report. Yet in spite of my reluctance, I am firm in my opposition. I am firm in my opposition to this conference report because it contains undue and unnecessary offsets. The offsets are undue because the funds being taken away are critically needed. The offsets are unnecessary because this is an emergency supplemental seeking to address true emergencies. Therefore, no offset is required. The offset is particularly onerous because it takes $1.25 billion from food stamps. It takes food stamps. It takes funds from Section 8. You are taking from the poor to take care of the farmer. This is unnecessary. It is unworthy of us. I urge the defeat of this bill.

Mr. Speaker, I rise to oppose this bill, but I do so with great reluctance. I so very much wanted to vote for this emergency bill because just as it addresses an emergency situation in Kosovo and Central America, it also addresses an emergency situation with farmers all across this nation.

My reluctance is due to the fact that the bill contains vitally needed funding for domestic farm aid and I along with others from rural America have pleaded with Congress to provide these funds for months.

This vitally needed farm aid is well overdue.

Included in the $574 million in emergency agricultural assistance is $109.6 million for FSA Loan Programs and $42.75 million for FSA salaries and expenses. These loan funds are critically important to farmers who need capital just to stay in business.

And, the operating funds for the Farm Service Agency are vital and will help that Agency to help the farmers.

Mr. Speaker, small farmers are having a difficult time, struggling to survive in America.

Most are losing money and fighting to stay in the farming business.

In North Carolina, hogs, the state's top farm commodity, have experienced a fifty percent drop in prices since 1996.

Wheat is down forty-two percent; Soybeans down thirty-six percent; Corn—thirty-one percent; peanuts—twenty-eight percent.

Turkey and cotton prices are down twenty-three percent, since 1996.

In fact, Mr. Speaker, there is no commodity in North Carolina that makes money for farmers.

The conference report also includes language that prohibits the Federal Government from recovering part of the tobacco settlement reached by the states.

In addition, it includes language permitting the states to use this money, without restriction.

Those are important provisions for my state.

So, it is with great reluctance that I oppose this conference report.

Yet, despite my reluctance, I am firm in my opposition.

I am firm in my opposition because the conference report contains undue and unnecessary offsets.

The offsets are undue because the funds being taken away as offsets are critically needed funds.

The offsets are unnecessary because this is an Emergency Supplemental, seeking to address true emergencies, and therefore, no offset is required.

The offsets are particularly onerous because they take $1.25 billion from the Food Stamp Program.

By this deed, the report fails to recognize that hunger in America is more than just a word.

Many of our citizens, including many children, still live without proper nutrition and sufficient food.

The offsets also include $350 million from the Section 8 Housing Program. And, in what seems to be a contradiction, the offsets include $22.5 million from the Agricultural Research Service.

For these reasons, Mr. Speaker, I cannot vote for this conference report.

We can respond to emergencies, especially those of our farmers, without creating emergencies among our children and the poor.

We can provide food, shelter, hurricane and other aid to our friends abroad, as we should, without creating a storm here at home.

We can help those in Kosovo and Central America, as we should, without requiring an offset, because this is a true emergency.

Mrs. MYRICK. Mr. Speaker, I yield 3 minutes to the gentleman from New York (Mr. WALSH).

Mr. WALSH. Mr. Speaker, I thank my distinguished colleague from the Committee on Rules for yielding me this time. It has been intimated to the Members that the offsets in this bill are to take from the poor to give to, I presume, the rich. Let me just try to set the record straight here.

First of all, the offsets on the food stamps, the $1.2 billion, was offered by the White House. So if Members have a problem with using the food stamps as an offset, they better call Mr. Lew down at the White House because they suggested these. By the way, these are surplus funds. On the issue of $350 million for Section 8 housing, I would remind my colleagues that no one, and I repeat, no one has ever lost their housing or their housing voucher because of

rescissions in Section 8. This is something that has happened each and every Congress. The money has always been restored. Are we going to have a problem? Is it going to be challenging? Absolutely. But we are committed to making sure that that Section 8 money is put back in. Let me just respond on this issue of the supplemental.

There are a lot of things in this supplemental to hate, there is no question. I think quite frankly the House did a far better job than the Senate. The Senate wanted to throw everything in but the kitchen sink. I suppose if the kitchen sink came from Alaska, it would be in here. But the fact of the matter is, we held them back and tried to keep this money in check and keep the spending responsible and in terms of emergencies.

I would conclude by saying if the President and the administration had taken care of the defense establishment of this country and funded each and every adventure that we are seeing around the globe over the past 6 or 7 years, we would not be at this point right now. Sure this is a supplemental and there are additional expenditures in here, but we tried very hard to keep this as small a dollar amount as we could, targeted at the war and at the other emergencies that we face.

The Federal Emergency Management Agency gets some additional funds. That is what this supplemental was meant to provide. There was an issue that was also raised about Federal Emergency Management funding going to Central America. Some people support that. Some do not. But the fact of the matter is, FEMA funds were for American emergencies, not Central American emergencies. But many of us felt that since these were serious, that people were damaged and harmed by this, that we would reach out to them. But those funds had to be offset under our rules. So we had to go out and find additional offsets. The White House offered the food stamps offsets. The Section 8 offsets will be put back in. We are committed to that.

Mr. HALL of Ohio. Mr. Speaker, I yield 1½ minutes to the gentleman from Minnesota (Mr. MINGE).

Mr. MINGE. Mr. Speaker, I would certainly compliment the dedication of the Committee on Appropriations in this body and the other to bringing forth legislation. But what troubles me is that this legislation has become a Trojan horse for many other unwarranted projects in an emergency spending bill. How can we justify the litany of projects that have been disclosed here this afternoon in an emergency bill, projects that ought to be funded in the normal appropriations process, projects which are essentially coming out of the Social Security trust fund. This is obscene. How do we explain to the seniors of this country or to the young people who are concerned about the Social Security program this abuse of the emergency supplemental process?

I would also like to emphasize that part of what is happening here is we are busting the budget caps. We have paid lip service to our commitment to observe these caps and balance the budget. But, in fact, what we are doing is we are shoehorning into an emergency bill billions of dollars in spending that was otherwise expected to have to be calculated and fit into the normal process. This is an abuse of the budget process. This is Exhibit A of the need for budget reform in this Congress.

Mrs. MYRICK. Mr. Speaker, I yield 2 minutes to the gentleman from Iowa (Mr. GANSKE).

Mr. GANSKE. Mr. Speaker, I rise in opposition to this bill today. Let us take a look at the emergencies this bill contains. Money for sewers. Money for dormitories. Money for fish in Alaska. Money for reindeer. I mean, is Santa in trouble? Is there some reindeer emergency that I am not aware of that requires millions of dollars? Or how about the extra money that goes to the minority leader and the majority whip? Is there some emergency going on in those offices that none of us are aware of that has not been reported in Roll Call?

Mr. Speaker, we should provide for our service men and women the resources they need. But the Department of Defense requested $6 billion to fulfill its obligation. This bill doubles what the military experts said they needed. There is nearly $2 billion for a military pay raise. Mr. Speaker, we need to address that issue, but not in an emergency spending bill. Some say, ''Well, we offset this by $2 billion.'' Yes, billions of dollars from food stamps. We can forget about reducing the national debt if we keep spending down the Social Security surplus with this kind of uncontrolled emergency spending.

□ 1800

Mr. Speaker, I cannot in good conscience vote for an emergency spending bill loaded up with nonemergency spending provisions and unrelated environmental policy decisions.

Mr. HALL of Ohio. Mr. Speaker, I yield 1 minute to the gentleman from West Virginia (Mr. RAHALL).

Mr. RAHALL. Mr. Speaker, I thank the gentleman from Ohio for yielding this time to me.

Mr. Speaker, there are good riders and there are bad riders, and of course beauty is in the eye of the beholder.

These appropriation bills more often than not contain riders which seek to overturn rulemakings which seek to protect overall public interests. Those are bad riders. In the case of the pending legislation there are two riders concerning hard rock mining on Western public lands.

In the pending legislation there is, in effect, a provision which actually changes the operation of the Mining Law of 1872. This provision would waive mining law requirements as they relate to the amount of public land around mining claims that can be used to dispose of mining wastes. My colleagues from Florida and Washington have already spoken to this, and if they offer their motion to recommit, I will support it.

I can certainly understand they need to provide jobs by mining employment in the Western lands. I have a similar concern in my area where coal mining prevails in southern West Virginia. But the rider on this bill is not limited to one particular mine. This is no small issue. We are talking about sizable quantities of public land. What is particularly galling is that after years and years of resistance to negotiating any reforms to Mining Law of 1872, we are faced with a rider that is stuck deep in the bowels of this emergency appropriation bill that favors one company. I urge recommittal.

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

Mr. HALL of Ohio. Mr. Speaker, I yield 1 minute to the gentleman from Oregon (Mr. WU).

Mr. WU. Mr. Speaker, I rise today in opposition to the supplemental appropriations conference report and in support of the motion to recommit offered by the gentleman from Florida (Mr. DEUTSCH) and the gentleman from Washington (Mr. INSLEE). The people of Oregon sent me 2,500 miles away to be careful with both their budget and with the environment. This bill is bloated on the budgetary side and is just flat wrong in the process and the substance of the decisions made in its environmental riders.

Mr. Speaker, substantive environmental legislation should not be passed in the dark of night. They deserve full review by this body and by the Senate, and, quite frankly, the substantive decision to open up mining in the Crown Jewel Mine is something that I do not believe my constituents or the people of America would support as an independent freestanding bill.

Therefore, Mr. Speaker, I stand in strong support of the motion to recommit submitted by the gentleman from Washington (Mr. INSLEE) and the gentleman from Florida (Mr. DEUTSCH).

Mr. HALL of Ohio. Mr. Speaker, I yield myself the balance of the time.

Mr. Speaker, this is not a perfect bill. It certainly is a much better bill than passed this House last week by far. It supports our troops in a very important way, a vital way. It helps with hurricane relief in the Caribbean and Central America. It helps tornado victims in Oklahoma and Kansas. It helps the refugees in the Balkans and hurting people as a result of the tremendous amount of oppression and genocide that is going on there.

The humanitarian aid has been increased 1 percent in this bill, mainly as a result of increases in food aid to the refugees for the next few months. It brings the total humanitarian package in this bill to 5 percent of the total package. This money is important and vital. I urge Members to support the conference committee.

Mrs. MYRICK. Mr. Speaker, I yield 8 minutes to the gentleman from Ohio (Mr. REGULA).

Mr. REGULA. Mr. Speaker, apparently there has been some discussion on the floor about environmental riders in this bill. We resisted some of those that were included in the Senate bill. We tried to have a balanced bill.

On the case of the finalizing of hard rock mining regulations, the facts are that there is a National Academy of Sciences, which is an independent agency, doing a study to give us an analysis of the provisions that are being proposed in these regulations. This report is due out by July 31, and there is a 120-day comment period thereafter.

So what we are really saying in this bill is give us time to get the report from the National Academy of Sciences, give the people, both sides, time to comment, which is also provided in that arrangement, and then we will decide what the national policy should be. And all this bill does is to put a moratorium on until such time as we get that information.

On the Crown Jewel Mine issue, again this is retroactive. The Crown Jewel Mine is a mining company that has crossed every T, dotted every I, has had all the permits issued by the Federal and the State government. They are ready to go forward.

It was pointed out in the debate on the supplemental that several State retirement systems and State governmental agencies had invested in this mine, and if it were not allowed to go forward, there would be a total loss of money to these retirement systems. So my colleagues are talking about taking money away from public retirement programs if they were to allow this Crown Jewel Mine to be shut down.

Now it is not as if this was prospective. This mine has been okayed by everybody, had a NEPA statement filed, done everything required by the law of both the State of Washington as well as the Federal Government, and all we have said in this bill is they can go forward so that these large groups of investors, such as the retirement systems, do not suffer huge losses and because it is the right thing to do. They have done everything required by law.

That is an issue that this Congress will have to address. Whether or not we choose to preclude mining in the United States in the future is a policy issue that will continue to be before this body in the future. But at least in fairness we should not legislate retroactively, and that is what has been attempted by the Solicitor's opinion. We are simply putting a stay on that so that those companies that have abided by the law in every way, have made huge investments, $80 million investments provided by funds from the groups that I mentioned, are allowed to continue operating.

So I think these are responsible amendments. We did have some that were anti-environment, and we did not approve those. There were amendments from the other body that were denied in the conference because they were not constructive environmental actions.

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

Mr. REGULA. I yield to the gentleman from Florida.

Mr. DEUTSCH. Mr. Speaker, I appreciate it, and I appreciate the gentleman putting the best spin possible on these riders. But I would still, as my colleagues know, mention to the gentleman that the Solicitor's opinion would prevent these open pit mines from putting toxic waste on our lands, on Federal lands, and by the rider that we have put in the bill, which I am sure it was not at the gentleman's initiative that it was put in the bill, it would exactly do that. It would allow hundreds of acres of pristine Federal lands to be stacked up with waste product, toxic waste product. I mean it is beyond comprehension that we are allowing that to happen.

Mr. REGULA. Mr. Speaker, I am puzzled as to why the Environmental Protection Agency of this administration would approve it under the circumstances the gentleman from Florida has just outlined.

Mr. DEUTSCH. Mr. Speaker, if the gentleman would continue to yield, I mean he is legislating. That overrides every other piece of legislation that exists that specifically allows that to occur.

Mr. REGULA. Now wait a minute. The mining law provides for regulation. This is rather ironic. This administration has been opposed to the 1872 Mining Act, and yet they found an obscure provision in that particular act that the Solicitor used to make his opinion valid. He used the mining law to bring this about.

But the point is that all the agencies of this administration had okayed it, and if we think it is wrong, we ought to change the law. We should not allow a company to invest $80 million of investors' money and then change the rules. They should not be required to suffer a huge loss because of this obscure provision that is being interpreted. A Solicitor's opinion is not law, and I think if we just tried to deal with this single issue problem, if it is wrong, we should have a bill put in here and amend the law.

Mr. DEUTSCH. If the gentleman would continue to yield, again I think if our concern is the teachers' unions, there will be a lot better ways, and I think the teachers of America and the children of America and the American people would be a lot happier dealing with that investment a different way.

I mean we are talking about hundreds of acres of land that you and I own as American citizens, pristine national forest areas.

Mr. REGULA. Mr. Speaker, I do not know, and I have not been out there so I have not looked at it, and I do not know all the nuances of the law. I just know that the agencies of this administration approved it, told them to go ahead and make the investment. They did everything required by the laws of the United States and the State of Washington, and what more can we ask of a company? And again, if we think this is wrong, we have a responsibility to deal with it in a policy decision in this body.

Mr. HASTINGS of Washington. Mr. Speaker, will the gentleman yield?

Mr. REGULA. I yield to the gentleman from Washington.

Mr. HASTINGS of Washington. Mr. Speaker, I want to thank the gentleman for taking this action because let us put this into perspective. This was a mine in north central Washington that had invested some $80 million with the full expectation that, if they followed the rules as was laid out in current law, that they would be able to mine for this gold. They passed every hoop that the State of Washington put, every barrier the State of Washington put up, everything that the Federal Government put up, and they passed it until it got here and the Solicitor simply said, ''I'm sorry.''

What happened was that the Solicitor said, ''I'm sorry, we're going to take a provision that had never been enforced, never been enforced in the 1872 Mining Law,'' and said for that reason we are going to completely shut down this mine, again, after it had gone through all the barriers that were required under current law.

Now I might add it does have an effect, as the gentleman mentioned, on retirement funds, but also it has an impact on employment of about 150 to 200 people in a county frankly that is crying for more employment. So in fairness is the real reason why this provision was put into law, because it deals with this specific mine and mines that are in existence already, that were playing by the rules that we thought they should be playing by when they started their endeavor and made that investment.

So, Mr. Speaker, I want to thank the gentleman for the work he did on that because I think he did the right thing.

Mr. REGULA. Mr. Speaker, if I have any time, I would just say that the provision that was put in by the other body was very sweeping. The House conferees narrowed it, and got it very narrow in its application.

Mrs. MYRICK. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, as I said before, some of us have our differences with this bill, including myself. As my colleagues know, the Senate added pork, no question, everything but the kitchen sink, and it is certainly not emergencies. But everyone needs to support this rule so we can have an open and honest debate on the floor during the general debate.

Mr. Speaker, I yield the balance of my time to the gentleman from California (Mr. DREIER), the chairman of the Committee on Rules.

□ 1815

Mr. DREIER. Mr. Speaker, I rise in strong support of this rule and I think it is important for us to get back to the reason that we are here right now. We are going to be, once we pass this measure, discussing a $15 billion emergency supplemental appropriations bill, which is absolutely necessary to offset the very significant costs of the Kosovo campaign, as well as to provide emergency aid to America's farmers, disaster victims here in the United States and Central America and to Balkan refugees.

Now I would like to compliment the very distinguished chairman of the Committee on Appropriations, the gentleman from Florida (Mr. YOUNG), and specifically our great Speaker, the gentleman from Illinois (Mr. HASTERT), who did a superb job facing much adversity, and I can say I was in on a number of these meetings over the past several weeks on this issue and it has been a challenging time but both the gentleman from Florida (Mr. YOUNG) and the gentleman from Illinois (Mr. HASTERT) have done an absolutely superb job.

As my friend, the gentlewoman from Charlotte, North Carolina (Mrs. MYRICK) just said, it is true our colleagues in the other body have clearly added many things to this measure which should not be there, but this conference report takes a very important first step towards reversing that very dangerous 10-year path that we have had of diminishing the capability of our Nation's defenses.

With the ongoing missions that are taking place, both in Kosovo, Korea and Iraq, our forces are being asked to do much more with much less. The bill puts $2.65 billion directly into the pipeline for spare parts, readiness, depot maintenance and recruitment.

Along with many others, many others in this House and around this country, I have had serious doubts as to the effectiveness of our air-only campaign. Whatever the arguments for U.S. involvement in Kosovo were, it is now a very clear national interest that both the United States of America and the North Atlantic Treaty Organization alliance prevail in this conflict. The price of NATO and American failure is simply too great at this point.

Therefore, I urge support of both this rule, which is the standard rule waiving points of order against the conference report, and we will have a full hour of debate led by the chairman of the Committee on Appropriations and the ranking minority member, the gentleman from Wisconsin (Mr. OBEY), and I think at the end of the day we should have a very strong bipartisan vote for this.

Mrs. MYRICK. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER pro tempore (Mr. THORNBERRY). The question is on the resolution.

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

Mr. DEUTSCH. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 315, nays 109, not voting 9, as follows:

[Roll No. 131]

YEAS—315

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Archer
Armey
Bachus
Baird
Baker
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bentsen
Bereuter
Berkley
Berry
Biggert
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Boswell
Boucher
Boyd
Brady (TX)
Brown (FL)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Capps
Cardin
Castle
Chabot
Chambliss
Chenoweth
Clement
Coble
Coburn
Collins
Combest
Cook
Cooksey
Cox
Cramer
Crane
Cubin
Cunningham
Davis (FL)
Davis (VA)
Deal
DeLay
DeMint
Diaz-Balart
Dickey
Dicks
Dingell
Dooley
Doolittle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Etheridge
Everett
Ewing
Farr
Fletcher
Foley
Forbes
Ford
Fossella
Fowler
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green (TX)
Green (WI)
Greenwood
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (MT)
Hilleary
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Istook
Jenkins
John
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Kasich
Kelly
Kildee
King (NY)
Kingston
Knollenberg
Kolbe
Kuykendall
LaHood
Lampson
Lantos
Largent
Larson
Latham
LaTourette
Lazio
Leach
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Maloney (NY)
Manzullo
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McHugh
McInnis
McIntosh
McKeon
Menendez
Metcalf
Mica
Miller (FL)
Miller, Gary
Minge
Moakley
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Obey
Olver
Ortiz
Ose
Oxley
Packard
Paul
Pease
Pelosi
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Radanovich
Ramstad
Regula
Reyes
Reynolds
Riley
Rivers
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryan (WI)
Ryun (KS)
Sabo
Salmon
Sandlin
Sanford
Saxton
Scarborough
Schaffer
Scott
Sensenbrenner
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spence
Spratt
Stearns
Stenholm
Stump
Sununu
Sweeney
Talent
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Toomey
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velázquez
Walden
Walsh
Wamp
Watkins
Watt (NC)
Watts (OK)
Weldon (FL)
Weller
Wexler
Whitfield
Wicker
Wilson
Wise
Wolf
Wynn
Young (AK)
Young (FL)

NAYS—109

Baldwin
Barrett (WI)
Becerra
Berman
Brown (OH)
Capuano
Carson
Clay
Clayton
Clyburn
Conyers
Costello
Coyne
Crowley
Cummings
Danner
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dixon
Doggett
Doyle
Eshoo
Evans
Fattah
Filner
Frank (MA)
Gejdenson
Gephardt
Hastings (FL)
Hill (IN)
Hilliard
Holt
Hooley
Inslee
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jones (OH)
Kanjorski
Kaptur
Kennedy
Kilpatrick
Kind (WI)
Kleczka
Klink
Kucinich
LaFalce
Lee
Lipinski
Luther
Maloney (CT)
Markey
Martinez
Mascara
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Millender-McDonald
Miller, George
Mink
Nadler
Napolitano
Neal
Oberstar
Owens
Pallone
Pascrell
Pastor
Payne
Peterson (MN)
Phelps
Rahall
Rangel
Rodriguez
Rothman
Roybal-Allard
Rush
Sanchez
Sanders
Sawyer
Schakowsky
Sherman
Slaughter
Stabenow
Stark
Strickland
Stupak
Thompson (CA)
Thompson (MS)
Thurman

Tierney	Waters	Woolsey
Towns	Waxman	Wu
Vento	Weiner	
Visclosky	Weygand	

NOT VOTING—9

Borski	Condit	Serrano
Brady (PA)	Gutierrez	Sessions
Brown (CA)	Quinn	Weldon (PA)

□ 1837

Mrs. JONES of Ohio, Ms. ROYBAL-ALLARD, and Ms. KAPTUR changed their vote from ''yea'' to ''nay.''

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

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

RULES OF COMMITTEE ON STANDARDS OF OFFICIAL CONDUCT FOR THE 106TH CONGRESS

Mr. SMITH of Texas. Mr. Speaker, I ask unanimous consent for the publication in the CONGRESSIONAL RECORD (as contemplated by clause 2(a)2 of rule XI) of the rules adopted by the Committee on Standards of Official Conduct pursuant to clause 2(a)(1) of rule XI, which have duly governed the proceedings of the Committee since their adoption on January 20, 1999, and subsequent amendment on March 10, 1999 and on April 14, 1999.

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

There was no objection.

RULES: COMMITTEE ON STANDARDS OF OFFICIAL CONDUCT

FOREWORD

The Committee on Standards of Official Conduct is unique in the House of Representatives. Consistent with the duty to carry out its advisory and enforcement responsibilities in an impartial manner, the Committee is the only standing committee of the House of Representatives the membership of which is divided evenly by party. These rules are intended to provide a fair procedural framework for the conduct of the Committee's activities and to help insure that the Committee serves well the people of the United States, the House of Representatives, and the Members, officers, and employees of the House of Representatives.

PART I—GENERAL COMMITTEE RULES

Rule 1. General Provisions

(a) So far as applicable, these rules and the Rules of the House of Representatives shall be the rules of the Committee and any subcommittee. The Committee adopts these rules under the authority of clause 2(a)(1) of Rule XI of the Rules of the House of Representatives, 106th Congress.

(b) The rules of the Committee may be modified, amended, or repealed by a vote of a majority of the Committee.

(c) When the interests of justice so require, the Committee, by a majority vote of its members, may adopt any special procedures, not inconsistent with these rules, deemed necessary to resolve a particular matter before it. Copies of such special procedures shall be furnished to all parties in the matter.

Rule 2. Definitions

(a) ''Committee'' means the Committee on Standards of Official Conduct.

(b) ''Complaint'' means a written allegation of improper conduct against a Member, officer, or employee of the House of Representatives filed with the Committee with the intent to initiate an inquiry.

(c) ''Inquiry'' means an investigation by an investigative subcommittee into allegations against a Member, officer, or employee of the House of Representatives.

(d) ''Investigative Subcommittee'' means a subcommittee designated pursuant to Rule 8 to conduct an inquiry to determine if a Statement of Alleged Violation should be issued.

(e) ''Statement of Alleged Violation'' means a formal charging document filed by an investigative subcommittee with the Committee containing specific allegations against a Member, officer, or employee of the House of Representatives of a violation of the Code of Official Conduct, or of a law, rule, regulation, or other standard of conduct applicable to the performance of official duties or the discharge of official responsibilities.

(f) ''Adjudicatory Subcommittee'' means a subcommittee of the Committee comprised of those Committee members not on the investigative subcommittee, that holds an adjudicatory hearing and determines whether the counts in a Statement of Alleged Violation are proved by clear and convincing evidence.

(g) ''Sanction Hearing'' means a Committee hearing to determine what sanction, if any, to adopt or to recommend to the House of Representatives.

(h) ''Respondent'' means a Member, officer, or employee of the House of Representatives who is the subject of a complaint filed with the Committee or who is the subject of an inquiry or a Statement of Alleged Violation.

(i) ''Office of Advice and Education'' refers to the Office established by section 803(i) of the Ethics Reform Act of 1989. The Office handles inquiries; prepares written opinions in response to specific requests; develops general guidance; and organizes seminars, workshops, and briefings for the benefit of the House of Representatives.

Rule 3. Advisory Opinions and Waivers

(a) The Office of Advice and Education shall handle inquiries; prepare written opinions providing specific advice; develop general guidance; and organize seminars, workshops, and briefings for the benefit of the House of Representatives.

(b) Any Member, officer, or employee of the House of Representatives, may request a written opinion with respect to the propriety of any current or proposed conduct of such Member, officer, or employee.

(c) The Office of Advice and Education may provide information and guidance regarding laws, rules, regulations, and other standards of conduct applicable to Members, officers, and employees in the performance of their duties or the discharge of their responsibilities.

(d) In general, the Committee shall provide a written opinion to an individual only in response to a written request, and the written opinion shall address the conduct only of the inquiring individual, or of persons for whom the inquiring individual is responsible as employing authority.

(e) A written request for an opinion shall be addressed to the Chairman of the Committee and shall include a complete and accurate statement of the relevant facts. A request shall be signed by the requester or the requester's authorized representative or employing authority. A representative shall disclose to the Committee the identity of the principal on whose behalf advice is being sought.

(f) The Office of Advice and Education shall prepare for the Committee a response to each written request for an opinion from a member, officer or employee. Each response shall discuss all applicable laws, rules, regulations, or other standards.

(g) Where a request is unclear or incomplete, the Office of Advice and Education may seek additional information from the requester.

(h) The Chairman and Ranking Minority Member are authorized to take action on behalf of the Committee on any proposed written opinion that they determine does not require consideration by the Committee. If the Chairman or Ranking Minority member requests a written opinion, or seeks a waiver, extension, or approval pursuant to Rules 3(l), 4(c), 4(e), or 4(h), the next ranking member of the requester's party is authorized to act in lieu of the requester.

(i) The Committee shall keep confidential any request for advice from a Member, officer, or employee, as well as any response thereto.

(j) The Committee may take no adverse action in regard to any conduct that has been undertaken in reliance on a written opinion if the conduct conforms to the specific facts addressed in the opinion.

(k) Information provided to the Committee by a Member, officer, or employee seeking advice regarding prospective conduct may not be used as the basis for initiating an investigation under clause 3(a)(2) of Rule XI of the Rules of the House of Representatives, if such Member, officer, or employee acts in good faith in accordance with the written advice of the Committee.

(l) A written request for a waiver of clause 5 of House Rule XXVI (the House gift rule), or for any other waiver or approval, shall be treated in all respects like any other request for a written opinion.

(m) A written request for a waiver of clause 5 of House Rule XXVI (the House gift rule) shall specify the nature of the waiver being sought and the specific circumstances justifying the waiver.

(n) An employee seeking a waiver of time limits applicable to travel paid for by a private source shall include with the request evidence that the employing authority is aware of the request. In any other instance where proposed employee conduct may reflect on the performance of official duties, the Committee may require that the requester submit evidence that the employing authority knows of the conduct.

Rule 4. Financial Disclosure

(a) In matters relating to title I of the Ethics in Government Act of 1978, the Committee shall coordinate with the Clerk of the House of Representatives, Legislation Resource Center, to assure that appropriate individuals are notified of their obligation to file Financial Disclosure Statements and that such individuals are provided in a timely fashion with filing instructions and forms developed by the Committee.

(b) The Committee shall coordinate with the Legislative Resource Center to assure that information that the Ethics in Government Act requires to be placed on the public record is made public.

(c) The Chairman and Ranking Minority Member are authorized to grant on behalf of the Committee requests for reasonable extensions of time for the filing of Financial

Disclosure Statements. Any such request must be received by the Committee no later than the date on which the statement in question is due. A request received after such date may be granted by the Committee only in extraordinary circumstances. Such extensions for one individual in a calendar year shall not exceed a total of 90 days. No extension shall be granted authorizing a nonincumbent candidate to file a statement later than 30 days prior to a primary or general election in which the candidate is participating.

(d) An individual who takes legally sufficient action to withdraw as a candidate before the date of which that individual's Financial Disclosure Statement is due under the Ethics in Government Act shall not be required to file a Statement. An individual shall not be excused from filing a Financial Disclosure Statement when withdrawal as candidate occurs after the date on which such Statement was due.

(e) Any individual who files a report required to be filed under title I of the Ethics in Government Act more than 30 days after the later of—

(1) the date such report is required to be filed, or

(2) if a filing extension is granted to such individual, the last day of the filing extension period, is required by such Act to pay a late filing fee of $200. The Chairman and Ranking Minority Member are authorized to approve requests that the fee be waived based on extraordinary circumstances.

(f) Any late report that is submitted without a required filing fee shall be deemed procedurally deficient and not properly filed.

(g) The Chairman and Ranking Minority Member are authorized to approve requests for waivers of the aggregation and reporting of gifts as provided by section 102(a)(2)(C) of the Ethics in Government Act. If such a request is approved, both the incoming request and the Committee response shall be forwarded to the Legislative Resource Center for placement on the public record.

(h) The Chairman and Ranking Minority Member are authorized to approve blind trusts as qualifying under section 102(f)(3) of the Ethics in Government Act. The correspondence relating to formal approval of a blind trust, the trust document, the list of assets transferred to the trust, and any other documents required by law to be made public, shall be forwarded to the Legislative Resource Center for such purpose.

(i) The Committee shall designate staff counsel who shall review Financial Disclosure Statements and, based upon information contained therein, indicate in a form and manner prescribed by the Committee whether the Statement appears substantially accurate and complete and the filer appears to be in compliance with applicable laws and rules.

(i) Each Financial Disclosure Statement shall be reviewed within 60 days after the date of filing.

(k) If the reviewing counsel believes that additional information required because (1) the Statement appears not substantially accurate or complete, or (2) the filer may not be in compliance with applicable laws or rules, then the reporting individual shall be notified in writing of the additional information believed to be required, or of the law or rule with which the reporting individual does not appear to be in compliance. Such notice shall also state the time within a response is to be submitted. Any such notice shall remain confidential.

(l) Within the time specified, including any extension granted in accordance with clause (c), a reporting individual who concurs with the Committee's notification that the Statement is not complete, or that other action is required, shall submit the necessary information or take appropriate action. Any amendment may be in the form of a revised Financial Disclosure Statement or an explanatory letter addressed to he Clerk of the House of Representatives.

(m) Any amendment shall be placed on the public record in the same manner as other Statements. The individual designated by the Committee to review the original Statement shall review any amendment thereto.

(n) Within the time specified, including any extension granted in accordance with clause (c), a reporting individual who does not agree with the Committee that the Statement is deficient or that other action is required, shall be provided an opportunity to respond orally or in writing. If the explanation is accepted, a copy of the response, if written, or a note summarizing an oral response, shall be retained in Committee files with the original report.

(o) The Committee shall be the final arbiter of whether any Statement requires clarification or amendment.

(p) If the Committee determines, by vote of majority of its members, that there is reason to believe that an individual has willfully failed to file a Statement or has willfully falsified or willfully failed to file information required to be reported, then the Committee shall refer the name of the individual, together with the evidence supporting its finding, to the Attorney General pursuant to section 104(b) of the Ethics Government Act. Such referral shall not preclude the Committee from initiating such other action as may be authorized by other provisions of law or the Rules of the House of Representatives.

Rule 5. Meetings

(a) The regular meeting day of the Committee shall be the second Wednesday of each month, except when the House of Representatives is not meeting on that day. When the Committee Chairman determines that there is sufficient reason, a meeting may be called on additional days. A regularly scheduled meeting need not be held when the Chairman determines there is no business to be considered.

(b) The Chairman shall establish the agenda for meetings of the Committee and the Ranking Minority Member may place additional items on the agenda.

(c) All meetings of the Committee or any subcommittee shall occur in executive session unless the Committee or subcommittee, by an affirmative vote of a majority of its members, open the meeting or hearing to the public.

(d) Any hearing held by an adjudicatory subcommittee or any sanction hearing held by the Committee shall be open to the pubic unless the Committee or subcommittee, by an affirmative vote of a majority of its members, closes the hearing to the pubic.

(e) A subcommittee shall meet at the discretion of its Chairman.

(f) Insofar as practicable, notice for any Committee or subcommittee meeting shall be provided at least seven days in advance of the meeting. The Chairman of the Committee or subcommittee may waive such time period for good cause.

Rule 6. Committee Staff

(a) The staff is to be assembled and retained as a professional, nonpartisan staff.

(b) Each member of the staff shall be professional and demonstrably qualified for the position for which he is hired.

(c) The staff as a whole and each individual member of the staff shall perform all official duties in a nonpartisan manner.

(d) No member of the staff shall engage in any partisan political activity directly affecting any congressional or presidential election.

(e) No member of the staff or outside counsel may accept public speaking engagements or write for publication on any subject that is in any way related to his or her employment or duties with the Committee without specific prior approval from the Chairman and Ranking Minority Member.

(f) No member of the staff or outside counsel may make public, unless approved by an affirmative vote of a majority of the members of the Committee, any information, document, or other material that is confidential, derived from executive session, or classified and that is obtained during the course of employment with the Committee.

(g) All staff members shall be appointed by an affirmative vote of a majority of the members of the Committee. Such vote shall occur at the first meeting of the membership of the Committee during each Congress and as necessary during the Congress.

(h) Subject to the approval of the Committee on House Administration, the Committee may retain counsel not employed by the House of Representatives whenever the Committee determines, by an affirmative vote of a majority of the members of the Committee, that the retention of outside counsel is necessary and appropriate.

(i) If the Committee determines that it is necessary to retain staff members for the purpose of a particular investigation or other proceeding, then such staff shall be retained only for the duration of that particular investigation or proceeding.

(j) Outside counsel may be dismissed prior to the end of a contract between the Committee and such counsel only by a majority vote of the members of the Committee.

(k) In addition to any other staff provided for by law, rule, or other authority, with respect to the Committee, the Chairman and Ranking Minority Member each may appoint one individual as a shared staff member from his or her personal staff to perform service for the Committee. Such shared staff may assist the Chairman or Ranking Minority Member on any subcommittee on which he serves. Only paragraphs (c), (e), and (f) shall apply to shared staff.

Rule 7. Confidentiality Oaths

Before any member or employee of the Committee may have access to information that is confidential under the rules of the Committee, the following oath (or affirmation) shall be executed in writing:

''I do solemnly swear (or affirm) that I will not disclose, to any person or entity outside the Committee on Standards of Official Conduct, any information received in the course of my service with the Committee, except as authorized by the Committee or in accordance with its rules.''

Copies of the executed oath shall be provided to the Clerk of the House as part of the records of the House. Breaches of confidentiality shall be investigated by the Committee and appropriate action shall be taken.

Rule 8. Subcommittees—General Policy and Structure

(a) Upon an affirmative vote of a majority of its members to initiate an inquiry, the Chairman and Ranking Minority Member of the Committee shall designate four members (with equal representation from the majority

and minority parties) to serve as an investigative subcommittee to undertake an inquiry. At the time of appointment, the Chairman shall designate one member of the subcommittee to serve as the chairman and the Ranking Minority Member shall designate one member of the subcommittee to serve as the ranking minority member of the investigative subcommittee or adjudicatory subcommittee. The Chairman and Ranking Minority Member of the Committee may serve as members of an investigative subcommittee, but may not serve as non-voting, ex-officio members.

(b) If an investigative subcommittee, by a majority vote of its members, adopts a Statement of Alleged Violation, members who did not serve on the investigative subcommittee are eligible for appointment to the adjudicatory subcommittee to hold an Adjudicatory Hearing under Committee Rule 24 on the violations alleged in the Statement.

(c) The Committee may establish other noninvestigative and nonadjudicatory subcommittees and may assign to them such functions as it may deem appropriate. The membership of each subcommittee shall provide equal representation for the majority and minority parties.

(d) The Chairman may refer any bill, resolution, or other matter before the Committee to an appropriate subcommittee for consideration. Any such bill, resolution, or other matter may be discharged from the subcommittee to which it was referred by a majority vote of the Committee.

(e) Any member of the Committee may sit with any noninvestigative or nonadjudicatory subcommittee, but only regular members of such subcommittee may vote on any matter before that subcommittee.

Rule 9. Quorums and Member Disqualification

(a) The quorum for an investigative subcommittee to take testimony and to receive evidence shall be two members, unless otherwise authorized by the House of Representatives.

(b) The quorum for an adjudicatory subcommittee to take testimony, receive evidence, or conduct business shall consist of a majority plus one of the members of the adjudicatory subcommittee.

(c) Except as stated in clauses (a) and (b) of this rule, a quorum for the purpose of conducting business consists of a majority of the members of the Committee or subcommittee.

(d) A member of the Committee shall be ineligible to participate in any Committee or subcommittee proceeding in which he is the respondent.

(e) A member of the Committee may disqualify himself from participating in any investigation of the conduct of a Member, officer, or employee of the House of Representatives upon the submission in writing and under oath of an affidavit of disqualification stating that the member cannot render an impartial and unbiased decision. If the Committee approves and accepts such affidavit of disqualification, or if a member is disqualified pursuant to Rule 18(g) or Rule 24(a), the Chairman shall so notify the Speaker and ask the Speaker to designate a Member of the House of Representatives from the same political party as the disqualified member of the Committee to act as a member of the Committee in any Committee proceeding relating to such investigation.

Rule 10. Vote Requirements

(a) The following actions shall be taken only upon an affirmative vote of a majority of the members of the Committee or subcommittee, as appropriate:

(1) Issuing a subpoena.

(2) Adopting a full Committee motion to create an investigative subcommittee.

(3) Adoption of a Statement of Alleged Violation.

(4) Finding that a count in a Statement of Alleged Violation has been proved by clear and convincing evidence.

(5) Sending a letter of reproval.

(6) Adoption of a recommendation to the House of Representatives that a sanction be imposed.

(7) Adoption of a report relating to the conduct of a Member, officer, or employee.

(8) Issuance of an advisory opinion of general applicability establishing new policy.

(b) Except as stated in clause (a), action may be taken by the Committee or any subcommittee thereof by a simple majority, a quorum being present.

(c) No motion made to take any of the actions enumerated in clause (a) of this Rule may be entertained by the Chair unless a quorum of the Committee is present when such motion is made.

Rule 11. Communications by Committee Members and Staff

Committee members and staff shall not disclose any evidence relating to an investigation to any person or organization outside the Committee unless authorized by the Committee. The Chairman and Ranking Minority Member shall have access to such information that they request as necessary to conduct Committee business. Evidence in the possession of an investigative subcommittee shall not be disclosed to other Committee members except by a vote of the subcommittee.

Rule 12. Committee Records

(a) The Committee may establish procedures necessary to prevent the unauthorized disclosure of any testimony or other information received by the Committee or its staff.

(b) Members and staff of the Committee shall not disclose to any person or organization outside the Committee, unless authorized by the Committee, any information regarding the Committee's or a subcommittee's investigative, adjudicatory or other proceedings, including, but not limited to: (i) the fact of or nature of any complaints; (ii) executive session proceedings; (iii) information pertaining to or copies of any Committee or subcommittee report, study, or other document which purports to express the views, findings, conclusions, or recommendations of the Committee or subcommittee in connection with any of its activities or proceedings; or (iv) any other information or allegation respecting the conduct of a Member, officer, or employee.

(c) The Committee shall not disclose to any person or organization outside the Committee any information concerning the conduct of a respondent until it has transmitted a Statement of Alleged Violation to such respondent and the respondent has been given full opportunity to respond pursuant to Rule 23. The Statement of Alleged Violation and any written response thereto shall be made public at the first meeting or hearing on the matter that is open to the public after such opportunity has been provided. Any other materials in the possession of the Committee regarding such statement may be made public as authorized by the Committee to the extent consistent with the Rules of the House of Representatives.

(d) If no public hearing or meeting is held on the matter, the Statement of Alleged Violation and any written response thereto shall be included in the Committee's final report on the matter to the House of Representatives.

(e) All communications and all pleadings pursuant to these rules shall be filed with the Committee at the Committee's office or such other place as designated by the Committee.

(f) All records of the Committee which have been delivered to the Archivist of the United States shall be made available to the public in accordance with Rule VII of the Rules of the House of Representatives.

Rule 13. Broadcasts of Committee and Subcommittee Proceedings

(a) Television or radio coverage of a Committee or subcommittee hearing or meeting shall be without commercial sponsorship.

(b) No witness shall be required against his or her will to be photographed or otherwise to have a graphic reproduction of his or her image made at any hearing or to give evidence or testimony while the broadcasting of that hearing, by radio or television, is being conducted. At the request of any witness, all media microphones shall be turned off, all television and camera lenses shall be covered, and the making of a graphic reproduction at the hearing shall not be permitted. This paragraph supplements clause 2(k)(5) of Rule XI of the Rules of the House of Representatives relating to the protection of the rights of witnesses.

(c) Not more than four television cameras, operating from fixed positions, shall be permitted in a hearing or meeting room. The Committee may allocate the positions of permitted television cameras among the television media in consultation with the executive Committee of the Radio and Television Correspondents' Galleries.

(d) Television cameras shall be placed so as not to obstruct in any way the space between any witness giving evidence or testimony and any member of the Committee, or the visibility of that witness and that member to each other.

(e) Television cameras shall not be placed in positions that unnecessarily obstruct the coverage of the hearing or meeting by the other media.

PART II—INVESTIGATIVE AUTHORITY

Rule 14. House Resolution

Whenever the House of Representatives, by resolution, authorizes or directs the Committee to undertake an inquiry or investigation, the provisions of the resolution, in conjunction with these Rules, shall govern. To the extent the provisions of the resolution differ from these Rules, the resolution shall control.

Rule 15. Committee Authority to Investigate—General Policy

Pursuant to clause 3(b)(2) of Rule XI of the Rules of the House of Representatives, the Committee may exercise its investigative authority when—

(a) information offered as a complaint by a Member of the House of Representatives is transmitted directly to the Committee;

(b) information offered as a complaint by an individual not a Member of the House is transmitted to the Committee, provided that a Member of the House certifies in writing that he or she believes the information is submitted in good faith and warrants the review and consideration of the Committee;

(c) the Committee, on its own initiative, establishes an investigative subcommittee;

(d) a Member, officer, or employee is convicted in a Federal, State, or local court of a felony; or

(e) the House of Representatives, by resolution, authorizes or directs the Committee to undertake an inquiry or investigation.

Rule 16. Complaints

(a) A complaint submitted to the Committee shall be in writing, dated, and properly verified (a document will be considered properly verified where a notary executes it with the language, ''Signed and sworn to (or affirmed) before me on (date) by (the name of the person)'' setting forth in simple, concise, and direct statements—

(1) the name and legal address of the party filing the complaint (hereinafter referred to as the ''complainant'');

(2) the name and position or title of the respondent;

(3) the nature of the alleged violation of the Code of Official Conduct or of other law, rule, regulation, or other standard of conduct applicable to the performance of duties or discharge of responsibilities; and

(4) the facts alleged to give rise to the violation. The complaint shall not contain innuendo, speculative assertions, or conclusory statements.

(b) Any documents in the possession of the complainant that relate to the allegations may be submitted with the complaint.

(c) Information offered as a complaint by a Member of the House of Representatives may be transmitted directly to the Committee.

(d) Information offered as a complaint by an individual not a Member of the House may be transmitted to the Committee, provided that a Member of the House certifies in writing that he or she believes the information is submitted in good faith and warrants the review and consideration of the Committee.

(e) A complaint must be accompanied by a certification, which may be unsworn, that the complainant has provided an exact copy of the filed complaint and all attachments to the respondent.

(f) The Committee may defer action on a complaint against a Member, officer, or employee of the House of Representatives when the complaint alleges conduct that the Committee has reason to believe is being reviewed by appropriate law enforcement or regulatory authorities, or when the Committee determines that it is appropriate for the conduct alleged in the complaint to be reviewed initially by law enforcement or regulatory authorities.

(g) A complaint may not be amended without leave of the Committee. Otherwise, any new allegations of improper conduct must be submitted in a new complaint that independently meets the procedural requirements of the Rules of the House of Representatives and the Committee's Rules.

(h) The Committee shall not accept, and shall return to the complainant, any complaint submitted within the 60 days prior to an election in which the subject of the complaint is a candidate.

(i) The Committee shall not consider a complaint, nor shall any investigation be undertaken by the Committee, of any alleged violation which occurred before the third previous Congress unless the Committee determines that the alleged violation is directly related to an alleged violation which occurred in a more recent Congress.

Rule 17. Duties of Committee Chairman and Ranking Minority Member

(a) Unless otherwise determined by a vote of the Committee, only the Chairman or Ranking Minority Member, after consultation with each other, may make public statements regarding matters before the Committee or any subcommittee.

(b) Whenever information offered as a complaint is submitted to the Committee, the Chairman and Ranking Minority Member shall have 14 calendar days or 5 legislative days, whichever occurs first, to determine whether the information meets the requirements of the Committee's rules for what constitutes a complaint.

(c) Whenever the Chairman and Ranking Minority Member jointly determine that information submitted to the Committee meets the requirements of the Committee's rules for what constitutes a complaint, they shall have 45 calendar days or 5 legislative days, whichever is later, after the date that the Chairman and Ranking Minority Member determine that information filed meets the requirements of the Committee's rules for what constitutes a complaint, unless the Committee by an affirmative vote of a majority of its members votes otherwise, to—

(1) recommend to the Committee that it dispose of the complaint, or any portion thereof, in any manner that does not require action by the House, which may include dismissal of the complaint or resolution of the complaint by a letter to the Member, officer, or employee of the House against whom the complaint is made;

(2) establish an investigative subcommittee; or

(3) request that the Committee extend the applicable 45-calendar day period when they determine more time is necessary in order to make a recommendation under paragraph (1).

(d) The Chairman and Ranking Minority Member may jointly gather additional information concerning alleged conduct which is the basis of a complaint or of information offered as a complaint until they have established an investigative subcommittee or the Chairman or Ranking Minority Member has placed on the agenda the issue of whether to establish an investigative subcommittee.

(e) If the Chairman and Ranking Minority Member jointly determine that information submitted to the Committee meets the requirements of the Committee rules for what constitutes a complaint, and the complaint is not disposed of within 45 calendar days or 5 legislative days, whichever is later, and no additional 45-day extension is made, then they shall establish an investigative subcommittee and forward the complaint, or any portion thereof, to that subcommittee for its consideration. If at any time during the time period either the Chairman or Ranking Minority Member places on the agenda the issue of whether to establish an investigative subcommittee, then an investigative subcommittee may be established only by an affirmative vote of a majority of the members of the Committee.

(f) Whenever the Chairman and Ranking Minority Member jointly determine that information submitted to the Committee does not meet the requirements for what constitutes a complaint set forth in the Committee rules, they may (1) return the information to the complainant with a statement that it fails to meet the requirements for what constitutes a complaint set forth in the Committee's rules; or (2) recommend to the Committee that it authorize the establishment of an investigative subcommittee.

Rule 18. Processing of Complaints

(a) If a complaint is in compliance with House and Committee Rules, a copy of the complaint and the Committee Rules shall be forwarded to the respondent within five days with notice that the complaint conforms to the applicable rules and will be placed on the Committee's agenda.

(b) The respondent may, within 30 days of the Committee's notification, provide to the Committee any information relevant to a complaint filed with the Committee. The respondent may submit a written statement in response to the complaint. Such a statement shall be signed by the respondent. If the statement is prepared by counsel for the respondent, the respondent shall sign a representation that he/she has reviewed the response and agrees with the factual assertions contained therein.

(c) The Committee staff may request information from the respondent or obtain additional information pertinent to the case from other sources prior to the establishment of an investigative subcommittee only when so directed by the Chairman and Ranking Minority Member.

(d) At the first meeting of the Committee following the procedures or actions specified in clauses (a) and (b), the Committee shall consider the complaint.

(e) The Committee, by a majority vote of its members, may create an investigative subcommittee. If an investigative subcommittee is established, the Chairman and Ranking Minority Member shall designate four members to serve as an investigative subcommittee in accordance with Rule 20.

(f) The respondent shall be notified in writing regarding the Committee's decision either to dismiss the complaint or to create an investigative subcommittee.

(g) The respondent shall be notified of the membership of the investigative subcommittee and shall have ten days after such notice is transmitted to object to the participation of any subcommittee member. Such objection shall be in writing and shall be on the grounds that the subcommittee member cannot render an impartial and unbiased decision. The subcommittee member against whom the objection is made shall be the sole judge of his or her disqualification.

Rule 19. Committee-Initiated Inquiry

(a) Notwithstanding the absence of a filed complaint, the Committee may consider any information in its possession indicating that a Member, officer, or employee may have committed a violation of the Code of Official Conduct or any law, rule, regulation, or other standard of conduct applicable to the conduct of such Member, officer, or employee in the performance of his or her duties or the discharge of his or her responsibilities. The Chairman and Ranking Minority Member may jointly gather additional information concerning such an alleged violation by a Member, officer, or employee unless and until an investigative subcommittee has been established.

(b) If the Committee votes to establish an investigative subcommittee, the Committee shall proceed in accordance with Rule 20.

(c) Any written request by a Member, officer, or employee of the House of Representatives that the Committee conduct an inquiry into such person's own conduct shall be processed in accordance with subsection (a) of this Rule.

(d) An inquiry shall not be undertaken regarding any alleged violation that occurred before the third previous Congress unless a majority of the Committee determines that the alleged violation is directly related to an alleged violation that occurred in a more recent Congress.

(e) An inquiry shall be undertaken by an investigative subcommittee with regard to any felony conviction of a Member, officer, or employee of the House of Representatives in a Federal, state, or local court. Notwithstanding this provision, an inquiry may be initiated at any time prior to sentencing.

Rule 20. Investigative Subcommittee

(a) In an inquiry undertaken by an investigative subcommittee—

(1) All proceedings, including the taking of testimony, shall be conducted in executive session and all testimony taken by deposition or things produced pursuant to subpoena or otherwise shall be deemed to have been taken or produced in executive session.

(2) The Chairman of the investigative subcommittee shall ask the respondent and all witnesses whether they intend to be represented by counsel. If so, the respondent or witnesses or their legal representatives shall provide written designation of counsel. A respondent or witness who is represented by counsel shall not be questioned in the absence of counsel unless an explicit waiver is obtained.

(3) The subcommittee shall provide the respondent an opportunity to present, orally or in writing, a statement, which must be under oath or affirmation, regarding the allegations and any other relevant questions arising out of the inquiry.

(4) The staff may interview witnesses, examine documents and other evidence, and request that submitted statements be under oath or affirmation and that documents be certified as to their authenticity and accuracy.

(5) The subcommittee, by a majority vote of its members, may require, by subpoena or otherwise, the attendance and testimony of witnesses and the production of such books, records, correspondence, memoranda, papers, documents, and other items as it deems necessary to the conduct of the inquiry. Unless the Committee otherwise provides, the subpoena power shall rest in the Chairman and Ranking Minority Member of the Committee and a subpoena shall be issued upon the request of the investigative subcommittee.

(6) The subcommittee shall require that testimony be given under oath or affirmation. The form of the oath or affirmation shall be: ''Do you solemnly swear (or affirm) that the testimony you will give before this subcommittee in the matter now under consideration will be the truth, the whole truth, and nothing but the truth (so help you God)?'' The oath or affirmation shall be administered by the Chairman or subcommittee member designated by the Chairman to administer oaths.

(b) During the inquiry, the procedure respecting the admissibility of evidence and rulings shall be as follows:

(1) Any relevant evidence shall be admissible unless the evidence is privileged under the precedents of the House of Representative.

(2) The Chairman of the subcommittee or other presiding member at any investigative subcommittee proceeding shall rule upon any question of admissibility or pertinency of evidence, motion, procedure or any other matter, and may direct any witness to answer any question under penalty of contempt. A witness, witness's counsel, or a member of the subcommittee may appeal any evidentiary rulings to the members present at that proceeding. The majority vote of the members present at such proceeding on such appeal shall govern the question of admissibility, and no appeal shall lie to the Committee.

(3) Whenever a person is determined by a majority vote to be in contempt of the subcommittee, the matter may be referred to the Committee to determine whether to refer the matter to the House of Representatives for consideration.

(4) Committee counsel may, subject to subcommittee approval, enter into stipulations with the respondent and/or the respondent's counsel as to facts that are not in dispute.

(c) Upon an affirmative vote of a majority of the subcommittee members, and an affirmative vote of a majority of the full Committee, an investigative subcommittee may expand the scope of its investigation.

(d) Upon completion of the investigation, the staff shall draft for the investigative subcommittee a report that shall contain a comprehensive summary of the information received regarding the alleged violations.

(e) Upon completion of the inquiry, an investigative subcommittee, by a majority vote of its members, may adopt a Statement of Alleged Violation if it determines that there is substantial reason to believe that a violation of the Code of Official Conduct, or of a law, rule, regulation, or other standard of conduct applicable to the performance of official duties or the discharge of official responsibilities by a Member, officer, or employee of the House of Representatives has occurred. If more than one violation is alleged, such Statement shall be divided into separate counts. Each count shall relate to a separate violation, shall contain a plain and concise statement of the alleged facts of such violation, and shall include a reference to the provision of the Code of Official Conduct or law, rule, regulation or other applicable standard of conduct governing the performance of duties or discharge of responsibilities alleged to have been violated. A copy of such Statement shall be transmitted to the respondent and the respondent's counsel.

(f) If the investigative subcommittee does not adopt a Statement of Alleged Violation, it shall transmit to the Committee a report containing a summary of the information received in the inquiry, its conclusions and reasons therefor, and any appropriate recommendation. The Committee shall transmit such report to the House of Representatives.

Rule 21. Amendments of Statements of Alleged Violation

(a) An investigative subcommittee may, upon an affirmative vote of a majority of its members, amend its Statement of Alleged Violation anytime before the Statement of Alleged Violation is transmitted to the Committee; and

(b) If an investigative subcommittee amends its Statement of Alleged Violation, the respondent shall be notified in writing and shall have 30 calendar days from the date of that notification to file an answer to the amended Statement of Alleged Violation.

Rule 22. Committee Reporting Requirements

(a) Whenever an investigative subcommittee does not adopt a Statement of Alleged Violation and transmit a report to that effect to the Committee, the Committee may by an affirmative vote of a majority of its members transmit such report to the House of Representatives;

(b) Whenever an investigative subcommittee adopts a Statement of Alleged Violation but recommends that no further action be taken, it shall transmit a report to the Committee regarding the Statement of Alleged Violation; and

(c) Whenever an investigative subcommittee adopts a Statement of Alleged Violation, the respondent admits to the violations set forth in such Statement, the respondent waives his or her right to an adjudicatory hearing, and the respondent's waiver is approved by the Committee—

(1) the subcommittee shall prepare a report for transmittal to the Committee, a final draft of which shall be provided to the respondent not less than 15 calendar days before the subcommittee votes on whether to adopt the report;

(2) the respondent may submit views in writing regarding the final draft to the subcommittee within 7 calendar days of receipt of that draft;

(3) the subcommittee shall transmit a report to the Committee regarding the Statement of Alleged Violation together with any views submitted by the respondent pursuant to subparagraph (2), and the Committee shall make the report, together with the respondent's views, available to the public before the commencement of any sanction hearing; and

(4) the Committee shall by an affirmative vote of a majority of its members issue a report and transmit such report to the House of Representatives, together with the respondent's views previously submitted pursuant to subparagraph (2) and any additional views respondent may submit for attachment to the final report; and

(d) Members of the Committee shall have not less than 72 hours to review any report transmitted to the Committee by an investigative subcommittee before both the commencement of a sanction hearing and the Committee vote on whether to adopt the report.

Rule 23. Respondent's Answer

(a)(1) Within 30 days from the date of transmittal of Statement of Alleged Violation, the respondent shall file with the investigative subcommittee an answer, in writing and under oath, signed by respondent and respondent's counsel. Failure to file an answer within the time prescribed shall be considered by the Committee as a denial of each count.

(2) The answer shall contain an admission to or denial of each count set forth in the Statement of Alleged Violation and may include negative, affirmative, or alternative defenses and any supporting evidence or other relevant information.

(b) The respondent may file a Motion for a Bill of Particulars within 10 days of the date of transmittal of the Statement of Alleged Violation. If a Motion for a Bill of Particulars is filed, the respondent shall not be required to file an answer until 20 days after the subcommittee has replied to such motion.

(c)(1) The respondent may file a Motion to Dismiss within 10 days of the date of transmittal of the Statement of Alleged Violation or, if a Motion for a Bill of Particulars has been filed, within 10 days of the date of the subcommittee's reply to the Motion for a Bill of Particulars. If a Motion to Dismiss is filed, the respondent shall not be required to file an answer until 20 days after the subcommittee has replied to the Motion to Dismiss, unless the respondent previously filed a Motion for a Bill of Particulars, in which case the respondent shall not be required to file an answer until 10 days after the subcommittee has replied to the Motion to Dismiss. The investigative subcommittee shall rule upon any motion to dismiss filed during the period between the establishment of the subcommittee and the subcommittee's transmittal of a report to the Committee pursuant to Rule 20 or Rule 22, and no appeal of the subcommittee's ruling shall lie to the Committee.

(2) A Motion to Dismiss may be made on the grounds that the Statement of Alleged Violation fails to state facts that constitute a violation of the Code of Official Conduct or other applicable law, rule, regulation, or

standard of conduct, or on the grounds that the Committee lacks jurisdiction to consider the allegations contained in the Statement.

(d) Any motion filed with the subcommittee pursuant to this rule shall be accompanied by a Memorandum of Points and Authorities.

(e)(1) The Chairman of the investigative subcommittee, for good cause shown, may permit the respondent to file an answer or motion after the day prescribed above.

(2) If the ability of the respondent to present an adequate defense is not adversely affected and special circumstances so require, the Chairman of the investigative subcommittee may direct the respondent to file an answer or motion prior to the day prescribed above.

(f) If the day on which any answer, motion, reply, or other pleading must be filed falls on a Saturday, Sunday, or holiday, such filing shall be made on the first business day thereafter.

(g) As soon as practicable after an answer has been filed or the time for such filing has expired, the Statement of Alleged Violation and any answer, motion, reply, or other pleading connected therewith shall be transmitted by the Chairman of the investigative subcommittee to the Chairman and Ranking Minority Member of the Committee.

Rule 24. Adjudicatory Hearings

(a) If a Statement of Alleged Violation is transmitted to the Chairman and Ranking Minority Member pursuant to Rule 23, and no waiver pursuant to Rule 27(b) has occurred, the Chairman shall designate the members of the Committee who did not serve on the investigative subcommittee to serve on an adjudicatory subcommittee. The Chairman and Ranking Minority Member of the Committee shall be the Chairman and Ranking Minority Member of the adjudicatory subcommittee unless they served on the investigative subcommittee. The respondent shall be notified of the designation of the adjudicatory subcommittee and shall have ten days after such notice is transmitted to object to the participation of any subcommittee member. Such objection shall be in writing and shall be on the grounds that the member cannot render an impartial and unbiased decision. The member against whom the objection is made shall be the sole judge of his or her disqualification.

(b) A majority of the adjudicatory subcommittee membership plus one must be present at all times for the conduct of any business pursuant to this rule.

(c) The adjudicatory subcommittee shall hold a hearing to determine whether any counts in the Statement of Alleged Violation have been proved by clear and convincing evidence and shall make findings of fact, except where such violations have been admitted by respondent.

(d) At an adjudicatory hearing, the subcommittee may require, by subpoena or otherwise, the attendance and testimony of such witnesses and production of such books, records, correspondence, memoranda, papers, documents, and other items as it deems necessary. Depositions, interrogatories, and sworn statements taken under any investigative subcommittee direction may be accepted into the hearing record.

(e) The procedures set forth in clause 2(g) and (k) of Rule XI of the Rules of the House of Representatives shall apply to adjudicatory hearings. All such hearings shall be open to the public unless the adjudicatory subcommittee, pursuant to such clause, determines that the hearings or any part thereof should be closed.

(f)(1) The adjudicatory subcommittee shall, in writing, notify the respondent that the respondent and his or her counsel have the right to inspect, review, copy, or photograph books, papers, documents, photographs, or other tangible objects that the adjudicatory subcommittee counsel intends to use as evidence against the respondent in an adjudicatory hearing. The respondent shall be given access to such evidence, and shall be provided the names of witnesses the subcommittee counsel intends to call, and a summary of their expected testimony, no less than 15 calendar days prior to any such hearing. Except in extraordinary circumstances, no evidence may be introduced or witness called in an adjudicatory hearing unless the respondent has been afforded a prior opportunity to review such evidence or has been provided the name of the witness.

(2) After a witness has testified on direct examination at an adjudicatory hearing, the Committee, at the request of the respondent, shall make available to the respondent any statement of the witness in the possession of the Committee which relates to the subject matter as to which the witness has testified.

(3) Any other testimony, statement, or documentary evidence in the possession of the Committee which is material to the respondent's defense shall, upon request, be made available to the respondent.

(g) No less than five days prior to the hearing, the respondent or counsel shall provide the adjudicatory subcommittee with the names of witnesses expected to be called, summaries of their expected testimony, and copies of any documents or other evidence proposed to be introduced.

(h) The respondent or counsel may apply to the subcommittee for the issuance of subpoenas for the appearance of witnesses or the production of evidence. The application shall be granted upon a showing by the respondent that the proposed testimony or evidence is relevant and not otherwise available to respondent. The application may be denied if not made at a reasonable time or if the testimony or evidence would be merely cumulative.

(i) During the hearing, the procedures regarding the admissibility of evidence and rulings shall be as follows:

(1) Any relevant evidence shall be admissible unless the evidence is privileged under the precedents of the House of Representatives.

(2) The Chairman of the subcommittee or other presiding member at an adjudicatory subcommittee hearing shall rule upon any question of admissibility or pertinency of evidence, motion, procedure, or any other matter, and may direct any witness to answer any question under penalty of contempt. A witness, witness' counsel, or a member of the subcommittee may appeal any evidentiary ruling to the members present at that proceeding. The majority vote of the members present at such proceeding on such an appeal shall govern the question of admissibility and no appeal shall lie to the Committee.

(3) Whenever a witness is deemed by a Chairman or other presiding member to be in contempt of the subcommittee, the matter may be referred to the Committee to determine whether to refer the matter of the House of Representatives for consideration.

(4) Committee counsel may, subject to the subcommittee approval, enter into stipulations with the respondent and/or the respondent's counsel as to facts that are not in dispute.

(j) Unless otherwise provided, the order of an adjudicatory hearing shall be as follows:

(1) The Chairman of the subcommittee shall open the hearing by stating the adjudicatory subcommittee's authority to conduct the hearing and the purpose of the hearing.

(2) The Chairman shall then recognize Committee counsel and the respondent's counsel, in turn, for the purpose of giving opening statements.

(3) Testimony from witnesses and other pertinent evidence shall be received in the following order whenever possible:

(i) witnesses (deposition transcripts and affidavits obtained during the inquiry may be used in lieu of live witnesses if the witness is unavailable) and other evidence offered by the Committee counsel,

(ii) witnesses and other evidence offered by the respondent,

(iii) rebuttal witnesses, as permitted by the Chairman.

(4) Witnesses at a hearing shall be examined first by counsel calling such witness. The opposing counsel may then cross-examine the witness. Redirect examination and recross examination may be permitted to the Chairman's discretion. Subcommittee members may then question witnesses. Unless otherwise directed by the Chairman, such questions shall be conducted under the five-minute rule.

(k) A subpoena to a witness to appear at a hearing shall be served sufficiently in advance of that witness' scheduled appearance to allow the witness a reasonable period of time, as determined by the Chairman of the adjudicatory subcommittee, to prepare for the hearing and to employ counsel.

(l) Each witness appearing before the subcommittee shall be furnished a printed copy of the Committee rules, the pertinent provisions of the Rules of the House of Representatives applicable to the rights of witnesses, and a copy of the Statement of Alleged Violation.

(m) Testimony of all witnesses shall be taken under oath or affirmation. The form of the oath or affirmation shall be: ''Do you solemnly swear (or affirm) that the testimony you will give before this subcommittee in the matter now under consideration will be the truth, the whole truth, and nothing but the truth (so help you God)?'' The oath or affirmation shall be administered by the Chairman or Committee member designated by the Chairman to administer oaths.

(n) At an adjudicatory hearing, the burden of proof rests on Committee counsel to establish the facts alleged in the Statement of Alleged Violation by clear and convincing evidence. However, Committee counsel need not present any evidence regarding any count that is admitted by the respondent or any fact stipulated.

(o) As soon as practicable after all testimony and evidence have been presented, the subcommittee shall consider each count contained in the Statement of Alleged Violation and shall determine by a majority vote of its members whether each count has been proved. If a majority of the subcommittee does not vote that a count has been proved, a motion to reconsider that vote may be made only by a member who voted that the count was not proved. A count that is not proved shall be considered as dismissed by the subcommittee.

(p) The findings of the adjudicatory subcommittee shall be reported to the Committee.

Rule 25. Sanction Hearing and Consideration of Sanctions or Other Recommendations

(a) If no count in a Statement of Alleged Violation is proved, the Committee shall

prepare a report to the House of Representatives, based upon the report of the adjudicatory subcommittee.

(b) If an adjudicatory subcommittee completes an adjudicatory hearing pursuant to Rule 24 and reports that any count of the Statement of Alleged Violation has been proved, a hearing before the Committee shall be held to receive oral and/or written submissions by counsel for the Committee and counsel for the respondent as to the sanction the Committee should recommend to the House of Representatives with respect to such violations. Testimony by witnesses shall not be heard except by written request and vote of a majority of the Committee.

(c) Upon completion of any proceeding held pursuant to clause (b), the Committee shall consider and vote on a motion to recommend to the House of Representatives that the House take disciplinary action. If a majority of the Committee does not vote in favor of the recommendation that the House of Representatives take action, a motion to reconsider that vote may be made only by a member who voted against the recommendation. The Committee may also, by majority vote, adopt a motion to issue a Letter of Reproval or take other appropriate Committee action.

(d) If the Committee determines a Letter of Reproval constitutes sufficient action, the Committee shall include any such letter as a part of its report to the House of Representatives.

(e) With respect to any proved counts against a Member of the House of Representatives, the Committee may recommend to the House one or more of the following sanctions:

(1) Expulsion from the House of Representatives.

(2) Censure.

(3) Reprimand.

(4) Fine.

(5) Denial or limitation of any right, power, privilege, or immunity of the Member if under the Constitution the House of Representatives may impose such denial or limitation.

(6) Any other sanction determined by the Committee to be appropriate.

(f) With respect to any proved counts against an officer or employee of the House of Representatives, the Committee may recommend to the House one or more of the following sanctions:

(1) Dismissal from employment.

(2) Reprimand.

(3) Fine.

(4) Any other sanction determined by the Committee to be appropriate.

(g) With respect to the sanctions that the Committee may recommend, reprimand is appropriate for serious violations, censure is appropriate for more serious violations, and expulsion of a Member or dismissal of an officer or employee is appropriate for the most serious violations. A recommendation of a fine is appropriate in a case in which it is likely that the violation was committed to secure a personal financial benefit; and a recommendation of a denial or limitation of a right, power, privilege, or immunity of a Member is appropriate when the violation bears upon the exercise or holding of such right, power, privilege, or immunity. This clause sets forth general guidelines and does not limit the authority of the Committee to recommend other sanctions.

(h) The Committee report shall contain an appropriate statement of the evidence supporting the Committee's findings and a statement of the Committee's reasons for the recommended sanction.

Rule 26. Disclosure of Exculpatory Information to Respondent

If the Committee, or any investigative or adjudicatory subcommittee at any time receives any exculpatory information respecting a Complaint or Statement of Alleged Violation concerning a Member, officer, or employee of the House of Representatives, it shall make such information known and available to the Member, officer, or employee as soon as practicable, but in no event later than the transmittal of evidence supporting a proposed Statement of Alleged Violation pursuant to Rule 27(c). If an investigative subcommittee does not adopt a Statement of Alleged Violation, it shall identify any exculpatory information in its possession at the conclusion of its inquiry and shall include such information, if any, in the subcommittee's final report to the Committee regarding its inquiry. For purposes of this rule, exculpatory evidence shall be any evidence or information that is substantially favorable to the respondent with respect to the allegations or charges before an investigative or adjudicatory subcommittee.

Rule 27. Rights of Respondents and Witnesses

(a) A respondent shall be informed of the right to be represented by counsel, to be provided at his or her own expense.

(b) A respondent may seek to waive any procedural rights or steps in the disciplinary process. A request for waiver must be in writing, signed by the respondent, and must detail what procedural steps the respondent seeks to waive. Any such request shall be subject to the acceptance of the Committee or subcommittee, as appropriate.

(c) Not less than 10 calendar days before a scheduled vote by an investigative subcommittee on a Statement of Alleged Violation, the subcommittee shall provide the respondent with a copy of the Statement of Alleged Violation it intends to adopt together with all evidence it intends to use to prove those charges which it intends to adopt, including documentary evidence, witness testimony, memoranda of witness interviews, and physical evidence, unless the subcommittee by an affirmative vote of a majority of its members decides to withhold certain evidence in order to protect a witness, but if such evidence is withheld, the subcommittee shall inform the respondent that evidence is being withheld and of the count to which such evidence relates.

(d) Neither the respondent nor his counsel shall, directly or indirectly, contact the subcommittee or any member thereof during the period of time set forth in paragraph (c) except for the sole purpose of settlement discussions where counsels for the respondent and the subcommittee are present.

(e) If, at any time after the issuance of a Statement of Alleged Violation, the Committee or any subcommittee thereof determines that it intends to use evidence not provided to a respondent under paragraph (c) to prove the charges contained in the Statement of Alleged Violation (or any amendment thereof), such evidence shall be made immediately available to the respondent, and it may be used in any further proceeding under the Committee's rules.

(f) Evidence provided pursuant to paragraph (c) or (e) shall be made available to the respondent and his or her counsel only after each agrees, in writing, that no document, information, or other materials obtained pursuant to that paragraph shall be made public until—

(1) such time as a Statement of Alleged Violation is made public by the Committee if the respondent has waived the adjudicatory hearing; or

(2) the commencement of an adjudicatory hearing if the respondent has not waived an adjudicatory hearing; but the failure of respondent and his counsel to so agree in writing, and therefore not receive the evidence, shall not preclude the issuance of a Statement of Alleged Violation at the end of the period referenced to in (c).

(g) A respondent shall receive written notice whenever—

(1) the Chairman and Ranking Minority Member determine that information the Committee has received constitutes a complaint;

(2) a complaint or allegation is transmitted to an investigative subcommittee;

(3) that subcommittee votes to authorize its first subpoena or to take testimony under oath, whichever occurs first; and

(4) the Committee votes to expand the scope of the inquiry of an investigative subcommittee.

(h) Whenever an investigative subcommittee adopts a Statement of Alleged Violation and a respondent enters into an agreement with that subcommittee to settle a complaint on which the Statement is based, that agreement, unless the respondent requests otherwise, shall be in writing and signed by the respondent and the respondent's counsel, the Chairman and Ranking Minority Member of the subcommittee, and the outside counsel, if any.

(i) Statements or information derived solely from a respondent or his counsel during any settlement discussions between the Committee or a subcommittee thereof and the respondent shall not be included in any report of the subcommittee or the Committee or otherwise publicly disclosed without the consent of the respondent;

(j) Whenever a motion to establish an investigative subcommittee does not prevail, the Committee shall promptly send a letter to the respondent informing him of such vote.

(k) Witnesses shall be afforded a reasonable period of time, as determined by the Committee or subcommittee, to prepare for an appearance before an investigative subcommittee or for an adjudicatory hearing and to obtain counsel.

(l) Except as otherwise specifically authorized by the Committee, no Committee member or staff member shall disclose to any person outside the Committee the name of any witness subpoenaed to testify or to produce evidence.

(m) Prior to their testimony, witness shall be furnished a printed copy of the Committee's Rules of Procedure and the provisions of the Rules of the House of Representatives applicable to the rights of witnesses.

(n) Witnesses may be accompanied by their own counsel for the purpose of advising them concerning their constitutional rights. The Chairman may punish breaches of order and decorum, and of professional responsibility on the part of counsel, by censure and exclusion from the hearings; and the Committee may cite the offender to the House of Representatives for contempt.

(o) Each witness subpoenaed to provide testimony of other evidence shall be provided such travel expenses as the Chairman considers appropriate. No compensation shall be authorized for attorney's fees or for a witness' lost earnings.

(p) With the approval of the Committee, a witness, upon request, may be provided with a transcript of his or her deposition or other testimony taken in executive session, or, with the approval of the Chairman and Ranking Minority Member, may be permitted to examine such transcript in the office of the Committee. Any such request

shall be in writing and shall include a statement that the witness, and counsel, agree to maintain the confidentiality of all executive session proceedings covered by such transcript.

Rule 28. Frivolous Filings

If a complaint or information offered as a complaint is deemed frivolous by an affirmative vote of a majority of the members of the Committee, the Committee may take such action as it, by an affirmative vote of its members, deems appropriate in the circumstances.

Rule 29. Referrals to Federal or State Authorities

Referrals made under clause 3(a)(3) of Rule XI of the Rules of the House of Representatives may be made by an affirmative vote of two-thirds of the members of the Committee.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 692

Mr. TANCREDO. Mr. Speaker, I ask unanimous consent to remove the name of the gentleman from Wisconsin (Mr. GREEN) from the list of cosponsors for my bill, H.R. 692. The gentleman from Wisconsin's name was placed on the list in error.

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

There was no objection.

CONFERENCE REPORT ON H.R. 1141, 1999 EMERGENCY SUPPLEMENTAL APPROPRIATIONS ACT

Mr. YOUNG of Florida. Mr. Speaker, pursuant to House Resolution 173, I call up the conference report on the bill (H.R. 1141) making emergency supplemental appropriations for the fiscal year ending September 30, 1999, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 173, the conference report is considered as having been read.

(For conference report and statement, see proceedings of the House of May 14, 1999 at page H3175.)

The SPEAKER pro tempore. The gentleman from Florida (Mr. YOUNG) and the gentleman from Wisconsin (Mr. OBEY) each will control 30 minutes.

The Chair recognizes the gentleman from Florida (Mr. YOUNG).

GENERAL LEAVE

Mr. YOUNG of Florida. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the conference report to accompany H.R. 1141, and that I may include tabular and extraneous material.

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

There was no objection.

□ 1845

Mr. YOUNG of Florida. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I appreciate the exciting debate that took place as we considered the rule. During that exciting debate, one comment struck me that I thought I really should comment on. It was the comment about having made these decisions in the dark of the night.

Yes, Mr. Speaker, we did work in the dark of the night, because we worked for 3 full days and 3 long nights, one night going to as late as 1:30 in the morning, and the final night we went to approximately 10:30. So yes, we did, we worked all day, and we worked all night to resolve the many differences that existed between the House and Senate.

But in the conference room, it was very bright. It was very bright because the television cameras were in that room to record every word that was said in a live telecast. So the truth of the matter is, while it might have been dark on the clock, anybody that wanted to watch the television was able to see everything said and done. That was a first, the first time we had done that, when we did the conference committee in front of live TV.

I want to pay a special tribute to every one of the conferees on the House side. We had some differences, Mr. Speaker, but we worked them out as Members of Congress in a very logical and very respectful way.

I want to especially compliment the gentleman from Wisconsin (Mr. OBEY), the leader of the minority party in the conference. Again, we had differences, but the gentleman from Wisconsin (Mr. OBEY) helped to make this procedure work. He believes in the institution, as do I, and as do most of our Members in this House.

We did come up with a conference report that I would be willing to stand here and make a speech against, just like other Members have done during consideration of the rule, because there are things in this bill that I did not want to be here.

But when we go to conference, for any Member who has ever gone to conference with the Senate, we understand that there is give and take. We got basically what the House asked for in the two supplementals that we sent to conference. The Senate added a lot of riders. We took off most of those riders, and the ones that were left, we watered down. They are not nearly as bad as some of the speakers would have us believe they are.

Mr. Speaker, we need to emphasize what is good about this bill. The question was raised, how did we get to this number of $15 billion of spending. We got to this number, Mr. Speaker, because we added two supplementals together. Together, those two supplementals, as they passed the House with overwhelming numbers, were over $14 billion.

The truth of the matter is, we did add some additional money to this bill in conference. However, some of those items that were added that were nonemergency, that came from the other body, and were offset. They were not new money. They were not emergency money. They are offset.

What does this bill do? Whether we declared a war or not, whether Members approve of what is happening in the Balkans or not, the truth of the matter is that American forces are fighting a war in and over Kosovo and Serbia, and that war is very expensive. The President has asked us to provide money not only to replace the munitions that are being used, to replace the spare parts that are necessary to keep our airplanes flying, but the truth of the matter is it is a great expense to fight this war.

Mr. Speaker, our forces are stretched very thin in order to fight this war. This bill provides a lot of the money that is needed to recover the wearing down of our forces, the wearing down of our troops, the wearing down of our equipment.

The first supplemental we passed was an emergency to deal with Hurricane Mitch disaster in Central America. We funded all of that at the request of the President. Also, the President had asked for $152 million for agricultural emergencies in our own country. We not only did what the President asked for but we increased it by $422 million, at the request of those who have responsibility for agriculture programs in this Congress.

After we passed the bills in the House and went to conference, there was a terrible tragedy in Oklahoma. We added additional money to FEMA to take care of tragedies like in Oklahoma and other tragedies in the United States of America.

Mr. Speaker, we have a good bill here. It is not a clean as the bills that were passed in the House originally, but we had to go to conference. We had to deal with the other body. So the bill is not as clean as we would like, but it is a good bill. It deserves our support. It addresses the real emergencies that exist today that Americans have a great interest in.

As I said, those items that are not emergencies are offset. I will say that again: Those matters included in this bill that are not emergencies are offset.

Mr. Speaker, the House passed this bill and the Kosovo bill in clean forms that included $14.303 billion in spending including $1.855 in advance appropriations. The conference report that we have brought back has $15.144 billion in spending including $1.91 in advance appropriations. The major increases are: $900 million for FEMA, $422 million additional for aid to American farmers, $71 for additional migration and refugee assistance, $70 million for the U.S. Emergency Refugee and Migration Assistance Fund, $149 million additional for food aid, $45 million for Assistance to Eastern Europe and the Balkan States, $45 million for

the census, and $100 million for temporary resettlement of displace Kosovo Albanians. Major reductions to the House passed versions include $1.044 billion for defense and $596 million for military construction.

While the House passed versions included offsets of $1.121 billion, the conference agreement includes offsets of $1.995 billion. This means the level of net spending in this conference agreement is $17 million less than the House passed bills.

There has been some concern about the Food Stamp and Section 8 Assisted Housing offsets. While significant amounts are being taken from these accounts there will not be any impact on these programs for the remainder of this fiscal year. The funds are excess to projected needs. I would hope we would not make judgments on offsets on the importance of individual accounts, but rather on whether the funds are needed. This is a critical distinction. The Administration supports these offsets.

As I stated earlier, the house passed versions of these bills were clean. The Senate version included many riders. We were able to delete many of these, especially the most contentious ones.

Mr. Speaker, the pentagon will be out of money in some critical accounts by the end of May. In addition to solving this problem, this conference agreement will begin to restore our Nation's defenses. It addresses all known needs in the areas of natural disasters, agriculture, defense and humanitarian assistance.

Mr. Speaker, we started H.R. 1141 over two months ago. We had a protracted conference with the Senate for over three long days and late nights last week. It has been a tough bill, but it is a good bill. It deserves broad support, and it needs to pass now.

At this point in the RECORD I would like to insert a table showing the details of this conference agreement.

EMERGENCY SUPPLEMENTAL AND RESCISSIONS APPROPRIATIONS BILL, 1999 (H.R. 1141)

Doc No.		Supplemental Request	House	Senate 1/	Conference	Conference compared with House	Conference compared with Senate
	TITLE I - EMERGENCY SUPPLEMENTAL APPROPRIATIONS						
	CHAPTER 1						
	DEPARTMENT OF AGRICULTURE						
	Office of the Secretary						
.....	Emergency grants to assist low-income migrant and seasonal workers (contingent emergency appropriation	.....	.....	25,000	20,000	+20,000	-5,000
	Agricultural Marketing Service:						
.....	Marketing Services (contingent emergency appropriations)	.....	.....	700	.....	.....	-700
.....	Funds for strengthening markets, income, and supply (transfer from section 32) (contingent emergency appropriations)	.....	.....	150,000	145,000	+145,000	-5,000
	Total, Agricultural Marketing Service	.....	.....	150,700	145,000	+145,000	-5,700
	Farm Service Agency						
106-32	Salaries and expenses (emergency appropriations)	42,753	42,753	42,753	42,753	.....	.....
	Agricultural Credit Insurance Fund Program Account:						
	Loan authorizations:						
	Farm ownership loans:						
106-32	Direct	(200,000)	(200,000)	(200,000)	(200,000)	.....	.....
106-32	Guaranteed	(350,000)	(350,000)	(350,000)	(350,000)	.....	.....
	Subtotal	(550,000)	(550,000)	(550,000)	(550,000)	.....	.....
	Farm operating loans:						
106-32	Direct	(185,000)	(185,000)	(185,000)	(185,000)	.....	.....
106-32	Guaranteed subsidized	(185,000)	(185,000)	(185,000)	(185,000)	.....	.....
	Subtotal	(370,000)	(370,000)	(370,000)	(370,000)	.....	.....
106-32	Emergency farm loans	(175,000)	(175,000)	.....	.....	(-175,000)	.....
.....	Emergency disaster loans	.....	.....	(175,000)	(175,000)	(+175,000)	.....
	Total, Loan authorizations	(1,095,000)	(1,095,000)	(1,095,000)	(1,095,000)	.....	.....
	Loan subsidies:						
	Farm ownership loans:						
106-32	Direct (emergency appropriations)	29,940	29,940	29,940	29,940	.....	.....
106-32	Guaranteed (emergency appropriations)	5,565	5,565	5,565	5,565	.....	.....
	Subtotal	35,505	35,505	35,505	35,505	.....	.....
	Farm operating loans:						
106-32	Direct (emergency appropriations)	12,635	12,635	12,635	12,635	.....	.....
106-32	Guaranteed subsidized (emergency appropriations)	16,169	16,169	16,169	16,169	.....	.....
	Subtotal	28,804	28,804	28,804	28,804	.....	.....
106-32	Emergency farm loans (emergency appropriations)	41,300	41,300	.....	.....	-41,300	.....
.....	Emergency disaster loans (emergency appropriations)	.....	.....	41,300	41,300	+41,300	.....
	Total, Loan subsidies	105,609	105,609	105,609	105,609	.....	.....
	ACIF expenses:						
106-32	Administrative expenses (emergency appropriations)	4,000	4,000	4,000	4,000	.....	.....
	Total, Agricultural Credit Insurance Fund Program Account	109,609	109,609	109,609	109,609	.....	.....
.....	Emergency conservation program (contingent emergency appropriations)	.....	.....	30,000	28,000	+28,000	-2,000
	Total, Farm Service Agency	152,362	152,362	182,362	180,362	+28,000	-2,000
	Commodity Credit Corporation Fund:						
.....	Livestock indemnity program (contingent emergency appropriations)	.....	.....	3,000	3,000	+3,000	.....
	Natural Resources Conservation Service:						
.....	Watershed and flood prevention operations (contingent emergency appropriations)	.....	.....	100,000	95,000	+95,000	-5,000
.....	Rural community advancement program (contingent emergency appropriations)	.....	.....	30,000	30,000	+30,000	.....

1/ Sections 4016(a) and 4017 of the Senate amendment nullify the emergency designation by the Congress for the Senate.

EMERGENCY SUPPLEMENTAL AND RESCISSIONS APPROPRIATIONS BILL, 1999 (H.R. 1141)— Continued

Doc No.		Supplemental Request	House	Senate 1/	Conference	Conference compared with House	Conference compared with Senate
	Rural Housing Service:						
	Rural Housing Insurance Fund Program Account:						
	Loan authorizations:						
.....	Single-family (sec. 502)	.....	.....	(10,000)	(10,000)	(+10,000)	.....
.....	Housing repair (sec. 504)	.....	.....	(1,000)	(1,000)	(+1,000)	.....
	Total, loan authorizations	.....	.....	(11,000)	(11,000)	(+11,000)	.....
	Loan subsidies:						
.....	Single-family (sec 502.) (Contingent emergency appropriations)	.....	.....	1,182	1,182	+1,182	.....
.....	Housing repair (sec. 504) (contingent emergency appropriations)	.....	.....	352	352	+352	.....
	Total, Loan subsidies	.....	.....	1,534	1,534	+1,534	.....
.....	Rural housing assistance grants (contingent emergency appropriations)	.....	.....	1,000	1,000	+1,000	.....
	Total, Rural Housing Service	.....	.....	2,534	2,534	+2,534	.....
	GENERAL PROVISIONS						
.....	CCC conservation program technical assistance (Sec. 11 cap exception) (contingent emergency appropriations) (sec. 102)	.....	.....	28,000	28,000	+28,000	.....
.....	Livestock disaster assistance fund (contingent emergency appropriations) (sec. 104)	.....	.....	70,000	70,000	+70,000	.....
	Total, General provisions	.....	.....	98,000	98,000	+98,000	.....
	Total, Chapter 1:						
	New budget (obligational) authority	152,362	152,362	591,596	573,896	+421,534	-17,700
	Emergency appropriations	(152,362)	(152,362)	(152,362)	(152,362)	.....	.....
	Contingent emergency appropriations	.....	.....	(439,234)	(421,534)	(+421,534)	(-17,700)
	(Loan authorizations)	(1,095,000)	(1,095,000)	(1,106,000)	(1,106,000)	(+11,000)	.....
	CHAPTER 2						
	DEPARTMENT OF JUSTICE						
	Immigration and Naturalization Service						
106-27	Salaries and expenses: Enforcement and border affairs (emergency appropriations)	80,000	80,000	.....	80,000	.....	+80,000
	CHAPTER 3						
	DEPARTMENT OF DEFENSE - MILITARY						
	Military Personnel						
.....	Reserve personnel, Army (emergency appropriations)	.....	2,900	.....	2,900	.....	+2,900
.....	Contingent emergency appropriations	.....	5,100	.....	5,100	.....	+5,100
.....	National guard personnel, Army (emergency appropriations)	.....	6,000	.....	6,000	.....	+6,000
.....	Contingent emergency appropriations	.....	1,300	.....	1,300	.....	+1,300
.....	National guard personnel, Air Force (emergency appropriations)	.....	1,000	.....	1,000	.....	+1,000
	Total, Military personnel	.....	16,300	.....	16,300	.....	+16,300
	Operation and Maintenance						
.....	Operation and maintenance, Army (emergency appropriations)	.....	69,500	.....	50,000	-19,500	+50,000
.....	Operation and maintenance, Navy (emergency appropriations)	.....	16,000	.....	13,900	-2,100	+13,900
.....	Operation and maintenance, Marine Corps (emergency appropriations)	.....	300	.....	300	.....	+300
.....	Contingent emergency appropriations	.....	.....	.....	2,100	+2,100	+2,100
.....	Operation and maintenance, Air Force (emergency appropriations)	.....	8,800	.....	8,800	.....	+8,800
.....	Operation and maintenance, Defense-wide (emergency appropriations)	.....	46,500	.....	21,000	-25,500	+21,000
.....	Operation and maintenance, Army National Guard (contingent emergency appropriations)	.....	.....	.....	20,000	+20,000	+20,000
.....	Overseas humanitarian, disaster, and civic aid (emergency appropriations)	.....	37,500	.....	37,500	.....	+37,500
106-27	Disaster relief transfer fund (emergency appropriations)	188,500	.....	.....	.....	.....	.....
.....	New Horizons exercise transfer fund (contingent emergency appropriations)	.....	.....	.....	46,000	+46,000	+46,000
	Total, Operation and maintenance	188,500	178,600	.....	199,600	+21,000	+199,600
	Total, Chapter 3:						
	New budget (obligational) authority	188,500	194,900	.....	215,900	+21,000	+215,900
	Emergency appropriations	(188,500)	(188,500)	.....	(141,400)	(-47,100)	(+141,400)
	Contingent emergency appropriations	.....	(6,400)	.....	(74,500)	(+68,100)	(+74,500)

1/ Sections 4016(a) and 4017 of the Senate amendment nullify the emergency designation by the Congress for the Senate.

EMERGENCY SUPPLEMENTAL AND RESCISSIONS APPROPRIATIONS BILL, 1999 (H.R. 1141)— Continued

Doc No.		Supplemental Request	House	Senate 1/	Conference	Conference compared with House	Conference compared with Senate
	CHAPTER 4						
	EXPORT AND INVESTMENT ASSISTANCE						
	EXPORT-IMPORT BANK OF THE UNITED STATES						
.....	Subsidy appropriation (by transfer) (contingent emergency appropriation)	.....	.....	.....	(10,000)	(+10,000)	(+10,000)
	BILATERAL ECONOMIC ASSISTANCE						
	Agency for International Development						
106-27	International disaster assistance (emergency appropriations)	25,000	25,000	.....	25,000	.....	+25,000
.....	Contingent emergency appropriations	.....	.....	35,000	.....	.....	-35,000
.....	Operating expenses of the Agency for International Development (by transfer) (emergency appropriations)	(5,000)	.....	(6,000)	.....	.....	(-6,000)
.....	(By transfer) (contingent emergency appropriations)	.....	(5,000)	.....	(5,500)	(+500)	(+5,500)
106-27	Operating expenses of the Agency for International Development Office of Inspector General (by transfer) (emergency appropriations)	(1,000)	.....	.....	.....	.....	.....
.....	(By transfer) (contingent emergency appropriations)	.....	(2,000)	.....	(1,500)	(-500)	(+1,500)
	Other Bilateral Economic Assistance						
106-3 106-24	Economic support fund (emergency appropriations)	50,000	50,000	50,000	50,000	.....	.....
106-3 106-24	Advance appropriations	50,000	.....	.....	.....	.....	.....
106-27	Central America and the Caribbean Emergency Disaster Recovery Fund (emergency appropriations)	621,000	.....	.....	.....	.....	.....
.....	Contingent emergency appropriations	.....	621,000	611,000	621,000	.....	+10,000
	Total, Other bilateral economic assistance	721,000	671,000	661,000	671,000	.....	+10,000
	INDEPENDENT AGENCIES						
	Department of State						
.....	International narcotics control (contingent emergency appropriations)	.....	.....	23,000	23,000	+23,000	.....
	Department of the Treasury						
106-27	Debt restructuring (emergency appropriations)	41,000	41,000	41,000	41,000	.....	.....
	Total, Bilateral economic assistance	787,000	737,000	760,000	760,000	+23,000	.....
	MILITARY ASSISTANCE						
	Foreign Military Financing Program: Grants:						
106-3 106-24	Other (emergency appropriations)	50,000	50,000	50,000	50,000	.....	.....
106-3 106-24	Advance appropriations	150,000	.....	.....	.....	.....	.....
	Total, Foreign military assistance	200,000	50,000	50,000	50,000	.....	.....
	GENERAL PROVISIONS						
.....	Economic support fund (contingent emergency appropriations) (sec. 403)	.....	.....	.....	6,500	+6,500	+6,500
	Total, Chapter 4:						
	New budget (obligational) authority	987,000	787,000	810,000	816,500	+29,500	+6,500
	Emergency appropriations	(787,000)	(166,000)	(141,000)	(166,000)	.....	(+25,000)
	Contingent emergency appropriations	.....	(621,000)	(669,000)	(650,500)	(+29,500)	(-18,500)
	Advance appropriations	(200,000)	.....	.....	.....	.....	.....
	(By transfer) (emergency appropriations)	(6,000)	.....	(6,000)	.....	.....	(-6,000)
	(By transfer) (contingent emergency appropriations)	.....	(7,000)	.....	(17,000)	(+10,000)	(+17,000)
	CHAPTER 5						
	DEPARTMENT OF THE INTERIOR						
	United States Fish and Wildlife Service						
.....	Construction (contingent emergency appropriations)	.....	.....	12,612	12,612	+12,612	.....
	DEPARTMENT OF AGRICULTURE						
.....	Reconstruction and construction (contingent emergency appropriations)	.....	5,611	.....	5,611	.....	+5,611
	RELATED AGENCY						
	United States Holocaust Memorial Council						
.....	Holocaust Memorial Council (contingent emergency appropriations)	.....	.....	2,000	2,000	+2,000	.....

1/ Sections 4016(a) and 4017 of the Senate amendment nullify the emergency designation by the Congress for the Senate.

EMERGENCY SUPPLEMENTAL AND RESCISSIONS APPROPRIATIONS BILL, 1999 (H.R. 1141)—Continued

Doc No.		Supplemental Request	House	Senate 1/	Conference	Conference compared with House	Conference compared with Senate
	GENERAL PROVISIONS						
.....	Glacier Bay (sec. 501)	.....	.....	3,000	.....	.....	-3,000
.....	Contingent emergency appropriations	.....	.....	.....	26,000	+26,000	+26,000
	Total, Chapter 5:						
	New budget (obligational) authority	.....	5,611	17,612	46,223	+40,612	+28,611
	CHAPTER 6						
	INDEPENDENT AGENCY						
	Federal Emergency Management Agency						
106-61	Disaster relief (contingent emergency appropriations)	372,000	.....	.....	900,000	+900,000	+900,000
.....	Disaster assistance for unmet needs (contingent emergency appropriations)	.....	.....	313,600	230,000	+230,000	-83,600
	Total, Chapter 6:						
	New budget (obligational) authority	372,000	.....	313,600	1,130,000	+1,130,000	+816,400
	GENERAL PROVISIONS						
	Emergency Steel Loan Guarantee Act:						
.....	Loan subsidy (contingent emergency appropriations)	.....	.....	140,000	.....	.....	-140,000
.....	Administrative expenses (contingent emergency appropriations) (sec. 1401)	.....	.....	5,000	.....	.....	-5,000
	Emergency oil and gas guaranteed loan program (contingent emergency appropriations) (sec. 1402)	.....	.....	125,000	.....	.....	-125,000
	Total, General provisions	.....	.....	270,000	.....	.....	-270,000
	Total, title I:						
	New budget (obligational) authority	1,779,862	1,219,873	2,002,808	2,862,519	+1,642,646	+859,711
	Emergency appropriations	(1,207,862)	(586,862)	(293,362)	(539,762)	(-47,100)	(+246,400)
	Contingent emergency appropriations	(372,000)	(633,011)	(1,706,446)	(2,322,757)	(+1,689,746)	(+616,311)
	Advance appropriations	(200,000)	.....	.....	.....	.....	.....
	(By transfer) (emergency appropriations)	(6,000)	.....	(6,000)	.....	.....	(-6,000)
	(By transfer) (contingent emergency appropriations)	.....	(7,000)	.....	(17,000)	(+10,000)	(+17,000)
	(Loan authorizations)	(1,095,000)	(1,095,000)	(1,106,000)	(1,106,000)	(+11,000)	.....
	TITLE II - EMERGENCY NATIONAL SECURITY SUPPLEMENTAL APPROPRIATIONS						
	CHAPTER 1						
	DEPARTMENT OF AGRICULTURE						
	Public Law 480 Program and Grant Accounts:						
	Title II - Commodities for disposition abroad:						
.....	Contingent emergency appropriations	.....	.....	.....	149,200	+149,200	+149,200
	CHAPTER 2						
	DEPARTMENT OF STATE						
	Administration of Foreign Affairs						
106-50	Diplomatic and consular programs (emergency appropriations)	17,071	17,071	.....	17,071	.....	+17,071
106-50	Security and maintenance of United States missions (emergency appropriations)	5,000	5,000	.....	5,000	.....	+5,000
.....	Contingent emergency appropriations	.....	45,500	.....	45,500	.....	+45,500
106-50	Emergencies in the diplomatic and consular service (emergency appropriations)	2,929	2,929	.....	2,929	.....	+2,929
	Total, Department of State	25,000	70,500	.....	70,500	.....	+70,500
	RELATED AGENCY						
	United States Information Agency						
106-50	International information programs (by transfer) (emergency appropriations)	(450)	(450)	.....	(450)	.....	(+450)
	Total, Chapter 2:						
	New budget (obligational) authority	25,000	70,500	.....	70,500	.....	+70,500
	Emergency appropriations	(25,000)	(25,000)	.....	(25,000)	.....	(+25,000)
	Contingent emergency appropriations	.....	(45,500)	.....	(45,500)	.....	(+45,500)
	(By transfer) (emergency appropriations)	(450)	(450)	.....	(450)	.....	(+450)

1/ Sections 4016(a) and 4017 of the Senate amendment nullify the emergency designation by the Congress for the Senate.

EMERGENCY SUPPLEMENTAL AND RESCISSIONS APPROPRIATIONS BILL, 1999 (H.R. 1141)—Continued

Doc No.		Supplemental Request	House	Senate	Conference	Conference compared with House	Conference compared with Senate
	CHAPTER 3						
	DEPARTMENT OF DEFENSE - MILITARY						
	Military Personnel						
106-50	Military personnel, Army (emergency appropriations)	2,920	2,920		2,920		+2,920
106-50	Military personnel, Navy (emergency appropriations)	7,660	7,660		7,660		+7,660
106-50	Military personnel, Marine Corps (emergency appropriations)	1,586	1,586		1,586		+1,586
106-50	Military personnel, Air Force (emergency appropriations)	4,303	4,303		4,303		+4,303
	Total, Military personnel	16,469	16,469		16,469		+16,469
	Operation and Maintenance						
106-50	Overseas contingency operations transfer fund (emergency appropriations)	4,591,600	3,907,300		3,907,300		+3,907,300
106-50	Contingent emergency appropriations	850,000	1,311,800		1,100,000	-211,800	+1,100,000
	Total, Operation and maintenance	5,441,600	5,219,100		5,007,300	-211,800	+5,007,300
	Procurement						
	Weapons procurement, Navy (emergency appropriations)		431,100			-431,100	
	Contingent emergency appropriations				431,100	+431,100	+431,100
	Aircraft procurement, Air Force (emergency appropriations)		40,000			-40,000	
	Contingent emergency appropriations				40,000	+40,000	+40,000
	Missile procurement, Air Force (emergency appropriations)		178,200			-178,200	
	Contingent emergency appropriations				178,200	+178,200	+178,200
	Procurement of ammunition, Air Force (emergency appropriations)		35,000			-35,000	
	Contingent emergency appropriations				35,000	+35,000	+35,000
	Operational rapid response transfer fund (contingent emergency appropriations)		400,000		300,000	-100,000	+300,000
	Total, Procurement		1,084,300		984,300	-100,000	+984,300
	GENERAL PROVISIONS						
106-50	Sec. 8005 additional transfer authority (sec. 2001)	(800,000)	(800,000)		(350,000)	(-450,000)	(+350,000)
	Spare parts (sec. 2007) (contingent emergency appropriations)		1,339,200		1,124,900	-214,300	+1,124,900
	Depot maintenance (sec. 2008) (contingent emergency appropriations)		927,300		742,500	-184,800	+742,500
	Recruiting (sec. 2009) (contingent emergency appropriations)		156,400		100,000	-56,400	+100,000
	Readiness training (sec. 2010) (contingent emergency appropriations)		307,300		200,200	-107,100	+200,200
	Base operations (sec. 2011) (contingent emergency appropriations)		351,500		182,400	-169,100	+182,400
	Pay and retirement (sec. 2012) (contingent emergency appropriations) (advance appropriations)		1,838,426		1,838,426		+1,838,426
	Total, General provisions		4,920,126		4,188,426	-731,700	+4,188,426
	Total, Chapter 3:						
	New budget (obligational) authority	5,458,069	11,239,995		10,196,495	-1,043,500	+10,196,495
	Emergency appropriations	(4,608,069)	(4,608,069)		(3,923,769)	(-684,300)	(+3,923,769)
	Contingent emergency appropriations	(850,000)	(4,793,500)		(4,434,300)	(-359,200)	(+4,434,300)
	Advance appropriations		(1,838,426)		(1,838,426)		(+1,838,426)
	(Transfer authority)	(800,000)	(800,000)		(350,000)	(-450,000)	(+350,000)
	CHAPTER 4						
	BILATERAL ECONOMIC ASSISTANCE						
	Agency for International Development						
106-50	International disaster assistance (emergency appropriations)	71,000					
	Contingent emergency appropriations		163,000		163,000		+163,000
	Other Bilateral Economic Assistance						
106-50	Economic support fund (emergency appropriations)	105,000	105,000		105,000		+105,000
106-50	Assistance for Eastern Europe and the Baltic States (emergency appropriations)	170,000	75,000		120,000	+45,000	+120,000
	Total, Other bilateral economic assistance	275,000	180,000		225,000	+45,000	+225,000
	INDEPENDENT AGENCIES						
	Peace Corps						
106-50	(By transfer) (emergency appropriation)	(500)	(500)		(500)		(+500)

EMERGENCY SUPPLEMENTAL AND RESCISSIONS APPROPRIATIONS BILL, 1999 (H.R. 1141)— Continued

Doc No.		Supplemental Request	House	Senate	Conference	Conference compared with House	Conference compared with Senate
	Department of State						
106-50	Migration and refugee assistance (emergency appropriations)	125,000					
	Contingent emergency appropriations		195,000		266,000	+71,000	+266,000
	United States emergency refugee and migration assistance						
106-50	fund (emergency appropriations)	95,000	95,000			-95,000	
	Contingent emergency appropriations				165,000	+165,000	+165,000
	Total, Department of State	220,000	290,000		431,000	+141,000	+431,000
	Total, Chapter 4:						
	New budget (obligational) authority	566,000	633,000		819,000	+186,000	+819,000
	Emergency appropriations	(566,000)	(275,000)		(225,000)	(-50,000)	(+225,000)
	Contingent emergency appropriations		(358,000)		(594,000)	(+236,000)	(+594,000)
	(By transfer) (emergency appropriations)	(500)	(500)		(500)		(+500)
	CHAPTER 5						
	DEPARTMENT OF HEALTH AND HUMAN SERVICES						
	Administration for Children and Families						
	Refugee and entrant assistance (contingent emergency						
	appropriations)				100,000	+100,000	+100,000
	CHAPTER 6						
	DEPARTMENT OF DEFENSE - MILITARY						
	NATO Security Investment Program (contingent emergency						
	appropriations)		240,000			-240,000	
	Military construction transfer fund (contingent emergency						
	appropriations)				475,000	+475,000	+475,000
	GENERAL PROVISIONS						
	Military construction, Army (contingent emergency						
	appropriations) (sec. 401)		295,800			-295,800	
	Military construction, Navy (contingent emergency						
	appropriations) (sec. 401)		166,270			-166,270	
	Military construction, Air Force (contingent emergency						
	appropriations) (sec. 401)		333,430			-333,430	
	Military construction, Defense-wide (contingent emergency						
	appropriations) (sec. 401)		35,500			-35,500	
	Total, General provisions		831,000			-831,000	
	Total, Chapter 6:						
	New budget (obligational) authority		1,071,000		475,000	-596,000	+475,000
	CHAPTER 7						
	DEPARTMENT OF TRANSPORTATION						
	Coast Guard						
	Operating expenses (contingent emergency appropriations)				200,000	+200,000	+200,000
	Total, title II:						
	New budget (obligational) authority	6,049,069	13,014,495		12,010,195	-1,004,300	+12,010,195
	Emergency appropriations	(5,199,069)	(4,908,069)		(4,173,769)	(-734,300)	(+4,173,769)
	Contingent emergency appropriations	(850,000)	(6,268,000)		(5,998,000)	(-270,000)	(+5,998,000)
	Advance appropriations		(1,838,426)		(1,838,426)		(+1,838,426)
	(Transfer authority)	(800,000)	(800,000)		(350,000)	(-450,000)	(+350,000)
	(By transfer) (emergency appropriations)	(950)	(950)		(950)		(+950)
	TITLE III - SUPPLEMENTAL APPROPRIATIONS						
	CHAPTER 1						
	DEPARTMENT OF JUSTICE						
	Immigration and Naturalization Service						
	Salaries and expenses: Enforcement and border affairs			80,000			-80,000
	RELATED AGENCY						
	Office of the United States Trade Representative						
	Salaries and expenses				1,300	+1,300	+1,300
	DEPARTMENT OF COMMERCE						
	Bureau of the Census						
	Periodic censuses and programs				44,900	+44,900	+44,900

EMERGENCY SUPPLEMENTAL AND RESCISSIONS APPROPRIATIONS BILL, 1999 (H.R. 1141)—Continued

Doc No.		Supplemental Request	House	Senate	Conference	Conference compared with House	Conference compared with Senate
	National Oceanic and Atmospheric Administration						
106-3	Operations, research, and facilities	1,880		3,880	1,880	+1,880	-2,000
106-3	Fisheries finance program account	3,120					
	Total, National Oceanic and Atmospheric Administration	5,000		3,880	1,880	+1,880	-2,000
	Total, Department of Commerce	5,000		3,880	46,780	+46,780	+42,900
	THE JUDICIARY						
	Supreme Court of the United States						
	Salaries and expenses		921	921	921		
106-3	Emergency appropriations	921					
	Total, Chapter 1:						
	New budget (obligational) authority	5,921	921	84,801	49,001	+48,080	-35,800
	Appropriations	(5,000)	(921)	(84,801)	(49,001)	(+48,080)	(-35,800)
	Emergency appropriations	(921)					
	CHAPTER 1A						
	DEPARTMENT OF DEFENSE						
	Military Personnel						
	Reserve personnel, Army			2,900			-2,900
	National guard personnel, Army			7,300			-7,300
	National guard personnel, Air Force			1,000			-1,000
	Total, Military personnel			11,200			-11,200
	Operation and Maintenance						
	Operation and maintenance, Army			50,000			-50,000
	Operation and maintenance, Navy			16,000			-16,000
	Operation and maintenance, Air Force			8,000			-8,000
	Operation and maintenance, Defense-Wide			21,000			-21,000
	Operation and maintenance, Army National Guard			20,000			-20,000
	Overseas humanitarian, disaster, and civic aid			37,500			-37,500
	New Horizons exercise transfer fund			46,000			-46,000
	Total, Operation and maintenance			198,500			-198,500
	Total, Chapter 1A:						
	New budget (obligational) authority			209,700			-209,700
	CHAPTER 2						
	DEPARTMENT OF DEFENSE - CIVIL						
	DEPARTMENT OF THE ARMY						
	Corps of Engineers - Civil						
	Construction general			500			-500
	DEPARTMENT OF THE INTERIOR						
	Bureau of Reclamation						
	Water and related resources			5,000	1,500	+1,500	-3,500
	Total, Chapter 2:						
	New budget (obligational) authority			5,500	1,500	+1,500	-4,000
	CHAPTER 3						
	INDEPENDENT AGENCIES						
	Department of State						
	National Commission on Terrorism				840	+840	+840
	United States Commission on International Religious Freedom		3,000	3,000	3,000		
	Total, Department of State		3,000	3,000	3,840	+840	+840
	Department of the Treasury						
	International affairs technical assistance				1,500	+1,500	+1,500
	Total, Chapter 3:						
	New budget (obligational) authority		3,000	3,000	5,340	+2,340	+2,340

EMERGENCY SUPPLEMENTAL AND RESCISSIONS APPROPRIATIONS BILL, 1999 (H.R. 1141)—Continued

Doc No.		Supplemental Request	House	Senate	Conference	Conference compared with House	Conference compared with Senate
	CHAPTER 4						
	DEPARTMENT OF THE INTERIOR						
	Bureau of Land Management						
	Bureau of Indian Affairs						
.....	Operation of Indian programs (by transfer)	.....	.....	(1,136)	(1,136)	(+1,136)	.....
	Departmental Offices						
106-3	Office of the Special Trustee for American Indians	6,800	21,800	6,800	21,800	.....	+15,000
106-39	(By transfer)	(15,000)	.....	.....	.....	.....	.....
	CHAPTER 5						
	DEPARTMENT OF HEALTH AND HUMAN SERVICES						
	Office of the Secretary						
.....	General departmental management	.....	.....	1,400	1,000	+1,000	-400
	DEPARTMENT OF EDUCATION						
.....	Education for the disadvantaged (advance appropriation)	.....	.....	.....	56,377	+56,377	+56,377
.....	Higher education (by transfer)	.....	.....	.....	(1,500)	(+1,500)	(+1,500)
	RELATED AGENCY						
106-3	Corporation for Public Broadcasting	11,000	30,600	18,000	30,700	+100	+12,700
106-3	Advance appropriations	37,000	17,400	.....	17,300	-100	+17,300
	Total, Chapter 5:						
	New budget (obligational) authority	48,000	48,000	19,400	105,377	+57,377	+85,977
	Appropriations	(11,000)	(30,600)	(19,400)	(31,700)	(+1,100)	(+12,300)
	Advance appropriations	(37,000)	(17,400)	.....	(73,677)	(+56,277)	(+73,677)
	(By transfer)	.....	.....	.....	(1,500)	(+1,500)	(+1,500)
	CHAPTER 6						
	HOUSE OF REPRESENTATIVES						
	Salaries and Expenses						
	Salaries, Officers and Employees						
.....	Office of the Chief Administrative Officer	.....	.....	.....	3,521	+3,521	+3,521
.....	Rescission	.....	.....	.....	-3,521	-3,521	-3,521
	ARCHITECT OF THE CAPITOL						
	Capitol Buildings and Grounds						
.....	House office buildings	.....	5,560	.....	5,560	.....	+5,560
	Total, Chapter 6:						
	New budget (obligational) authority	.....	5,560	.....	5,560	.....	+5,560
	Appropriations	.....	(5,560)	.....	(9,081)	(+3,521)	(+9,081)
	Rescission	.....	.....	.....	(-3,521)	(-3,521)	(-3,521)
	CHAPTER 7						
	DEPARTMENT OF DEFENSE						
.....	Military construction, Army National Guard	.....	.....	14,500	6,400	+6,400	-8,100
.....	Family housing, Army	.....	.....	.....	25,000	+25,000	+25,000
	Total, Chapter 7:						
	New budget (obligational) authority	.....	.....	14,500	31,400	+31,400	+16,900
	CHAPTER 8						
	RELATED AGENCY						
	National Transportation Safety Board						
.....	Salaries and expenses	.....	.....	.....	2,300	+2,300	+2,300
	CHAPTER 9						
	DEPARTMENT OF THE TREASURY						
	Bureau of Alcohol, Tobacco and Firearms						
.....	Salaries and expenses	.....	.....	.....	4,500	+4,500	+4,500
	POSTAL SERVICE						
	Payments to the Postal Service						
106-3	Payments to the Postal Service Fund	29,000	29,000	.....	29,000	.....	+29,000

EMERGENCY SUPPLEMENTAL AND RESCISSIONS APPROPRIATIONS BILL, 1999 (H.R. 1141)—Continued

Doc No.		Supplemental Request	House	Senate	Conference	Conference compared with House	Conference compared with Senate
	EXECUTIVE OFFICE OF THE PRESIDENT AND FUNDS APPROPRIATED TO THE PRESIDENT						
	Federal Drug Control Programs						
.....	High intensity drug trafficking areas program	.....	.....	1,250	2,500	+2,500	+1,250
	Total, Chapter 9:						
	New budget (obligational) authority	29,000	29,000	1,250	36,000	+7,000	+34,750
	CHAPTER 10						
	DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT						
	Community Planning and Development						
.....	Community development block grants fund (by transfer)	.....	.....	(3,400)	.....	.....	(-3,400)
	Federal Housing Administration						
	FHA - Mutual mortgage insurance program account:						
.....	(Limitation on guaranteed loans)	.....	.....	.....	(30,000,000)	(+30,000,000)	(+30,000,000)
	Government National Mortgage Association						
	Guarantees of mortgage-backed securities loan guarantee program account:						
.....	(Limitation on guaranteed loans)	.....	.....	.....	(50,000,000)	(+50,000,000)	(+50,000,000)
	INDEPENDENT AGENCIES						
	Court of Veterans Appeals						
106-3	Salaries and expenses	372	.....	.....	.....	.....	.....
	Environmental Protection Agency						
.....	State and tribal assistance grants (by transfer) (sec. 3016)	.....	.....	(1,300)	(1,300)	(+1,300)	.....
	Total, Chapter 10:						
	New budget (obligational) authority	372	.....	.....	.....	.....	.....
	(By transfer)	.....	.....	(4,700)	(1,300)	(+1,300)	(-3,400)
	(Limitation on guaranteed loans)	.....	.....	.....	(80,000,000)	(+80,000,000)	(+80,000,000)
	CHAPTER 11						
	GENERAL PROVISIONS						
.....	Ellsworth AFB claims (sec. 3029)	.....	.....	8,000	8,000	+8,000	.....
.....	General Services Administration (sec. 3034 and 3035)	.....	.....	.....	1,700	+1,700	+1,700
	Total, Chapter 11:						
	New budget (obligational) authority	.....	.....	8,000	9,700	+9,700	+1,700
	Total, title III:						
	New budget (obligational) authority	90,093	108,281	352,951	267,978	+159,697	-84,973
	Appropriations	(52,172)	(90,881)	(352,951)	(197,822)	(+106,941)	(-155,129)
	Rescission	.....	.....	.....	(-3,521)	(-3,521)	(-3,521)
	Emergency appropriations	(921)	.....	.....	.....	.....	.....
	Advance appropriations	(37,000)	(17,400)	.....	(73,677)	(+56,277)	(+73,677)
	(By transfer)	(15,000)	.....	(5,836)	(3,936)	(+3,936)	(-1,900)
	(Limitation on guaranteed loans)	.....	.....	.....	(80,000,000)	(+80,000,000)	(+80,000,000)
	TITLE IV - RESCISSIONS AND OFFSETS						
	DEPARTMENT OF AGRICULTURE						
	Farm Service Agency						
.....	Emergency conservation program (P.L. 105-174) (rescission)	.....	.....	-700	.....	.....	+700
	Food and Nutrition Service						
.....	Food stamp program (rescission)	.....	.....	-521,000	-1,250,000	-1,250,000	-729,000
	Public Law 480 Program and Grant Accounts:						
.....	Loan subsidies (Title I) (rescission)	.....	-30,000	.....	.....	+30,000	.....
	DEPARTMENT OF JUSTICE						
.....	Office of Inspector General (rescission)	.....	.....	-5,000	.....	.....	+5,000
	Immigration and Naturalization Service						
	Salaries and expenses:						
.....	Enforcement and border affairs (rescission)	.....	.....	-40,000	.....	.....	+40,000
.....	Citizenship and benefits, immigration support and program direction (rescission)	.....	.....	-25,000	.....	.....	+25,000
	Total, Immigration and Naturalization Service	.....	.....	-65,000	.....	.....	+65,000
	Total, Department of Justice	.....	.....	-70,000	.....	.....	+70,000

EMERGENCY SUPPLEMENTAL AND RESCISSIONS APPROPRIATIONS BILL, 1999 (H.R. 1141)—Continued

Doc No.		Supplemental Request	House	Senate	Conference	Conference compared with House	Conference compared with Senate
	DEPARTMENT OF COMMERCE						
	National Oceanic and Atmospheric Administration						
.....	Operations, research and facilities (rescission)	.....	.....	-1,000	.....	.....	+1,000
.....	Procurement, acquisition and construction (rescission)	.....	.....	-2,000	.....	.....	+2,000
	Total, National Oceanic and Atmospheric Administration	.....	.....	-3,000	.....	.....	+3,000
	DEPARTMENT OF STATE						
	International Organizations and Conferences						
.....	Contributions to international organizations (rescission)	.....	.....	-25,000	.....	.....	+25,000
.....	Contributions for international peacekeeping activities (rescission)	.....	.....	-21,000	.....	.....	+21,000
	Total, International Organizations and Conferences	.....	.....	-46,000	.....	.....	+46,000
	RELATED AGENCY						
	United States Information Agency						
.....	International Broadcasting Operations (rescission)	.....	.....	-1,000	.....	.....	+1,000
.....	Buying power maintenance (rescission)	.....	-20,000	.....	-20,000	.....	-20,000
	DEPARTMENT OF DEFENSE - MILITARY						
	Operation and Maintenance						
106-3	Operation and maintenance, Defense-wide (contingent emergency appropriations (sec. 1001) 2/	-82,000	-40,000	.....	.....	+40,000	.....
.....	Rescission	.....	.....	-217,700	.....	.....	+217,700
	DEPARTMENT OF DEFENSE - CIVIL						
	DEPARTMENT OF THE ARMY						
	Corps of Engineers - Civil						
.....	Construction, general (rescission)	.....	.....	-5,500	.....	.....	+5,500
	DEPARTMENT OF ENERGY						
	Atomic Energy Defense Activities						
.....	Other defense activities (rescission of emergency appropriations)	.....	-150,000	.....	.....	+150,000	.....
	EXPORT AND INVESTMENT ASSISTANCE						
.....	Export-Import Bank of the United States (rescission)	.....	-25,000	.....	.....	+25,000	.....
.....	Trade and development agency (rescission)	.....	-5,000	.....	.....	+5,000	.....
	Total, Export and Investment Assistance	.....	-30,000	.....	.....	+30,000	.....
	BILATERAL ECONOMIC ASSISTANCE						
	Agency for International Development						
.....	Development assistance (rescission)	.....	-40,000	.....	.....	+40,000	.....
	Other Bilateral Assistance						
.....	Economic Support Fund (rescission)	.....	-17,000	-10,000	-5,000	+12,000	+5,000
.....	Assistance for Eastern Europe and the Baltic States (rescission)	.....	-20,000	-10,000	.....	+20,000	+10,000
.....	Assistance for the New Independent States of the Former Soviet Union (rescission)	.....	-25,000	-10,000	.....	+25,000	+10,000
	Total, Bilateral Economic Assistance	.....	-102,000	-30,000	-5,000	+97,000	+25,000
	MILITARY ASSISTANCE						
106-14	Foreign Military Financing Program (rescission)	-18,000	.....	.....	.....	.....	.....
.....	Peacekeeping operations (rescission)	.....	-10,000	.....	.....	+10,000	.....
	MULTILATERAL ECONOMIC ASSISTANCE						
	Funds Appropriated to the President						
.....	Contribution to the International Bank for Reconstruction and Development: Contribution to the Global Environment Facility (rescission)	.....	-25,000	-60,000	-25,000	.....	+35,000
.....	Reduction in callable capital appropriations (rescission)	.....	-648,000	.....	.....	+648,000	.....
.....	International organizations and programs (rescission)	.....	-10,000	-10,000	.....	+10,000	+10,000
	Total, Multilateral Economic Assitance	.....	-683,000	-70,000	-25,000	+658,000	+45,000
	DEPARTMENT OF THE INTERIOR						
	Bureau of Land Management						
106-14	Management of lands and resources (rescission)	-6,800	-6,800	-6,800	-6,800	.....	.....
	National Park Service						
.....	Construction (deferral) (sec. 2319)	.....	.....	-3,000	.....	.....	+3,000
	Total, Department of the Interior	-6,800	-6,800	-9,800	-6,800	.....	+3,000

EMERGENCY SUPPLEMENTAL AND RESCISSIONS APPROPRIATIONS BILL, 1999 (H.R. 1141)—Continued

Doc No.		Supplemental Request	House	Senate	Conference	Conference compared with House	Conference compared with Senate
	DEPARTMENT OF LABOR						
	Employment and Training Administration						
106-3	State unemployment insurance and employment service operations (trust fund) (offset)	-5,700	-21,000	-17,400	-22,400	-1,400	-5,000
	DEPARTMENT OF HEALTH AND HUMAN SERVICES						
	Health Resources and Services Administration						
.....	Federal capital loan program for nursing (rescission)	.....	-2,800	.....	-2,800	.....	-2,800
	DEPARTMENT OF EDUCATION						
.....	Education research, statistics, and improvement (rescission)	.....	-6,800	-8,000	-6,500	+300	+1,500
	DEPARTMENT OF DEFENSE - MILITARY						
	MILITARY CONSTRUCTION						
.....	Military construction, Army (rescission)	.....	.....	.....	-3,000	-3,000	-3,000
.....	Military construction, Navy (rescission)	.....	.....	.....	-2,000	-2,000	-2,000
.....	Military construction, Air Force (rescission)	.....	.....	.....	-3,000	-3,000	-3,000
.....	Military contruction, Defense-wide (rescission)	.....	.....	.....	-2,000	-2,000	-2,000
	Total, Military construction	.....	.....	.....	-10,000	-10,000	-10,000
.....	Family housing, Army (rescission)	.....	.....	.....	-8,000	-8,000	-8,000
.....	Family housing, Navy (rescission)	.....	.....	.....	-3,000	-3,000	-3,000
.....	Family housing, Air Force (rescission)	.....	.....	.....	-4,000	-4,000	-4,000
	Total, Family housing	.....	.....	.....	-15,000	-15,000	-15,000
.....	Base realignment and closure account, Part IV (rescission)	.....	.....	-14,500	-6,400	-6,400	+8,100
	Total, Department of Defense - Military	.....	.....	-14,500	-31,400	-31,400	-16,900
	DEPARTMENT OF TRANSPORTATION						
	Office of the Secretary						
.....	Payments to air carriers (Airport and Airway Trust Fund) (rescission of contract authorization)	.....	-815	.....	-815	.....	-815
	Federal Highway Administration						
.....	State infrastructure banks (rescission)	.....	-6,500	.....	-6,500	.....	-6,500
	Federal Transit Administration						
.....	Trust fund share of transit programs (Highway Trust Fund) (rescission of contract authorization)	.....	-665	.....	-665	.....	-665
.....	Interstate transfer grants - transit (rescission)	.....	-600	.....	-600	.....	-600
	Total, Federal Transit Administration	.....	-1,265	.....	-1,265	.....	-1,265
	Total, Department of Transportation	.....	-8,580	.....	-8,580	.....	-8,580
	DEPARTMENT OF TREASURY						
	Bureau of Alcohol, Tobacco and Firearms						
.....	Salaries and expenses (rescission)	.....	.....	.....	-4,500	-4,500	-4,500
	EXECUTIVE OFFICE OF THE PRESIDENT						
106-3	Unanticipated needs (rescission)	-10,000	-10,000	.....	-10,000	.....	-10,000
	Federal Drug Control Programs						
.....	Special forfeiture fund (rescission)	.....	.....	-1,250	.....	.....	+1,250
	DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT						
	Public and Indian Housing						
.....	Housing certificate fund (deferral)	.....	.....	-350,000	.....	.....	+350,000
.....	Annual contributions for assisted housing (rescission)	.....	.....	.....	-350,000	-350,000	-350,000
	Community Planning and Development						
.....	Community development block grants fund (rescission of emergency appropriations)	.....	.....	-313,600	-230,000	-230,000	+83,600
	Total, Department of Housing and Urban Development	.....	.....	-663,600	-580,000	-580,000	+83,600
	INDEPENDENT AGENCY						
	Environmental Protection Agency						
.....	Science and technology (rescission)	.....	.....	-10,000	.....	.....	+10,000

EMERGENCY SUPPLEMENTAL AND RESCISSIONS APPROPRIATIONS BILL, 1999 (H.R. 1141)—Continued

Doc No.		Supplemental Request	House	Senate	Conference	Conference compared with House	Conference compared with Senate
	GENERAL PROVISIONS						
	Rescission of Non-Defense emergency appropriations (P.L. 105-277):						
.....	(Sec. 1105(b))	.....	.....	-250,000	.....	.....	+250,000
.....	(Sec. 1403(f))	.....	.....	-125,000	.....	.....	+125,000
.....	(Sec. 3002)	.....	.....	-343,000	.....	.....	+343,000
.....	(Sec. 4016(b))	.....	.....	-2,250,000	.....	.....	+2,250,000
.....	FY 1999 Non-Defense discretionary (sec. 3003) (rescission)	.....	.....	-100,000	.....	.....	+100,000
.....	Agricultural Research Service (P.L. 105-277) (sec. 3001(a)) (emergency offset)	.....	.....	-23,000	-22,466	-22,466	+534
	Total, General Provisions	.....	.....	-3,091,000	-22,466	-22,466	+3,068,534
	Total, title IV:						
	New budget (obligational) authority	-122,500	-1,120,980	-4,780,450	-1,995,446	-874,466	+2,785,004
	Rescissions	(-34,800)	(-908,500)	(-1,105,450)	(-1,719,100)	(-810,600)	(-613,650)
	Rescission of contract authorization	.....	(-1,480)	.....	(-1,480)	.....	(-1,480)
	Deferrals	.....	.....	(-353,000)	.....	.....	(+353,000)
	Offsets	(-5,700)	(-21,000)	(-17,400)	(-22,400)	(-1,400)	(-5,000)
	Emergency offsets	.....	.....	(-23,000)	(-22,466)	(-22,466)	(+534)
	Contingent emergency appropriations	(-82,000)	(-40,000)	.....	.....	(+40,000)	.....
	Rescission of emergency appropriations	.....	(-150,000)	(-3,281,600)	(-230,000)	(-80,000)	(+3,051,600)
	Grand total, all titles:						
	New budget (obligational) authority	7,796,524	13,221,669	-2,424,691	13,145,246	-76,423	+15,569,937
	Appropriations	(52,172)	(90,881)	(355,951)	(197,822)	(+106,941)	(-158,129)
	Rescissions	(-34,800)	(-908,500)	(-1,105,450)	(-1,722,621)	(-814,121)	(-617,171)
	Rescission of contract authorization	.....	(-1,480)	.....	(-1,480)	.....	(-1,480)
	Deferrals	.....	.....	(-353,000)	.....	.....	(+353,000)
	Offsets	(-5,700)	(-21,000)	(-17,400)	(-22,400)	(-1,400)	(-5,000)
	Emergency offsets	.....	.....	(-23,000)	(-22,466)	(-22,466)	(+534)
	Emergency appropriations	(6,407,852)	(5,494,931)	(293,362)	(4,713,531)	(-781,400)	(+4,420,169)
	Contingent emergency appropriations	(1,140,000)	(6,861,011)	(1,706,446)	(8,320,757)	(+1,459,746)	(+6,614,311)
	Rescission of emergency appropriations	.....	(-150,000)	(-3,281,600)	(-230,000)	(-80,000)	(+3,051,600)
	Advance appropriations	(237,000)	(1,855,826)	.....	(1,912,103)	(+56,277)	(+1,912,103)
	(Transfer authority)	(800,000)	(800,000)	.....	(350,000)	(-450,000)	(+350,000)
	(By transfer)	(15,000)	.....	(5,836)	(3,936)	(+3,936)	(-1,900)
	(By transfer) (emergency appropriations)	(6,950)	(950)	(6,000)	(950)	.....	(-5,050)
	(By transfer) (contingent emergency appropriations)	.....	(7,000)	.....	(17,000)	(+10,000)	(+17,000)
	(Loan authorizations)	(1,095,000)	(1,095,000)	(1,106,000)	(1,106,000)	(+11,000)	.....

2/ The President's Budget proposed defense spending reductions of $882 million, which offset proposed supplemental spending. Since only a portion of the proposed spending is considered in this bill, the defense reductions are adjusted to be comparable to the spending.

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

Mr. OBEY. Mr. Speaker, I yield myself 10 minutes.

Mr. Speaker, first of all, I do want to compliment my friend, the gentleman from Florida, the distinguished chairman of the committee. I do not think much of the product that the committee brought forth, but I do want to say that it was obvious to everyone in that conference that he, as chairman of the conference, handled it extremely well. He was absolutely, totally fair with everyone, and sometimes that took a lot of patience. I think that he did the House proud and the committee proud in the way he conducted that operation.

Mr. Speaker, I think there is a lot that is good in this bill. It is far from the worst bill that the House has ever produced. But I am going to vote no, and I want to tell the Members why.

Some of the good things in it, it finally, after a considerable delay, is providing much needed help to our American farmers who suffered crop damage as well as collapsing prices. It is finally producing action to help recover from the horrible hemispheric weather that we had in Hurricane Mitch.

We no longer have the threats to the IFIs, the international financial institutions, that were represented by the original offsets in this bill, and this bill no longer threatens our ability to conclude a negotiation with Russia on the disposal of weapons-grade plutonium, a provision which unwisely was included in the original House bill.

It also eliminated a number of riders that should have not been in this bill in the first place. I am pleased about that. But there are a number of things in this bill still that should not be here.

As I said in the conference, my main problem with this bill is that it is a symbol of the mendacity that dominates the Federal budget process. We have a two-tier system for determining budgets in the Congress. In the spring we adopt a budget resolution produced by the Committee on the Budget. That establishes overall spending levels, and it is largely political in nature. As a result, in my view, those numbers are highly unrealistic, and have been for years.

Then we have a second level that has to take over in the process, represented by the Committee on Ways and Means and the Committee on Appropriations. Those committees are then asked to produce real pieces of legislation under the guidelines set by the Committee on the Budget.

The problem is that because the first set of numbers are not real, we are then, for the remainder of the year in the appropriations process, forced to engage in accounting tricks in order to find the votes to pass various appropriation bills.

Last year, for instance, in October, after going through a year-long charade, we wound up adding $22 billion to spending above the amounts allowed in the budget resolution, and now this bill adds more than $14 billion to that. That means that we have a total of $37 billion that will be spent in this fiscal year above the level that would be allowed by those so-called budget caps.

Example: We have $5 billion in military spending above and beyond the amount needed to pursue the war in Kosovo. Why do we have that? I will tell the Members why. In conference, the chairman of the Committee on the Budget from the other body revealed the game plan. He told the conference that we had to pour as many dollars as possible into this bill because it will be labeled an emergency and will not count against the spending limits, or else, he said, the spending caps, which his own committee imposed on this House just a month ago, would not work, in his words, not mine.

Members will be told that there is no military pork in this bill. That is largely true. It is not fully true, but it is largely true. But the real point is that on the military side, this bill shovels a lot of regular items into a so-called emergency bill. That means that it frees up, in essence, about $5 billion worth of room for pork in the defense appropriation bill which will shortly follow. That is the problem.

Secondly, and perhaps the worst and most expensive provision in this bill, is an amendment to the Medicaid law, which is not even in the Committee on Appropriations' jurisdiction, which will allow State governments over the course of the next 25 years to keep $150 billion in Federal funds with no requirement whatsoever that those funds be used for health.

Under existing law, the Federal Government pays more than half of the cost of State Medicaid programs. In return, that law requires the States to act as the principal agent for both themselves and the Federal Government in recovering overpayments and collecting payments from third parties when they are liable for care that has been paid for by the Medicaid system.

But this emergency bill rewrites that longstanding provision of law. Federal funds that have been recovered by States in recent tobacco legislation can be retained totally by States and used for whatever purposes the various Governors and legislatures deem appropriate, even though those funds were recovered for health reasons, and in my view should be used by the States if they keep the money in order to deal with health problems.

The Federal funds involved would be sufficient to expand health care coverage to millions of Americans who are presently not under Medicaid and have no form of insurance, but this conference report precludes that.

I think it is a further outrage that this crucial decision is being made on an emergency appropriation, brought to the floor primarily for a military action in Europe and hurricane relief in Central America. There were no hearings or the normal opportunities to debate this issue. The Committee on Commerce that has jurisdiction over this entitlement spending was not even involved in the decision.

In addition, as the gentleman from Florida (Mr. DEUTSCH) has pointed out, there are three anti-environmental riders contained in this bill. One, the crown jewel, is a mine provision. One blocks new rules on determining the value of crude oil which is extracted from taxpayer-owned public lands. That provision costs taxpayers $75 million. And we also have a provision in this bill which prevents the updating of ancient rules on hardrock mining, something which this committee in my view had no business doing, as well.

Lastly, it adds, again, to the mendacity of the process as a sop to some of the budget hawks in this House because it pretends to pay for some of the costs associated with this bill, such as the hurricane in this hemisphere, by cutting $1.2 billion out of food stamps.

□ 1900

The fact is those cuts save not $1, because that money would never have been spent, even if the committee had not touched it. So despite those cuts, because the food stamps are required by law to be paid at whatever level that the demand requires, if in fact there is additional demand for that program, the Federal Government will have to pay out additional money. So there is no saving whatsoever to be had by that offset. I think it adds further to the general disingenuousness which generally accompanies the overall budget process.

So as I said earlier, we have passed worse bills. This one bothers me more than most because war is being used as an excuse to, on a number of occasions in this bill, rip off the taxpaying public. It is also being used as a vehicle by which we will ignore the health care needs of millions of Americans. It adds to the phoniness of the budget process overall.

I think we can do better; and until we do, I will vote no. I recognize that there will not be very many no votes cast against this provision. But I think in defense of the integrity of the budget process, what little there is left of it, I am at least going to vote no.

Mr. Speaker, I include the following article for the RECORD:

[From the Washington Post, May 18, 1999]

MEDICAL OUTCASTS: DOES ANYONE CARE?

(By David S. Broder)

It is quite a trick for something to grow larger and at the same time become more invisible. But that is what's happening to the health care problem in the United States.

The greater the number of people without medical insurance, the less the politicians want to talk about it—let alone deal with it.

In 1992, when the plight of the uninsured became a major issue in the presidential campaign, there were 38 million non-covered Americans below Medicare age. Five years later, according to a report released last week, the number has grown by 5 million. And the rate of increase is accelerating, from an average of half a million annually in the first two years to an average of 1.2 million annually in the three most recent years.

But last week, when the National Coalition on Health Care, a bipartisan group headed by former presidents Bush, Carter and Ford, put out its latest report on ''The Erosion of Health Insurance Coverage in the United States,'' it barely made a ripple. Monica Lewinsky's appearance on ''Saturday Night Live'' drew more coverage than the fact that in the most recent year cited by the report, 1.7 million Americans were added to the ranks of the uninsured.

Why is this happening? The report's authors, Steven Findlay and Joel Miller—who had the assistance of Tulane University's Kenneth Thorpe, probably the country's leading authority on this question—say the legions of the uninsured are rising because of fundamental economic and demographic forces, which, by themselves, are certain to make the problem worse. The authors say that ''even if the rosy economic conditions prevalent since 1992 prevail for another decade, a projected 52 million to 54 million nonelderly Americans—one in five—will be uninsured in 2009.'' If a recession occurs, that number likely will jump to 61 million—one in four.

Most of the uninsured have jobs, but increasingly, they work in small businesses or in service sectors that either do not cover employees or require them to pay so much for health insurance that they cannot afford it. The growing numbers of self-employed, part-timers and contract workers swell the totals.

It is a double whammy. Between 1996 and 1998, the percentage of small firms (with fewer than 200 employees) offering health insurance dropped from 59 percent to 54 percent. On average, their employees were required to pay almost half (44 percent) of the policy premiums for themselves and their families. Faced with those costs, more workers are declining health insurance.

The economic changes are exacerbated by demographics. Minorities—who have higher unemployment rates and tend to work in lower-wage jobs—are twice as likely to be uninsured as whites; as the minority's percentage of the population increases, so will this problem.

Even government policy is adding to the crisis. The welfare reform bill of 1996 supposedly provided a Medicaid cushion for women making the transition from welfare to work. But, as the authors report, ''there are strong early signs that many former welfare recipients are not gaining coverage at new jobs and that those dropping off the welfare rolls are losing Medicaid coverage.'' In New York State, for example, the number of Medicaid enrollees dropped by 300,000 between 1995 and 1998, but in the same three years the number of uninsured rose by 450,000.

The study also notes that it is increasingly difficult for the uninsured to get health care. In one survey of more than 10,000 doctors, those receiving no income from managed care companies reported spending about 10 hours a month treating indigents. But those who get the bulk of their income from these companies gave up only half as much of their time to charity. As cost-containment pressures increase, the uninsured face ever greater medical risks.

In language that is remarkably calm, given the contents of their report, the authors conclude, ''The accelerating decline in health insurance coverage in the United States is a serious problem, affecting the financial security and health of millions of Americans every day. * * * Despite strong economic growth and low unemployment, employer-sponsored health insurance coverage has continued to erode throughout the past decade.''

When more and more Americans cannot pay their own medical bills, it threatens the quality of health care that those with insurance receive. Cost, quality and access are linked as inextricably today as they were when the Clintons took their unsuccessful run at the problem six years ago.

You'd think it would be an issue every presidential candidate would address. Instead, what we hear is silence. The last sentence in the report is: ''We continue to ignore this problem at our peril.'' And yet, we continue to ignore it.

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

Mr. YOUNG of Florida. Mr. Speaker, I am very happy to yield such time as he may consume to the very distinguished gentlemen from Illinois (Mr. HASTERT), the Speaker of the House, who was a solid, strong leader throughout this entire effort. I thank him very much for the strength that he had added to the process.

Mr. HASTERT. Mr. Speaker, I thank the gentleman from Florida for yielding me this time.

Mr. Speaker, I rise in support of this conference report, and I urge my colleagues to support it. I want to congratulate the gentleman from Florida (Chairman YOUNG) for his hard work on this good piece of legislation. I also want to congratulate the other chairmen of the subcommittees that had jurisdiction.

I want to extend my congratulations to the gentleman from Wisconsin (Mr. OBEY), who just spoke a minute ago. He certainly has his views on this bill; but if it was not for his work and cooperation, we would not have the bill today, so I thank him for that.

This has been a rough road to travel. Many of the competing interests have struggled mightily to be included in this legislation. As the gentleman from Wisconsin just got done laying out the litany of some of them, we find that most of those had come from the Senate.

So we worked hard to make sure that we could provide a bill that was focused on the issues at hand, true issues of emergency, and that we would get back in return a bill that would be focused on the true issues of emergency.

But it is not the time to fight for special interests. It is the time for Congress to promote the national interests. This bill serves, in my opinion, the national interests.

It provides resources to our servicemen and women who work so hard to defend this country who we ask to go to the far points of this Earth to defend American interests. It provides necessary relief to our farmers who have been devastated by an ailing farm economy. These farmers put food on the tables of American people, and they deserve the support of the American people.

It helps our neighbors to the south who were devastated by Hurricane Mitch and our citizens in the Midwest who were devastated by vicious tornados.

Mr. Speaker, we are elected to Congress to represent our constituents, but we are also elected to serve the American people. This legislation fulfills our constitutional duties to provide for the common defense, to promote the general welfare, and to secure the blessings of liberty for the American people. I urge my colleagues to support it.

Mr. OBEY. Mr. Speaker, I yield 3 minutes to the distinguished gentlewoman from California (Ms. PELOSI), the ranking member of the Subcommittee on Foreign Operations, Export Financing and Related Programs.

Ms. PELOSI. Mr. Speaker, I thank the gentleman from Wisconsin for yielding me this time and, as always, for his extraordinary leadership and now on this bill as well.

Mr. Speaker, I think my colleagues would have all been very proud of the distinguished gentleman from Florida (Chairman YOUNG) as he chaired the conference on this bill, for this emergency supplemental bill. He represented our House with great dignity and great humor and great patience, and we all commended him for that.

Of course we are always proud of the gentleman from Wisconsin (Mr. OBEY) and his advocacy for his point of view, a point of view that many of us share.

In saying the compliments that I have extended to the chairman, it makes me all the more reluctant to rise in opposition to this bill. Certainly it is about time for us to provide the emergency funding for the victims of the hurricanes in Central America. It is 7 months since those hurricanes struck, and they exacted the worst natural disaster in this century in this hemisphere. Here we are 7 months later finally coming to the floor, but, hallelujah, here we are.

It does provide assistance to our farmers and FEMA for the devastation in our own Midwest and Oklahoma and Kansas. But I object to the fact that that emergency assistance must be offset.

This is an emergency supplemental bill. Of its nature, it does not need to be offset. Part of my opposition to the bill springs from the fact that we are making the exception for these disasters in our own hemisphere while we are spending billions of dollars; and I

do not think that should be offset either, I fully support the spending that we are doing in Kosovo. How is it offset? By nearly $1 billion in cuts in food stamps and $350 million in section 8 housing.

I take the word of my colleagues when we say that this will not have an impact on the delivery of food stamps and housing, nutrition and housing for the poor people in our country, and that this is excess funds appropriated, uncommitted funds that will not be spent this year. I understand that, and I respect that.

But I do not understand why we have to go to that pot. Certainly there is other uncommitted appropriated funds. There are other appropriated uncommitted funds we can go to without sending a message that, not only do we take exception to offset funding for hurricane disasters in our own hemisphere and in Central America and offset it from the poorest of the poor account in our country, there should have been a better place for the offsets if we needed them in the first place.

Then I support, of course, the substantial assistance to refugees. But, again, we are talking about spending so much more money that is not an emergency.

The gentleman from Ohio (Mr. REGULA) did a great job on the riders, but not a complete job. I urge my colleagues to vote no on the supplemental.

Mr. YOUNG of Florida. Mr. Speaker, I yield myself 1 minute.

Mr. Speaker, I take this additional minute to respond to the comments of the gentlewoman from California (Ms. PELOSI) about Hurricane Mitch. Immediately upon the incident of that hurricane, America responded to Central America. We sent our military forces there quickly. They saved lives. They pulled people out of the swollen rivers, out of mud slides. They brought potable water so people could have something to drink or cook with. They provided sanitary conditions. So the United States responded immediately.

The supplemental request did not come from the administration until much later following that disaster. Actually, there was some delay in getting to conference on the Hurricane Mitch bill, but we combined the two bills, the Mitch bill and the Kosovo bill, into one supplemental so that we were not spending all of our time dealing with supplementals every week. That is the reason for some delay.

I would like to say to the gentlewoman that the gentleman from Florida (Mr. DIAZ-BALART) has been all over my case ever since we filed that first supplemental to get it done. So I say to the gentlewoman, it is completed. It is here today. Vote for it, and the money will begin to flow.

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

Mr. OBEY. Mr. Speaker, may I inquire as to how much time is remaining on each side.

The SPEAKER pro tempore (Mr. THORNBERRY). The gentleman from Wisconsin (Mr. OBEY) has 17 minutes remaining. The gentleman from Florida (Mr. YOUNG) has 21½ minutes remaining.

Mr. YOUNG of Florida. Mr. Speaker, I am proud to yield 3 minutes to the very distinguished gentleman from California (Mr. LEWIS), chairman of the Subcommittee on Defense of the Committee on Appropriations.

Mr. LEWIS of California. Mr. Speaker, I very much appreciate the gentleman from Florida yielding to me.

Mr. Speaker, I rise first to express my deep appreciation to both the gentleman from Florida (Chairman YOUNG) and the gentleman from Wisconsin (Mr. OBEY), the ranking member. They have shepherded this bill through a very difficult process and I must say they reflected the will of the House in an especially effective manner as we dealt with the other body.

As has been described here, this bill has been merged with the earlier emergency bill that passed the House. There has been a good deal of concern about additions placed on that original bill. I must say first and foremost that the chairman and the ranking member worked very hard to play a role in eliminating the most egregious of those problems from the other body.

In the meantime, they provided a very important leadership role in making sure that our efforts, especially relative to Kosovo, remain very, very clean. As these items dealing with funding for national defense left the House, they return to the House—a clean product.

This bill is committed to funding our effort in Kosovo. While it does not provide all the funding that I might have called for and as was reflected in the work of the initial bill that passed the House, it remained a clean bill; and it demonstrates our commitment to making sure that our men and women who are in harm's way are adequately supported in that effort.

We do have within the Kosovo part of this package a total of almost $11 billion worth of funding for defense purposes, an amount that is in excess of that which the President requested, but an amount that is very apparent is needed by our military for our national defense.

As we move into the months ahead, none of us can predict what the cost might be. But this bill is a reflection of the fact that the House wants to make sure that adequate funding is present no matter how long the war itself may extend itself.

Beyond the President's request, there are a number of critical items that are necessary and that have been provided for in this bill. To illustrate that to some extent, above and beyond the President's basic requests, we have added $4.74 billion to address critical shortfalls in a number of areas that include items like munitions, where there is $250 million to replace munitions that have been used and are in short supply; rapid response procurements in the amounts of $300 million; and operation and maintenance funds in the amount of $2.35 billion. The O&M funding includes needed funds for spare parts and depot maintenance, items that are critical to our forces being able to carry out their mission.

I must say, Mr. Speaker, one of the messages we are sending here to our troops that is especially important involves the advanced funding of pay adjustments for the troops. That essentially tells them in clear terms that the House is not only supporting their effort in Kosovo, but intends to continue to support their service for the country as long as it might continue in the months and the years ahead. That portion of the bill, Mr. Speaker, came to us with great support and cooperation of the authorizing committee, and I want to thank those members of the Armed Services Committee who also provided us with their assistance throughout this process. In closing, I strongly urge all members, on both sides of the aisle, to support this bipartisan, essential bill.

Mr. OBEY. Mr. Speaker, I yield such time as he may consume to the gentleman from California (Mr. GEORGE MILLER).

Mr. GEORGE MILLER of California. Mr. Speaker, I rise in strong opposition to the supplemental spending bill.

Mr. Speaker, as we prepare to vote on the Conference Report to provide spending for military aid and hurricane disaster relief, Members should be aware of a thus far successful effort by the mining industry and its supporters in the Other Body to include in the conference report yet another anti-environmental rider.

This time, the rider would stop the Secretary of the Interior from properly carrying out his duties under the 1872 Mining Law by allowing mining companies to claim an unlimited number of acres of public land for waste disposal.

The issue arose from a March 25, 1999, joint decision by the U.S. Departments of Interior and Agriculture denying a large open-pit, cyanide-leach gold mine in eastern Washington State which had illegally claimed hundreds of acres of public land as ''millsites.''

Millsite claims were originally intended for structures to process the mined ore from the mineral claims; now they are usually used to dump waste rock and tailings (what's left after the mineral has been extracted).

To be valid, millsites cannot contain a valuable mineral. The mining law holds that millsite claims are limited to 5 acres in size and allows only one 5-acre millsite claim per mineral claim. Before the March 25th decision mining companies were often permitted, albeit illegally, as many millsite claims as they needed, no matter how many mineral claims they had. And the modern mining industry generally

needs many more millsite claims than mineral claims. Since this decision to fully and consistently enforce the law, 5 acres of millsite claim waste disposal space is all that is available per mineral claim.

The decision by the Department of the Interior is significant because of the precedent it sets—enforcing a provision of the 1872 Mining Law that limits the amount of public land, adjacent to mines, which can be used to dump waste from mining.

With enforcement, the decision gives federal land managers the right to deny mine permits that propose to dump excessive amounts of mine wastes on valuable public lands and it may make economically marginal ore deposits unprofitable to develop.

The space required to dump the massive waste rock piles produced at many of today's mines exceeds the legal limits under the 1872 Mining Law which Congress should have reformed years ago. Mine waste dumps pollute surface and groundwater resources with acid mine drainage and heavy metals such as arsenic.

Permitting more such waste to be dumped on public lands is simply not an acceptable solution. That's what the industry wants and that's what this rider would do. It would legalize waste-dumping that is now illegal.

The 1872 mining law has given away billions of dollars of the nation's mineral wealth while paying taxpayers, who own the minerals, not one cent in royalties. And the law has only minimal limited environmental safeguards.

Polls show that a significant majority of Americans continue to support strong mining law reform. But instead of an open debate on the mining law, the industry wants an exemption from this part of the law that they've discovered is no longer to their liking.

Instead of engaging in back-room politics, the mining industry should engage in an open public debate about reforming all of the mining law, not just the part it doesn't like. And Congress should not permit a last-second, stealth rider to be added to a non-germane bill with no public debate.

Mr. OBEY. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Washington (Mr. MCDERMOTT).

Mr. MCDERMOTT. Mr. Speaker, today's vote on the supplemental budget for Kosovo has so little to do with Serbia and Kosovo that it no longer makes any sense. Members are being asked to approve a cornucopia of projects much beyond the amount that President Clinton asked.

There are so many outrages in this bill that it is kind of hard to pick one out, but let me pick one out. It is the antienvironmental rider, sponsored by the senior Senator from Washington State, and the well-financed mining lobby, which will trade American foreign policy, the safety of millions of Kosovars, and the welfare of hurricane victims in Central America for the right to strip-mine a sensitive and scenic area in north central Washington.

This rider will grant a Texas company the right to operate a strip-mine in Okanogan County. This mine will operate a cyanide leaching pit mine to spread its waste over hundreds of acres of public land, threaten the county's water supply, and threaten tribal lands.

It orders the Interior Department not to enforce the 1872 mining law. There is no doubt that that mining law needs to be reformed. It is much too generous to the mining companies. However, the solution is comprehensive reform of the law. It is clearly wrong to suspend part of the law to allow more dumping of wastes, and the mechanism is hardly an emergency appropriations bill.

□ 1915

The only opportunity that Members of this House will have to vote against this is to vote on the motion to recommit. And I urge all of them to vote ''yes'' on the motion to recommit and ''no'' on the bill.

Mr. YOUNG of Florida. Mr. Speaker, I yield 1½ minutes to the distinguished gentleman from Washington (Mr. HASTINGS), member of the Committee on Rules.

Mr. HASTINGS of Washington. Mr. Speaker, I thank the gentleman for yielding me the time.

I just want to point out something that I find so ironic with the debate from the previous speaker and the debate on the rule. Here we are debating the bill that deals with our national defense, deals with our agriculture industry, and deals with aid to Central America, which I think is needed, otherwise this body would not take it up. And yet we hear the rhetoric from the other side and specific Members that we are decimating our environmental laws.

Nothing could be further from the truth. Let us put this into perspective, exactly what happened. Under existing law, a gold mine in Washington State opened up 11 years ago, invested $80 million under existing rules, jumped over every hoop, every barrier, went through every environmental hoop from the State, from the Federal Government, and they said proceed, until it got to Washington, D.C. and a solicitor took existing statute that had never been interpreted this way before, never been interpreted this way before, and said we are going to shut down this gold mine after an $80 million investment.

This happened about 6 weeks ago. It had to be fixed in a timely manner because people have invested in this enterprise, pension funds; there is about 150 to 200 jobs at stake in north central Washington. So this fix had to be done in an emergency manner, and that is why this vehicle was fixed. It does not, I have to repeat, this does not decimate any environmental laws. It takes care of this one specific project and those projects that are in place right now.

I urge support of this supplemental budget.

Mr. OBEY. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from North Carolina (Mr. PRICE).

Mr. YOUNG of Florida. Mr. Speaker, I yield 1 minute to the gentleman from North Carolina (Mr. PRICE).

Mr. PRICE of North Carolina. Mr. Speaker, I am concerned that one of the offsets being used in this bill is $350 million from the Section 8 housing program. I understand that these are monies that are not expected to be spent this year. But the future use of these funds was considered when HUD calculated how much to request for fiscal 2000.

It is my understanding that the gentleman from New York (Mr. WALSH), the chairman, plans to appropriate sufficient funds to renew all Section 8 contracts in the fiscal 2000 VA–HUD appropriations bill; and if I might, I would like to engage him in a colloquy at this point on that matter. My concern is that funding be sufficient to ensure that those currently using the Section 8 program will in fact have the necessary housing provided for them and their families.

Is it the intention of the chairman to appropriate funds sufficient to renew all Section 8 contract renewals?

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

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

Mr. WALSH. Mr. Speaker, I appreciate the concern of the gentleman. We also have concern with this important housing issue, and I agree that the Section 8 program is very important for ensuring that the poorest of the poor have adequate housing. Consequently, I fully intend to appropriate adequate funds for Section 8 renewal.

And I would remind my good friend that no one has lost their housing vouchers, and I have no intention of letting that happen.

Mr. YOUNG of Florida. If the gentleman would yield, I would like to say, Mr. Speaker, that I support the intention of the gentleman from New York (Mr. WALSH) to provide for all the Section 8 renewals even though, as we are all well aware, the budget resolution we are working under requires difficult choices in many of the appropriations bills, including the VA–HUD bill. I believe it will be up to the Members of the subcommittee to determine the best manner in which to allocate these funds.

Mr. PRICE of North Carolina. Mr. Speaker, I want to thank the chairmen of both the full committee and the subcommittee. I agree with both of them that it is going to be a very difficult, very challenging process to fund those programs under our responsibilities.

I am concerned that this rescission could make that more difficult for the gentleman from New York (Mr. WALSH) and my colleagues to find the funds

necessarily adequately to fund both Section 8 and all the important programs we oversee.

In conclusion, it is going to be difficult to find the funds to fund Section 8 fully, and all of these important programs we are overseeing. It is vitally important to do this, though; and I pledge my cooperation to getting it done.

Mr. YOUNG of Florida. Mr. Speaker. I yield 2 minutes to the gentleman from Ohio (Mr. REGULA), chairman of the Subcommittee on Interior of the Committee on Appropriations.

Mr. REGULA. Mr. Speaker, I thank the gentleman for yielding me the time.

I think we are losing sight of the fact that the purpose of this bill is to support our troops overseas. They did not ask to be sent there. But now that they are there, therefore I think we should get the necessary funds to provide the adequate equipment that they need and all the supplies so that they can be protected in performing their duty. And we are getting diverted in this debate.

But let me also address one issue, and that is the Byrd provision which was in the Senate bill to establish a loan guarantee program. I think that amendment is important. It would deal with the question of steelworkers and their jobs.

But I did not think we would want to lose this bill or have it delayed, since it is so vital to young American men and women in the military, by retaining this amendment. I believe that this should be addressed with a separate bill. That bill with the Byrd language has been introduced in the House by myself. The Speaker has agreed that there will be a vote on it. A similar action is being accomplished in the Senate, and there will be a vote there on the Byrd amendment.

I would hope that the Senate will pass the quota bill, as it is the most effective solution to stopping dumping and job loss. It is a problem. Four steel companies have filed for bankruptcy protection since the steel import crisis began. We have 10,000 steelworkers out of their jobs, and that does not include people in the ancillary industries.

We can deal with those problems with the quota bill, which would be far more effective in saving steelworker jobs. And I think it is important that we get on with passing this bill to make sure that our young men and women overseas and in the United States that have been called upon to protect their country, to serve their country, are adequately taken care of.

I urge the Members to pass this bill promptly.

Mr. OBEY. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from California (Mr. FARR).

Mr. FARR of California. Mr. Speaker, I thank the gentleman for yielding me the time.

I first want to say how proud I am as a new member of the Committee on Appropriations of the work that our House did. If my colleagues notice, the conference committee, the leadership in that conference committee, was certainly on the House side, and I appreciate the work on it of both sides of the aisle.

This is the first spending bill that we have voted off the House floor this year, and I think it reminds me of that old adage that is in a song that says, ''You can't always get what you want but sometimes you get what you need.'' There are a lot of political needs out there in this country and across the world, and Congress does not have always a good record of getting the money to the people.

I have agreed with some of those who point out the wrongs in this bill. There are certainly some wrongs. And they have an option of voting to recommit. But the politics of compromise is that along with the bad comes the good, and we have to weigh our judgment on how we are going to vote. Is there more good in this bill than bad? And we have been hearing people emphasize what they think is the bad. Let me emphasize what I think is the good.

Certainly, a long overdue pay raise for our military and the Coast Guard; $1.1 billion for Kosovo refugees; $900 million for U.S. tornado victims in the FEMA account; $687 million in Central America, and I visited there, for school building and road development and debt restructuring; and $10 million relief for the Colombians after that horrible earthquake that they had.

There is also money in here for other great causes. There is $574 million for U.S. farmers hit by low commodity prices. There is a lot in here to like even for nondomestic emergency funding.

Credit Union Liquidity.

Public Broadcasting: There is money in here for National Public Radio.

Mortgage Insurance Limits: There is money in here for mortgage insurance limits.

House Page Dormitory: For the pages' dormitories for these pages that serve us, so they can have a decent place to live.

Japanese Reparations: There is money in here for Japanese reparations. The list goes on and on for good things to support.

Postal Service.

Indian Affairs.

Russian Leaders: The agreement establishes a pilot program within the Library of Congress to bring up to 3,000 emerging Russian political leaders to the United States for up to 30 days each. The Senate is transferring $10 million of its own funds to finance the program during 1999.

Religious Freedom.

Export Controls.

Drug Trafficking.

National Commission on Terrorism.

Pan Am Trial.

I urge my colleagues to make a sufficient vote, vote ''yes.''

Mr. Speaker, this is a difficult and emotional time for the world community and me personally. We have found ourselves faced with unconscionable atrocities in Kosovo and no easy way to stop them. We all wish that we were not faced with the need to make choices such as those we face in Kosovo, we wish to options available were different. However, I believe we do not have the option of standing by and letting the genocide continue.

My outlook on humanity has been shaped by my national service in Colombia with the Peace Corps. During my time in Colombia I gained an appreciation for other cultures and an understanding that, no matter what your nationality or ethnicity, we are all human. We all deserve the right to basic freedoms. We all deserve the right to be safe in our homes and not be fearful of our government. We all deserve the right to expect that we will not be forced out of our homes and country. We all deserve the right to live freely.

The international community has been attempting to reach a diplomatic end to Slobodan Milosevic's terror of the non-Serbian population in Yugoslavia for years. The Rambouillet accords offered Mr. Milosevic one last opportunity to stop the genocide in Kosovo and avoid international conflict. With his refusal, the international community was faced with the awful decision of sitting by and allowing Milosevic to continue displacing, terrorizing, and murdering Kosovars, or take action to stop him. I have had many sleepless nights thinking about the situation in Kosovo, recalling what I saw first hand in Bosnia and imaging the plight of the Kosovars. I believe that chosing to act was the right decision.

I do not feel the United States could have, or should have, stood idly by while people in Kosovo continue to lose their homes, their families and their lives. Whether or not you agree with my position, I want you to know that I don't take it lightly.

Mr. YOUNG of Florida. Mr. Speaker, I yield 3 minutes to the gentleman from Alabama (Mr. CALLAHAN) the chairman of the Subcommittee on Foreign Operations, Export Financing and Related Programs of the Committee on Appropriations.

Mr. CALLAHAN. Mr. Speaker, I love this place. It is so interesting to come and to see both sides of the aisle use demagoguery to talk about what is wrong with everything.

If my colleagues want to find a reason to vote against this bill, it is very simple. Since the introduction of C-SPAN, we no longer debate issues, we use oneupmanship, hoping that someone back in our respective districts might be listening and they might be impressed.

This glass is nine-tenths full. How many of my colleagues want to go home and say that they want to deny the refugee assistance that is in this bill for the refugees coming out of Kosovo? How many of my colleagues want to go home and say they do not want to help the people who are devastated by Hurricane Mitch? Not one of

them. How many of my colleagues will want to go home and tell their farmers that there was something wrong with this bill, that they disagreed with something the Senate put in there, therefore, they were against assistance to the farmers?

We have got to look at the nine-tenths of the glass and recognize that we are doing humanitarian assistance, we are doing the right thing, we are improving the capabilities of our military.

We can demagogue it all we want. We can say that we are 7 months behind in appropriating the money for Hurricane Mitch. But the President did not send the request over here for 4 months. So I can demagogue, too. But let us look at the fact that we have aid to farmers, we have aid to Latin America, $700 million, we have aid to Jordan.

The King of Jordan is here this week. I have not heard one of my colleagues jump up and say this is not an emergency. No, because they do not want to demagogue it in that respect. They want to nitpick. They want to go in and say we are taking the money away from Section 8 housing. We are not. But it sounds good, I realize, back home to their constituents.

Say what they want, but when it comes down to the final vote on this bill, vote your conscience, vote for what is right. Vote for the refugees. Vote for the assistance to Latin America. Vote for the increased assistance to the military. And vote, as well, your conscience that will indeed make this a better world and have the United States of America more respected.

Mr. OBEY. Mr. Speaker, I yield myself 1 minute.

Mr. Speaker, I say in response to the gentleman who just spoke that I believe that those supporting this bill are trying to have it both ways on the issue of offsets at the same time.

First of all, they tell the conservative action group on the Republican side of the aisle, do not worry, we have offset a piece of this bill because we are cutting food stamps and cutting Section 8 and that is how we are going to offset the cost. Then when they get an argument from the other end and people say, gee, but if we cut those two programs, we are going to hurt people, they say, oh, but by the way, do not believe it because we are not actually going to cut a dime because this money would not be spent anyway.

Now, that may either say something about the hypocrisy of those who offer the amendment, which I doubt, or it may say something about the hypocrisy of the process. Either way, I think people can be forgiven for being concerned that when they put a cut in the bill, they just might really mean it.

Mr. YOUNG of Florida. Mr. Speaker, might I inquire as to the time remaining on both sides?

The SPEAKER pro tempore (Mr. THORNBERRY). THE GENTLEMAN FROM FLORIDA (MR. YOUNG) has 12 minutes remaining. The gentleman from Wisconsin (Mr. OBEY) has 10 minutes remaining.

Mr. YOUNG of Florida. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. PACKARD), chairman of the Subcommittee on Energy and Water.

Mr. PACKARD. Mr. Speaker, I thank the chairman for yielding me the time.

I rise in strong support of H.R. 1141, the Emergency Supplemental Appropriations Act Conference Report. Certainly, every Member should and can vote for this. If they support a clean supplemental, they will vote for this bill.

This is the cleanest supplemental appropriation bill since I came to Congress 17 years ago. Is it perfect? Is it perfectly clean? I think the House bill was quite clean when it left, but it obviously is not completely clean now that it has come back as a conference report, but we did everything we could.

And I give the gentleman from Florida (Mr. Bill YOUNG) superb credit for holding firm in trying to keep this a clean bill. We stripped out virtually all of the pork that was laden in the Senate bill. We did not get it all out, of course, but we tried.

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If Members support helping the victims of Hurricane Mitch, they will support this bill. If they support helping the American farmers who are devastated by a disastrous farm economy, then they will vote for this bill. If they believe we have systematically gutted our defense budget, if they believe it is time to increase manpower and rebuild our weapons stockpile to provide for spare parts to avoid cannibalism, then they will vote for this bill. If they support our troops in Kosovo even though they disagree with the President's deployment to Kosovo as I do, they will vote for this bill. Congress cannot abandon our troops just because the President deploys unwisely. If they support providing relief for the refugees in Kosovo, they will vote for this bill.

They have more reason to vote for this bill by far than they have to vote against it. I support it. I hope my colleagues will, also.

Mr. Speaker, I rise today to voice my strong support for H.R. 1141, the Emergency Supplemental Appropriations Act Conference Report for 1999.

As a Conferee who helped craft this important legislation, I want to assure my colleagues on both sides of the aisle that H.R. 1141 is a strong bill that every Member can and should support.

Mr. Speaker, there are few Members more committed than I to cutting waste and saving taxpayer dollars. I know how important it was to bring to the House a conference agreement free of excess spending and I am proud of what we have accomplished. Despite much pressure, Chairman Young held firm and helped this Congress produce the best possible legislation to address the needs now facing our nation. The fact is, H.R. 1141 is as clean and as tight as possible largely because Chairman Young would accept nothing less. I am pleased to support this legislation and I urge my colleagues on both sides of the aisle to vote for its approval.

Mr. Speaker, H.R. 1141 provides necessary funding for our most pressing emergencies. American soldiers, America's farmers, storm victims, and Balkan refugees all will immediately benefit from passage of this legislation. Most importantly, H.R. 1141 supports America's troops, and regardless of whether you agree with the policies of this Administration, we can't afford to neglect the needs of those who must carry them out.

Like many of my colleagues, I have made no secret of my opposition to this President's use of American military force in the Balkans. I continue to believe that Operation Allied Force lacks well-defined goals and a clear strategy to accomplish them. However, my differences with this President do not erase the fact that our troops in the field are dangerously low on both munitions and spare parts; or that we are currently unable to fully staff many of our naval vessels due to personnel shortages. Mr. Speaker, Congress cannot abandon our troops just because the President deploys them unwisely.

The truth is, American service personnel are stretched farther around the world today than at any other time in history. Successive deployments in both the Middle East and the Baltics have revealed a true national emergency that must be addressed as soon as possible. We cannot continue to put American soldiers in harm's way without the tools and training necessary to bring them home safely.

Mr. Speaker, I urge my colleagues to support our troops, our farmers and those devastated by recent storms by approving this critical legislation.

Mr. OBEY. Mr. Speaker, I yield 1 minute to the distinguished gentlewoman from Florida (Mrs. MEEK).

Mrs. MEEK of Florida. Mr. Speaker, I would like to say that this supplemental is for a good cause but the offsets are very bad, particularly the ones that are in housing. I do not think too many people have thought of the fact that you are just exacerbating the current waiting list which we have for vouchers. It takes families years and years to get this assistance. By your offsetting, using the money from vouchers and from housing, it is going to cause a terrible problem for the people I represent and the poor people of this country.

I want Members to think about that even though we all know that it is a good cause. Think of the fact that it is going to have that kind of effect in the year 2000. There is going to be a shortfall in the year 2000. There is already a shortfall because there are about 5 million families that are already underserved by HUD section 8. So in dealing with reality, no matter how you place this, it is going to have a devastating

effect on the poor people in this country who are already affected by housing. We need to think of that. We are going in the wrong direction by doing this. It will reverse the down payment Congress made last year on addressing the needs. We are just backtracking for the good things that we did last year.

Mr. YOUNG of Florida. Mr. Speaker, I yield 2 minutes to the gentleman from Kentucky (Mr. ROGERS), chairman of the Subcommittee on Commerce, Justice, State, and Judiciary.

Mr. ROGERS. Mr. Speaker, I think it is pretty plain to most Americans that what is happening here is like what has been happening all year long. That side of the aisle is opposed to anything that this side of the aisle proposes. Look what they are opposing here. In this bill, there is aid for not only the military personnel of America in the Kosovo region, there is also aid to help protect our American diplomats working under extremely dangerous conditions all through the Kosovo region, all seven embassies in that region. This bill contains $70.5 million to help protect Americans working in our embassies and consulates in that region, including in Tirana, where we need a brand new embassy to try to house the Americans working there.

Regarding the census. In this bill, we lift the fence off the funding for the State Department, the Commerce Department, the Federal judiciary and all their other agencies covered by the Commerce-State-Justice bill. Otherwise, those agencies will simply shut down on June 15. In this bill we simply lift the fence, let the moneys be spent, keep the Justice Department operating, keep the courts operating, keep the Commerce Department operating, keep the Federal courts, including the Supreme Court and all the Federal courts across the country, in operation.

Also the Immigration and Naturalization Service says unless they get an additional $80 million, they are going to have to release onto your streets the criminal illegal aliens now being held by the INS. They are out of money. Those criminals will be released on our streets and our roads and highways throughout this country. If Members want that to happen, vote ''no'' on this bill, because we put $80 million in this bill for the INS to continue to keep in jail the criminal aliens who would otherwise roam the streets of this country.

And so I urge Members to support this bill. You can find any reason to oppose it. You can find every reason to be for it.

Mr. OBEY. Mr. Speaker, I yield 1 minute to the distinguished gentlewoman from Michigan (Ms. KILPATRICK).

Ms. KILPATRICK. Mr. Speaker, I support our troops, our service men and women who serve this country. I support the people in Central America who were devastated by Hurricane Mitch. I support the American farmers who have made it possible for us to eat and to export and to feed the world. I also support FEMA and Oklahomans and all those who have been devastated by the recent tragedy. But I also support the millions and millions of Americans who need housing, who need the assistance from our community development block grant program, who need transit opportunities so they can get to their doctors, to buy their food and the like, people who need housing. This is a wonderful supplemental, but it leaves out too much of my district. I cannot support it. It is unfortunate that we have a $15 billion supplemental, $13 billion of which is not offset, and $2 billion which is offset. Too much pain for those in America who need it. Vote no.

Mr. YOUNG of Florida. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from California (Mr. CUNNINGHAM), a member of the Subcommittee on Defense.

Mr. CUNNINGHAM. Mr. Speaker, last week I took to the well and said that the gentleman from Wisconsin (Mr. OBEY) and I were friends and a reporter asked me off the floor, ''Are you and the gentleman from Wisconsin really friends?'' I said, ''Yes. We just disagree on some issues.'' But I would like to enlighten my friend on national security spending. I know he is aware of it. We may just disagree.

Mr. Speaker, we have a national security budget. When we had an extension of Somalia, many of us opposed to it said that those that want to go into Somalia, you have to be ready to pay for it. The same thing with Haiti. We were opposed. We did not think there was any national security issue of going into Haiti. We got kicked out of Somalia. In Haiti we are still spending $20 million a year building roads and schools in Haiti, much money we would like to spend on section 8 housing and the rest of it. But if you take a look at Bosnia, Bosnia has cost us $16 billion. That does not even account for next year. Four times hitting Iraq. Now we have got Kosovo. And the Sudan. The President just agreed to a settlement of some $45 million to give the Sudanese because we bombed an aspirin plant. All of this money comes out of the national security account. We have emergency supplementals but it only covers about one in four dollars that we expend. Our national security, to give Members an idea, the Navy fighter weapons school had 12 of 23 airplanes down, 137 parts missing. Eight of those were for engines. The Air Force 414th was very similar. We are in a hollow force right now. The money that we want to expend for national security in this bill, I am very proud of what we did, like the gentleman from California (Mr. FARR) said that what we passed in the House. I am not so proud of what is in this bill. But I look at the glass like the gentleman from Alabama (Mr. CALLAHAN) said, I think it is nine-tenths full. But we do need the national security dollars and there is a reason.

Mr. Speaker, I want to bring attention to one provision in this conference report regarding education.

Chapter Five of the Conference Report contains an appropriation of $56.377 million for the Department of Education, providing a sort of ''hold-harmless'' to certain schools in the Title I Concentration Grants program. I want to state my objection to this legislative rider which was in neither the House nor the Senate bills. I understand that my own Labor-HHS-Education Appropriations Subcommittee Chairman, JOHN PORTER, shares my opposition to this type of legislation which prevents Congress for targeting scarce funds to those with greatest need.

I oppose this provision for three reasons.

First, the appropriation is unjustified. Since 1994, local school districts have known that in the current fiscal year, FY 1999, the Title I Concentration Grants would be distributed to local school districts whose eligibility would be determined using census update estimates of school-age population and poverty. The provision was clearly written in the Improving America's Schools Act of 1994. In defense of the 1,400-some schools scheduled to lose Title I Concentration Grants eligibility except for this rider, the Department of Education has been tardy in assembling this important data. Some schools are asserting that they were caught off-guard, or by surprise. But the Department's lateness does not justify such funding or the rider itself; in fact, schools have had notice of this change for five years.

Second ''hold-harmless'' legislative riders on appropriations bills have unintended consequences. They hurt other states and districts. They affect states unequally and unfairly. In this case, this particular hold-harmless counters Congress' clearly stated principle in the Title I authorization that the dollars should generally follow the children. Given scarce resources, money should be targeted to areas of greatest need. By contrast, this rider provides additional funding to schools that are otherwise not eligible for the Title I Concentration Grant money. That is wrong. The fact that ''100 percent special hold-harmless'' legislative riders have been attached to omnibus and other appropriations conference reports in the past—riders that disadvantage children who are immigrants, minorities or poor based on their state of residence—does not make this rider right.

And third, this is a midnight legislative rider. It was not in the House or Senate bills. It was not the subject of hearings. It was not raised in House debate on the supplemental appropriations bill. It was not raised in the hearings of the House Labor-HHS-Education Appropriations Subcommittee for the FY2000 budget, and as a Member of that Subcommittee I assure Members that plenty of opportunity for this was available. It was not raised in the authorizing committee, to my knowledge, where this type of issue truly belongs. I am assured, however, that this is the one and only time that this particular legislative rider will be sought.

Mr. Speaker, this legislative rider, in the whole scheme of things, is relatively minor. But it sets a precedent that is problematic and unfair to all of those Members who work in good faith to authorize these programs. Members simply need to know that this is the case.

I fully expect that when the FY2000 Labor-HHS-Education bill is written and then sent to conference with the Senate, there will be yet another attempt to apply a ''100 percent special hold-harmless'' to the Title I Basic State Grants program, which I understand is different from this Concentration Grants program issue. This other hold-harmless impacts every growing state, and every state with a growing number of disadvantaged children—often including immigrant and minority children. The House has, in the past, resisted such legislative riders on appropriations bills, and we should continue to do so.

The legislative language of the H. Rept. 106–143 reads as follows:

DEPARTMENT OF EDUCATION; EDUCATION FOR THE DISADVANTAGED

For additional amounts to carry out subpart 2 of part A of title I of the Elementary and Secondary Education Act of 1965, $56,377,000, which shall be allocated, notwithstanding any other provision of law, only to those local educational agencies that received a Concentration Grant under the Department of Education Appropriations Act, 1998, but are not eligible to receive such a grant for fiscal year 1999: *Provided*, That the Secretary of Education shall use the funds appropriated under this paragraph to provide each such local educational agency an amount equal to the Concentration Grant the agency received in fiscal year 1998, ratably reduced, if necessary, to ensure that local educational agencies receiving funds under this supplemental appropriation receive no greater share of their hold-harmless amounts than is received by other local educational agencies: *Provided further*, That the funds appropriated under this paragraph shall become available on October 1, 1999 and shall remain available through September 30, 2000, for the academic year 1999–2000: *Provided further*, That the Secretary shall not take into account the funds appropriated under this paragraph in determining State allocations under any other program administered by the Secretary in any fiscal year.

And the provision from the report reads as follows:

The conference agreement includes $56,377,000 for Concentration grants under the Title I program as a fiscal year 2000 advance appropriation to become available on October 1, 1999 for academic year 1999–2000.

The conferences understand that the Department of Education has interpreted a 'hold harmless' provision included in the fiscal year 1999 appropriations bill to apply only to school districts that first qualify for Concentration grants on the basis of the percentage or number of poor children within the school district. Only after a school district meets the eligibility criteria would the Department apply the hold harmless and award the Concentration grant. Under the Department's interpretation, over 1500 school districts would lose their Title I Concentration grant in academic year 1999–2000.

The conference agreement includes language that clarifies the fiscal year 1999 appropriations law to direct the Department of Education to hold harmless all school districts that received Title I Concentration grants in fiscal year 1998. The conference agreement further clarifies that the allocations made through applying this hold harmless will not be taken into account in determining allocations under other education programs that use the Title I formula as a basis for funding distribution. Neither the House nor the Senate bills contained these provisions.

Mr. OBEY. Mr. Speaker, I yield myself 30 seconds.

The gentleman acts as though those of us on this side of the aisle are not for funding national security items. The amendment that I offered for national security purposes was $4 billion above the request by the White House. I know that that is pocket change for some people in this House, but from where I come from, that is still a lot of money.

Mr. Speaker, I yield 1 minute to the distinguished gentlewoman from California (Ms. LEE).

Ms. LEE. Mr. Speaker, I thank the gentleman from Wisconsin for yielding me this time. I rise before my colleagues to express my outrage today at what my colleagues and I are asked to vote on. First of all, the supplemental contains many proposals which I support, aid to the Kosovo refugees, aid to Americans, including our farmers who are victims of disasters, aid to Central American Hurricane Mitch victims and military personnel pay raises. But, Mr. Speaker, this bill is sinister and it is cynical. The offsets in this bill are outrageous. In order to support the good proposals in this bill, we would be forced to create an emergency here at home. Cutting over $1.2 billion in the food stamp program forces many Americans to go hungry. $350 billion in section 8 housing programs forces huge numbers into shelters and onto already crowded streets. $230 million from community development block grant programs which our neighborhoods need badly would be cut. This bill is terribly sinister to force these massive cuts onto our own citizens in a budget which will fund a military operation in Yugoslavia. It is cynical. It forces us to choose between humanitarian and disaster assistance for those here and abroad. I ask for a ''no'' vote.

Mr. YOUNG of Florida. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Missouri (Mr. TALENT).

Mr. TALENT. Mr. Speaker, I thank the gentleman for yielding me this time. Let me focus the House's attention on a figure, $148 billion. The Joint Chiefs of Staff came before the Senate at the end of last September and said, we are $148 billion short of what we need over the next 6 years to maintain minimal standards of readiness in the armed services. Nobody disputes that figure. The Secretary of Defense agrees with it. He has testified that we either need more troops or fewer missions. Mr. Speaker, we have soldiers on food stamps. This bill is a modest down payment on doing our duty under the Constitution and the laws to the men and women who protect our families and our security.

I have heard many arguments against the bill. They change. It funds Kosovo. It does not fund Kosovo. It has offsets. It does not have offsets. It is an emergency. It is not an emergency. And now it changes the rules regarding a gold mine in Washington.

Mr. Speaker, let me put this in perspective. I was talking the other day with the gentlewoman from Florida (Mrs. FOWLER), who serves on the Committee on Armed Services with me. Her neighbor is the wife of a Navy flier. Her neighbor stopped the gentlewoman from Florida in the grocery store and said, ''My husband has to land his F–18 on an aircraft carrier at night on a pitching deck and he is not getting the training hours he needs because the budget has been cut. He might crash. What are you going to do to help my husband?''

Mr. Speaker, the men and women in America's armed services count on us to protect them as they protect our families and our children and our Nation's security. This bill is the first time in 6 years that we are stepping up to our duty. Let us get rid of the politics, let us get rid of the excuses. The Committee on Appropriations held tough and stood fast in the conference committee. Let us vote for this bill and begin the road back to protecting America's security.

Mr. OBEY. Mr. Speaker, I yield myself 30 seconds.

I would simply say if our friends on the majority side of the aisle were so concerned about readiness, why is it that out of the $27 billion that they have added to the President's defense budget the last 4 years that only $3.5 billion of that went to readiness and the rest went for pork?

Mr. Speaker, I yield 2½ minutes to the gentleman from Massachusetts (Mr. FRANK).

Mr. FRANK of Massachusetts. Mr. Speaker, I thank the gentleman from Wisconsin for yielding me this time. I am reminded of a song that I think my colleagues on the other side are singing. I remember in earlier times when they would be very critical of the appropriations process, of the excesses that were sent in, of the long time it took. I think they have now decided to sing a song, anything we can do, they can do worse. We are told that we should fall to the hostage theory: ''This has some good things in it; therefore, you should ignore the bad things.'' The gentleman from Alabama said that the glass was nine-tenths full. One of my friends on the Committee on Appropriations said, ''No. The trouble with this glass is that it's overflowing.'' We are told that if we are for aid to the hurricane victims, if we are for the troops, we have to vote for it and never mind all the bad stuff. I have

heard that before. I thought it was one of the things they were going to change.

So this notion that because there are some good things in a bill that has fewer bad things than it used to have, we have to vote for it makes no sense. As for people who tell me we are in a real rush to do these things, I think I remember voting for some of these things several weeks ago. I was not holding it up. Yes, I would vote for a clean bill very soon. But what is even worse is the offsets. The gentleman from Wisconsin correctly pointed out, the offsets either are very powerful reductions in spending when they are trying to sell the bill to the conservatives, or they are nothing when they talk about their real impact. Well, unfortunately they are not nothing. I wish they were. Yes, it is true, and I thank the gentleman from New York and the appropriations subcommittee and others, we will be protecting the people who now live in housing with section 8s. But any Member of this House who has told a constituent, ''Gee, I'm sorry you don't get a section 8, I'm going to try and get you one,'' anyone here who has looked at an elderly constituent and said, ''Gee, ma'am, I really feel for you, I'm going to do what I can,'' who then votes for this cancellation of $350 million of section 8 vouchers that could otherwise go to new people is guilty of the worst kind of inaccuracy.

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My colleagues can vote to cancel $350 million of Section 8 if they want to, but they should not then go back to their districts and lament and weep for those who are not adequately housed because actions do have consequences. Yes, it will keep existing people in housing, but all of my colleagues who have talked to people on the waiting lists, who have talked to others and said, ''Gee, I would love to help you,'' it is like the old reverse Houdini.

Mr. Speaker, Houdini used to get tied up in knots, and his trick was to get himself out of the knots. This bill ties ourselves in knots, and then we tell people we cannot help them because we are all tied up in knots.

Mr. OBEY. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Washington (Mr. INSLEE).

Mr. INSLEE. Mr. Speaker, we really have a good opportunity here in a few moments jointly on a bipartisan basis, and that is to pass a motion to recommit which will take a scalpel out and remove some of the warts from this bill, and I speak of one wart or three in the anti-environmental riders; my colleagues may have others.

The gentleman from Florida (Mr. DEUTSCH) and I will not be allowed to offer our motion to recommit, and that is just fine. We have no pride of authorship here. But we do have outrage, and I have outrage as a new Member of this Chamber, to say that we are going to allow this type of chicanery to go on in this House, Mr. Speaker.

As my colleagues know, for folks to argue on these environmental riders that they are really not environmental, they think Americans sort of fell out of the back of the rutabaga truck. Do we think that our pilots in the F–18s want to come home and have us reduce their environmental protections? I do not think that is what we are asking us to do. Do we want the sailors on those ships, are they sending us E-mail asking us to reduce environmental protection? I do not think they want that. If my colleagues believe that environmental riders are wrong, they should vote for this motion to recommit.

Mr. OBEY. Mr. Speaker, I yield 1 minute to the gentleman from New York (Mr. CROWLEY).

Mr. CROWLEY. Mr. Speaker, there are problems in the supplemental appropriation bill. As a member of the Committee on International Relations, I have been actively involved in working to secure funding for earthquake relief in Columbia and military and humanitarian aid for Operation Allied Force. I represent one of the largest Columbian-American constituencies in the United States, and I adjoin an area in the Bronx which has the largest concentration of Albanian-Americans in the U.S. I spoke in favor of this resolution when it first came to the House floor. Unfortunately though this bill has changed considerably when it went to the conference with the Senate. The Senate had added anti-environmental riders along with a host of individual projects which have no business in this bill. I support the funding for hurricane relief in Central America and earthquake relief in Columbia, I support the 6 billion in funding for our military involvement in Yugoslavia and humanitarian relief for the front line countries effected by the flow of refugees escaping Kosovo, and I support the $100 million to Jordan to help implement the Wye Peace Agreement. But unfortunately, Mr. Speaker, I will not be able to support this legislation because of the anti-environment and what it does to the poor of this country.

Mr. Speaker, there are problems in this supplemental appropriations bill.

As a member of the International Relations Committee, I have been actively involved in working to secure funding for earthquake relief in Colombia and military and humanitarian aid for Operation Allied Force. I represent one of the largest Colombian-American communities in the United States, and I adjoin an area in the Bronx which has the largest concentration of Albanian-Americans in the United States.

I spoke in favor of this resolution when it first came to the House Floor. Unfortunately though, this bill has changed considerably when it went to Conference with the Senate.

The Senate has added anti-environmental riders along with a host of individual projects, which have no business in a bill, designated ''emergency spending''

I support the funding for Hurricane Relief in Central America and earthquake relief for Colombia. I support the $6 billion in funding for our military involvement in Yugoslavia and humanitarian relief for the front line countries affected by the flow of refugees escaping Kosovo. And I support the $100 million to Jordan to help implement the Wye Peace agreement. And I support our United States Military who deserve a pay raise for the hard work they do to protect our freedom at home and abroad.

These are a few of the good things, now let's talk about the bad things: $9.2 million for car washes in Germany and bachelor quarter housing in Southwest Area, three anti-environmental riders which provide sweetheart deals to mining companies and cheat American taxpayers, $1.2 billion cuts from Food Stamps, $350 million cuts from Section-8 housing and a variety of spending that was not even included in the Pentagon's 5-year budget plan.

Mr. Speaker, because of these offsets and the budget busting spending, I will have to vote to oppose this supplemental bill and encourage my colleagues to defeat this bill, go back to conference and produce a better bill that will gain the support of all of our members.

Mr. OBEY. Mr. Speaker, I yield 1 minute to the gentleman from New York (Mr. MEEKS).

Mr. MEEKS of New York. Mr. Speaker, I rise this evening in opposition to the emergency supplemental appropriation conference report.

This bill is loaded with non-emergency spending that undermines the budget appropriation process but satisfies the special interests. While I strongly support the emergency funding for our military in Kosovo and for a pay raise for our troops and for disaster relief efforts, I strongly object to the unnecessary spending disguised as emergency spending for such things as 3.8 million for the House Page Dormitory, establishing a pilot program within the Library of Congress to bring up 3,000 emerging Russian political leaders to the United States, 475 million in unrequested funds for overseas military construction, 3 million for the United States Commission on International Religious Freedoms.

While these in and of themselves are not bad, they are not emergencies.

What is equally troubling is that the vital programs that poor and elderly people rely on have been cut dramatically to pay for this bill, 1.2 billion in food stamp programs, 350 million in Section 8 and 22 million for the labor and health.

Mr. Speaker, I strongly urge my colleagues to do what Americans expect us to do: Vote no.

Mr. OBEY. Mr. Speaker, I yield myself 30 seconds.

Mr. Speaker, I simply take this time to notify the House I will be offering a straight motion to recommit.

If my colleagues believe that we should not be unnecessarily abusing

the environment, if they believe that we should not be unnecessarily hurting our ability to help people who desperately need health care, if they believe that we should not abuse the emergency designation in the budget process, then I would invite them to vote yes for the motion to recommit.

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

Mr. YOUNG of Florida. Mr. Speaker, I yield myself the balance of the time.

Mr. Speaker, first I would like to compliment the Chair for having kept and maintained order throughout this debate. I would like to compliment the gentleman from Wisconsin (Mr. OBEY) and the members of the minority party for the responsible way in which they have conducted themselves in this debate and certainly my colleagues on the Republican side for having stood strong for the legislation that we were able to put together over a lengthy process of conference, and I would also like to thank, Mr. Speaker, the staff of the Committee on Appropriations, the majority staff and the minority staff, and I can tell my colleagues they worked. The Members thought they worked long, hard hours, and the staff worked longer and harder hours because when we made the decisions, staff had to put them on paper and get them ready to present to the House. I want to thank the Committee on Rules for being willing to wait for us late Thursday night and being willing to come in yesterday when there was no business in the House in order to actually meet and grant a rule for this bill.

Mr. Speaker, I also want to thank the President of the United States because he supports this bill, and I would also like to thank the President of the United States for not only supporting the offsets that have become somewhat controversial here this evening, but having recommended the one major offset that has received so much attention, and that is the food stamp offset. America's economy is good. The demand for food stamps has been reduced. There is a substantial amount of funds for fiscal year 1999 in the food stamp program that will not be spent, and so we have agreement with the administration to use that as the basis for our offsets, and I would point out that the nonemergency sections of this bill are offset.

Now many have stood here and said they would vote against the bill, but they refer the farmers, they refer the soldiers and the sailors. Do not vote against them. If colleagues are for them, do not vote against them. A no vote on this conference report is going to be a vote against America's farmers who need help and who need it today, and this bill addresses that aggressively. A no vote will be a vote against the victims of disasters not only here at home in the United States, but at our friends and neighbors in Central America. A no vote will be sending a message to Milosevic that we are not really serious about bringing him to heal. He does not need to get that message, he has got enough problems already. A no vote will be against those soldiers and sailors and airmen and marines and coastguardsmen who are involved in this conflagration, or war, or call it what you will in the Balkans, and, yes, the Coast Guard is involved. When America goes to war, the Coast Guard goes to war, and there are two Coast Guard ships tonight steaming toward the Balkans to join other Coast Guard vessels that are already there dealing with the Bosnian issues. And a no vote would be against reinvesting some of our resources to start to rebuild our national defense capabilities that have been stretched so thin that, if one of the other MRCs in the Korea region or Iraqi region were to happen tonight or tomorrow, we would be in trouble.

So, if colleagues are for all of these things, they cannot vote against the bill.

So I would hope that everyone will seriously explore their conscience and understand that the things they disagree with are minor compared to the good things that this bill provides. America needs this bill. Our soldiers, and sailors, and airmen, and marines and coastguardmen need this bill.

Ms. STABENOW. Mr. Speaker, I rise to reluctantly support this legislation, because I am in favor of its original goal of providing assistance to three important and deserving groups: our troops abroad and at home, our farmers who have endured brutal economic conditions, and hurricane victims in Central America and the Caribbean. Ultimately, I believe these true emergencies still deserve our support, and I will not vote against them. I will vote for the motion to recommit, because I know we can do better.

Mr. Speaker, the bill before us is an example of Washington at its worst, of a spending mentality that still pervades, and highlights budget rules that must be amended. We have again seen the conference process lead to excess, with the result being a bill that has become the vehicle for too many pet projects. While many environmental riders were removed, three still remain: an extension of moratoriums on new oil and gas royalties regulations and new mining regulations, and a green light for operations to commence at the ''Crown Jewel'' mine in Washington state. The President requested a $6 billion dollar bill, and we will send him a $15 billion dollar bill that the majority readily admits is being used to dodge the budget caps for fiscal year 2000. In addition, this measure contains funding for numerous items that can with little credibility be defined as emergencies, that will sadly enough be paid for with Social Security surpluses. We must take Social Security off-budget and reform the procedures for emergency spending.

Mr. Speaker, as disappointing as they are, these facts do not change the fact that our farmers are hurting, and that they have waited too long to get the relief this bill contains. There are people in the Midwest that are trying to repair their lives after devastating natural disasters, and I believe the federal government should do all it can to assist them. This country currently has young men and women engaged in military actions overseas, and we owe it to them to provide the necessary resources to keep them as safe as possible. At the same time, our troops have for too long lived on substandard wages and we must honor the commitment they made to this country with their service. While I have little good to say about the process that has brought us to this point, these are worthy efforts, and I will support them.

Mr. LEVIN. Mr. Speaker, I rise in support of the conference report. The House should move quickly to approve the urgently needed funding to continue NATO's military operations against Slobodan Milosevic's forces in Kosovo. In addition, the conference report contains emergency funds to assist the Kosovar refugees who are the innocent victims of Milosevic's aggression. Finally, this legislation includes long overdue disaster relief for the Central American countries that were devastated last year by Hurricanes Mitch and Georges.

Although I will vote for the bill, I want to state for the record that I strongly oppose the spending offsets contained in the conference report. It is my understanding that we have offset only about ten percent of this bill and of that ten percent, the lion's share will be financed on the backs of our nation's working poor.

I am particularly concerned abut the $1.25 billion rescission in funding for the food stamp program. We have seen disturbing statistics in my state of Michigan and across the country that the food stamp case loads have been dropping at an alarming rate. Indeed, census data shows that food stamp case loads are dropping far faster than the rate of poverty.

Studies show that one of the key reasons for the decline in the food stamp caseloads and the resulting unspent programmatic dollars is that states have done a poor job in letting people leaving the welfare rolls know that they are still eligible for food stamps, even though their wages leave their families in need and eligible for Food Stamps. A recently published Florida study showed that 58 percent of people leaving the TANF rolls did not know that they were eligible for food stamps.

We are all acutely aware of the actual withholding of food stamps from eligible individuals in New York City. As those who are eligible for food stamps are kept from accessing the program, we are seeing a marked increase in the use of soup kitchens and food pantries. In Milwaukee, a full 50 percent of those people who are using these facilities for food are children. This is a disgrace.

We have also been withholding food stamp eligibility for hard working legal immigrants. I have proposed legislation, ''The Fairness for Legal Immigrants Act'' to rectify this unfair treatment. These unspent dollars could be going to correct this injustice, rather than offsetting a bill that does not require offsets and is only 10 percent offset, anyway.

Rather than revoking funds that should be spent on providing food to America's working

poor, we should be focusing on making certain that all children and families who are eligible and require food assistance have access to what they are entitled to.

I also object to several of the legislative riders attached to this bill. Included among the many non-germane elements to the emergency supplemental appropriations bill, the provision related to the state-tobacco settlement is one of the most perplexing. There is bipartisan support for letting the dollars won in these lawsuits to remain with the states, but what is disturbing is the exclusion of any guidelines on how states can spend these monies in the provision included in this bill. Logically, the tobacco money should be used to fund states' health care programs and related tobacco-prevention programs. This money should not be used to build highways or post offices.

Despite the inclusion of such unwelcome legislative riders, I urge my colleagues to approve the conference report. Failure to act on this bill would have a severe and negative impact on our nation's efforts to stop Slobodan Milosevic's aggression in the Balkans and bring relief to Kosovar refugees.

Mr. DAVIS of Illinois. Mr. Speaker, as a Member of the Census Subcommittee, I am glad to see that this measure provides for the continuation of the Census beyond the June 15 deadline; I support our nation's efforts towards NATO's peacekeeping goals; and I support relief for those victims in Central America and the Caribbean. However, I cannot tell my constituents back home that I turned my back on some of our nation's most vulnerable, some of my district's most vulnerable. The poor who need food stamps or section-8 assistance.

Mr. Speaker, when I grew up, I was taught that patience is a virtue, do unto others as you would have them do unto you and that a nation can only be as great as its weakest and most vulnerable because their voices often are not heard in the great decision and influence-making centers of our society. The attack on the nation's poor is alarming. These constituents don't have the money to hire a slick lobbyist to cut a deal for them in order to secure their interests. Public housing residents are easy targets. Oftentimes they are poor, uneducated, un-employed, unskilled, un-organized, un-registered, under-fed, undernourished and physically segregated.

Mr. Speaker, the 7th Congressional District of Illinois has more public housing residents than any other Congressional District in the nation, second to only one district in New York. Two-thirds of all public housing residents in Chicago, reside in the 7th Congressional District. If the people in public housing were a separate city in Illinois, it would be Illinois' second largest city. When the Section 8 list opened in July of 1997, the Chicago Housing Authority Corporation (CHAC) received over 150,000 applicants; only 25,000 applicants were allowed to be placed on the list via lottery; of that 25,000 on the lottery list—only approximately 3,000 have received Section 8 certificates, to date.

What we don't know is how many women, children and families in the absence of Section 8 will have no other alternative.

Mr. Speaker, in the name of fairness and justice; in the name of commitment to all Americans—rich or poor, black or white; and in the name of one nation—rather than 2—rather than a nation divided between the haves and the have-nots; I cannot support this attack on some of our nation's most poverty-stricken citizens. I cannot support this cut in section 8 housing and good stamps. Therefore, I cannot support this emergency supplemental appropriations bill.

Mr. WAXMAN. Mr. Speaker, I rise in strong opposition to H.R. 1141, the Emergency Supplemental Appropriations Conference Report. This bill contains a myriad of provisions of the worst sort—riders slipped in without ever being considered by the full House.

One rider stands out among the rest as being particularly ill-conceived and short-sighted: the provision to completely give up the federal share of the tobacco settlement without any commitment by the states to improve public health.

Ten years from now, people will look back on this legislation and ask how Congress could give away nearly $140 billion federal health care dollars without guaranteeing that even a single penny would be spent on public health. They will ask how Congress could overturn thirty years of Medicaid law—without a single hearing so that members could understand the ramifications of the legislation and without any action by the full House so that Members could debate and vote on the issue.

This provision has no business being on an emergency supplemental appropriations bill that provides disaster aid for Central America and funds for military operation and refugee relief in Kosovo.

It is not an emergency appropriation issue in any sense. What it is, however, is one of the biggest giveaways of federal health care dollars I have seen in my entire congressional career.

The size of this giveaway is breathtaking. Nearly $140 billion federal health care dollars are being given to the states to spend as they please. That is enough to pay for the existing out-of-pocket prescription drug costs for every single Medicare beneficiary who currently lacks prescription drug coverage. Yet these federal health care dollars are being relinquished with absolutely no commitment that the states spend the money on improving prevent youth smoking, improving public health, or increasing access to health care.

Mr. Speaker, when history looks back on this legislation, it will be seen as a deal that served the tobacco interest, not the public health interest. I strongly believe that it is the height of irresponsibility for the Congress to give away billions of federal health care dollars for nothing. I strongly urge my colleagues to vote no on H.R. 1141.

Mr. SHAYS. Mr. Speaker, I voted for both supplemental appropriation bills.

I voted for the bill to assist Hurricane Mitch victims because this House made a good faith effort to offset the spending costs.

I voted for the defense spending package because there is a war in Kosovo and we need to pay for it.

But this Conference Report reflects the old, tired ways I thought we had put to an end when the Republican majority was elected in 1994.

Mr. Speaker, last week, 381 Members voted for the Upton Motion to Instruct Conferees to pass a clean emergency spending resolution.

When I spoke on the floor during debate, I said that if we are sent a conference report that does not abide by what we were saying there, that we vote against it and defeat it.

Today, the consistent vote for those 381 Members is for the Motion to Recommit this Conference Report because it clearly does not abide by what we said.

In fact, it includes three egregious anti-environmental riders. None of which was included in the House-passed legislation, and one of which was not in either the House or the Senate bill.

The most harmful rider allows the Crown Jewel mine in Washington State to proceed with a mining proposal despite the rejection for a permit by the Department of the Interior.

This rider would allow the Crown Jewel mine to blast off the top of Buckhorn mountain to extract only a pickup truck worth of gold.

Another one prevents the Bureau of Land Management from issuing its final hardrock mining regulations until well in 2000.

Thus tacitly sidelining environmental protections for more than a year, giving companies carte blanche mining privileges on public land.

And the last one also delays environmental protection regulations designed to close the loophole allowing big oil companies to continuing evading their responsibilities in paying off their share of off-shore oil drilling.

Oil companies have been undervaluing oil royalties for years, and this rider bars the Mineral Management Service from promulgating regulations prohibiting this practice.

I urge the rank and file members of this House to stand up and oppose this conference report.

Mr. WEYGAND. Mr. Speaker, over the past three weeks the House debated the current situation in Kosovo. Our discussion began with a debate on Congress' role in the foreign policy decision making process and concluded with funding proposals for the ongoing military operations in Kosovo.

During the first week of debate, I opposed three resolutions that I believe sent the wrong message to our troops, allies, and enemies. The message was that the United States was not committed to ending the tragedy in Kosovo. Last week I voted in favor of the emergency supplemental appropriations bill. I did so to show my continued support of our troops and because I believe it is important to provide them with the tools they need to complete their mission.

However, I am disappointed that within that emergency supplemental appropriations bill there were substantial increases in defense spending, above what the President requested and outside of the normal process by which those items would be funded.

This appropriations bill nearly doubled the amount the Department of Defense and the President requested for the Kosovo operation. Included in the bill were many programs and projects that are not, in my view, emergencies. I do not question the validity of these projects or programs, in fact I would likely support some of them. However I am opposed to highjacking the process by which the House normally considers such expenditures.

We have many issues to address including social security, medicare, home health, educating our children, making our communities

more livable, preserving our national resources, and the list goes on. Whatever your particular view on these issues they should be debated and prioritized through the normal budget process. Using emergency appropriations bills to fund programs normally considered through the regular authorization/appropriations process means there will be fewer resources to address the issues of great national importance. In addition, the critical nature of future emergencies is diminished.

The full House should have the opportunity to debate what our national priorities are and at what level to fund them. Corrupting the normal budget process by using emergency spending bills does not provide the House with the opportunity to sufficiently consider and prioritize many worthy programs.

Again, I am voting in favor of the Kosovo supplemental appropriations bill because I believe it is absolutely necessary to provide our troops with the tools and support they need to complete their mission. I do not, however, support abusing this bill and the legislative process.

Mr. COLLINS. Mr. Speaker, the post World War II, culturally diverse Socialist Federal Republic of Yugoslavia was comprised of a number of different ethnic groups living together under the rule of Josip Broz Tito. The death of Tito and the ensuing breakdown of the communist world led to the partitioning of the Yugoslav federation into semi-autonomous states. The partitioning of the federation led to increased instability and animosity between the different ethnic groups.

In 1987, Slobodan Milosevic came to power as Yugoslav president. The different provinces of Yugoslavia had been treated as equal entities, but in 1989 Milosevic abolished the semi-autonomous status of Kosovo, which is comprised of 90% ethnic Albanians. Although Albanians are the overwhelming majority, the Serbs consider Kosovo to be an historic landmark where their ancestors attempted to fend off the assault of the Ottoman Empire, and these conflicting interests have led to great controversy and fighting.

In 1991, Slovenia, Croatia, and Bosnia declared independence from Yugoslavia. Although Milosevic had sought to protect the Serb influence in those countries, the Serb populations were so small in Slovenia and Croatia that it was not feasible to fight for political control. Milosevic was, however, a major instigator of the all-out war for control of Bosnia, where there was a very large Serbian population. A peace agreement to end the Bosnian war was signed by the warring parties in late 1995.

The conflict over Kosovo has continued to heighten. When Milosevic revoked its autonomy, many Kosovars said they would settle for nothing less than complete independence, and since 1995, the Kosovo Liberation Army (KLA) and Serb policemen have been fighting for political control. Milosevic's desire to maintain the integrity of the Yugoslavian territory and the historical value of Kosovo, coupled with the Kosovar Albanians' drive for independence has evolved into today's conflict.

Aggression has continued to escalate, and after failed attempts at a diplomatic resolution, NATO air strikes began on March 24, 1999. The air strikes, however, have neither prevented nor hindered Milosevic's violent reign. Indications are, in fact, that violence has accelerated since the air strikes began.

While humanitarian issues are of grave concern, the effectiveness of the NATO air strikes remains questionable. Having recently traveled to Tirana, Albania, and Skopje, Macedonia, I have witnessed first-hand the humanitarian crisis facing Europe. I have also participated in extensive briefings on the crisis by Supreme Allied Commander—Europe (SACEUR) General Wesley Clark. There is no question that the situation on the Balkan Peninsula is grim. The question that remains is what the United States and its European partners in NATO should do to end the violence and help rebuild the lives of hundreds of thousands of Kosovar Ablanians that have been driven from their homes.

Slobodan Milosevic is a shrewd and experienced military commander who has used military power to expel the Kosovar Albanian rebels (the Kosovar Liberation Army or KLA) from Kosovo and to put extensive defenses in place in Kosovo, significantly enhancing his military position on the ground. President Clinton and the other 18 NATO leaders have, on the other hand, allowed political considerations to govern military decisions in the air campaign. In spite of the campaign, ethnic cleansing has accelerated and the FRY military has now fortified its southern defenses, presenting a greater threat to a potential invasion force today than was present when NATO bombing began.

Because NATO air strikes have little chance of accomplishing their stated goals, and because the human and economic costs of launching a ground campaign far outstrip the potential benefits of such an action, I believe that the NATO air campaigns must stop immediately. It is time for NATO to seek a negotiated settlement that will allow the Kosovar Albanians to begin to rebuild their lives.

I have represented the views of many of my constituents throughout this crisis and have exercised my conscience and judgment in doing everything possible to end the Balkan conflict. I voted against sending ground troops to the area. I voted against continuation of air strikes, I voted to withdraw our troops, and I voted to prohibit the President from sending ground troops without the express authorization of Congress. However, despite the clear messages of opposition form the U.S. House of Representatives, the war continues. Now only two people can stop it: President Clinton or Yugoslav President Slobodan Milosevic. Congress has no means of direct recourse against Milosevic, so we are left to deal with the other leader, our Commander in Chief, who has chosen to continue the engagement.

I believe the President's actions are dangerous to this country. He has placed our men and women in harms way, yet continues to oppose providing the resources to support them. He has yet to recognize the ramifications of his drastic downsizing of our military. But his deployment in the Balkans has exposed the critical nature of the situation. The armed forces' ability to prevail in two major theaters of conflict in a reasonable amount of time and with minimum casualties has long been the acceptable level of defense. The President has created a third combat theater of contingency operations which the military is not prepared to handle.

It has been reported:

—The U.S. Army conducted 10 operational events from 1960–1991, 31 years. Since 1991, the Army has conducted 26 operational events. At the same time, the President has drastically reduced our military capabilities.

—Since 1987, active duty military personnel have been reduced by more than 800,000. In 1992, there were 18 Army divisions. Today there are 10. In 1992, there were 24 fighter wings. Today there are 13. In 1992, there were 546 Navy ships. Today there are less than 330.

—On recent inspection of one base, Lemoore Naval Air Station, in California, it was found that 43% of the Hornet strike fighters were ''not flyable'' due to a lack of parts. The squadrons had 61% fewer jet engines than needed to keep all their aircraft flying.

—In order to carry out operations in Kosovo, the President ordered a temporary suspension of enforcement in the Iraqi Northern no fly zone; removed a carrier battle group from the Western Pacific; called 33,102 reservists; and committed nearly 7 of the American military's 20 combat air wings.

—If there were another military flare-up somewhere else in the world, the U.S. would not have the military resources to respond.

Over the past many months, I have joined other Members of the House and Senate in exercising my Constitutional duty to prevent Presidential actions detrimental to our country. This extended to voting to impeach. However, all efforts to curtail these actions have failed. I can assure you, however, I will not fail in my Constitutional duty to protect the security and freedom of this nation, and most importantly, to protect those who defend it.

Ms. WOOLSEY. Mr. Speaker, I rise in strong opposition to this conference report for several reasons. First and foremost, it is a runaway train of unauthorized spending that circumvents the regular appropriations process. There is additional spending in this bill I would support under the normal appropriations process such as the military pay raise. But there are many more proposals I would not support and I will not be railroaded into voting for them as part of a catchall spending bill.

While I oppose our current intervention in Kosovo and I firmly believe we should stop the bombing right now and work towards peace, I understand and support the necessity of paying for our past commitments. But I do not support a blank check for unlimited defense spending, I do not support adding billions of dollars of pork barrel projects, and I certainly do not support trying to use this must-pass bill as a sneak attack on our environment.

Yes, let's help the refugees and provide the limited funding originally requested by the President for the Kosovo crisis. Let's also provide the other emergency funding needed to pay for agriculture disasters and for the damage caused by Hurricane Mitch. And that's all we should be paying for.

The fact that the majority is trying to use this bill to circumvent mining laws and line the pockets of oil companies is a perfect example of how this bill has gotten out of control. I for one will not stand for this assault on our environment. I call on the majority to take this bill

back to the drawing board and remove these anti-environmental provisions as well as the extra billions of dollars in unrelated spending that they put in it. No to pork barrel projects, no to unlimited defense spending, and no to environmental riders.

I urge my colleagues to vote ''no'' on this supplemental appropriations agreement.

Mr. WU. Mr. Speaker, I rise today in opposition to the Supplemental Appropriations Conference Report, and in support of the motion to recommit offered by Congressman DEUTSCH and Congressman INSLEE.

This bill contains anti-environmental riders inserted in dark of the night.

Mr. Speaker, I have only served in this House for four months, but I can tell you already that this is NOT how we should go about passing substantive legislation.

The people of Oregon, three thousand miles away from this House today—have entrusted me with the responsibility to represent them—and to keep a watchful eye out for this kind of reckless activity.

Mr. Speaker, none of these provisions—which are so damaging to our natural environment—passed either the House OR the Senate.

We have a system of public scrutiny and accountability in America—this bill attempts to sneak by those mechanisms.

This attempt to sneak anti-environmental stealth riders under the noses of the American people is unacceptable. The three anti-environmental riders that have been included in conference, have not had to face public scrutiny.

One of the stealth riders inserted behind closed doors will effect my constituents who live along the Columbia River in Oregon.

By reversing the Interior Solicitor's opinion to limit the size and number of waste sites associated with hardrock mining, river and groundwater sources will be jeopardized by acid mine drainage and heavy metals, such as arsenic.

Mr. Speaker, we have a responsibility to the American people to call this legislation for what it is—back-room—stealth destruction of our natural environment.

I urge my colleagues to support the Deutsch-Inslee motion to recommit.

Mr. KIND. Mr. Speaker, I rise today in opposition to the Emergency Supplemental Appropriations Conference Report because it is fiscally irresponsible. While I supported the supplemental bill that passed the House last week because it provided funding for our troops, I nevertheless hoped the Conferees would keep the emergency funding for emergency reasons only. I was hopeful that in matters of war and peace, life and death, this House would play it straight and work in a bipartisan fashion to support true emergency items. This bill, however, has become a back-door loophole to increase spending for non-emergency items.

While I support legitimate emergency funding items—aid to disaster victims in Central America and tornado ravaged communities in the central United States, relief for struggling family farmers, and resources to support our troops in Kosovo—this body has unfortunately resorted to old-styled pork barrel politics. Members should not load up this emergency bill with their own pet projects.

This bill contains over $5 billion in excess funding, anti-environmental riders and cuts to important programs to offset a portion of the excess spending. The so-called ''emergency'' items in this Conference report include $1.3 million for a world trade conference in Seattle, over $3 million to refurbish the dorm for House pages, and a $700,000 increase for House leadership office budgets. These items may be necessary, and can be debated in the normal authorization and appropriations process, but they certainly are not emergency projects.

It is fiscally irresponsible to fund non-emergency budget items using the Social Security surplus in an attempt to circumvent the budget caps. And it is just plain wrong to take advantage of our troops in the field and victims of real disasters to spend taxpayer dollars recklessly and carelessly. We should defeat this report and instead pass a true emergency funding bill.

Mr. BILIRAKIS. Mr. Speaker, I rise in support of H.R. 1141, the Supplemental Appropriations Conference Report, which includes provisions to protect state tobacco settlement recoveries from seizure by the federal government. As Chairman of the Health and Environment Subcommittee, I have worked on a bipartisan basis to protect the settlement funds obtained by Florida and other states in their lawsuits against the tobacco industry.

The language of the conference report is similar to H.R. 351, legislation I introduced in the House earlier this year. This proposal enjoys the bipartisan support of over 130 cosponsors. It has also been endorsed by the National Governors Association, the National Conference of State Legislatures, and the National Association of Attorneys General.

The conference report provisions were originally adopted as an amendment in the other body, and they were retained by the conferees in the bill before us. These provisions prohibit the Department of Health and Human Services from treating funds recovered by the states from tobacco companies as an overpayment under the Medicaid program.

As approved by the other body and incorporated in the conference report, this language does not restrict the use of state funds. The choice before us, then, is simple. Members can either support this measure and prevent a raid on state treasuries—or, they can oppose the bill and let the federal government seize over half of their states' hard-earned recoveries.

As background, the Health Care Financing Administration first asserted a claim to states' settlement recoveries in a letter to state Medicaid directors in late 1997. The agency based its assertion on provisions of the federal Medicaid statute which allow recoupment of ''overpayments.''

In a subsequent hearing before my Health and Environment Subcommittee, the Administration agreed to withhold attempts to recover state settlement funds until Congress had an opportunity to address the subject in federal legislation. At that time, only three states—Florida, Mississippi and Texas—had secured tobacco settlement agreements.

Last year, 46 states and the District of Columbia negotiated a multi-state agreement under which the industry will pay $206 billion over the next 25 years. Previous settlements by the states of Florida, Texas, Mississippi and Minnesota will total $40 billion over the same period.

These funds are now in serious jeopardy, however, because the Department of Health and Human Services has renewed its plans to seize a large portion of the states' recoveries. The President's Fiscal Year 2000 budget proposes to withhold almost $5 billion per year from federal Medicaid payments to states beginning in Fiscal Year 2001. This amount represents about half of what the states would receive under the multi-state settlement.

This proposal to raid states' settlement funds is a thinly-veiled attempt at highway robbery. A number of states did not even assert Medicaid claims in their tobacco lawsuits. Other states' Medicaid claims were dismissed by the courts, and some states did not sue at all. In addition, states' lawsuits raised a variety of claims, including consumer protection, racketeering, antitrust, and civil penalties for violations of state laws.

Ironically, the dispute regarding the status of these funds—and resulting budgetary uncertainty—has prevented states from moving forward with new initiatives to reduce teen tobacco use and improve public health. Many state legislatures are currently in session, and budget negotiations are reaching conclusion. Congressional action is needed to ensure that state legislatures can appropriate settlement funds with confidence.

We should also recognize that state officials are just as accountable to the voters as federal representatives. States don't need to be told to fund public health programs—they are already doing it.

In my own State of Florida, all settlement proceeds are dedicated to funding important public health initiatives, including an innovative advertising campaign targeted at reducing tobacco use by minors. Federal seizure of a portion of these funds would essentially ''defund'' these critical programs.

In addition, the Florida Legislature recently approved funding for the Lawton Chiles Endowment Fund proposed by Governor Jeb Bush. The endowment sets aside $1.7 billion of the state's tobacco recoveries to provide a perpetual source of funding for children's health programs, child welfare, community-based health and human services, and research.

Other states are also directing significant resources to smoking cessation efforts. Many states have invested years in program design, modification, and evaluation to determine the best ways to prevent young people from using tobacco.

However, states have not yet received any funds under the multi-state settlement. With no much money in question, not only is it unwise for states to obligate these funds, some states are constitutionally unable to appropriate them.

For this reason, states are establishing trust funds, endowments, and foundations as mechanisms for receiving the settlement funds, many of which will be targeted to tobacco prevention and other health-related programs. Over a dozen states have already committed to creating a dedicated trust fund or devoting considerable settlement revenues to smoking cessation programs.

In Maryland, for example, a fund was recently established to receive the state's share of the multi-state settlement. By law, the funds must be spent through the annual budget process, and the Governor must include either $100 million or 90 percent of the funds estimated to be available, whichever is less, in the proposed state budget.

North Carolina, one of the largest tobacco-producing states, recently enacted a proposal that dedicates 25 percent of its settlement recoveries to benefit public health.

The State of Utah, which has one of the lowest rates of tobacco usage in the nation, has spent millions of dollars to implement aggressive initiatives. A restricted account has been established for the use of tobacco settlement funds, with high priority given to funding tobacco prevention and cessation programs, particularly among teens.

California also devotes considerable resources to programs to discourage smoking. In 1988, California took the lead in promoting tobacco-related health education by passing Proposition 99. Through the initiative, California spends nearly $370 million per year on health and tobacco-related education and research programs.

Proposals to require states to dedicate a portion of their tobacco settlement funds to anti-smoking programs ignore the fact that states are already investing in tobacco control and other public health initiatives.

Clearly, states have been leaders in the tobacco debate. Their landmark lawsuits against the tobacco industry were solely state efforts. States assumed the financial risk of legal action to pursue these claims, and their taxpayers are entitled to the reward.

In fact, the federal government was invited to participate in these lawsuits, but it declined. In a letter to then-Florida Governor Chiles dated June 6, 1995, Attorney General Janet Reno stated: ''At my request, the Department's Civil Division has been monitoring the tobacco litigation. Thus far we have not been persuaded that participation would be advisable. We will continue to actively monitor these cases, however, and will reconsider this decision should circumstances persuade us otherwise.''

The Department did not reconsider, and states were forced to bear all of the expense and risk of litigation. It is important to note that these were unprecedented lawsuits against a well-financed industry—with a highly uncertain likelihood of success.

States assumed the financial risk of lawsuits to recover tobacco-related health care costs, and their taxpayers are entitled to the reward. The federal government should not be allowed to raid state tobacco settlement recoveries.

For all of these reasons, Mr. Speaker, I urge Members to support passage of H.R. 1141, the Supplemental Appropriations Conference Report.

Mr. BLILEY. Mr. Speaker, I rise today in support of the conference report on the Emergency Supplemental Appropriations bill. This legislation rushes aid to people in need all over the world and here at home. It also provides badly needed funds to modernize and improve our military readiness and to support NATO so that we can bring the conflict in Kosovo to a speedy and successful conclusion.

And while I routinely oppose legislative riders on appropriations bills, I also support the legislative language included in this bill to address the treatment of the State tobacco settlement funds under Medicaid. This language, identical to the bill introduced by the Chairman of the Health and Environment subcommittee, Mr. Bilirakis, amends the Medicaid statute to clarify that the States will be permitted to keep the tobacco settlement funds for the benefit of their own citizens. He deserves a great deal of credit for his hard work on this issue.

All of us have heard from our governors, our State legislators, and attorneys general about how important this language is to our States and our constituents. They told us about their plans to reduce smoking among the youth, and to improve access to healthcare for children. They have argued that they were the ones who took the risk to recover these funds, and the Federal Government should leave the States alone. These are all excellent arguments, but the most important argument for why we must act now is the reality of the situation.

Some States, like Florida, settled their suits against the tobacco companies before the States entered into the ''master settlement agreement'' and have already received their first payments from the tobacco companies. The other States expect their first installments by the year 2002. The States are trying to make budget decisions while the Administration has reversed course and is indicating that it will seek reimbursement for it's share of the Medicaid costs. The States disagree with the Administration's assessment, and have drawn a line in the sand.

Without legislation, we face many years of protracted litigation between the States and the Federal Government. The first issue that would have to be resolved in any litigation would be whether the Federal Government has any claim to this money at all. While the Administration believes that this is an open and shut case, the States do not agree and would likely take this to the Supreme Court.

And even assuming that the Administration would prevail, the next question would be even more complicated—determining what portion of the settlement award represents reimbursement for Medicaid expenses. In their lawsuits, the States brought many different causes of action, including state antitrust and consumer protection law violations. Courts would have to determine what portion of each State's settlement funds represent Medicaid expenses, and to what portion of the settlement the Federal Government is entitled. This question is even more complicated when considering States like Virginia, which never brought a suit but participate in the settlement, or the numerous other States which did bring suits but had their Medicaid claims tossed out of court.

The end result is that the funds—which everyone agrees should be used in large part to reduce youth smoking and improve public health—will sit in bank accounts doing nothing well into the next century. That is a result that none of us wants.

I have every confidence that other States, if they are allowed to proceed with their plans, will follow the lead of my own State of Virginia. Virginia has already pledged most of these funds to reduce smoking among teens and young adults, to improve access to healthcare for children, and to assist tobacco farmers and workers in their transition to other industries. Many States have similar programs planned or underway, while others are waiting for Congress to resolve the question of who can lay claim to the money.

Mr. Speaker, if Members believe that we need to do more to discourage youth smoking, they need to vote for this bill and support this language. They need to resist efforts to earmark a percentage of these funds to their favorite project. They need to trust the States to do the right thing.

Mr. Speaker, I urge my colleagues to support this bill, to support this language, and to oppose efforts to strip out this language.

Mr. KLECZKA. Mr. Speaker, I rise in opposition to the Emergency Supplemental Appropriations Conference Report before us today. I oppose this $15 million bill because it contains authorizations that do not belong in an emergency bill and it includes spending provisions for non-emergency purposes that should be debated in the normal appropriations process.

The authorizations in this conference report should be contained in authorizing legislation, not in an emergency appropriations bill. These provisions include prohibiting the federal government from both recovering part of the $246 billion tobacco settlement and placing restrictions on how states could use such funds; removing the restriction on FY 1999 funding for the Census Bureau; extending an existing moratorium on revising the way crude oil from federal lands is valued in order to determine federal royalities from the leases; and exempting a proposed mine in Washington State from a recent Interior Department ruling that would have blocked the mine's development.

The conference report also contains $268 million worth of non-emergency spending provisions that—although offset by cuts in other programs—should not be considered as part of an emergency spending measure. Among these are $29 million for the Postal Service's subsidized mail program, $48 million to replace a public broadcasting satellite, $3.8 million to renovate the House Page dormitory here on Capitol Hill, and $1.3 million for the World Trade Organization Ministerial meeting in Seattle. These provisions and their offsets should be debated on their merits in the normal appropriations process, not when we are trying to provide funding for our forces in Yugoslavia and those who have been devastated by natural disasters.

The legislative process through which this bill was crafted reminds me of the back-door deals and spending pile-ons that characterized the pork-laden Omnibus Appropriations bill last fall. At that time, then-Chairman of the Appropriations Committee Bob Livingston said ''We on the Committee on Appropriations are not happy doing our business that way. We are prepared to work with anyone willing to restore the integrity of the process.'' Apparently that integrity has yet to be restored.

Mr. Speaker, how quickly we have forgotten the lessons of last fall. I regret being put in a position of voting against poorly crafted legislation that includes some goals I support. I remind my colleagues that the Administration

originally requested $7.3 billion total for Kosovo and natural disasters. Today's legislation has been ballooned to $15 billion. I urge a vote against this bill. Let's support our troops and assist those victims of natural disasters who are truly in a state of emergency, but let's do it the right way.

Mr. SAXTON. Mr. Speaker, the conference report for H.R. 1141, the Emergency Supplemental Appropriations Act, contains good news for northeastern striped bass and blue fish fishermen. That's because important food sources for these species—herring and mackerel—have been protected by virtue of a provision in this bill.

The provision would prohibit the National Marine Fisheries Service from issuing permits to allow large factory-type trawlers into the herring and mackerel fisheries without the expressed consent of the governing Fishery Management Council under the Magnuson-Stevens Act. Why is Congressional intervention in management of these two species needed? Herring and mackerel are two fisheries on the East Coast that have not been fished to the limit—YET, and these fish are a major food source for at least two near shore species, stripers and bluefish, that are favorites of recreational fishermen.

Over the last several years, mackerel world market prices have increased substantially because Eastern European countries can no longer depend on government price supports, which kept prices artificially low for decades. This has created new fishing pressure. Herring populations have recently recovered from severely low numbers. The population collapsed in 1978 after years of over fishing, mostly by foreign factory trawlers. Now, largely because of the exclusion of foreign vessels under the original Magnuson Act and the lack of a major U.S. market for herring, the population appears to be healthy. However, four large factory trawlers are trying to enter the herring and mackerel fisheries. One of these vessels alone is capable of harvesting more herring than the entire existing fishery in the Gulf of Maine. Similarly, the vessel is capable of harvesting one-third of the estimated long-term sustainable catch for mackerel.

During the herring recovery, New England fishermen had to find alternative fisheries to survive. They increasingly turned to cod and haddock at Georges Bank. Sadly, the story is too familiar—the populations of these fish in Georges Bank have since crashed. Now, herring are being targeted again.

The Atlantic herring and mackerel fisheries are facing a new disastrous threat because large fishing vessels are poised to enter these fisheries. High prices and the apparent abundance of these species have attracted the attention of fishermen and businessmen throughout the world, who have responded by investing in large fishing vessels to harvest this American resource for sale overseas. The capacity of each of these vessels exceeds 50 metric tons per year. Coincidentally, the total take in these fisheries, for the entire herring and mackerel fleet is just about 50 metric tons, IN TOTAL.

It is therefore imperative that we establish safeguards to prevent another fishing disaster like those suffered by redfish, shark, striped bass, cod and haddock. I introduced legislation last Congress and again this year to close the herring and mackerel fisheries to new large vessels until a stock assessment could be completed, and until fishery management plans for the two species were in place that specifically allowed for large vessels. In the last Congress, that bill passed the House but was not acted on in the Senate. This year, the measure has been approved by my subcommittee, and it awaits full Resources Committee action.

The moratorium on large fishing vessels is a good idea. This provision allows the councils, with concurrence of the Secretary, to decide when and how it is appropriate to let these large vessels into the fishery. The councils need the time to react to what could be a sudden, unsustainable increase in harvest. This bill gives them the time to develop fishery management plans. Sadly, the NMFS seems content to wait until the stocks crash before taking action to protect these fisheries. As someone who has witnessed the pain and economic suffering experienced by those fishermen in New England, I do not believe that we should fish now and pay later. We must end this cycle of destroying our resources without knowing how much fishing pressure they can endure. This provision will help to conserve our Atlantic herring and mackerel stocks, and preserve the food source for stripers and bluefish.

I urge the adoption of this important measure.

Mr. LAFALCE. Mr. Speaker, I rise to express my concern about the $350 million rescission in Section 8 affordable housing reserves, contained in this supplemental spending bill.

Just two weeks ago, HUD announced an affordable housing mark-up-to-market initiative, designed to preserve our affordable housing stock for lower-income seniors, disabled, and families in expensive rental markets.

This initiative had strong bi-partisan support, with a commitment from Republican leaders to work with HUD to develop long term funding to preserve affordable rental properties and to protect those tenants living in properties we are unable to preserve.

So, just two weeks later, it is disconcerting to see the majority party cutting $350 million from the same Section 8 account that would be used to implement these housing preservation and tenant protection activities.

This rescission is especially disturbing, in light of the draconian domestic discretionary cuts adopted in this year's budget resolution. A $350 million rescission of Section 8 reserves eliminates a source of funds that could be used to soften the blow of such spending cuts, and to fund critical initiatives.

This rescission calls into question the commitment in last year's pubic hosing bill to add 100,000 incremental vouchers in Fiscal year 2000, on top of the 50,000 incrementals funded last fiscal year. For example, the $350 million being rescinded today could fund 60,000 of these 100,000 vouchers.

I hope that appropriators will find the resources to fund our commitment to affordable housing. If not, I fear we will look back at today's action as a major reason we ran out of money in the effort to meet this commitment.

Mr. BALDACCI. Mr. Speaker, the conference report on the supplemental moves us closer to providing funds to assist Maine's recovery from the ice storm that devastating the Northeast in January, 1998.

The conferees agreed to transfer $230 million of funds appropriated last year for disaster assistance from the Department of Housing and Urban Development to the Federal Emergency Management Agency. This action leaves at HUD about $83.6 million in FY 1998 and FY 1999 disaster funds.

Distribution of this money has been delayed too long. HUD has already announced how it will allocate the remaining money. The conferees left this funding with HUD so that the allocations would be honored. They directed HUD to ''award the remaining funds in accordance with announcements made heretofore by the Secretary, including allocations made pursuant to the March 10, 1999, notice published in the Federal Register, as expeditiously as possible.''

Announced allocations for the state of Maine include $2,118,000 in March 1999, and an additional $17,088,475 on May 4, 1999, pursuant to the March 10 notice in the Federal Register. I am including for the record a letter I received from the Department dated May 4, which states that these funds can be used to address the largest unmet need in my state—to provide relief to electric ratepayers from the costs of restoring essential services in the wake of the storm.

We appreciate the work of the conferees in the effort. The next step is to ensure that these funds are made available without further delay to be used by the State for the unmet needs remaining from the disaster that hit Maine more than 16 months ago.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, OFFICE OF THE ASSISTANT SECRETARY FOR COMMUNITY PLANNING AND DEVELOPMENT,

Washington, DC, May 4, 1999.

Hon. JOHN P. BALDACCI,
House of Representatives,
Washington, DC.

DEAR REPRESENTATIVE BALDACCI: Thank you for your joint letter of April 22, 1999, with Senators Snowe and Collins and Representative Allen, regarding Maine's submission of additional information for Community Development Block Grant supplemental disaster funding. The deadline for submitting such information was April 26, 1999.

I am writing to inform you that the state of Maine would receive an additional $17,088,475 in 1999 HUD Disaster Recovery Initiative funds to address unmet disaster recovery needs resulting from severe ice storms, rain and high winds (FEMA–1198–DR). This is based on your state's submission of additional information, under the March 10, 1999, *Federal Register* notice. This amount is in addition to amounts of $2,185,000 and $2,118,000, in 1998 HUD Disaster Recovery Initiative funds previously allocated, making a total of $21,391,475 for Maine. These funds could be used for utility reimbursement as discussed.

All amounts, except for the initial $2,185,000 allocation are subject to Congressional action which may transfer $313.6 million in Community Development Block Grant supplemental disaster appropriations from HUD. The Department has been asked by Congress not to take further action until final resolution of H.R. 1141, the 1999 Emergency Supplemental Appropriations Act.

With these HUD resources, I am committed to participating in the efforts to help communities rebuild from the devastation caused by major disasters.

Sincerely,

CARDELL COOPER,
Assistant Secretary.

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

The SPEAKER pro tempore (Mr. THORNBERRY). All time for debate has expired.

Without objection, the previous question is ordered.

There was no objection.

MOTION TO RECOMMIT OFFERED BY MR. OBEY

Mr. OBEY. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentleman opposed to the conference report?

Mr. OBEY. I most certainly am, Mr. Speaker, but certainly not for the reasons the gentleman indicated.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. OBEY moves to recommit the conference report accompanying the bill H.R. 1141 to the Committee of Conference.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

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

Mr. OBEY. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 182, nays 243, not voting 8, as follows:

[Roll No. 132]

YEAS—182

Abercrombie
Ackerman
Allen
Baird
Baldacci
Baldwin
Barrett (WI)
Becerra
Bentsen
Berkley
Berman
Blagojevich
Blumenauer
Bonior
Boswell
Boucher
Brown (FL)
Brown (OH)
Bryant
Campbell
Capps
Capuano
Cardin
Carson
Chabot
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Costello
Coyne
Crowley
Cummings
Danner
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dixon
Doggett
Dooley
Doyle
Engel
Eshoo
Evans
Farr
Fattah
Filner
Ford
Frank (MA)
Gejdenson
Gonzalez
Goode
Gordon
Green (TX)
Gutierrez
Hall (TX)
Hastings (FL)
Hill (IN)
Hilliard
Hinchey
Hoeffel
Holden
Holt
Hooley
Hoyer
Inslee
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
Kingston
Kleczka
Klink
Kucinich
LaFalce
Lampson
Lantos
Larson
Lee
Levin
Lewis (GA)
Lipinski
Lofgren
Luther
Maloney (CT)
Maloney (NY)
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Minge
Mink
Moakley
Moore
Morella
Nadler
Napolitano
Neal
Nussle
Oberstar
Obey
Olver
Ose
Owens
Pallone
Pascrell
Pastor
Payne
Phelps
Price (NC)
Rahall
Rangel
Rodriguez
Rothman
Roybal-Allard
Rush
Sanchez
Sanders
Sanford
Sawyer
Scarborough
Schakowsky
Shadegg
Shays
Sherman
Slaughter
Smith (WA)
Spratt
Stabenow
Stark
Strickland
Stupak
Tauscher
Thompson (CA)
Thompson (MS)
Thurman
Tierney
Towns
Udall (CO)
Udall (NM)
Velázquez
Vento
Visclosky
Waters
Watt (NC)
Waxman
Weiner
Wexler
Weygand
Wise
Woolsey
Wu
Wynn

NAYS—243

Aderholt
Andrews
Archer
Armey
Bachus
Baker
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Berry
Biggert
Bilbray
Bilirakis
Bishop
Bliley
Blunt
Boehlert
Boehner
Bonilla
Bono
Boyd
Brady (TX)
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Castle
Chambliss
Chenoweth
Coble
Coburn
Collins
Combest
Cook
Cooksey
Cox
Cramer
Crane
Cubin
Cunningham
Davis (VA)
Deal
DeLay
DeMint
Diaz-Balart
Dickey
Dingell
Doolittle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
English
Etheridge
Everett
Ewing
Fletcher
Foley
Forbes
Fossella
Fowler
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goodlatte
Goodling
Goss
Graham
Granger
Green (WI)
Greenwood
Gutknecht
Hall (OH)
Hansen
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (MT)
Hilleary
Hinojosa
Hobson
Hoekstra
Horn
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Istook
Jenkins
John
Johnson (CT)
Johnson, Sam
Kasich
King (NY)
Knollenberg
Kolbe
Kuykendall
LaHood
Largent
Latham
LaTourette
Lazio
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas (KY)
Lucas (OK)
Manzullo
McCollum
McCrery
McHugh
McInnis
McIntosh
McKeon
Metcalf
Mica
Miller (FL)
Miller, Gary
Mollohan
Moran (KS)
Moran (VA)
Murtha
Myrick
Nethercutt
Ney
Northup
Norwood
Ortiz
Oxley
Packard
Paul
Pease
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Pryce (OH)
Quinn
Radanovich
Ramstad
Regula
Reyes
Reynolds
Riley
Rivers
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryan (WI)
Ryun (KS)
Sabo
Salmon
Sandlin
Saxton
Schaffer
Scott
Sensenbrenner
Sessions
Shaw
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Snyder
Souder
Spence
Stearns
Stenholm
Stump
Sununu
Sweeney
Talent
Tancredo
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Toomey
Traficant
Turner
Upton
Walden
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weller
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

NOT VOTING—8

Borski
Brady (PA)
Brown (CA)
Gephardt
Lowey
Pelosi
Serrano
Weldon (PA)

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Mrs. MYRICK and Messrs. GANSKE, GOSS, BOEHLERT and BISHOP changed their vote from ''yea'' to ''nay.''

Ms. KILPATRICK, Ms. KAPTUR, Mr. OBERSTAR and Mr. SCARBOROUGH changed their vote from ''nay'' to ''yea.''

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. THORNBERRY). The question is on the conference report.

Pursuant to clause 10 of rule XX, the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 269, nays 158, not voting 7,, as follows:

[Roll No. 133]

YEAS—269

Abercrombie
Ackerman
Allen
Andrews
Armey
Bachus
Baker
Baldacci
Ballenger
Barcia
Barrett (NE)
Bartlett
Bass
Bateman
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop
Blagojevich
Bliley
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Boswell
Boucher
Boyd
Brown (FL)
Bryant
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Capps
Cardin
Chambliss
Clement
Clyburn
Collins
Combest
Condit
Cooksey
Cox
Cramer
Cubin
Cunningham
Davis (FL)
Davis (VA)
DeLauro
DeLay
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Dooley
Doyle
Dreier
Edwards
Ehrlich
Emerson
Engel
English
Etheridge
Evans
Everett
Farr
Filner
Fletcher
Foley
Forbes
Ford
Fossella
Fowler
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Gejdenson
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green (TX)
Greenwood
Gutierrez
Hall (OH)
Hall (TX)
Hansen
Hastert
Hastings (FL)
Hastings (WA)
Hayes

Hayworth	McKeon	Scott
Herger	Meek (FL)	Shaw
Hill (MT)	Menendez	Sherman
Hilliard	Millender-McDonald	Sherwood
Hinojosa	Miller (FL)	Shimkus
Hobson	Miller, Gary	Shows
Hoeffel	Mollohan	Simpson
Holden	Moore	Sisisky
Horn	Moran (VA)	Skeen
Hostettler	Morella	Skelton
Houghton	Murtha	Slaughter
Hoyer	Napolitano	Smith (NJ)
Hunter	Nethercutt	Smith (TX)
Hutchinson	Ney	Snyder
Hyde	Northup	Spence
Isakson	Olver	Spratt
Istook	Ortiz	Stabenow
Jefferson	Ose	Stearns
Jenkins	Oxley	Stenholm
John	Packard	Strickland
Johnson (CT)	Pallone	Stump
Johnson, E. B.	Pascrell	Talent
Kasich	Pease	Tanner
Kelly	Peterson (PA)	Tauscher
Kennedy	Phelps	Tauzin
Kildee	Pickering	Taylor (MS)
King (NY)	Pickett	Taylor (NC)
Knollenberg	Pombo	Thomas
Kolbe	Pomeroy	Thompson (MS)
Kuykendall	Porter	Thornberry
Larson	Price (NC)	Thune
Latham	Pryce (OH)	Thurman
Lazio	Quinn	Tiahrt
Levin	Radanovich	Traficant
Lewis (CA)	Regula	Turner
Lewis (KY)	Reyes	Udall (NM)
Linder	Reynolds	Walden
Lipinski	Riley	Walsh
LoBiondo	Rodriguez	Wamp
Lowey	Roemer	Watkins
Lucas (KY)	Rogers	Watts (OK)
Lucas (OK)	Ros-Lehtinen	Weldon (FL)
Maloney (CT)	Rothman	Weller
Maloney (NY)	Roukema	Wexler
Mascara	Roybal-Allard	Weygand
Matsui	Ryun (KS)	Whitfield
McCarthy (NY)	Sabo	Wicker
McCollum	Sanchez	Wilson
McCrery	Sandlin	Wise
McHugh	Sawyer	Wolf
McInnis	Saxton	Wynn
McIntosh	Scarborough	Young (AK)
McIntyre		Young (FL)

NAYS—158

Aderholt	Ehlers	Lee
Archer	Eshoo	Lewis (GA)
Baird	Ewing	Lofgren
Baldwin	Fattah	Luther
Barr	Frank (MA)	Manzullo
Barrett (WI)	Ganske	Markey
Barton	Gekas	Martinez
Becerra	Goode	McCarthy (MO)
Bilbray	Green (WI)	McDermott
Blumenauer	Gutknecht	McGovern
Brady (TX)	Hefley	McKinney
Brown (OH)	Hill (IN)	McNulty
Burr	Hilleary	Meehan
Campbell	Hinchey	Meeks (NY)
Capuano	Hoekstra	Metcalf
Carson	Holt	Mica
Castle	Hooley	Miller, George
Chabot	Hulshof	Minge
Chenoweth	Inslee	Mink
Clay	Jackson (IL)	Moakley
Clayton	Jackson-Lee (TX)	Moran (KS)
Coble	Johnson, Sam	Myrick
Coburn	Jones (NC)	Nadler
Conyers	Jones (OH)	Neal
Cook	Kanjorski	Norwood
Costello	Kaptur	Nussle
Coyne	Kilpatrick	Oberstar
Crane	Kind (WI)	Obey
Crowley	Kingston	Owens
Cummings	Kleczka	Pastor
Danner	Klink	Paul
Davis (IL)	Kucinich	Payne
Deal	LaFalce	Peterson (MN)
DeFazio	LaHood	Petri
DeGette	Lampson	Pitts
Delahunt	Lantos	Portman
DeMint	Largent	Rahall
Doggett	LaTourette	Ramstad
Doolittle	Leach	Rangel
Duncan	Levin	Rivers
Rogan	Shays	Toomey
Rohrabacher	Shuster	Towns
Royce	Smith (MI)	Udall (CO)
Rush	Smith (WA)	Upton
Ryan (WI)	Souder	Velázquez
Salmon	Stark	Vento
Sanders	Stupak	Visclosky
Sanford	Sununu	Waters
Schaffer	Sweeney	Watt (NC)
Schakowsky	Tancredo	Waxman
Sensenbrenner	Terry	Weiner
Sessions	Thompson (CA)	Woolsey
Shadegg	Tierney	Wu

NOT VOTING—7

Borski	Dunn	Weldon (PA)
Brady (PA)	Pelosi	
Brown (CA)	Serrano	

□ 2032

Mr. HILLEARY and Mr. WEINER changed their vote from ''yea'' to ''nay.''

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

So the conference report was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. WELDON of Pennsylvania. Mr. Speaker, during recent votes on H.R. 1141, the FY 99 Emergency Supplemental Appropriations Act Conference report, I was unavoidably detained in an extended meeting. As a result, I am not recorded as voting on rollcall 131, 132, and 133. Had I been present, I would have voted yes on rollcall No. 131, the vote on the rule for the Emergency Supplemental Appropriations bill, no on rollcall No. 132, the motion to recommit the conference report, and yes on rollcall No. 133, the vote on adoption of the conference report.

EXPRESSING SENSE OF HOUSE REGARDING THE CONDITION AND HUMANITARIAN NEEDS OF REFUGEES WITHIN KOSOVO

Mr. BRADY of Texas. Mr. Speaker, I ask unanimous consent that the Committee on International Relations be discharged from further consideration of the resolution (H. Res. 161) expressing the sense of the House of Representatives regarding the condition and humanitarian needs of refugees within Kosovo, and ask for its immediate consideration in the House.

The Clerk read the title of the resolution.

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

Ms. LEE. Mr. Speaker, reserving the right to object, I yield to the gentleman from Texas (Mr. BRADY), the sponsor of this resolution, for an explanation of it.

Mr. BRADY of Texas. Mr. Speaker, I appreciate the gentlewoman from California yielding to me. As a member of the Committee on International Relations, I have appreciated her hard work on these and other issues affecting the globe.

Mr. Speaker, this is a very important, bipartisan, and timely measure that supports the humanitarian mission into Kosovo to assess the humanitarian and emergency needs of the more than 600,000 ethnic Albanians trapped within the embattled Yugoslavian province.

While hundreds of thousands of families have fled Kosovo, an equal number remain, fighting disease and starvation while lacking water and medical care. They need hope, and the world needs to know now their true condition so we stand a chance of saving their lives.

According to the United Nations High Commissioner for Refugees, the last food delivery to the displaced and at-risk Kosovo population occurred 8 weeks ago. Hiding in the hills without food, water, medical care for nearly 2 months, these families and their children are fighting to survive. Every day counts for them.

It is timely because the 13-member U.N. humanitarian delegation, which includes the International Red Cross and U.N. High Commissioner for Refugees, is in Belgrade today. It is headed by Sergio Vierira de Mello, the United Nations Undersecretary General for Humanitarian Affairs. It is expected to head to Kosovo in the morning.

They are attempting to provide the first very important independent confirmation of conditions within Kosovo and Montenegro. They will also provide great help to the international community as we prepare for the potentially massive emergency needs of the estimated 600,000 to 800,000 ethnic Albanians remaining in Kosovo.

This measure urges the Federal Republic of Yugoslavia to provide this delegation a safe and secure passage, as well as freedom of access to do their job. It also encourages NATO and its member nations to consider reasonable measures to enhance the safety of this international delegation during its brief humanitarian mission.

I would simply say that this measure offers hope to people who need it desperately.

Mr. GILMAN. Mr. Speaker, will the gentlewoman yield?

Ms. LEE. I yield to the gentleman from New York.

Mr. GILMAN. Mr. Speaker, I thank the gentlewoman for yielding to me.

Mr. Speaker, I want to commend the gentleman from Texas (Mr. BRADY) for bringing this matter before our committee and before the entire House.

This measure addresses a critical situation concerning the tens of thousands of displaced persons within Kosovo that have been cut off from the rest of the world by the brutal military offensive of Mr. Milosevic's military forces. The gentleman is very timely in bringing this measure at this time as we try to be of help to those hundreds of thousands of Kosovars still within the borders of Kosovo.

While the world's attention has been fixed upon the hundreds of thousands of Kosovars driven from their homes into the neighboring countries of Macedonia and Albania, we need to be mindful that many other Kosovars, perhaps exceeding the numbers who have become refugees outside of Yugoslavia, are internally displaced in Kosovo.

Since the exit of the international private aid organizations that have been providing assistance to the internally displaced persons, IDPs, as they have become known, in Kosovo, they have had to fend for themselves, and very little has been able to be determined as to their welfare and their situation. From reports of those of their friends and relatives who have arrived outside of Kosovo's border, however, we know that their situation is dire.

It has become critical for the U.N. and the International Committee of the Red Cross to try to gain entry into Kosovo and all of the Federal Republic of Yugoslavia to assess the humanitarian situation there. This resolution simply calls upon the FRY authorities to permit these organizations entry, which has now occurred over the last weekend, to have complete access, and to take measures to ensure their safety.

This is not a political issue. It is one simply of human decency. While it may be too much to expect such decency from the perpetrators of the outrages that we are witnessing in Kosovo, we do have a moral obligation in our Nation to demand it from them.

Accordingly, I urge the Members of the House to support this measure, to support the Brady measure, a humanitarian measure.

Ms. LEE. Mr. Speaker, under my reservation of objection, I would say that we can only guess what the conditions are like for the civilians remaining in Kosovo. Many of the civilians who remain in the province have likely left their homes and are camped in fields and on mountainsides to find shelter.

Amid this terror, unconfirmed accounts suggest that the situation inside of Kosovo points to a severe lack of food and medicine. We are hopeful that an international humanitarian mission in Yugoslavia this week can give us a better sense of what conditions are like inside of Kosovo and what the international community can do to meet the needs of the people who remain.

As we continue to see media coverage of the plight of the Albanians who have left Kosovo, this resolution draws our attention to the Kosovar Albanians who we cannot see, and those are those inside of Kosovo. I urge adoption of this resolution.

Mr. BRADY of Texas. Mr. Speaker, if the gentlewoman will yield, I want to thank the gentlewoman from California for her support, as well as the gentleman from New York (Chairman GILMAN) and the ranking member, the gentleman from Connecticut (Mr. GEJDENSON) for permitting this timely bill to come to the floor.

Ms. LEE. Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

The Clerk read the resolution, as follows:

H. RES. 161

Whereas international humanitarian organizations such as the International Committee of the Red Cross and the United Nations High Commissioner for Refugees provide a vital role in assessing and responding to the humanitarian needs of refugees around the world and, most recently, of the hundreds of thousands who have fled Kosovo;

Whereas, according to unconfirmed reports, hundreds of thousands of refugees remain in Kosovo at risk for their lives and requiring immediate food, shelter, and medicine;

Whereas it is the belief of the House of Representatives that the safety and lives of these undetermined legions of refugees within Kosovo are equal to the safety and lives of the many refugees who have fled the region;

Whereas the international community is committed to providing humanitarian assistance to current and future Kosovo refugees, while uncertain of how vast that need may be;

Whereas during an April 19, 1999, interview in Belgrade with Dr. Ron Hatchett of the University of St. Thomas, Serbian President Slobodan Milosevic agreed to and subsequently permitted representatives of the International Committee of the Red Cross to meet with and examine the condition of the three captured American prisoners of war;

Whereas in the same interview, President Milosevic agreed to permit representatives of the International Committee of the Red Cross and the United Nations High Commissioner for Refugees into Kosovo to provide aid and assess the humanitarian needs of refugees within Kosovo and the Federal Republic of Yugoslavia;

Whereas on May 4, 1999, with the assent of the United Nations Security Council, of which the United States is a member, United Nation's Secretary General Kofi Annan initiated a United Nations interagency assessment mission to the Federal Republic of Yugoslavia to assess emergency relief and rehabilitation needs within the Federal Republic of Yugoslavia and to identify the means for providing such critical relief and rehabilitation assistance;

Whereas this humanitarian mission seeks to objectively assess critical needs in the areas of human rights and protection, food, security, nutrition, health, water and sanitation, and condition of the civilian population, and also seeks to accurately determine the number, location, and requirements of the people in Kosovo and the Federal Republic of Yugoslavia needing immediate and future humanitarian aid; and

Whereas this humanitarian mission is working diligently to depart for Kosovo and others sectors of Yugoslavia on May 8, 1999, if appropriate security assurances are provided by the Federal Republic of Yugoslavia: Now, therefore, be it

Resolved, That—

(1) it is the sense of the House of Representatives that Yugoslavian President Slobodan Milosevic should provide the necessary security assurances to the United Nations interagency mission to the Federal Republic of Yugoslavia to permit them to safely and accurately provide the international community with an objective, first-hand assessment of the condition of refugees inside of Kosovo and all sectors of the Federal Republic of Yugoslavia; and

(2) the House of Representatives encourages member nations of the North Atlantic Treaty Organization (NATO) to weigh the value of this humanitarian mission toward ending human suffering in Kosovo, and to consider reasonable measures to enhance the safety of this international delegation during its brief humanitarian mission within the Federal Republic of Yugoslavia.

AMENDMENT IN THE NATURE OF A SUBSTITUTE OFFERED BY MR. BRADY OF TEXAS

Mr. BRADY of Texas. Mr. Speaker, I offer an amendment in the nature of a substitute.

The Clerk read as follows:

Amendment in the Nature of a Substitute offered by Mr. BRADY of Texas:

Strike all after the resolved clause and insert the following:

That—

(1) it is the sense of the House of Representatives that Yugoslavian President Slobodan Milosevic provide the necessary security assurances and freedom of access to the United Nations interagency mission to the Federal Republic of Yugoslavia so the international community can be provided with an accurate, objective, first-hand assessment of the condition of the internally displaced persons inside of Kosovo and all sectors of the Federal Republic of Yugoslavia; and

(2) the House of Representatives encourages member nations of the North Atlantic Treaty Organization (NATO) to weigh the value of this humanitarian mission toward ending human suffering in Kosovo, and to consider reasonable measures to enhance the safety of this international delegation during its brief humanitarian mission within the Federal Republic of Yugoslavia.

Mr. BRADY of Texas (during the reading). Mr. Speaker, I ask unanimous consent that the amendment in the nature of a substitute be considered as read and printed in the RECORD.

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

There was no objection.

The SPEAKER pro tempore. The question is on amendment in the nature of a substitute offered by the gentleman from Texas (Mr. BRADY).

The amendment in the nature of a substitute was agreed to.

The SPEAKER pro tempore. The question is on the resolution, as amended.

The resolution, as amended, was agreed to.

AMENDMENT TO THE PREAMBLE OFFERED BY MR. BRADY OF TEXAS

Mr. BRADY of Texas. Mr. Speaker, I offer an amendment to the preamble.

The Clerk read as follows:

Amendment to the preamble offered by Mr. Brady of Texas:

Strike the premable and insert the following:

Whereas international humanitarian organizations such as the International Committee of the Red Cross and the United Nations High Commissioner for Refugees provide a vital role in assessing and responding to the humanitarian needs of refugees around the world and, most recently, of the hundreds of thousands who have fled Kosovo;

Whereas, according to unconfirmed reports, hundreds of thousands of internally displaced persons remain in Kosovo at risk for their lives and requiring immediate food, shelter, and medicine;

Whereas it is the belief of the House of Representatives that the safety and lives of these undetermined legions of internally displaced persons within Kosovo are equal to the safety and lives of the many refugees who have fled the region;

Whereas the international community is committed to providing humanitarian assistance to current and future Kosovo refugees, while uncertain of how vast that need may be;

Whereas during an April 19, 1999, interview in Belgrade with Dr. Ron Hatchett of the University of St. Thomas, Serbian President Slobodan Milosevic agreed to and subsequently permitted representatives of the International Committee of the Red Cross to meet with and examine the condition of the three captured American prisoners of war;

Whereas in the same interview, President Milosevic agreed to permit representatives of the International Committee of the Red Cross and the United Nations High Commissioner for Refugees into Kosovo to provide aid and assess the humanitarian needs of internally displaced persons within Kosovo and the Federal Republic of Yugoslavia;

Whereas on May 4, 1999, with the assent of the United Nations Security Council, of which the United States is a member, United Nations Secretary General Kofi Annan initiated a United Nations interagency assessment mission to the Federal Republic of Yugoslavia to assess emergency relief and rehabilitation needs within the Federal Republic of Yugoslavia and to identify the means for providing such critical relief and rehabilitation assistance;

Whereas this humanitarian mission seeks to objectively assess critical needs in the areas of human rights protection, food, security, nutrition, health, water and sanitation, and condition of the civilian population, and also seeks to accurately determine the number, location, and requirements of the people in Kosovo and the Federal Republic of Yugoslavia needing immediate and future humanitarian aid;

Whereas on May 14, 1999, the United Nations Security Council adopted Security Council Resolution 1239 by a vote of 13–0, inviting the United Nations High Commission for Refugees and other international humanitarian relief organizations to extend relief assistance to the internally displaced persons in Kosovo, the Republic of Montenegro, and other parts of the Federal Republic of Yugoslavia; and

Whereas the brief United Nations humanitarian mission that was initiated on May 4, 1999, subsequently departed for Kosovo and other sectors of the Federal Republic of Yugoslavia on May 15, 1999: Now, therefore, be it

Mr. BRADY of Texas (during the reading). Mr. Speaker, I ask unanimous consent that the amendment to the preamble be considered as read and printed in the RECORD.

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

There was no objection.

The SPEAKER pro tempore. The question is on the amendment to the preamble offered by the gentleman from Texas (Mr. BRADY).

The amendment to the preamble was agreed to.

A motion to reconsider was laid on the table.

RECOGNIZING THE HISTORICAL SIGNIFICANCE OF THE SUPREME COURT'S UNANIMOUS DECISION IN BROWN V. BOARD OF EDUCATION

Mr. PEASE. Mr. Speaker, I ask unanimous consent that the Committee on the Judiciary be discharged from further consideration of the resolution (H. Res. 176) recognizing the historical significance of the Supreme Court's unanimous decision in Brown v. Board of Education, repudiating segregation, and reaffirming the fundamental belief that we are all ''one Nation under God, indivisible,'' and ask for its immediate consideration in the House.

The Clerk read the title of the resolution.

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

Mr. THOMPSON of Mississippi. Mr. Speaker, reserving the right to object, and I will not object, Mr. Speaker, House Resolution 176 simply recognizes the historical significance of the Supreme Court unanimous decision in Brown vs. Board of Education repudiating segregation and reaffirming the fundamental belief that we are all one Nation, under God, indivisible.

One such person was Linda Brown. In 1951, this little girl was in the third grade. Although there was an elementary school seven blocks from her house, young Linda was forced to walk over 1 mile to another elementary school. The reason to make a little girl walk through a railroad switchyard on her way to school? She was black, and the school located 7 blocks from her house was for white students only.

□ 2045

Many years ago, George Santayana wrote, ''Those who cannot remember the past are condemned to repeat it.'' Because I revere the warning contained in these precedent words today, 45 years later, I am introducing a resolution to recognize the historical significance of the Supreme Court's decision in Brown v. Board of Education.

In 1954, the United States Supreme Court in a unanimous decision voted to strike down segregation laws in public schools and upheld the equal protection laws guaranteed to all Americans by the Fourteenth Amendment of the United States Constitution.

Mr. Speaker, further reserving my right to object, I yield to the gentlewoman from Ohio (Mrs. JONES).

Mrs. JONES of Ohio. Mr. Speaker, I would like to thank the gentleman from Mississippi (Mr. THOMPSON) for this opportunity to be heard.

Mr. Speaker, I rise in support of the resolution with regard to Brown v. Board of Education. In 1954, I was 5 years old, attending the Cleveland public schools. Forty-five years later, I stand here blessed to be able to speak in favor of Brown v. Board of Education.

The desegregation order provided many opportunities for African-American people in this country, even though as we stand today in many cities across this country desegregation and busing orders destroyed many of the neighborhood school systems.

I had a chance to attend Cleveland public schools and was prepared for what I do now, law school and public office.

I celebrate people like Thurgood Marshall, late Justice Thurgood Marshall. I celebrate Dean Charles Houston of the Howard University Law School wherein he taught young African-American lawyers that it was important not to be a parasite on the community but to be a spokesman for justice.

I celebrate Nathaniel Jones, retired Sixth Circuit judge who worked on these cases, and James Hardiman, an attorney who represented young people in the Cleveland Board of Education desegregation.

As we stand here today, it is important to remember history, as the gentleman from Mississippi (Mr. THOMPSON) had previously said, and we need to stand here and celebrate the importance of equal rights for all.

Mr. THOMPSON of Mississippi. Mr. Speaker, further reserving the right to object, I yield to the gentleman from Alabama (Mr. HILLIARD).

Mr. HILLIARD. Mr. Speaker, I am indeed privileged to be here to discuss and to support this resolution. The Supreme Court, when it struck down Plessy v. Ferguson, a decision that was made by a constitutional court in 1896 as being unconstitutional, it was a lethal blow for Jim Crow, for segregation, as well as for discrimination.

But it also was a blow for democracy because it started the snowball that has gathered strength and force as it has continued to roll over the forces, the dark forces of evil, the dark forces of segregation, and the dark forces of discrimination.

Even though we have come a long ways from the decision in Plessy v. Ferguson as announced in the decision of Brown v. The Board of Education, we still have many more miles to go.

Unless all of us realize that in America no one is free until all of us are free, until we all realize that we still

have people that do not believe in freedom for everyone, that we still have people gunning down people because of the color of their skin or because of their race, we still have ethnic cleansing in places all over the world just because someone is different.

So this resolution comes at a very important time, not only in the history of America but in the history of this world. So I am indeed happy that the gentleman from Mississippi (Mr. THOMPSON) brought forth this resolution, and I support it, and I support him in what he is doing.

Mr. THOMPSON of Mississippi. Mr. Speaker, further reserving my right to object, I yield to the gentleman from Illinois (Mr. RUSH).

Mr. RUSH. Mr. Speaker, I want to begin by commending the gentleman from Mississippi (Mr. THOMPSON) for his outstanding work on behalf of this particular resolution but also on the outstanding work that he has performed on behalf of the citizens of this Nation throughout his tenure here in the Congress.

Mr. Speaker, 45 years ago, the U.S. Supreme Court issued a ruling in the Brown v. Board of Education case that literally changed the course of American history. They ruled that separate is inherently unequal.

Today, 45 years later, separate is still unequal, and it is our responsibility as this Nation's lawmakers to make sure that we never ever allow laws or policies to exist that will threaten to take us back to those dark days of Americans and American history.

So today, as we commemorate the Brown v. Board of Education decisions, let us as Members of this body recommit ourselves to keeping alive the spirit of the historic ruling.

Again, Mr. Speaker, I want to commend the maker of this particular resolution for his outstanding work on behalf of this resolution.

Mr. THOMPSON of Mississippi. Mr. Speaker, further reserving my right to object, it is my pleasure to yield to the gentleman from the State of Maryland (Mr. HOYER).

Mr. HOYER. Mr. Speaker, I thank the distinguished gentleman from Mississippi and great leader of this House for yielding to me.

Mr. Speaker, I was 15 years of age when I attended high school at Suitland High School, just about 15 minutes from where we stand. That school was a segregated school and as we all know, the entire county was segregated.

For my generation, the Vietnam War was a central compelling fact in our lives. For me, it was the civil rights movement of the 1950s. Rosa Parks showed so much courage. Martin Luther King had a dream and he conveyed that dream to all of us.

But I rise not only as a member of that generation but also as a citizen of the State of Maryland. The reason a Marylander rises is because Thurgood Marshall is one of Maryland's most honored sons.

Thurgood Marshall, as all of my colleagues know, was a member of the Supreme Court of the United States. There is a statue now between the Capitol and the Governor's mansion in Annapolis of Thurgood Marshall in testimony to, not only his service to the United States as a Justice on the Supreme Court, but also the role, the very central role that he played as counsel in Brown v. Board of Education.

For those seeking justice in America, for those seeking an open door to opportunity, it is ironic that we just read in the papers about Thomas Jefferson's family and who is a part of that family. It is really a metaphor for America, because all of those individuals are members of the family.

Jefferson said in the Declaration of Independence that this Nation was founded on the premise that all men, and indeed he would have added today women, are created equal.

Maryland is also home to Roger Brook Taney. His statue stands right outside the Supreme Court. He was the author of, of course, the Dred Scott decision. Thurgood Marshall and Roger Brook Taney, two Marylanders, two different conclusions; one in my opinion wrong, one right.

It is appropriate that we honor this historic case. I thank my colleagues for allowing me to join in saying that Brown v. Board of Education was nine justices saying that America, as Martin Luther King had said in 1963, needs to live out the realities of that which it claims to be its creed, equal justice under law for all its citizens, in their diversity and in their ability to add so substantively to the quality of this country.

I am pleased on behalf of all of us who loved Thurgood Marshall, who believed that Brown v. Board of Education led us to a new and better day and who recognized that the central premise of Brown v. Board of Education is still at question today.

It is important that we stand and speak out for an America that believes that every one of us is due respect which God endowed in us, not the state, not our fellow citizens, but endowed by their creator with certain inalienable rights; and among these are life, liberty, and the pursuit of happiness.

I thank the gentleman from Mississippi (Mr. THOMPSON) for giving me this opportunity to join him in noting the historic contribution made by Brown v. Board of Education and the courageous and able people who brought it to the Supreme Court through some very difficult times and to whom this country owes us a great debt.

Mr. THOMPSON of Mississippi. Mr. Speaker, further reserving the right to object, there are some other individuals who would like to speak on this; however, in the interest of time, let me indicate that they are in full support of the resolution: the gentleman from Illinois (Mr. DAVIS), the gentleman from South Carolina (Mr. CLYBURN), and the gentleman from Maryland (Mr. CUMMINGS) also.

But what I would like to say in conclusion, Mr. Speaker, is that in submitting this legislation is to remind all of us that we have a moral obligation to purge the diverse evils of racism out of the fabric of harmony, justice, and equality that is our share of the American legacy. We have a responsibility to not only remember the past, but to learn from it.

I also would like to thank the gentleman from Indiana (Mr. PEASE) for allowing me to come and present this resolution at this time.

Mr. DAVIS of Illinois. Mr. Speaker, I rise in support of the resolution to commemorate the 45th anniversary of Brown versus Board of Education.

Mr. Speaker, I believe century that is now ending began with a proclamation by W.E.B. Du Bois "The problem of the twentieth century is the problem of the color line." I believe many people would not dispute this.

As I stand before this body in honor of the 45th anniversary of Brown versus Board of Education, I have been constantly reminded of what Mr. Dubois meant. The haunting acts of church burnings, police brutality, and the grave disparities in criminal executions have made it hard to forget.

As a result, some people feel the policies that were put into place to solve the race problem have failed. I believe they have failed not as a result of flawed policies, rather it is the individuals who implement them that are flawed.

For instance, common sense dictates that when one third of young African American males are either in prison, on parole or under correctional supervision, liberty's blind justice has been distributed with one open eye. We must remind ourselves that America will not prosper if a large segment of population sees that they have no stake in it. In 1954, the Supreme Court understood this and corrected the horrid decisions of 1896 when Plessy versus Fergusion was written.

However, in the aftermath of that decision, the progress of America has slowed largely because some individuals feel we no longer need to provide resources and support to help people help themselves. This is nothing new. Frederick Douglass, years ago warned Congress of the potential for what he called the "de facto re-enslavement of African Americans." He, said, "Should the South's antebellum political system remain intact America will indirectly renslave African Americans. Recognizing this injustice, Douglass further urged Congress to pass a civil-rights amendment affirming the equality of blacks and whites in the United States. Douglass recognized then, what as we recognize today that this country must bear the responsibility to actively change

the structures that constrain Aftican Americans.

Mr. Speaker, I and the other members here today understand, like Douglass, the necessity of government backed decisions to help encourage the will of America to respond positively to the structures that constrain African American. This resolution does just that. I agree Congress must recognize the historical significance of the Supreme Court's unanimous decision in Brown versus Board of Education. This is why I have joined In signing this important resolution and urge all members to do the same.

Mr. PAYNE. Mr. Speaker, today I rise in support of this resolution to commemorate the historic decision of Brown versus the Board of Education. This landmark court decision ended years of the separate but unequal education of African American students in the United States. It also played a role in instigating the larger Civil Rights Movement. This decision is a prime example of how one person who sees an injustice can use our legal system to make that situation more tolerable.

Oliver Brown was distressed that his young daughter had to walk across town and over dangerous railroad tracks to attend school when a perfectly adequate school sat just blocks from their home. Rather than accepting the status quo Oliver Brown took matters in his own hands and sued the school system that refused to let his daughter attend the neighborhood school because she was black.

Mr. Brown is an example to all parents and citizens in the United States. When injustices occur it often is our response to accept it and move on. Progress has never occurred using that philosophy. I ask our parents to become involved in their children's education. If you see problems with your schools or problems with the police in your town or neighborhood—speak out against these injustices.

While the laws that created segregation and discrimination have been lifted, these terrible acts still occur. We must make our voices be heard and let the United States government know that we will not tolerate de facto segregation and discrimination anywhere in this nation, not in our schools, not in our government, not in our workplace and not on our highways or in our police stations.

We must take the commemoration of this landmark legal decision which sparked the beginning of the end of legal separate but equal laws and use it to end the segregation and discrimination that still exists in our country today.

Mr. THOMPSON of Mississippi. Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

The Clerk read the resolution, as follows:

H. RES. 176

Whereas in 1951 Linda Brown was a third-grader and an African-American who was forced to endure hardships such as walking a mile through a railroad switchyard to get to her black elementary school, even though a white elementary school was only 7 blocks away;

Whereas the Reverend Oliver Brown, Linda Brown's father, was turned away when he tried to register his daughter at the nearby white school, simply because the little girl was black;

Whereas Thurgood Marshall, special counsel for the NAACP Legal Defense Fund and a protégé of Howard University Law Professor Charles Houston, successfully argued that the ''separate but equal'' doctrine, established by the Supreme Court in its *Plessy* v. *Ferguson* decision in 1896, was unconstitutional;

Whereas Chief Justice Earl Warren read aloud, from the Court's unanimous decision: ''We come then to the question presented: Does segregation of children in public schools solely on the basis of race, even though the physical facilities and other 'tangible' factors may be equal, deprive the children of the minority group of equal educational opportunities? We believe that it does. . . . We conclude that in the field of public education the doctrine of 'separate but equal' has no place. Separate educational facilities are inherently unequal. Therefore, we hold that the plaintiffs and others similarly situated for whom the actions have been brought are, by reason of the segregation complained of, deprived of the equal protection of the laws guaranteed by the Fourteenth Amendment'';

Whereas the *Brown* v. *Board of Education* decision struck a pivotal blow against Jim Crow laws, as well as the dark forces of racism and segregation; and

Whereas the interaction of students of all races promotes better understanding and the acceptance of racial differences: Now, therefore, be it

Resolved, That the House of Representatives—

(1) recognizes the historical significance of the Supreme Court's unanimous decision in *Brown* v. *Board of Education*;

(2) heralds this watershed in our shared history as a significant advancement of the most basic American principles of freedom, justice, and equality under the law; and

(3) repudiates racial segregation as antithetical to the noble ideals upon which this great Nation was founded, and reaffirms the fundamental belief that we are all ''one Nation under God, indivisible.''

The resolution was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. PEASE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on House Resolution 176 and House Resolution 161.

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

There was no objection.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 987

Mr. THOMPSON of Mississippi. Mr. Speaker, I ask unanimous consent to have my name removed from H.R. 987 as an original cosponsor.

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

There was no objection.

□ 2100

SPECIAL ORDERS

The SPEAKER pro tempore (Mr. SHIMKUS). Under the Speaker's announced policy of January 6, 1999, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

AVIATION BILATERAL ACCOUNTABILITY ACT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. LIPINSKI) is recognized for 5 minutes.

Mr. LIPINSKI. Mr. Speaker, I rise today to introduce a piece of legislation entitled the Aviation Bilateral Accountability Act.

The Aviation Bilateral Accountability Act is a bill that will require congressional review of all U.S. bilateral aviation agreements. International aviation is governed by a series of bilateral civil aviation agreements between nations. This means that if an air carrier from the United States wants to fly into or out of another country, the United States Government must first negotiate with the government of that foreign country to determine the terms under which the carriers from both countries will operate.

U.S. bilateral aviation agreements are executive agreements. They are negotiated and signed by representatives from the Department of State and from the Department of Transportation. In fact, Secretary of State Madeleine Albright and Transportation Secretary Rodney Slater recently joined representatives from the People's Republic of China in signing a new U.S.-China civil aviation agreement.

The new agreement will govern aviation policy between the United States and China for the next 3 years. Unfortunately, like all bilateral aviation agreements, Congress did not play any official role in the review or the approval of this new agreement.

As ranking member of the House Subcommittee on Aviation, I strongly believe that Congress deserves to play a role in reviewing and approving bilateral aviation agreements. As Members of Congress, we represent the business person, the leisure traveler, the consumer, and the flying public in general. We should have the right to make sure that bilateral aviation agreements are negotiated to give U.S. consumers the most access to international aviation markets at the best prices possible.

For example, the new U.S.-China civil aviation agreement increases U.S. access to China by doubling the number of scheduled flights and designating one additional U.S. carrier. However, many industry observers believe that U.S. negotiators should not have settled for anything less than access for

two additional U.S. carriers through this very large Chinese market.

Therefore, I am introducing the Aviation Bilateral Accountability Act, a bill to require congressional review of all U.S. aviation bilateral agreements. International aviation, which is based on bilateral aviation agreements, has a tremendous impact on the U.S. economy and U.S. citizens. Congress should not be excluded from agreements of such magnitude.

Under the Aviation Bilateral Accountability Act, the executive branch must submit each new and updated bilateral aviation agreement to Congress. Then a Member of Congress must introduce a disapproval resolution within 20 days after receiving the agreement. If a disapproval resolution is not introduced within 20 days, the bilateral agreement is automatically approved and can be implemented.

However, if a disapproval resolution is introduced, Congress then has 90 days to review the bilateral agreement and enact a disapproval resolution if necessary. If a disapproval resolution is not enacted by the end of the 90-day period, the bilateral agreement is then automatically approved and can and will be implemented.

As elected representatives of the people, we owe it to the American consumer to look out for his or her best interest. My legislation will help Members of Congress better represent the flying public by giving Congress a vital role in the review and approval of U.S. bilateral agreements.

Mr. Speaker, in closing, I would like to thank the 13 Members who have joined me as original cosponsors of this important legislation, including the gentleman from Tennessee (Mr. JOHN DUNCAN, JR.) Chairman of the Subcommittee on Aviation.

I urge all Members of the House to join us in cosponsoring the Aviation Bilateral Accountability Act.

COMMUNICATION FROM THE CHAIRMAN OF THE COMMITTEE ON THE BUDGET REGARDING REVISIONS TO THE AGGREGATE SPENDING LEVELS SET BY INTERIM ALLOCATIONS AND AGGREGATES FOR FISCAL YEAR 1999

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio (Mr. KASICH) is recognized for 5 minutes.

Mr. KASICH. Mr. Speaker, pursuant to Sec. 314 of the Congressional Budget Act, I hereby submit for printing in the CONGRESSIONAL RECORD revisions to the aggregate spending levels set by the interim allocations and aggregates for fiscal year 1999 printed in the RECORD on February 3, 1999, pursuant to H. Res. 5. H.R. 1141, the conference report to accompany the Emergency Supplemental Appropriations and Rescissions Act for fiscal year 1999, adjusts the allocation for the House Committee on Appropriations to reflect $12,782,000,000 in additional new budget authority and $3,582,000,000 in additional outlays for designated emergency spending. In addition, the Committee on Appropriations will receive $25,000,000 less in budget authority and $2,000,000 less in outlays for funds previously appropriated for arrearages that were rescinded by the conference report for H.R. 1141. Overall, the allocation to the Appropriations Committee will increase to $585,555,000,000 in budget authority and $580,059,000,000 in outlays for fiscal year 1999.

I also submit for printing in the CONGRESSIONAL RECORD an adjusted fiscal year 2000 allocations to the House Committee on Appropriations to reflect $1,881,000,000 in additional new budget authority and $1,806,000,000 in additional outlays for designated emergency spending. In addition, the outlay effect of the fiscal year 1999 budget authority of H.R. 1141 will result in additional outlays of $5,452,000,000 for fiscal year 2000. The rescission of funds previously appropriated for arrearages will result in $2,000,000 less in outlays for fiscal year 2000. Overall, the allocation to the Appropriations Committee will increase to $538,152,000,000 in budget authority and $578,201,000,000 in outlays for fiscal year 2000.

The House Committee on Appropriations submitted the report for H.R. 1141, the conference report to accompany the Emergency Supplemental Appropriations and Rescissions Act for fiscal year 1999, which includes $12,757,000,000 in budget authority and $3,580,000,000 in outlays for fiscal year 1999 designated defense and non-defense emergency spending. H.R. 1141 includes $1,881,000,000 in budget authority and $7,256,000,000 in outlays for fiscal year 2000 designated emergency spending.

These adjustments shall apply while the legislation is under consideration and shall take effect upon final enactment of the legislation. Questions may be directed to Art Sauer or Jim Bates at x6–7270.

HOW LONG MUST BOMBINGS IN YUGOSLAVIA CONTINUE?

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Kentucky (Mr. WHITFIELD) is recognized for 5 minutes.

Mr. WHITFIELD. Mr. Speaker, how long must the bombings in Yugoslavia continue? NATO has been bombing now for over 54 days. For what purpose? Why?

The President, Vice President, and Secretary of State's stated policy was to stop the ethnic cleansing of Kosovo Albanians. They said they must act to forestall a new round of ethnic cleansing by Mr. Milosevic. That was the reason the bombings started. But the policy has failed. The bombings have not worked.

Today there are nearly 800,000 refugees in Macedonia, another 500,000 internally displaced within Kosovo, thousands have been murdered, Macedonia has been destabilized, and our foreign relations with Russia and China are severely strained.

Furthermore, in today's Washington Post it was written that in Latin America, Asia, Africa, the Middle East, and other regions with little direct interest in the conflict, opposition to the bombings is surfacing in statements by elected officials, in newspaper editorials of the opinion polls, and by public protest.

From a policy point, it is difficult to imagine how the situation could be much worse than it is today. Clinton administration spokesmen and women have criticized Milosevic forces for killing innocent civilians, and rightfully so, because Serb forces have killed innocent civilians. However, our bombings have killed and may be killing innocent civilians in Yugoslavia today.

Mr. Milosevic's forces have destroyed much of the infrastructure in Kosovo. That is true. However, our bombings are destroying the infrastructure in Yugoslavia today. So today we have death, refugees, displaced persons, pain and suffering among the Kosovo Albanians, but we also have death, refugees, displaced persons, and pain and suffering among the Serbs of Yugoslavia today.

As Mr. Michael Dobbs wrote in Sunday's Washington Post, this administration's oversimplistic comparison between Kosovo and Bosnia and Mr. Milosevic and Hitler has helped transform what would otherwise have been a Balkan crisis into a global crisis, the ramifications of which are being felt not only in Yugoslavia, not only in Kosovo, but throughout the entire world.

I would say to the President, what does he want? The Yugoslav Government said today it is open to peace proposals by the G–8 foreign ministers for ending the crisis over Kosovo. How many more bombs must be dropped and how many more deaths must be brought before we admit this policy has not worked?

I would say to the President, stop the bombings, give negotiations an opportunity to work. How long must the bombings in Yugoslavia continue?

NATIONAL TRANSPORTATION WEEK

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Maryland (Mr. CUMMINGS) is recognized for 5 minutes.

Mr. CUMMINGS. Mr. Speaker, May 16 to 21 is National Transportation Week. During National Transportation Week, I will honor the many accomplishments of the Department of Transportation and our dedicated

transportation workers. I will highlight the human factors, the technology, education, and safety accomplishments that make our transportation system one of the best in the world.

Usually when we discuss transportation we comment on the aspects of the industry, such as highways, airplanes, and railroads. But what about the people? The people are the element that make transportation work and have firmly established the United States transportation system as one of the safest and most efficient in the world.

The bus drivers, the airline pilots, ships' captains, locomotive engineers, air traffic controllers, and truck drivers, to name just a few, function in a fast-paced dynamic environment that requires skill and talent to build, operate and maintain.

And so, it is today that we pause to thank those persons who rise every day to carry out the mission of providing all Americans with the freedom of movement, a very basic freedom which is often taken for granted: Transporting children to schools, workers to work, vacationers to various leisure locations all over the country.

Simply stated, we thank our transportation workers for bringing life to life. We know that guaranteeing an efficient transportation system requires the best and brightest in our transportation workforce. While new technologies are expanding career opportunities in the transportation industry, much of the seasoned transportation workforce is retiring.

In 1997, the Department of Transportation launched an innovative program to combat this problem. Spearheaded by Secretary Rodney Slater, the Garrett A. Morgan Technology and Transportation Futures Program is a national education program designed to reach and challenge one million students of all ages to focus on their math, science, and technology skills.

The Department's program was named after Garrett A. Morgan, an African-American entrepreneur who invented the automated gas mask and traffic signal, a device that for more than 75 years remains the primary safety tool for managing automobile traffic. Despite his economically poor background and lack of education, his lifetime of achievement is a model of dedication to public service, public safety, and technology innovation.

The Garrett A. Morgan program builds a foundation for success in the twenty-first century transportation industry. Designing and implementing satellite navigation and positioning devices, intermodal transportation facilities, advanced highway construction, magnetic levitation technology, and ''smart growth'' community planning are but a few of the critical needs for transportation and global engagement in the new millennium.

In unveiling the program, Secretary Slater stated, ''We want to inspire students to choose careers in transportation so that this Nation will have the skilled workforce needed to operate and maintain the world's best transportation system.''

I urge my colleagues to salute the transportation workforce for what they do every day and for the service they will provide in the future.

RETIREMENT SECURITY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio (Mr. PORTMAN) is recognized for 5 minutes.

Mr. PORTMAN. Mr. Speaker, I am here tonight to talk about retirement security.

With Americans living longer and 76 million baby-boomers soon to begin their retirement years, solving Social Security's fiscal problems has to be and should be a top priority of this Congress. And I think it is. I think it is a top priority of the President, as well. I encourage that, and I hope that we come up with a Social Security solution even this year.

But we also have to realize that Social Security is not going to solve all of our retirement security problems. Social Security was never meant to handle all the retirement needs of Americans and, in fact, for most Americans it does not. Rather, it is just one leg of a three-legged stool that people rely on in their retirement.

As my colleagues can see from this chart here, Social Security, employer provided pensions, and personal savings is the three-legged stool that Americans rely on for their retirement. This is a critical issue for all Americans, by the way, not just those Americans who are in retirement but those approaching those retirement years.

We must move forward with policies that make a real difference in terms of providing overall retirement security for all Americans. It will mean for many Americans the difference between mere subsistence or even poverty in retirement, on the one hand, and real prosperity and a comfortable retirement, on the other hand.

□ 2115

I am going to talk tonight about this leg of the retirement stool called employer-provided pensions. This is 401(k) plans, it is 457 plans, 403(b) plans and other defined contribution plans. It is also the defined benefit plans, profit sharing plans and so on. Pension savings are already, as this chart shows, an important part of Americans' retirement security, but not all is well with our pension program today. Only half of all Americans, for example, even have a pension today.

What really concerns me as we look from 1983 until 1993 where we should have made a lot of progress in this area, we have roughly stayed the same. Only half of Americans today in the workforce have any kind of pension at all. That is anything, a 401(k), a simple plan, a profit sharing plan, anything. To me that is a major problem, one that we should address here in the United States Congress, who want to give Americans more access to a comfortable retirement.

This means, by the way, that about 60 million Americans have no pension, no private retirement savings through their employer. It is even worse than that really because when we look at so many of the jobs that are being created in our economy today, it is in the smaller businesses. This chart shows that among smaller companies, the percentage of companies that offer any kind of a pension is even smaller. These two blocks together would be all companies of 25 or fewer employees. This shows that only 19 percent of them on average offer any kind of a pension plan at all. Those people who work in smaller businesses again where most of our jobs are being created in our economy even have a lower possibility of having any kind of retirement savings through their employer.

This is all happening, incidentally, at a time when savings in our country is at an all-time low. The pension plans around the country would normally be contributing to higher savings but they simply are not as accessible as they should be. This shows the U.S. personal savings over time starting with 1935. Actually today we are at the lowest level at least since the Great Depression. Some economists think we are at our lowest savings rate ever. That is another reason we need to reform our pension laws, because pensions again are a major part of retirement savings but also of our overall savings in this country which is so important. We have a plan to try to change this.

I have come up with this plan with the gentleman from Maryland (Mr. CARDIN) who is also with us tonight. What this will do is it will provide for an increase in contribution levels and compensation levels and in benefit limits for all employees. It enables us, in other words, to let people save a lot more for their own retirement. It also takes out a lot of the well meaning but very restrictive rules and regulations that have come in place with our pension policy.

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

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

Mr. CARDIN. First let me thank the gentleman from Ohio for taking this time. I know we do not have much time tonight. The point that he makes which is so important that, yes, we need to resolve Social Security, that is very important. But we also need to deal with private retirement in our

community. I congratulate the gentleman on the work on the legislation that he introduced. His point is so well taken, that we have to make it easier for small business to provide employer-sponsored retirement plans for their employees. We have to increase the limits, not reduce, in which people can put away for their personal retirement. We must make it easier for portability in today's market where people change jobs to be able to combine their pension plans to make it easier for them. We have got to remove a lot of these complexities that we have put in the law that are preventing employers from even having pension plans to help their employees. I just really wanted to emphasize the point that he was making that we need to act in this Congress on private retirement as well as Social Security.

Mr. PORTMAN. I thank the gentleman very much.

RETIREMENT SECURITY

The SPEAKER pro tempore (Mr. SHIMKUS). Under a previous order of the House, the gentleman from Maryland (Mr. CARDIN) is recognized for 5 minutes.

Mr. CARDIN. Mr. Speaker, I yield to the gentleman from Ohio.

Mr. PORTMAN. I thank my colleague from Maryland for yielding. We have been laboring at this for a couple of years now. We have worked with a lot of different groups around the country who are concerned with people being able to have a secure retirement. This includes incidentally for this proposal we are talking about tonight the Chamber of Commerce of the United States, as well as the AFL–CIO. To have that kind of a broad cross-section on any legislation around here is rather unusual. Why are all these groups supporting this proposal? For one very simple reason. They all have people they are representing who want to provide retirement security for workers. This proposal is commonsense changes, as the gentleman from Maryland said, to permit, for example, portability where you can be able to take your pension from job to job, responding to the increasingly mobile workforce out there. It also again goes into the pension rules and regulations which have become so burdensome that many small employers simply will not offer a plan at all. It cuts down on those rules and regulations to the point that smaller businesses are now going to be able to get into this business. It also cuts down some of the liability for our smaller businesses. Finally, very important, as the gentleman from Maryland said, it has the ability for people to save more for their own retirement. One that I particularly like that the gentleman from Maryland is very supportive of is the catch-up provision, for people who are over 50 years old coming back into the workforce. This would be a lot of working moms who stayed home to take care of kids and are now coming back into the workforce, we allow them to contribute an additional $5,000 a year to their retirement plan. This will help a lot of people to be able to build up that nest egg that is necessary for retirement.

Mr. CARDIN. Let me just if I might in concluding, it is important for us to act on private retirement for many reasons. One is that yes, we are very pleased with the growth of our economy. We are projecting budget surpluses. We have low rates of inflation, low unemployment rates. We are very pleased by the signs that we see in our economy. But there is one statistic that the gentleman from Ohio pointed out which is not good for our future and, that is, the amount of savings that we have as a Nation. Among the industrial nations, we rank near the bottom on the amount that we save on a per capita basis. The chart that the gentleman used earlier showed that we are actually saving less today than we did 10 years ago. We should be saving more, particularly when we look at how strong our economy is. We need to adopt here in this body policies that will make it easier for Americans to save for the future, that is good for their security when they retire. It is good for economic growth in this Nation. It makes sense. It is not a partisan issue. It is a bipartisan issue. I urge this body during this session to take up legislation that will make it easier for Americans to save for their future. The Portman-Cardin bill is a major step forward in this direction. We hope that we would consider it this year.

Mr. PORTMAN. I would urge my colleagues on both sides of the aisle to talk to the gentleman from Maryland, talk to me. H.R. 1102 is the name of the legislation. We have a number of cosponsors. We are looking for more. If we can come together again on a bipartisan basis to solve this problem and get this legislation passed, it will make the difference in people's lives. It will allow for millions of Americans to have real security in retirement rather than mere subsistence. It is something that we can do this year. Of course we all want to solve Social Security's problems. That may be a little more difficult to do in this environment. But this is one where we should be able to come together to provide for people to be able to save more for their retirement even outside of Social Security, even while we are working on the Social Security problem.

PARLIAMENTARY ELECTIONS IN ARMENIA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey (Mr. PALLONE) is recognized for 5 minutes.

Mr. PALLONE. Mr. Speaker, on Sunday, May 30, the Republic of Armenia will hold parliamentary elections. In these last 2 weeks leading up to election day, the parties and candidates are intensifying their campaigns and are holding rallies, meetings and using free TV air time as well as paid commercials to get their message out to the voters. Both domestic and international observers will closely scrutinize the conduct of the election to ensure that it is free and fair. Armenia's Central Elections Commission has promised equal treatment for all parties and has vowed to penalize anyone who commits illegal or fraudulent acts connected to the election.

Mr. Speaker, we Americans may take for granted the idea of free and fair elections, but in Armenia as a former captive nation under the Soviet Union, the progress of democracy and the establishments of the institutions of a civil society in less than a decade of independence is nothing short of remarkable. Furthermore, Mr. Speaker, given the fact that many of Armenia's neighbors are ruled by authoritarian governments, some of which maintain a hostile and aggressive attitude, the determination of the Armenian people to work towards a democratic political system is all the more impressive.

Armenian voters last went to the polls in March of 1998 to elect a President. The winner of that election, President Robert Kocharian, was here in Washington last month as part of the NATO summit. He also came to Capitol Hill to meet with Members of Congress to discuss the prospects for U.S.-Armenia relations and our role in promoting stability and economic development in the Caucasus region. Armenia's central location in the heart of this region at the crossroads of Europe, Russia, the Middle East and Central Asia will make it an increasingly important country for the U.S. strategic considerations in the 21st century.

Mr. Speaker, for a country with less than 4 million people living in an area about the size of the State of Maryland, Armenia has an extremely diverse group of political parties representing a wide range of ideologies. More than 800 individual candidates and 21 political parties are vying for 131 seats in the parliament; 75 seats will be contested in single-candidate constituencies, while 56 seats are reserved for a system of proportional representation.

According to a recent report, 11 political parties and blocs have used the free TV air time that has been allotted to them. Media outlets representing diverse ideologies are covering the elections. For the first time, the campaign and election will be covered on the Internet. Paid political advertisements for this election cycle have exceeded the levels of all previous election campaigns. A survey by the Armenian Sociological Association indicated that

voter turnout would be as high as 75 percent, although other polls suggest figures could be somewhat lower than that. The polls indicate that at least six parties and blocs would be able to garner the 5 percent threshold of votes needed to be represented in the Parliament. The major issue is expected to be the economy.

Mr. Speaker, I just want to stress that in the first few elections held in the first few years after Armenia became a democracy, there were admittedly some problems. But last year's presidential elections showed the world that Armenia has made significant progress in just a few years despite the legacy of 70 years of Communist dictatorship. After the resignation of Armenia's first President, Levon Ter-Petrosian, in early 1998, the transition was handled in an orderly manner according to the nation's constitution. The presidential election conducted in two rounds was peaceful and well-organized, and the legitimacy of the outcome was accepted by the vast majority of observers inside and outside Armenia.

Later this month, Armenia will once again find itself under heavy international scrutiny because of the elections. The Organization for Security and Cooperation in Europe on April 26 set up a monitoring mission with 15 long-term observers deployed around the country to monitor the election campaign and administrative preparation, and to assess the implementation of the new electoral code.

Mr. Speaker, I am confident that the Armenian people will demonstrate once again during this election on May 30 their commitment to building a society based on civility, the rule of law and tolerance for each other's opinions. This election I think will go far once again to show the progress of Armenia's democracy.

MANAGED CARE REFORM

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 1999, the gentleman from Iowa (Mr. GANSKE) is recognized for 60 minutes as the designee of the majority leader.

Mr. GANSKE. Mr. Speaker, here it is, the middle of May, and no movement by the House leadership on fixing HMO abuses. Time is passing by quickly this year. Yet the chairmen of the committees of jurisdiction have done virtually nothing to move this forward.

Mr. Speaker, I have worked on this problem along with many others in this House for over 4 years. We have had debates and debates and debates. The issues are laid out. They have been laid out in a debate last year. There is no excuse why we should not move managed care reform to the floor soon. There is a real reason for this. There are people that are being injured by HMO abuses today.

Let me give my colleagues a couple of examples of people who have had problems with their HMOs. A few years ago, a young woman was hiking in the Shenandoah mountains just a little ways west of Washington, D.C. She fell off a 40 foot cliff. She was lucky she did not fall into the rocky pond where she might have drowned. But she fractured her skull, she broke her arm, and she broke her pelvis. She is laying there at the bottom of this 40 foot cliff semicomatose. Fortunately a hiking companion had a cellular phone and they airlifted her into the emergency room. She was treated in the hospital, in the intensive care unit for quite a while, was in the hospital I think for over a month. When she was discharged, she found that her HMO was not going to pay her bill.

Why, Mr. Speaker? The HMO said this young woman, Jackie Lee is her name, did not phone ahead for prior authorization.

Now, think about that. Was she supposed to know that she was going to fall off that 40 foot cliff? Or maybe when she was laying there, semicomatose at the bottom of the cliff with a broken skull, a broken arm, a broken pelvis, she was supposed to rouse herself, maybe with her nonbroken arm pull out of her pocket a cellular phone and dial a 1–800 number to her HMO and say, ''Hey, you know, I just fell off a 40 foot cliff. I need to go to the hospital.''

□ 2130

Mr. Speaker, fortunately she was able to get some help from her State insurance commissioner, and she was able to get that HMO's decision reversed, but as my colleagues know, Mr. Speaker, a lot of people would not have that basic protection because most of the people in this country receive their insurance through their employer, and when they get their insurance through their employers, their State insurance commissioner does not have any jurisdiction because of a past Federal law.

Now, if my colleagues think the case of Jackie Lee was bad, let me tell my colleagues about another case. This was about a little 6-month-old boy named James Adams.

A couple years ago, about 3:00 in the morning, James' mother, Lamona, was taking care of him. He was pretty sick. He had a temperature of over 104. He was crying, he was moaning. As a mother can tell, her little baby was really sick. So Lamona phones that 1–800 number for her HMO. She explains: ''My little baby is sick and needs to go to the emergency room soon.''

She gets an authorization from this bureaucrat, but the authorizer says, ''I'm only going to allow you to take little Jimmy to the Shriner's Hospital.''

Lamona says, ''Well, where is that?''

This disembodied voice a thousand miles away says, ''Well, I don't know. Find a map.''

Well, Lamona, the Adams family, lived way to the east of Atlanta, Georgia. The hospital that they were authorized to go to was on the other side of Atlanta, 70-some miles away.

It is a stormy night, so Mr. And Mrs. Adams wrap up little Jimmy, get in the car and start their trek. About halfway there, as they are going through Atlanta, Georgia, they pass Baptist Hospital, Piedmont, Emory Hospital, all with world-renowned medical facilities and emergency rooms that could have taken care of little Jimmy Adams. But they do not have an authorization from their insurance company, from their HMO, and they know that if they stop, then they are going to be stuck with the bill which could be thousands of dollars.

So, not being medical professionals, they think, ''Well, we can push on.'' About 23 miles from the Shriner's Hospital little Jimmy has a cardiac arrest in the car. Picture his dad driving along frantically trying to find the hospital, picture his mother trying to save her little baby's life.

Turns out that little Jimmy is a pretty tough guy. They manage to eventually get him to the hospital alive. But because of that delay in treatment, that cardiac arrest, little Jimmy ends up with gangrene of both hands and both feet, and both hands and both feet have to be amputated, all because of the delay caused by that medical decision that that HMO made.

I talked to Jimmy's mother about a month ago, asked her about how little Jimmy was coming along now. As my colleagues know, despite wonderful prostheses that we have now, it is safe to say that Jimmy is not going to be an athlete, and I know that when he grows up and gets married he is not going to be able to caress the check of the woman that he loves with his hand because he has bilateral hook prostheses. He is able to pull on his leg prostheses now with his arms' stumps, but he cannot get on both bilateral arm prostheses without a lot of help from his parents.

Jimmy will live the rest of his life without his hands and his feet, and do you know that in a similar situation, if you receive your insurance through your employer and your HMO has made that type of medical decision that has resulted in the loss of the hands and feet of your little baby, that that HMO by prior Federal law is liable for nothing? Hard to believe?

That is all the result of a law that Congress passed 20-some years ago that gives total immunity for liability to an HMO that makes that type of devastating medical decision that has resulted in loss of hands and feet or maybe even loss of life. The only thing under Federal law that that plan is responsible for is the cost of the treatment that would be rendered, and after all, Jimmy made it to the hospital, so he got his treatment.

Turns out a Federal judge looked at the margin of safety for that HMO, and I will never forget the quote. The judge said the margin of safety for that HMO in this instance was razor thin, quote, unquote; I would say, Mr. Speaker, about as razor thin as the scalpel that had to cut off little Jimmy's hands and feet.

Mr. Speaker, I am far from alone in holding that view that we need real HMO reform. Last week, for example, Paul Elwood gave a speech at Harvard University on health care quality, HMO quality. Now, Mr. Speaker, Paul Elwood is not exactly a household name, but he is considered the father of the HMO movement.

Elwood told a surprised group of people that he did not think health care quality would improve without government imposed protections. Market forces, he told the group, quote, ''will never work to improve quality, nor will voluntary efforts by doctors and health plans.'' Nor will voluntary efforts by doctors and health plans.

Elwood went on to say, and I quote: ''It doesn't make any difference how powerful you are or how much you know, patients get atrocious care.''

Remember, this is the father of the HMO movement. He is saying patients get atrocious care and can do very little about it.

He goes on: ''I have increasingly felt that we've got to shift the power to the patient. I am mad,'' he said, ''in part because I've learned that terrible care can happen to anyone.''

Mr. Speaker, maybe Paul Elwood was thinking about Jackie Lee. Maybe he was thinking about little Jimmy Adams.

Mr. Speaker, this is not the commentary of a mother whose child was injured by her HMO's refusal to give appropriate care. It is not the statement of a doctor who could not get requested treatment for a patient. Mr. Speaker, these words suggesting that consumers need real protections from HMO abuses come from the father of managed care.

Now I am tempted to stop here and just let his words speak for themselves, but I think it is important to share with my colleagues an understanding of the flaws in the health system that led Paul Elwood to reach his conclusion.

Cases involving patients who lose their limbs or even their life are not isolated examples. They are not just mere, quote, anecdotes, unquote. I mean those anecdotes, if they have a finger, and you prick it, they bleed.

Mr. Speaker, on May 4 USA Today ran an excellent editorial on this very subject. It was entitled: ''Patients Face Big Bills as Insurers Deny Emergency Claims.'' After citing a similar case involving a Seattle woman, USA Today made some telling observations. Quote: ''Patients facing emergencies might feel they have to choose between putting their health at risk and paying a huge bill they may not be able to afford.''

That was exactly the situation that Mr. and Mrs. Adams were in as they were driving along the highway with a really sick infant. They were not trained medical professionals. They knew if they stopped, though, at that unauthorized emergency room, they were going to be stuck with the bill.

The editorial goes on to say, quote: ''All patients are put at risk if hospitals facing uncertainty about payment are forced to cut back on medical care,'' and this is hardly an isolated problem. The Medicare Rights Center in New York reported that 10 percent of complaints for Medicare HMOs related to denials for emergency room bills.

The editorial noted that about half the States have enacted a prudent lay person definition for emergency care in the last 10 years, and Congress has passed such protection in Medicare and in Medicaid, but nevertheless the USA Today editorial concludes that the current patchwork of laws would be much strengthened by passage of a national prudent lay person standard that applies to all Americans. And that is why in my bill, the HMO Reform Act of 1999, and the bill of the gentleman from Michigan (Mr. DINGELL), the Patient Bill of Rights, we have a provision in there that would have prevented the type of occurrence that we had with little Jimmy Adams, because it says if the average lay person would think that this is truly an emergency, you can take that patient or you can go yourself directly to the emergency room and the HMO has to pay the bill.

The final sentence of that editorial from USA Today reads, quote: ''Patients in distress should not have to worry about getting socked with big health bills by firms looking only at their bottom line.''

Mr. Speaker, I ask that the full text of this editorial be included in the RECORD at this point:

[From USA Today, May 4, 1999]

PATIENTS FACE BIG BILLS AS INSURERS DENY EMERGENCY CLAIMS

Early last year, a Seattle woman began suffering chest pains and numbness while driving. The pain was so severe that she pulled into a fire station seeking help, only to be whisked to the nearest hospital, where she was promptly admitted.

To most that would seem a prudent course of action. Not to her health plan. It denied payment because she didn't call the plan first to get ''pre-authorized,'' according to an investigation by the Washington state insurance commissioner.

The incident is typical of the innumerable bureaucratic hassles patients confront as HMOs and other managed care companies attempt to control costs. But denial of payment for emergency care presents a particularly dangerous double whammy:

Patients facing emergencies might feel they have to choose between putting their health at risk and paying a huge bill they may not be able to afford.

All patients are put at risk if hospitals, facing uncertainty about payment, are forced to cut back on medical care.

Confronted with similar outrages a few years ago, the industry promised to clean up its act voluntarily, and it does by and large pay up for emergency care more readily than it did a few years ago. In Pennsylvania, for instance, denials dropped to 18.6% last year from 22% in 1996.

That's progress, but not nearly enough. Several state insurance commissioners have been hit with complaints about health plans trying to weasel out of paying for emergency room visits that most people would agree are reasonable—even states that mandate such payments. Examples:

Washington's insurance commissioner sampled claims in early 1998 and concluded in an April report that four top insurers blatantly violated its law requiring plans to pay for ER care. Two-thirds of the denials by the biggest carrier in the state—Regence BlueShield—were illegal, the state charged, as were the majority of three other plans' denials. The plans say those figures are grossly inflated.

The Maryland Insurance Administration is looking into complaints that large portions of denials in that state are illegal. In a case reported to the state, an insurance company denied payment for a 67-year-old woman complaining of chest pain and breathing problems because it was ''not an emergency.''

Florida recently began an extensive audit of the state's 35 HMOs after getting thousands of complaints, almost all involving denials or delays in paying claims, including those for emergency treatments.

A report from the New York-based Medicare Rights Center released last fall found that almost 10% of those who called the center's hotline complained of HMO denials for emergency room bills.

ER doctors in California complain that Medicaid-sponsored health plans routinely fail to pay for ER care, despite state and federal requirements to do so. Other states have received similar reports, and the California state Senate is considering a measure to toughen rules against this practice.

The industry has good reason to keep a close eye on emergency room use. Too many patients use the ER for basic health care when a much cheaper doctor's visit would suffice.

But what's needed to address that is better patient education about when ER visits are justified and better access to primary care for those who've long and had no choice other than the ER, not egregious denials for people with a good reason to seek emergency care.

Since the early 1990s, more than two dozen states have tried to staunch that practice with ''prudent layperson'' rules. The idea is that if a person has reason to think his condition requires immediate medical attention, health plans in the state are required to pay for the emergency care. Those same rules now apply for health plans contracting with Medicare and Medicaid.

A national prudent layperson law covering all health plans would help fill in the gaps left by this patchwork of state and federal rules.

At the very least, however, the industry should live up to its own advertised standards on payments for emergency care. Patients in distress should not have to worry about getting socked with big health bills by firms looking only at their own bottom line.

Mr. Speaker, there are few people in this country who have not personally had a difficult time getting health care from an HMO. Whether we are talking about cases like little Jimmy Adams or Jackie Lee or we are talking about people that we work with or even members of our family, the HMO industry has earned a reputation with the public that is so bad that only tobacco companies are held in lower esteem.

Let me give my colleagues a few statistics. By more than 2 to 1 Americans support more government regulation of HMOs. Last month the Harris poll revealed that only 34 percent of Americans think managed care companies do a good job of serving their customers. That is down significantly from 45 percent of a year ago, but 45 percent is certainly no statistic that I would be proud of if I were the HMO industry.

Even more amazing were the results when Americans were asked whether they trusted a company to do the right thing if they had a serious safety problem. Mr. Speaker, this is an amazing statistic. When Americans were asked whether they trusted HMOs to do the right thing if they had a serious problem, by 2 to 1 Americans would not trust HMOs in such a situation, and that level of confidence is far behind other industries such as hospitals, airlines, banks, even the automobile manufacturers.

In fact, about the only industry that fared worse than HMOs was the tobacco industry, and anyone who still needs proof about what the public thinks about it just needs to go to that movie ''As Good As It Gets.'' Audiences clapped and cheered, when I went and saw that movie with my wife, when Academy Award winner Helen Hunt expressed a strong expletive about the lack of care her asthmatic son was getting from their HMOs. And no doubt the audience's reaction was fueled by dozens of articles and stories very critical of managed care, bolstered by real-life experiences.

In September 1997 the Des Moines Register ran an op-ed piece entitled, quote, The Chilly Bedside Manner of HMOs, unquote, by Robert Reno, a Newsweek writer.

The New York Post, and I see my colleague from New York (Mrs. MCCARTHY) sitting here waiting, she knows the New York Post ran a series, a week-long series of articles on managed care, and some of the headlines were: ''HMO's Cruel Rules Leave Her Dying for the Doc She Needs.''

Another headline blared out: ''Ex New Yorker Is Told: Get Castrated So We Can Save Dollars.''

Or how about this one: ''What His Parents Didn't Know About HMOs May Have Killed This Baby.''

Or how about the 29-year-old cancer patient whose HMO would not pay for his treatments? Instead, the HMO bureaucrat reviewer told him to hold a fund-raiser. A fund-raiser? Mr. Speaker, I thought we were talking about patient protection legislation, not campaign finance reform.

□ 2145

To counteract this, some health plans have even taken to bashing their own colleagues. Here in Washington one ad declared, ''we do not put unreasonable restrictions on our doctors. We do not tell them that they cannot send you to a specialist.''

In Chicago, Blue Cross ads proclaimed, ''we want to be your health plan, not your doctor.'' In Baltimore, an ad for Preferred Health Network assured customers, ''at your average health plan cost controls are regulated by administrators but at PHN doctors are responsible for controlling costs.''

Mr. Speaker, advertisements like these demonstrate that even the HMOs know that there are more than a few rotten apples in the barrel. In trying to stave off Federal legislation to improve health care quality, many HMOs have insisted that the free market will help cure whatever ails managed care.

Mr. Speaker, I am a firm believer in benefits to a free market, but the health care market is anything but a free market. Free markets are not dominated by third parties paying first dollar coverage. Free markets do not reward customers for giving less service. Is there any other industry in this country that gets paid for doing less? And free markets do not feature limited competition, either geographically or because an employer says here is your health plan, take it or leave it. Some choice a consumer has in that situation, and that is about the way it is for about 50 percent of the people in this country who get their insurance through their employers.

The Washington Business Group on Health recently released its fourth annual survey report on purchasing value in health care. Here are a few examples of how the market is working to improve quality care. Fifty-one percent of employers believe cost pressures are hurting quality. This is not employees. These are the employers. In evaluating and selecting health plans, 89 percent of employers considered cost. Less than half consider accreditation status and only 39 percent consider consumer satisfaction reports. Employees are given limited information about their plans. Only 23 percent of companies tell employees about appeals and grievance processes. In the last 3 years, the percentage of businesses giving employees consumer satisfaction results has dropped from 37 percent to 15 percent. So much for the quality aspect. Over half of employers offer employees an incentive to select plans with lower costs, but just 15 percent of plans offer financial inducements to their employees to purchase a higher quality plan.

Mr. Speaker, a recent Court of Appeals decision in the case Jones v. Kodak explains just how dangerous the ''free market'' is to patients. Mrs. Jones received health care through her employer Kodak. The plan denied her request for inpatient substance abuse treatment, finding she did not meet their protocols. The family took the case to an external reviewer, who agreed that Mrs. Jones did not meet the criteria for the benefits of the plan, but the reviewer observed, ''the criteria are too rigid and they do not allow for individualization of case management.'' In other words, the criteria were not appropriate.

In denying Mrs. Jones' claims, the Tenth Circuit Court of Appeals held that the Employee Retirement Income Security Act, ERISA, does not require plans to state the criteria used to determine when a service is medically necessary. On top of that, the Court ruled that unpublished criteria are a matter of plan design and structure, rather than implementation. Therefore, they are not reviewable by the judiciary.

Mr. Speaker, think about this for a minute. The implications of this decision, I think, are breathtaking. Jones v. Kodak provides a road map to health plans to deny any type of care they want. Under Jones v. Kodak, health plans do not need to disclose to potential or even to current enrollees the specific criteria they use to determine whether a patient will get treatment. There is no requirement that a health plan use guidelines that are applicable or appropriate to a particular patient's case.

Most important to the plans, the decision ensures HMOs that if they are following their own criteria then they are shielded from court review.

Mr. Speaker, this is why I so vigorously opposed the bill that passed this House last year because there was a provision in that bill that basically said the health plan can determine any definition of medical necessity that it wants. Because of this law that Congress passed 25 years ago, ERISA, the Employee Retirement Income Security Act, the courts are holding that they can do that, they can totally disregard generally accepted prevailing standards of medical care. They can have their own secret protocols.

As a reconstructive surgeon I have taken care of a lot of children with cleft lips and palates. In their own internal plan they can say, well, yes, we will cover cleft lip surgery but we are not going to allow it until the kid is 16 years old.

There would be nothing under current law that could prevent them from doing that. It is totally contrary to generally accepted principles of medical care. If you were the parents, think about this. Here your baby is born with a great big hole in the middle of his face, his lip is separated that far, he has a hole in the roof of his

mouth, he can't speak, but according to these court cases on the interpretation of ERISA those health plans can do anything they want to and they do not even need to share the information with the beneficiaries.

Mr. Speaker, I have introduced legislation, H.R. 719, the Managed Care Reform Act, and it addresses these problems. It gives patients meaningful protections. It creates a strong and independent review process. It removes the shield of ERISA which health plans have used to prevent State court negligence actions.

It has received a lot of support, Mr. Speaker. It has been endorsed by consumer groups like the Center for Patient Advocacy, the American Cancer Society, the National Association of Children's Hospitals, the National Multiple Sclerosis Society. It has also been supported by many health care provider groups such as the American Academy of Family Physicians whose members are on the frontlines. They are the gatekeepers. They have seen how faceless HMO bureaucrats thousands of miles away, bureaucrats who have never examined a patient, denied needed medical care because it does not fit their plan ''criteria.''

I want to focus on one small aspect of my bill as it relates to liability. It has been a firm principle of this Republican Congress that people should be responsible for their actions. In the individual insurance market, if Blue Cross Blue Shield sells a plan to an individual and Blue Cross Blue Shield makes a medical decision that results in negligence, then they are liable. That is current law. That is the way it is in the States.

According to this law that Congress passed 25 years ago, if that plan is a self-insured plan they skate free. They do not have that responsibility. That is wrong. Congress created that loophole and Congress needs to fix it.

On the other hand, I do not want to see these cases simply end up ex post facto in the courts. It does not do Jimmy Adams any good. He cannot get his hands and his feet back after the fact.

So what do we need? We need to have an internal and an external appeals process so that those disputes are resolved before someone ends up with the injury.

I believe there is a reasonable compromise that should be supported on this issue, and it works like this and it is in my bill: If there is a dispute on a denial of coverage between the patient and his health plan, then go through an internal appeals process. If there is still a dispute, then either the patient or the health plan can take that dispute to an independent peer panel for a binding decision on the health plan.

There is another difference from last year's GOP bill. One could go to that independent review panel but it was not binding on the plan, their decision. So in the end the HMO could end up doing what they want. That should be changed. It should be binding on the plan and there should not be a conflict, any conflict of interest, between that independent review panel. So the benefit to the patient of that is that they get to have a second opinion that is free of any taint of conflict of interest on the part of either the doctor or the health plan.

The benefit to the plan is this, and when I talked about this with the CEO of my own Blue Cross Blue Shield plan in Iowa, he said, Greg, we are implementing the patient bill of rights. It is costing us almost nothing. We will see no premium increases from that. On that issue of liability, if there is a dispute on a denial of care, I could see going to an independent panel for an external review and I could see that panel determining medical necessity, and I could see it being binding on us, but if an independent panel has made that decision and it is binding on us, and we did not make that decision, i.e., the health plan did not make the decision, then we should be free of punitive damages liability. That is what I put into the bill.

So there is a carrot to the patient to get that second opinion but there is also on a dispute an incentive for the health plan to take it to that independent panel.

Let us say that a patient asks for apricot juice in order to treat cancer and the health plan very appropriately says, no scientific evidence for that, but that patient is still unhappy. The plan knows that they have an unhappy camper. In this situation, if my bill were law, the health plan could take that to the independent panel. They would know that they are going to get confirmation to support their decision, but in so doing they would also protect themselves from any punitive damages liability. If they do not follow that independent panel's decision, then they are liable for punitive damages. I think that is the essence of the compromise that we should have on this bill.

In fact, this was recently written about in the Hartford Courant by an editorialist named John MacDonald, and I would insert his editorial in the CONGRESSIONAL RECORD at this point:

[From the Hartford Courant]

A COMMON-SENSE COMPROMISE ON HEALTH CARE

(By John MacDonald)

U.S. Rep. Greg Ganske is a common-sense lawmaker who believes patients should have more rights in dealing with their health plans. He has credibility because he is a doctor who has seen the runaround patients sometimes experience when they need care. And he's an Iowa Republican, not someone likely to throw in with Congress' liberal left wing.

For all those reasons, Ganske deserves to be heard when he says he has found a way to give patients more rights without exposing health plans to a flood of lawsuits that would drive up costs.

Ganske's proposal is included in a patients' bill of rights he has introduced in the House. Like several other bills awaiting action on Capitol Hill, Ganske's legislation would set up a review panel outside each health plan where patients could appeal if they were denied care. Patients could also take their appeals to court if they did not agree with the review panel.

But Ganske added a key provision designed to appeal to those concerned about an explosion of lawsuits. If a health plan followed the review panel's recommendation, it would be immune from punitive damage awards in disputes over a denial of care. The health plan also could appeal to the review panel if it thought a doctor was insisting on an untested or exotic treatment. Again, health plans that followed the review panel's decision would be shielded from punitive damage awards.

This seems like a reasonable compromise. Patients would have the protection of an independent third-party review and would maintain their right to go to court if that became necessary. Health plans that followed well-established standards of care—and they all insist they do—would be protected from cases such as the one that recently resulted in a $120.5 million verdict against an Aetna plan in California. Ganske, incidentally, calls that award, ''outrageous.''

What is also outrageous is the reaction of the Health Benefits Coalition, a group of business organizations and health insurers that is lobbying against patients' rights in Congress. No sooner had Ganske put out his thoughtful proposal than the coalition issued a press release with the headline: Ganske Managed Care Reform Act—A Kennedy-Dingell Clone?

The headline referred to Sen. Edward M. Kennedy, D-Mass., and Rep. John D. Dingell, D-Mich., authors of a much tougher patients' rights proposal that contains no punitive damage protection for health plans.

The press release said: ''Ganske describes his new bill as an affordable, common sense approach to health care. In fact, it is neither. It increases health care costs at a time when families and businesses are facing the biggest hike in health care costs in seven years.''

There is no support in the press release for the claim of higher costs. What's more, the charge is undercut by a press release from the Business Roundtable, a key coalition member, that reveals that the Congressional Budget Office has not estimated the cost of Ganske's proposal. The budget office is the independent reviewer in disputes over the impact of legislative proposals.

So what's going on? Take a look at the coalition's record. Earlier this year, it is said it was disappointed when Rep. Michael Bilirakis, R-Fla., introduced a modest patients' rights proposal. It said Sen. John H. Chafee, R-R.I., and several co-sponsors had introduced a ''far left'' proposal that contains many extreme measures. John Chafee, leftist? And, of course, it thinks the Kennedy-Dingell bill would be the end of health care as we know it.

The coalition is right to be concerned about costs. But the persistent No-No-No chorus coming from the group indicates it wants to pretend there is no problem when doctor-legislators and others know better.

This week, Ganske received an endorsement for his bill from the 88,000 member American Academy of Family Physicians. ''These are the doctors who have the most

contact with managed care,'' Ganske said. ''They know intimately what needs to be done and what should not be done in legislation.''

Coalition members ought to take a second look. Ganske's proposal may be the best deal they see in a long time.

I want to address a couple of issues before finishing. The first is the opponents to this legislation say this is going to be too costly, this legislation would cause premiums to just go up, skyrocket and then people would lose their insurance. That is not true.

Mr. Speaker, my bill will come in at a CBO estimate less than last year's patient bill of rights because I have removed some of the bureaucratic reporting requirements and also because of the punitive damages provision that I have in.

Even last year's patient bill of rights was scored by the Congressional Budget Office, as an estimate, for an increase of premiums of 4 percent over 10 years. That is significantly different from the advertising campaign that we are seeing around the country now where the HMO industry is saying 4 percent per year. Wrong.

Furthermore, Texas passed a bill, a strong patient bill of rights, that included a stronger liability law than in my bill.

The Scott and White Health Plan asked their actuaries how much should we increase our premiums because of that liability provision? The answer, 34 cents per member per month.

I would estimate that my bill will come in at a cost increase of somewhere around $3 per month for a family of four. That is about $36 a year for a family of four.

A survey of small business employers conducted by The Kaiser Family Foundation (''National Survey of Small Business Executives on Health Care'') reported that 94 percent of those employers would continue to cover their employees with health insurance even if premiums increased by double that amount. We are talking about a small cost in order for people to be secure in knowing that the large amount of money that they are spending on their health care premiums, when they get sick, will actually mean something.

Mr. Speaker, we have talked about liability. We have talked about cost. Finally I want to say one thing about what my bill does not do. Recently I had a large employer from the upper Midwest come into my office and say we have businesses in every State. If your bill passes, then we would not be able to design a uniform medical benefits package for all of our companies' employees.

I was flabbergasted, Mr. Speaker. That is not what my bill does. ERISA will continue. I only change ERISA in terms of when a health plan makes a medical decision, in terms of their liability, but there is nothing in my bill that would say a multistate business would have to follow the State mandates of every State that it was in.

□ 2200

They could continue, let me repeat, they could continue to design a uniform benefits package, and they would continue to be exempted from individual State benefit mandates.

Now, there are some who are looking at this legislation now and they want to add some untested and untried, and, in my opinion, some dangerous ideas to this legislation to try to kill the legislation. Some of these ideas are things like health marts. Health marts are sort of geographic association health plans. They are very similar to what Hillary proposed, Mrs. Clinton proposed in 1993, called HIPCS, Health Insurance Purchasing Coops. That was not an idea that I thought was appropriate at that time, and I do not think it is appropriate now, and I will tell my colleagues why.

Let me read from a letter to Congress from June 1997 by the American Academy of Actuaries. ''While the intent of the bill,'' and they are referring to the Republican bill, ''is to promote association health plans or health marts as a mechanism for improving small employers' access to affordable health care, it may succeed in doing so for employees with certain favorable risk characteristics. Furthermore, this bill contains features which may actually lead to higher insurance costs.''

The Academy went on to explain how those plans could undermine State insurance reforms. Quote: ''The resulting segmentation'' that would result from ideas such as an association health plan or a health mart, ''The resulting segmentation of the small employer group into higher and lower cost groups would be exactly the type of segmentation that many State reforms have been designed to avoid. In this way, exempting them from State mandates would defeat the public policy purposes intended by State legislatures.''

Those concerns have been echoed by the National Governors Association, the National Conference on State Legislatures, the National Association of Insurance Commissioners. They argue that AHPs, and I might add health marts, quote, ''substitute critical State oversight with inadequate Federal standards to protect consumers and to prevent health plan fraud and abuse,'' unquote.

Mr. Speaker, on behalf of patients like Jimmy Adams who lost his hands and feet because an HMO would not let his parents take him to the nearest emergency room, I am going to continue to fight efforts to derail managed care reform by adding those sorts of untested and potentially harmful provisions to a clean managed care reform bill. I pledge to do whatever it takes to ensure that opponents of reform are not allowed to mingle those issues.

Do I think that we could do something on the tax side to help improve access to care? You betcha. We could make available tomorrow 100 percent deductibility for individuals to purchase their own health insurance, and we should. But, Mr. Speaker, adding these other issues into this mix, in my opinion, is a poison pill.

Now, recently I and the gentleman from Oklahoma, (Mr. COBURN) and the gentleman from Georgia (Mr. NORWOOD) have given to the chairman of my committee a draft, a consensus draft on patient protection legislation, and the American Medical Association has written me a letter that contains high praise for that draft. Mr. Speaker, I submit at this time full text of that letter:

AMERICAN MEDICAL ASSOCIATION,
Chicago, IL, May 12, 1999.

Hon. GREG GANSKE,
U.S. House of Representatives,
Washington, DC.

DEAR REPRESENTATIVE GANSKE: On behalf of the 300,000 physician and student members of the American Medical Association (AMA), I would like to thank you for your efforts in drafting a compromise patient protection package for the Commerce Committee. The draft proposal, developed by Representatives Tom Coburn, MD (OK) and Charles Norwood, DDS (GA), and you, is a significant milestone in the advancement of real patient protections through the Congress. We look forward to working with you to perfect the draft bill through the committee process and to pass a comprehensive, bipartisan patient protection bill this year.

It is imperative that a patient protection bill be reported out of committee and be considered on the floor prior to the July 4th recess. The AMA stands ready to help further advance these important patient protections through the committee process, the House floor and final passage.

The AMA applauds the inclusion of ''medical necessity'' language that is fair to patients, plans and physicians alike. We are particularly pleased with the non-binding list of medical necessity considerations that you have incorporated into the draft bill.

The AMA is pleased with the incorporation of the ''state flexibility'' provisions that allow patient protections passed by various states to remain in force. Allowing preexisting patient protection laws to remain in force is critical to the success of federal patient protection legislation such as the draft bill.

The draft bill also offers patients a real choice by incorporating a ''point of service'' option provision. The AMA supports this important patient protection because it puts the full power of the free market to work to protect consumers.

We applaud your inclusion of a comprehensive disclosure provision that allows consumers to make educated decisions as they comparison shop for health care coverage. The AMA also notes with great appreciation the many improvements that the draft bill makes over last year's Patient Protection Act.

The draft bill expands consumer protections with a perfected ''emergency services'' provision. By eliminating the cost differential between network and out-of-network emergency rooms, the draft bill offers expanded protection for patients who are at their most vulnerable moments.

We support the strides the draft bill takes in protecting consumers with a comprehensive ban on gag practices. This is an important consumer protection that the AMA has been seeking for more than six years.

We commend the improvements incorporated in the ''appeals process'' provisions of the draft bill. The bill represents a major step toward guaranteeing consumers the right to a truly independent, binding and fair review of health care decisions made by their HMO.

The April 22nd draft copy of the bill makes a strong beginning for the Commerce Committee and the 106th Congress on the issue of patient protection and reaffirms the leadership role that you have assumed in the process. While you have raised some concerns about the process, the AMA stands ready to assist in completion of this legislative task. The AMA wishes to thank you for your efforts and work with you and the minority to pass a comprehensive, bipartisan patient protection bill this year. We look forward to working with you toward this goal.

Respectfully,

E. RATCLIFFE ANDERSON, JR., MD.

Mr. GANSKE. I sincerely hope, Mr. Speaker, that the chairmen of these committees of jurisdiction will not substantively change that draft and that they will keep it clean. We need to move this issue in a reasonable time frame. A strong patient protection bill should be debated under a fair rule on the floor soon; not in the fall, but in the next few months. There are an awful lot of people, our constituents out there, who today are being harmed by managed care decisions.

Mr. Speaker, we need to fix this now, and I look forward to working with all of my colleagues to see that real HMO reform is signed into law this Congress.

HEALTH CARE REFORM AND NATIONAL DRUG CONTROL STRATEGY AND POLICY

The SPEAKER pro tempore (Mr. SHIMKUS). Under the Speaker's announced policy of January 6, 1999, the gentleman from Florida (Mr. MICA) is recognized for the remainder of the Majority Leader's hour of approximately 23 minutes.

Mr. MICA. Mr. Speaker, I first want to comment and compliment my colleague, the gentleman from Florida (Mr. GANSKE) on his Special Order and on his proposal to deal with some of the problems we have seen relating to HMOs and health care. I do want to comment, before I get into my Special Order on the topic of illegal narcotics, about what the previous speaker has been discussing, and he did bring up towards the end some of the proposals relating to the Patients' Bill of Rights.

I would like to pass on to the Speaker and my colleagues this information: In the previous Congress I had the opportunity, actually for 4 years, to chair the House Subcommittee on Civil Service. In that capacity I oversaw the largest health care plan in the country, which is made up of almost 2 million Federal employees and 2.2 million Federal retirees and some 4 million to 5 million additional dependents; about 9 million people participating in the Federal Employees Health Benefit Program. Part of my responsibilities of chair of that subcommittee was to look at that program, and I remember several years ago when President Clinton proposed a Patients' Bill of Rights to the Congress to be passed to resolve, he said, the issues and problems we have with HMOs, and it was going to be his saving grace for these programs.

Well, we conducted a hearing, and I will never forget that hearing. We had the administration officials in, OPM officials in, and we asked about the President's proposed Patients' Bill of Rights. To a single individual who testified, every single individual who testified said that there was no medical benefit for the proposals under the President's Patients' Bill of Rights, but there was more reporting, more mandates, more requirements, and they possibly predicted more costs. That was several years ago when he proposed that to our subcommittee, the Subcommittee on Civil Service.

Now, he could not pass his so-called Patients' Bill of Rights, and it sounds great, through the Congress. So what he did, and a lot of people did not pay attention to it but we did on the Civil Service Subcommittee, he submitted another one of his fiats. By Executive Order he imposed his Patients' Bill of Rights where he could, and that is on our Federal employees' HMO plans.

Well, lo and behold, before I left that chairmanship, I conducted another hearing just at the end of last fall, and one of the purposes of that hearing was to see what had happened with the imposition of the President's Patients' Bill of Rights on the Federal employees' health care plan. Well, my goodness. We experienced over a 10 percent, on average, increase in premiums, not entirely all due to the President's Patients' Bill of Rights; prescription drugs, I must say, were part of that, but there were very substantial costs that were passed on, and they contributed to almost a record increase in employee health costs. While the rest of the industry was experiencing a 2.6 to 3 percent increase, our Federal employees, Members of Congress too, were getting a 10 percent-plus, on average, increase in their premiums.

One of the things that has made our Federal Employees' Health Benefits Program so good is we have had over 350 different vendors providing a package. We sat and developed a package of benefits, and then folks bid on it, different companies, and they participated and there was good competition. Lo and behold, at our hearing, again, we got a surprise. Instead of 350 participating, competing plans, we had about 60-plus drop out. So we had increased premiums and we had lower competition.

I just raise that tonight as a good example of a bad proposal by the President as far as his so-called, and it sounds great, Patients' Bill of Rights. That did not even include, his provision by Executive Order did not include the most oppressive part of his plan, which was allowing expansion of lawsuits, an additional cost through litigation and no medical benefits. So if we had adopted the whole plan, there is no telling how high the premiums would have escalated and how many more in free competition would have been forced out.

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

Mr. MICA. I yield to the gentleman from Iowa for just a moment, and I thank the gentleman for yielding time to me.

Mr. GANSKE. Mr. Speaker, I would point out that premiums are increasing by HMOs this year. If my colleagues read the articles in the Wall Street Journal, it is not because Congress passed HMO patient protection legislation, because we did not. We did not pass it last year.

The reason why we have seen an increase in premiums is because the HMOs have mismanaged their risks, and their investors are now saying to them, you have to increase your premiums because we want profits from those HMOs. All of the medical and health experts that I know in this country attribute the increase in premiums by HMOs this year to their own management failures, and do not attribute this to patient protection legislation, which has yet to pass.

Mr. MICA. Mr. Speaker, again, that has failed to pass the Congress. I cite only, and I repeat for the gentleman, our experience with the Federal Employees' Health Benefit Program where the President imposed his own Patients' Bill of Rights by Executive Order and we did see substantial costs directly related to the program. I point that out because we do not want to make the same mistakes he has made by fiat, by legislation.

Of course, that is not the only problem that we have with HMOs and we do need to address some of the mismanagement, some of the lack of access, some of the other problems that we have with it. Again, I cite it as an experience that we conducted hearings on and have very definite facts relating to in our Subcommittee on Civil Service.

Mr. Speaker, my other reason for coming forward tonight is again to speak on the question of our national drug control strategy and policy. Tonight, I am very concerned that in a pattern of repeated mistakes by this administration and failure to properly manage our international narcotics control efforts, we face another disaster. We have had a series of repeated foreign policy disasters, and if I may

just run through them, and again, I do not mean to do this in a partisan manner, but this is factual and we have had a history of just disastrous foreign policy decisions by this administration. I will close tonight by citing the most recent.

First, of course, when I came here, President Bush had instituted a policy in Somalia of trying to provide human relief, humanitarian relief in that country that had civil conflict. It is unfortunate that this administration from the very beginning turned that humanitarian relief into a nation-building effort which turned into a foreign policy disaster with several dozen Americans slaughtered needlessly. And what is really sad, if we look at the situation in Somalia just a few weeks ago, we have had the same conflict and civil war going on, over 50 killed, and a skirmish just recently, and again disorganization and civil war in that area. It may be a lesson we should learn about. They too had atrocities committed on both sides.

The next experience I had in this Congress was with Haiti, and Haiti certainly has to be a glowing example of bad foreign policy. Repeatedly I took to the well of the floor and spoke against the imposition of sanctions against Haiti, which is the poorest country in the Western Hemisphere, and those sanctions in fact destroyed the few jobs, maybe 50,000, 60,000 jobs, many related to United States industry, that actually fed over a million population.

□ 2215

We spent over $3 billion on that fiasco. We have traded one corrupt government for another. There is complete disorganization in that country. What is absolutely startling is that now that country which we have done so much for is becoming one of the major Caribbean routes for trafficking in illegal narcotics. So a failed policy, an expensive lesson, and now just kicking dirt in our face by being a partner in illegal narcotics trafficking.

Bosnia is another example. I served in this Congress over 3 years ago when our president said we would be there for a matter of months and be out. We are now into 3-plus years. This excursion and incursion has cost us dearly, billions upon billions, probably $10 billion plus. We still have over 6,000 troops there, 20,000 support troops.

What is absolutely astounding is that now Bosnia has turned into, probably after South America, the second largest conduit and transit source of illegal narcotics coming up through Afghanistan, some through Pakistan, through Turkey, and then through the Balkans in a wide open fashion.

So here we have spent an incredible amount of money going in, after a quarter of a million people were slaughtered in a civil war, and actually we went in much too late. We kept sides from properly defending themselves. We ended up with a series of graveyards across the Bosnia landscape that should be a reminder to everyone of this administration's failed policies. Not until after those graveyards were planted with the Bosnian souls in Croatia and other areas there did we ever take any action. Now we see, even with the forces that we have there, that the situation relating to illegal narcotics trafficking is disastrous.

Rwanda is another example. Again I took to the floor many times trying to get this administration off center. Almost 1 million human beings were slaughtered in Rwanda. This administration not only had a failed policy, they had a counterproductive policy, a policy that actually, I think, brought on one of the true genocides of our time where almost 1 million people were slaughtered.

This administration blocked in the United Nations a panAfrican, all African force, when we knew there was going to be trouble there. They actually blocked this force from going in and stopping the slaughter in advance of 1 million souls losing their lives most tragically.

Then, of course, we come to Kosovo, the latest in a series of unbelievable missteps in foreign policy. This administration, this Congress, was advised that it was not the time. We were not prepared to go in. The worst time you go into the Balkan regions and into Kosovo would be when we did, when we have overcast February and March skies in that area, and it is clouded in.

When you are doing an air campaign, and a surveillance campaign to make an air campaign successful, we could not have picked a worse time, taking us 4 weeks to get helicopters there, helicopters still not secured, properly trained. They knew we were short, and yet they went in; another disaster.

Tonight, finally, one of the crowning disasters of this administration, I received just a few hours ago a report from my subcommittee staff. I now chair the Subcommittee on Criminal Justice, Drug Policy, and Human Resources of the Committee on Government Reform.

I have been involved, since taking that responsibility in January, in trying to get our drug policy together. More heroin and cocaine is coming from South America than any other source in the world by far, just an incredible amount.

The place that we have had as far as protection and surveillance of those activities has been Howard Air Force base in Panama. We have known since Jimmy Carter's administration that this year we would be forced to give up the canal. What we did not know is what assets we would lose in 1999. This administration has been negotiating the change in United States assets, what assets would go to Panamanians, for over 3 years.

When I took over the subcommittee responsibility in January, we started, of course, examining what would happen in Panama, because all of our international South American, Central American, and Caribbean operations were housed and located and took off from Howard Air Force Base.

So we went down there the first couple of months and examined what was going to happen. We were told by this administration that they were negotiating other locations. They did not believe the negotiations were going to succeed. We got advance warning of that, and we tried to do everything we could to encourage the administration, DOD, Department of State, to move forward or cut a deal.

As it turned out, they failed in their negotiations. They failed in developing a treaty. We were kicked out May 1. We have known for some weeks now that negotiations by this administration did fail.

We were told in hearings that we conducted, not only on our visit but on hearings we conducted, and we conducted a House subcommittee hearing on May 4, that things were in place and in order; that we would move at a cost to the taxpayers of $73 million, plus another $45 million that was presented to the committee, to Aruba, Curacao, and to Ecuador.

These were the charts that were presented. The coverage with potential new forward operating locations, one in Ecuador and the other in the Curacao area, this is what we were told would be the coverage. It would give us very good coverage. This was May 4. When they came in, it was supposed to be in place. These were estimates we were given.

These charts are by our SOUTHCOM. They told us that we would have, in the beginning of May 1999 estimate, a 50 percent coverage, and within our agency augments, May 1, 1999, 70 percent coverage May 1. With Curacao, Ecuador, forward operating locations we would go up to 80 percent. Then later on we would go even better if they could get Costa Rica.

Unfortunately, the coverage I have been told as of today is absolutely zero, absolutely zip. Let me read this report very briefly. Mr. Speaker, in closing, let me read what we have learned again this afternoon.

Representatives of SOUTHCOM, our southern command, conceded to me that our worst fears have been realized. After the United States closed down Howard Air Force Base on May 1, since May 1 there have been zero, absolutely zero counterdrug flights out of any one of the other three forward operating locations that were proposed in which the United States was to have memoranda of understanding.

Despite both State Department and DOD indicating in our May 4 hearing

that the transition in counterdrug overflights would be smooth and flights would just be modestly scaled back, the specific forward operating location facts are these: In Ecuador there have been, again, zero since May 1; since we got kicked out of Panama, zero counterdrug flights for the entire month of May, including the day of our hearing, May 4. We asked how many took off that day. They could not answer. I could answer today because we have had our investigators check.

In Aruba, while we have two small custom Citation planes on the ground, I am told this afternoon, as well as one P–3 and one P–3 dome which arrived on May 12, there have been zero counterdrug flights by any of these planes out of Aruba from May 12 through May 17.

In Curacao, while there is one F–17 dedicated to counterdrug flights, there have been zero counterdrug flights out of this location.

In short, poor planning by the Department of State, Defense, and the inability to compensate for the loss of Howard Air Force Base, basically being kicked out of Panama, has already cost us dearly coverage, as follows.

First, we have endangered the intelligence-gathering power of our South American allies in this war, and in particular, we basically are closing down our Peru shootdown policy, because we provide them with information that allows them that strategy and that action.

This administration will bear the blame, since they have shown a 45 percent reduction in coca cultivation over the past 2 years based on intelligence-gathering. In other words, Peru is one of our success stories. Through this information that is shared, a shootdown policy and surveillance, they have eliminated 45 percent of the cocaine production. This program basically is out of order because of our inaction and maladministration.

We have also eliminated intelligence monitoring and detection of drug trafficking flights out of South America since May 1. This is an incredible scandal. This is really one of the worst days and one of the worst missteps of this administration, and probably one of the worst events to ever take place in our effort to put back together the war on drugs that we started in the eighties that was dismantled in 1993 by this administration, by the Democrat House, Senate, and White House, which they did an incredible amount of damage from 1993 to 1995, which we have tried to restore in the last 2 years.

All this action sends a go signal to drug traffickers. Every one of our forward operating locations are down and out. This, again, I believe is an incredible scandal. It is with great regret that I announce this to the House tonight, and to the American people.

What makes this even worse is the information I was provided with, again within the last few hours, that our Southern Command could make no prediction about when these assets will come on line with counterdrug flights in the future.

We have to remember that last year over 15,000 flights took off from Panama and conducted all of this counternarcotics activity. There is nothing more cost-effective than stopping drugs at their source, eradicating them at their source, or stopping them and interdicting them as they come from the source. It is much more difficult when they get into our streets, into our communities, and into our schools.

So again, this unfortunately is a disastrous occurrence. I intend to hold the Department of State, the Department of Defense to account. We will conduct hearings and somehow we will restart this effort with the funds that we have restored to put this program back together that have been appropriated. We must have the cooperation of this administration in bringing back these flights and restoring a real war on drugs.

COMPETITION

The SPEAKER pro tempore (Mr. SHIMKUS). Under a previous order of the House, the gentleman from Washington (Mr. MCDERMOTT) is recognized for 5 minutes.

Mr. McDERMOTT. Mr. Speaker, today I want to talk about competition. In this Chamber the word ''competition'' is often used in the context of the phrase ''making government run more like a business.'' Together these two words are used repeatedly and loosely because they sound good. But the fact is that no one who uses these phrases really ever knows what it actually means.

''Competition'' and the term ''making government work more like a private industry'' is not only the mantra for some politicians, it also comes from the mouths of representatives of private industry that usually want something.

□ 2230

For example, earlier this year, the National Commission on the Future of Medicare, on which I sat, failed to recommend a proposal to strengthen the long-term solvency of the Medicare program.

However, some members of the Commission advocated a radical proposal called, quote, premium support, which is really just a euphemism for a voucher program; that is, its proponents say it would bring competition to the Medicare program so that it could run like a business. Many observers from the health care industry agree. They, too, say they want to bring competition to Medicare so that it will run more like a business.

The irony of all this, of course, is that Congress has already passed laws that establish demonstration projects for both traditional Medicare and Medicare plus choice; that is, those plans that have managed care in them that would inject some competition into the Medicare bidding process.

The Health Care Financing Administration, we call it HCFA around here, the agency that runs Medicare dutifully, is attempting to implement these demonstration projects because it will help Congress understand what competition in Medicare really means. So when it comes time to be serious about Medicare reform, we will know what works and what does not work.

Unfortunately, none of these demonstration projects have been fully implemented due to both legal and political challenges. What is appalling to me is that the same people who say they want to bring the magic word ''competition'' to Medicare are the same people who are desperately trying to kill any attempt to determine what Medicare competition really means.

Last Friday, Laurie McGinley of the Wall Street Journal wrote an article, an excellent article, detailing how the industry working with Federal law matters is seeking to prevent Medicare competition in Phoenix, Arizona. She also notes that similar demonstration projects were stopped by the health care industry in Denver and Baltimore, most likely with help from Members in Congress, before HCFA got close to getting started.

In addition to the attempts by the industry to prevent Medicare competition reported by the Wall Street Journal, just yesterday the Kansas City Business Journal reported that industry representatives in Kansas City also are seeking to derail Medicare competition because they fear it will disrupt the ability of Medicare beneficiaries to receive care.

So why is the health care industry afraid of Medicare competition? The answer: because it will cost them money. For years now, HMOs in most areas have been living off overpayments from the Federal Government. It has been estimated by HCFA that they overpay private health plans by 6 percent a year, an overpayment of roughly $2 billion to $3 billion in subsidies to the HMO industry.

Earlier this year, in fact, the industry successfully lobbied the administration to delay the implementation of risk adjustment. Now, if an HMO takes a patient and they do not cost them very much, they get a benefit because they got a lot of money, but they did not have to pay anything. If they get a sick patient, then they have to put out a lot of money or they just get a little bit and they spend a lot more.

So the industry said we want to have risk adjustment. If we take sick patients, we should get more money. If we take healthier patients, we should get less money. But when the Congress

passed the law and said we want to do this and HCFA began to try and implement it, the industry successfully lobbied the administration to delay the implementation of risk adjustment, the variation of reimbursements to reflect the amount of care given that was mandated by the Congress in 1997. They did not want the very thing they asked for.

This delay will cost the taxpayers $5 billion over the next 5 years, and some in Congress want to delay risk adjustment altogether, a giveaway to the health care industry of over $11 billion.

So the moral of this story without morals is that "competition," unless it's done in a way the industry wants it to be done; where it protects their overpayments and protects their ability to "cherry pick" healthy beneficiaries and leave the sick to be treated by the government, would mean plans get less, not more, money.

So, that is the irony. On the one hand, industry and politicians say they want to bring "competition" to Medicare so that it can "run more like private industry."

On the other hand, the same industry and those same politicians are fighting tooth and nail to derail any attempt to ensure that plans get paid for the care they actually provide.

Either you want competition and you want Medicare to run more like a business or you don't.

But, what is simply dishonest, disingenuous, an disconcerting, is the hypocrisy of the for-profit HMO industry and their protectors in Congress to continue to speak from both sides of their mouths.

Let's give HCFA a chance to do their job. Let's see what Medicare "competition" really means. Until then, I would caution members to think twice before they rant about bringing so-called "competition" to Medicare.

Mr. Speaker, I think everybody ought to think about competition.

Mr. Speaker, I include for the RECORD the two articles which I recommended my colleagues to read, as follows:

[From the Kansas City Business Journal, May 17, 1999]

BUSINESS GROUP SUSPENDS LOCAL MEDICARE COVERAGE PROJECT

(By Bonar Menninger)

A local group charged with overseeing a controversial Medicare pilot program voted unanimously this week to seek an indefinite suspension in the project's timetable until safeguards are established to limit widespread disruptions in Medicare HMO services for approximately 50,000 area residents.

The vote represents a significant setback for the Health Care Financing Administration, which is relying on the Area Advisory Committee for assistance in implementing the project, called the Competitive Pricing Demonstration Project, by Jan. 1, 2000.

Although work on the project's components will continue, it remains unclear whether the fast-track deadline will be met. Wednesday's vote was prompted by mounting concerns among committee members about the program's potential impact on beneficiaries.

On a separate front, the head of the American Association of Health Plans was in Kansas City this week to warn that the local Medicare HMO market—already weakened by federal budget cuts—could deteriorate rapidly if the pilot project goes forward.

Kansas City and Phoenix are test sites for an experimental process that will, for the first time, use a competitive bidding mechanism to set the HMO reimbursement rate.

HCFA, overseer of the Medicare program, contends the approach will increase health care options for beneficiaries while reducing federal expenditures.

But committee members apparently are increasingly skeptical that the former goal can be achieved through the proposed benefits package developed for the demonstration project within the constraints of HCFA's specifications.

''With the proposed benefit package, beneficiaries are going to see less benefits and higher costs than virtually every plan in the market right now,'' said Kathleen Sebelius, Kansas Insurance Commissioner and member of the AAC. ''That's 100 percent negative disruption, and I'm not very comfortable with that. I think we're making a step back, not forward.''

Following a recommendation by committee member Dick Brown, president and chief executive officer of Health Midwest, the AAC voted to recommend that HCFA suspend the implementation timetable until it can be determined at what level disruptions caused by the project will become untenable for enrollees.

That process will be undertaken by the AAC, HCFA and Competitive Pricing Committee, the HCFA advisory body that developed the Kansas City and Phoenix projects.

Separately, Karen Ignagni, president and chief executive officer of the Washington-based American Association of Health Plans, said this week that the experiment likely will exacerbate financial pressures many area Medicare HMOs already face as the result of payment cuts triggered by the Balanced Budget Act of 1997.

Ultimately, Ignagni said, this reimbursement squeeze could lead to disruptions in retiree benefit plans, higher costs and fewer benefits for enrollees, and a retreat from the Medicare marketplace by managed care firms. Ignagni was in Kansas City as part of a multicity tour aimed at drawing attention to the growing problems in the Medicare HMO marketplace nationwide.

''There is a fundamental design flaw in (the Kansas City demonstration project), and I think it ought to be fixed before we roll it out in any community,'' Ignagni said. ''People need to think very carefully about what the inadvertent consequences of this policy will be.''

Ignagni said the demonstration projects in both Kansas City and Phoenix, along with the ratcheting-down of Medicare HMO reimbursement rates nationwide, inadvertently will undermine the one portion of the Medicare program that has produced the greatest savings and benefit enhancements in recent years.

At the same time, she said, no significant efforts are being made to rein in the traditional fee-for-service side of Medicare, which accounts for approximately 87 percent of enrollees nationwide and the vast proportion of Medicare's $220 billion annual budget.

''We don't mind competition, but we want a level playing field,'' Ignagni said. ''If you want cost reductions and you want to test competitive bidding, then fee-for-service should be part of it.''

The Balanced Budget Act does mandate some reductions in Medicare fee-for-service reimbursements, but the cuts on the managed care side are considerably deeper, Ignagni said.

The resulting disparity between the amount paid for HMO service and the amount paid for fee-for-service will widen to $1,200 per person in Kansas City by 2004, according to statistics compiled by the American Association of Health Plans.

''At that rate, it becomes extremely difficult to retain the best doctors, to retain the best hospitals and to remain competitive,'' Ignagni said. ''And the beneficiaries will be the losers.''

Nationwide, more than 100 managed care firms have downsized, adjusted or withdrawn their Medicare HMOs from the market in response to the first wave of reimbursement reductions triggered by the Balanced Budget Act, Ignagni said. Approximately 450,000 beneficiaries have been affected.

[From the Wall Street Journal]

MEDICARE TESTS OF COMPETITIVE BIDDING RILE HMOS FEARING A DROP IN PAYMENTS

(By Laurie McGinley)

The health-care industry loves to say Medicare should act more like a business. But now that the program is trying to adopt private-sector strategies, many in the industry are squawking.

Consider Medicare's efforts to try out alternative payment schemes for health-maintenance organizations. Currently, HMOs are paid according to a complicated formula set by Congress. But the 1997 Balanced Budget Act directed Medicare to experiment with competitive bidding to see if it would be a cheaper, more efficient way of reimbursing HMOs for caring for the elderly.

As a first step, federal advisers to Medicare selected Phoenix and Kansas City as sites for pilot projects for competitive bidding. Under the plan, Medicare HMOs must submit bids indicating how much they would accept from the government for each patient. Even though the effort has barely started, one result is in: The HMOs are unhappy.

In Phoenix, where 40% of seniors are enrolled in HMOs, health plans and local officials have been demanding the project be delayed at lest a year or killed outright. In Kansas City, where HMOs have a smaller chunk of the seniors' market, health plans have been unenthusiastic but less vocal. At a meeting in Detroit yesterday, federal advisers to Medicare rejected the Phoenix requests, but agreed to allow a delay of as long as three months, until next April, for implementing the pilot projects in the two cities.

In opposing the projects, the Phoenix health plans argue that the market already is highly competitive because senior citizens have a number of HMOs to choose from, all offering generous benefits. The competitive bidding process. they claim, would drive down their federal payments, forcing them to charge seniors premiums or reduce benefits. ''We think our customers are being penalized and told, 'We will use you as an experiment in an effort to figure out how to continue to cut Medicare,' '' says Gay Ann Williams, executive director of the Arizona Association of Health Plans.

A similar flap involves medical equipment. Currently, Medicare sets prices for a wide range of durable medical equipment, including wheelchairs and hospital beds. To simplify the byzantine system and save money, the program launched a competitive-bidding demonstration project in Polk County, Fla. Supplies are to be selected on price and quality.

But the Florida Association of Medical Equipment Services, an Orlando group that

represents equipment suppliers, says the bidding process inevitably will reduce prices and hurt small suppliers. The group sued to block the effort but was recently rebuffed by a federal judge.

The Health Care Financing Administration, which runs Medicare, has long been urged by the health-care establishment, as well as Congress and health analysts, to become a savvier buyer. But the industry opposition to competitive bidding shows how hard it is to make fundamental changes in the federal health program for 39 million elderly and disabled. The Medicare system is due to run out of money by 2015, and both Congress and the Clinton administration are weighing alternatives to overhaul the program.

The bottom line, says Ira Loss, senior vice president at Washington Analysis, an equities-research firm, is that Medicare providers are ''interested in the free market only if it means the government is getting away from bothering them. But when it comes to the government actually forcing them to compete for business, they are unhappy about it.''

HMO officials vehemently dispute that. Karen Ignagni, president of the American Association of Health Plans, which represents HMOs, says the government's bidding procedure is flawed—''a jury-rigged proposal masquerading as free-market competition.'' She says the bidding process isn't fair, because it doesn't include Medicare's traditional fee-for-service program, so the HMOs would bear the brunt of any payment reductions.

No matter what the fate of the pilot projects, HMO officials are determined to prevent competitive bidding from being used on a national scale. The industry says any reduction in payments to health plans will roil the HMO market, which already is grappling with reductions in federal reimbursements. Some believe the competitive bidding could cause more HMOs to drop out of Medicare. Instead, HMOs want Medicare to stop spending more on patients in the traditional fee-for-service program than on those in HMOs. Such a move, though, would force people in the traditional program to pay more for their care, Medicare officials say.

The contretemps is occurring even as there is widespread agreement that Medicare's reimbursement system is cumbersome. Some government studies, moreover, have suggested Medicare has overpaid HMOs and medical-equipment suppliers. ''Who benefits from competitive bidding?'' asks Robert Reischauer, a senior fellow with the Brookings Institution and a member of the advisory board on competitive bidding. ''The taxpayer. But the taxpayer doesn't always have a voice in this.''

In Phoenix where 158,000 senior citizens are enrolled in HMOs, the health plans have enlisted an array of allies, including the Chamber of Commerce, doctors and beneficiaries. They all believe the current system works fine: HMOs offer generous benefit packages that include prescription-drug coverage—and no supplemental premium.

In a recent letter to HCFA Administrator Nancy-Ann DeParle, the entire Arizona congressional delegation warned that competitive bidding ''would only disrupt a market in which competition is already vigorous, costs are low and participation is high.'' The lawmakers have signaled they may block the project by legislation.

Such resistance irks those who believe Medicare badly needs to experiment with new cost-containment tools, including increased competition among health plans. Given the debate over Medicare, ''this is the kind of demonstration that is directly relevant and should be conducted to give Congress information about what way the program should go,'' says Robert Berenson, a top HCFA official.

In 1996 and 1997, the HCFA was forced to abandon HMO bidding projects in Baltimore and Denver because of industry opposition.

Here's how competitive bidding would work: No matter what they bid, all HMOs would be permitted to take part in Medicare, as they generally are now. The government would then calculate a median of all the submitted bids and pay every HMO that amount. The health plans are worried that such a system would further reduce their reimbursements, forcing them to either charge a premium or reduce benefits, making them less competitive. HCFA officials say that benefits won't decline but acknowledge some patients may have to pay premiums for services they now get for free.

SCHOOL VIOLENCE AND GUN CONTROL

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 1999, the gentlewoman from New York (Mrs. MCCARTHY) is recognized for 60 minutes as the designee of the minority leader.

Mrs. MCCARTHY of New York. Mr. Speaker, I yield to the gentlewoman from Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. Mr. Speaker, I thank the gentlewoman from New York for her leadership, and I am particularly delighted to join her this evening for a brief comment on a topic that we all have been confronting and as well to acknowledge the desire to continue to work with her and the women of this Congress along with our colleagues on something that has really touched the hearts and minds of most Americans. We say and we call it Littleton. Littleton, Colorado.

We first offer again, as we have done over the past couple of weeks, our deepest sympathy to that community. We are so appreciative of their resolve and their commitment to healing that community. But as well, we realize that, as Members of the United States Congress, as the highest legislative body of this Nation, we also know that they are asking us for answers and solutions.

So I join this evening to particularly support legislation dealing with gun safety. The gentlewoman from New York (Mrs. MCCARTHY) has been very much a viable part of, over the years that she has been in Congress, and she likes to say she has been here only a short while, focusing on the need for gun safety.

So many of us have a role in this arena. I have taken the position that this is not a time to point fingers in opposite directions. Whose fault is it that two young men whose homes we believe were steady, who attended church, some were Members of the Boy Scouts, we understand were known members of their high school community, although we understand that they were in a group that may have been a little out of the ordinary, maybe a group in order to belong, but still we understand as well they were good students.

Yet, now we have 15 young people dead, some 40 that were injured, a valued and beloved teacher that was so admired lost his live, and the question is why.

I believe that there can be no more important agenda than moving forward on some of the legislative initiatives that have already been promoted. So I am supporting the proposed initiative by the President who has adopted much of the legislative initiatives of the gentlewoman from New York (Mrs. MCCARTHY) as it relates to what I would like to call this evening gun safety, the common sense approach to answering the concerns of our children.

Why are they the concerns of our children? Because I have heard them say it. Just last Friday in my district, I had a forum on the issue of school violence, ''how do we help our children.'' I was joined by Secretary of Education Richard Riley.

We participated at Scarborough High School with an auditorium full of young people. I tell my colleagues they asked us pointed questions: Why can we not be safe? Why can we not have gun safety? Why do young people talk about each other? Why is there not someone in our schools, although we have good relationships with our teachers, why do guidance counselors have overloaded dockets and desks with issues dealing with paperwork and career counseling and we do not have people in place that can deal with our psychological and sociological needs? Why can we not have more peer-to-peer counseling and mentoring?

They ask these hard questions, and I believe we have to give them solutions. Why are there so many guns, 260 million guns here in America, more than the number of citizens here? Why are individual between 18 and 21 still able to purchase handguns? Why can we not in a package promote gun safety by passing the legislation that includes safety locks, that includes background checks, instant checks at gun shows, that takes the, if you will, loophole out of the numbers of assault weapons we still have because foreign manufacturers are able to present them?

All of this I think can be answered if we would join together, as the women of this House have demanded, and ask that we pass gun safety legislation before Father's Day. We asked the question prior to Mother's Day. We pleaded on behalf of the mothers of the deceased children, the mothers whose children died in Littleton, the mothers whose children have died in Pennsylvania, in Arkansas, in Mississippi and places where we cannot call because of

gun violence, the numbers of inner city children who have died because of gun violence, the number of rural children who have died, suburban children. We know this is not a pointed issue toward one community.

Let me simply close by saying this, and I promised the gentlewoman that I will look forward to joining her in weeks to come with other Members of the Women's Caucus or Members of this body who are women who would like to join us as they were planning to do this evening, to talk about solutions, and then again let me qualify that, as we are talking, demand action.

Because I think all of us who are mothers, who are parents, who are just plain Americans have said to ourselves let us not one more morning rise up with the news of some tragic circumstance. We cannot answer the question, what have we done? I have made that commitment to myself on trying to design solutions.

I hope as we move toward the White House conference on mental health, I will be able to present to this body and to that summit a comprehensive omnibus bill on mental health services for children, the Give a Child a Chance Mental Health Prevention Act of 1999, which will speak to the issue of providing resources in our schools, of training mental health professionals in our schools that can detect early warning signs, that will provide incentives for school districts who are aware of the fact that children from K to 12 need good mental health services, sociological and psychological services, as well that we could have caught and helped a child like Eric Harris, even though he looked like the picture of health early on; and that we could have not only helped Eric but that we could have helped his family, that we could embrace a holistic approach to deal with the family concerns, why there was such a destructive sense on the part of this young man and the young man who was with him.

I hope that we will again answer these questions, not with the finger pointing, but with working together. That means the entertainment industry. They know what they are doing wrong. Are they showing relationships between families that are not humorous, joking, butthead commentary on how our family relationships are, or are we really seriously trying to bring family relationships together?

So to the gentlewoman from New York, it is certainly my honor and pleasure to say to her that I hope that we will be doing this again. But as we do it, let me qualify that in the remarks that I have heard her often say, we join together on this.

Mine was looking in the mirror and saying I do not want so see this image one more time in the mirror without being able to say we have some solutions and one saying, when are we going to fix this? We need to fix it now.

Mr. Speaker, I thank Congresswoman MCCARTHY for arranging this forum on the special order on school violence. I am honored to be joined here today by other Members of Congress who show a sincere concern and effort in eradicating school violence by addressing the mental well being of our youth.

I have been a strong advocate of mroe mental health services for children. Although, as a country, we often focus on children who are at risk for trouble or those children who are already troubled, all children need access to mental health services. It is estimated that two-thirds of all young people are not getting the mental health treatment they need.

In light of the recent events in Colorado and other violent school attacks from the past 18 months, our children need us to pay close attention to the early signs of mental disorders. We also need to provide services that screen and treat mental disorders in our childrenb efore it is too late.

Schools should be safe and secure places for all students, teachers and staff members. All children should be able to go to and from school without fearing for their safety .

According to news reports, these young suspects from Colorado were outcasts in the school community. During the shooting, the suspects reportedly said that they were ''out for revenge'' for having been made fun of last year. This is truly a cry for help that was not heard in time.

When children's mental health needs are not met, young people often get caught in the child protection or juvenile justice system. Almost 60 percent of teenagers in juvenile detention have behavioral, mental or emotional disorders.

There are 13.7 million or 20 percent of America's children with diagnosable mental or emotional disorder. These disorders range from attention deficit disorder and depression to bipolar disorder and schizophrenia.

We all are aware of the great devastation that the lack of mental health services ahs on our young people. We must provide services that address diagnosable emotional or behavioral health disorders.

An adolescence is a confusing time for many young people, the adults that are a part of their lives—parents, teachers, counselors, coaches and others need to be keenly aware of changes in behavior or attitude that may indicate the possibility of poor mental health. We all need to pay close attention for any warning signs of trouble.

These warning signs include isolation, depression, alienation and hostility. Recognizing these signs is the first step to ensure that troubled youngsters get the attention they need early to address their mental health needs before it is too late.

Gun control is another measure we should explore to increase the safety of our children in schools. An average of 13 children die every day from funfire in this country, and children are at a much greater risk of being the victims of a violent crime. This is Littleton, Colorado every day! This does not include close calls where guns were found inback-packs and in lunch bags.

We must pull together to protect the mental well being of our children so that they might live a healthy and productive life as citizens of our nation. I enthusiastically look forward to working with my friends to ensure a better tomorrow not only for the well being of our youth but also for the wellbeing of our nation. Again thank you for this opportunity to address this issue.

With that, I thank the gentlewoman from New York (Mrs. MCCARTHY) very much, and I look forward to working with her on this crisis that we have in America.

Mrs. MCCARTHY of New York. Mr. Speaker, I stand here tonight to talk about the violence in our schools. As the gentlewoman from Texas had pointed out, everyone is trying to put the blame on everybody else. I think there is enough blame to go around for everyone. But let us stop blaming and let us start looking for solutions.

Over the last year and a half, we have had three committee hearings and we have had two special hearings, and we started to look into the violence from our schools but also the violence in some of our young people. There were a lot of different factors: Mental health is something that we should be looking into, especially with our schools; our family issues that should be at home. We should be looking into those issues.

But in each and every shooting, 13 young people that die every single day, is one common factor; that is, the easy access to guns. That is something that we can do. We can deal with all the other issues.

Today we held a hearing in the Committee on Education and the Workforce. Several students had been victims of school violence in Littleton, West Paducah, Springfield, Oregon showed great courage in coming to Congress to talk about their experiences through the shootings in their schools.

The one thing I heard from all of them was the pain, the pain that they are still suffering. That is a pain that I understand very deeply.

□ 2245

And I told one of the young men, even after the first anniversary, the pain does not get any easier. My family goes through the pain, and it will be 6 years this December. But that is why I came to Congress. I came to Congress to try to reduce gun violence in this country. I came to Congress so that hopefully other families would not have to go through what my family went through, and certainly the other members who I consider family now from the Long Island Railroad shooting.

People keep saying we cannot do something about this. I do not believe that. I believe we can do something. And I know I am hearing all the time that this is a slippery slope where I am just trying to take away guns. I have never said that. I do not care if someone owns a gun. But if they own a gun, I do believe they have a responsibility

for that particular product, and I feel very deeply about that.

I have talked to many gun owners, women gun owners, men gun owners, and they are saying they realize that it is their product and they should take more responsibility for it. So I think if we take that premise and start to work on it, there are common sense solutions and I think it is something that we can work towards here.

What scares me the most about being here in Congress is sometimes they will do so many delaying techniques and, hopefully, it will go away. The sad truth is this is not going to go away. Here we are 5 weeks from the shooting in Colorado, and people are still talking about it. And I think this hit home the hardest because we have had so many school shootings and now parents are scared. Students are scared.

And when we ask our students what can we do, they come up with some really good solutions. One thing they do not want, they do not want their schools filled with metal detectors. Our schools are not meant to be prisons. It is not meant for our teachers to be under the atmosphere of possibly a young person having a gun. We know where those guns come from. A majority of them are legal. They come from home. It is up to the parents, the adults, to take responsibility that their child does not get a gun.

Our young people that are having mental health problems and have a bad day, as a lot of teenagers do, commit too many suicides every single day. That is unacceptable. We can save those kids. The accidental deaths, we can save those kids. The homicides, we can save a lot of those kids.

I know that we cannot save every child. I wish we could. But that does not mean that we should not go forward to try and save as many young people as we can. We are the adults. We have the responsibility to make a difference in our children's lives, and to the point to where again this year I am praying that the schools close without another incident. We did that a year ago. And we have done nothing. Are we going to let this summer go by? Schools open again in September, and are we going to pray that another shooting does not start?

But, again, this is about the children every single day. That is where we cannot get lost on it. Thirteen children a day. That is a Littleton every single day. But it is a young child here and there and everywhere, and it does not make the papers. Or we have become so insensitized to the violence around us. We should never do that. We should see each other as the good human beings as we are in this country, and we should try to all work together.

I wish the NRA would work with me. I wish the NRA would come and say, okay, we have a problem. Let us try to come up with solutions. I know they do not like child safety locks, but they can save lives. There is responsibility on the adults that a gun does not get into someone's hand. This is a responsibility. We should be working together. The movie industry, we should be working together. Videos, we should be working together to come up with solutions.

But I think there is one thing that we have to point out. Our young people in this country are good kids. I have the pleasure of being with them a lot, working on community projects in my district, and I see this going around in the country: Our young people caring, going into nursing homes. Our young people caring, raising money for different organizations, whether it is breast cancer or Alzheimer's. They do not like this idea that we are blaming them and that they have no morals.

I happen to think that this country has a lot of morals. And I meet those people on a daily basis. Do we have problems with some? It is a very small percentage. Do they sometimes make our lives miserable? Yes, they do. But that does not mean we should do a blanket cover and say the whole country is like that.

I think if anyone ever looks around and sees how we responded to the people of Oklahoma when they had the tornadoes, this is a caring country. We are there for each other. And that is how we can solve the problems of the gun violence in this country, by all of us coming together and coming up with common sense solutions. It is something I believe in. I certainly talk to enough people about it.

What scares me again, though, is the silence that we might hear in this Congress. We cannot have silence any longer. We have to do something. The American people are demanding that we do something. But, unfortunately, unless the American people send their message, their voices here to Congress, that is the only way we are going to get something done.

I have asked the Speaker of the House to meet with me, I have not heard from him, to talk about my proposals on how to reduce gun violence in this country. But I am very encouraged. This evening he did a press conference and started to talk about maybe we should find common sense ground to stop the gun violence in this country. That to me is encouraging. That means a door is open. That means we can try and work together.

As long as I am here in Congress, I will work as hard as I can to reduce gun violence in this country, my goal going back 5 years ago, when I promised my son that I would try to make sure that no family would go through what we went through. And my son has gotten married now and his life is going on, and he just had a son in November. That means I am a new grandmother. So I have got to work a little bit harder because I want my son to feel safe, but I want my grandson to certainly live in a safe country. And I know that if we work together, we can do it.

I know a lot of people are very shocked sometimes on the statistics, and I do not particularly care to read statistics because I think it dries over. But I do not think people realize, as I said earlier, 13 children die at the hand of a gun; 28 children die and teenagers are murdered; 1,309 children in teenage suicides; 468 children in their teens accidentally die from shootings. That is every single year, every single year.

One of our recent congressional testimonies demonstrates the need for Federal legislation on kids and guns. An angry child who has access to a gun will use it because it is there and it is in that child's hands. ''I realize that gun control is a complex issue in our country, but I also know that guns represent the single greatest threat to educators and to schoolchildren.'' That was by Scott Polland, National Association of School Psychologists.

This is a testimony before the Subcommittee on Early Childhood, Youth and Families, United States House of Representatives, on my Committee on Education and the Workforce on March 11, 1999:

''An international comparison of 26 industrial countries found that the firearm death rate for U.S. children younger than 15 years old was nearly 12 times higher than any of the children in any of the other 25 countries combined.'' That came from the Centers for Disease Control.

''We need better information on how our children get guns. That is why the Children's Gun Violence Prevention Act expands our Federal program for tracing guns used in juvenile crime. Research should be expanded on gun markets to educate the flow of firearms from the legitimate sector to the hands of minors and criminals and how this flow might effectively be reduced.''

A few years ago up in Boston in what they called the ''Boston Project,'' they started tracing guns that were used in juvenile homicides and juvenile crimes. Once they started tracing these guns to the illegal gun dealers, they were able to have for 40 months, 40 months, not one child died because we got rid of the illegal guns and we educated our adults.

Now, if we can do that in Boston, why can we not do that across this country? Where I come from in New York, it is very hard to get a gun legally. They have to go through a background check, but eventually they will get it. The problem with New York is all the guns that come into our State are illegal guns, they are guns that we have no control over. What are we supposed to do? Put up a barbed wire fence around New York because we decide

that we are going to try to make it safer? And it has made a difference and it has made a big difference, but there is more that we can do.

As a nurse, we hear that homicide rates are down, and thank God they are. What no one is talking about is what it is costing our health care system for those that are surviving. I know the medical care that my son received and still continues to receive and will have to receive for the rest of his life is costing this government a lot of money.

We have four young people in Littleton, Colorado, still in the hospital with spinal cord injuries because of the shootings. The health care that they are going to need. The estimates of health care due to gun violence in this country is almost up to $20 billion a year. $20 billion a year. Could we not take that money and put it back into our health care system? Could we not put that towards our educational system? It would help so many of us.

We have an obligation here in Congress. It should not be a battle between Republicans and Democrats. It should be something that we should be working out together and to do the right thing as far as our children and the safety of our children. This is not a slippery road. This is not somewhere we are trying to take away the right of someone to own a gun, but we are asking for responsibility.

Mr. Speaker, I plan on being here as much as I can to talk about this subject. There is one more thing that I will ask. The American people have to get involved in this debate and they have to, if they want to change, their voices have to be heard here, and our Congressmen and certainly our Senators need to hear from all Americans.

CONSTITUENT CONCERNS

The SPEAKER pro tempore (Mr. SIMPSON). Under the Speaker's announced policy of January 6, 1999, the gentleman from Colorado (Mr. SCHAFFER) is recognized for half of the remaining time until midnight tonight, approximately 32 minutes.

Mr. SCHAFFER. Mr. Speaker, I want to let the Chamber know and all of my colleagues that this special order is one that I secure every week on behalf of the majority, and so I would invite other Members who would like to run down to the floor here for the last 32 minutes to come join us on the floor.

But I want to also mention and refer to a constituent of mine. Her name is Jessika, Jessika Fretwell. She introduced me to Flat Stanley. I got a picture of Flat Stanley here. She faxed the photo, a drawing of Flat Stanley. There is a letter that comes with it, and I would like to read that briefly. She wrote to me.

She said, ''In school we read a book about a boy who got mashed by a bulletin board. His name is Flat Stanley. He wanted to go on a trip, so his family folded him up and mailed him to California. I am mailing Flat Stanley to you. Please take him somewhere and write me back telling me where he went. If you have pictures or postcards, please send them too. I will take Flat Stanley back to school and share his adventure with my class. Thank you for helping me with this project. I wish I could fold myself up and visit you. Love, Jessika.'' And Jessika spells her name with a ''K.''

So there is Flat Stanley for Jessika. He is on the floor of the United States House of Representatives tonight, and we are proud to have him join us.

□ 2300

I am also pleased to be joined by my good friend and colleague from the great State of Arizona who is here to speak with us tonight. Many of our constituents write to us, not just Jessika but several others. We are here on the floor this evening to refer to some of the comments that have been raised by many of our constituents. We have received so many phone calls and letters in the last few days on the matters of taxes, on Kosovo, on environmental-related topics. I am just curious what kind of things the gentleman from Arizona is hearing about over the weekend and today from his constituents.

Mr. HAYWORTH. Mr. Speaker, I thank my colleague from Colorado for yielding. I am pleased that Flat Stanley joins us on the floor tonight. Usually people leave out the ''L'' when they describe me, although I am working on the diet.

In all sincerity and seriousness, echoing the comments, though not in complete agreement with my friend from New York who spoke on the floor here earlier, even tonight as we speak, Mr. Speaker, a group of concerned citizens making up a citizens committee on juvenile violence meets in the Sixth Congressional District of Arizona. The committee includes clergymen, school administrators and former school administrators, current educators, teachers in the classroom, students in the classroom and parents together as they take a look at the Sixth District of Arizona.

If there is one difference that typifies the two schools of thought here in the House of Representatives, it is that our friends on the left tend to look to Washington for solutions and put a trust in the Washington bureaucracy. I believe if given a choice between Washington bureaucrats and the people at home, I would choose the people at home. It is in that spirit that our friends meet, not as Republicans or Democrats but as Americans concerned looking for practical solutions to the problems they face.

I think we would all concur that one thing we learn in our time here, whether it is through letters that we receive, and I have a few tonight, or through town hall meetings or just in our everyday lives when we return home to our district, I think we are all impressed and reimpressed with the fact that the people whom we serve in our respective districts have a lot of good ideas, and so it is the intent of our citizens committee on juvenile violence to take a look at the vexing problems that have plagued us and the recent tragedies at hand.

I might also point out that I continue to receive e-mail, phone calls, faxes and letters concerning the extraordinary and disturbing transfer of technology and nuclear espionage carried on by the Red Chinese in this country. Indeed, there are those in my district who have said that it is as if we are living in a real-life Allen Drury novel, that there are those in this city and on the editorial boards or in the assignment editor chairs of various television networks who steadfastly refuse to take a look at the serious problems we have. Yet through investigative reports, such as those by Bill Gertz of the Washington Times and the new book that has been produced, the partial title being ''Betrayal'' which details what sadly has transpired and, according to the author, how some in the current administration have undermined our national security, that continues to be a main concern. And, of course, again the topic to which we always return is the notion of this government serving the people rather than the people serving the government. We have seen a disturbing reversal, if you will, in this century in terms of the fact that this government, it would seem, both in attitude and in the action of reaching into the pockets of hardworking Americans seems to ask for more and more and ask working Americans to get by with less and less.

I received a letter from my friend Ryan in Apache Junction, Arizona, just on the border of Maricopa and Pinal Counties there at the foot of the beautiful Superstition Mountains.

Ryan writes, movingly and with conviction:

> Every corner an American turns today has a tax waiting for him or her. It's ridiculous and it's time that it was stopped. I'm tired of paying income tax, property tax, license plate taxes, sales tax, inheritance tax, Social Security tax and capital gains tax. I find all of these taxes unfair, oppressive and un-American. Does anyone remember why we left our oppressors in England? Because of high taxes and religious constraints. Where do we go now? When is enough enough? Forty percent of one's wages taken out in taxes? Fifty percent of someone's check taken out in taxes? Make me proud and allow my family and I to live a better life through tax relief.

Mr. SCHAFFER. Your constituent has a good friend in one of mine from Fort COLLINS, Colorado, Robert Seymour, who wrote to me just last week:

The administration's budget plan for next year was presented to Congress on February 1. It imposes new taxes that will make it harder for millions of American families to save for their own retirement needs and will seriously jeopardize the financial protection of families and businesses. Providing for retirement and securing your family's financial security should not be a taxing experience. Americans are taking more responsibility for their own financial futures and they have made it clear that they oppose both direct and indirect tax bites that jeopardize their retirement security and their ability to protect their families. Congress on a bipartisan basis soundly rejected a similar approach last year and I strongly urge you to do the same this time around. Please oppose any new direct or indirect taxes like those commonly referred to as DAC, COLI and PSAs, the typical alphabet soup of Washington, DC, all of these new taxes on annuities and life insurance products.

This is an individual who obviously is saving for his future and his retirement and is getting fed up, as many constituents are around the country, with the new proposals that we are seeing coming out of the White House this very day, to increase the level of taxation on the American people.

My letters are similar to yours. We receive thousands of them on a week-by-week basis. I am glad to be a part of a Republican majority that is here to put the voice of the people ahead of the voice of the special interests that exist right outside these halls in Washington, DC and in Congress.

Mr. HAYWORTH. I thank my colleague from Colorado, Mr. Speaker. As I hear him speak, I think about another tax that I continue to hear about, the death tax, what has been called by the Washington bureaucracy, the estate tax. That really seems to suggest something rather placid and pastoral when, in fact, it is the death tax where this government taxes you literally upon your death. My good friend from Colorado summed it up very succinctly with echoes of history, not unlike when Ryan pointed out the genesis of our Nation in opposition to our English cousins imposing taxation, my friend from Colorado, and I will quote him again because many an audience enjoys this statement, I am pleased to offer him the proper and full credit, unlike some others in American politics who take lines from time to time, Mr. Speaker, but according to my good friend from Colorado, ''There should be no taxation without respiration.'' I think that is especially appropriate.

I think I have related the story in times past, recently in Winslow, Arizona, we were not standing on the corner but we were on the corner where the police station and the city hall is located and we were having a town hall meeting. It was in the middle of the day and a couple of young men from the high school who aspired to attend one of our Nation's military academies came to that town hall meeting. A few more honored citizens, senior citizens, if you will, were there and they were talking about the egregious nature of the death tax, how it affected their small businesses, how it affected their family farms and ranches, how it was driving families out of business. One of the young men heard us talking about this and then, with almost a military bearing, I mean the very flower of American youth, he stood there, ''Congressman, sir, do you mean to tell me the Federal Government taxes you when you die?'' And the assembled citizenry there started to chuckle, knowingly, almost like our good friend Art Linkletter and now Bill Cosby with the television segment ''Kids Say the Darnedest Things,'' but, Mr. Speaker, that laughter soon faded, because there was nothing funny about the question. The sad fact about the death tax is this. For all the rigmarole, for all the hunting down and contacting heirs and business partners, the Federal Government procures roughly 1 percent of its revenue from the death tax. Yet almost three-quarters of that 1 percent goes to tracking down the people who apparently owe the taxes through the convoluted structure that we have here.

I have remarked in the past, Mr. Speaker, and I think it bears repeating, this country has been blessed with an outstanding group of individuals at its birth, Catherine Drinker Bowen made mention in her great work in 1966, ''The Miracle at Philadelphia,'' the assemblage of so many great thinkers and true patriots. One of those patriots, Dr. Benjamin Franklin, incredibly well-versed in a variety of different subjects, a man of letters, a printer, a diplomat, a scientist.

Yet even Dr. Franklin, with all his prescience, I believe would be shocked to realize today that the republic which he helped to found would literally tax people upon their death, even with his saying in Poor Richard's Almanac, ''There are only two certainties in life, death and taxes.''

□ 2310

Understand that Dr. Franklin did not say there was a certainty that one would be taxed on their death, and this is one of the absurdities we see in our tax structure that my friend Ryan points out, that others point out, whether it is the death tax, or the marriage penalty, or other tax policies that seem to do their best to disrupt the family unit and continue to ask Americans to sacrifice more and more so Washington can allegedly do more.

Those of us in the new majority and people in the Sixth District of Arizona, Mr. Speaker, say the opposite should be true. Washington bureaucrats should sacrifice so that individuals and families can do more with their hard-earned money in terms of saving, investing and building for the future.

Mr. SCHAFFER. It is interesting that my colleague mentions Dr. Franklin, because when Ben Franklin and Thomas Jefferson were working together over the drafting of the Declaration of Independence, there is a story that I have heard from a number of historians about how the two of them disagreed on one key point, a key phrase, and that was the word ''unalienable,'' whether to use ''unalienable,'' which was Franklin's preference, or ''inalienable'' which was Jefferson's preference. And it is a key distinction.

Ultimately Franklin won the debate, and the difference between ''unalienable'' and ''inalienable'' is a matter of taxation in many ways. Historians suggest that they pronounce ''unalienable'' the following way: un-a-lien-able which means that one cannot place a lien, they cannot place some kind of claim from the government on any of the rights to life, liberty or the pursuit of happiness.

But we see this Federal Government and the people here in Washington, D.C. have found a way to abridge the desires of Dr. Franklin, to make it so that life, liberty and the pursuit of happiness are no longer un-a-lien-able. There are, in fact, liens placed against life, liberty and the pursuit of happiness, and I will bring up another example written by a constituent of mine, this time in Ft. Morgan, Colorado. Kathleen Tarver wrote, and she is very frustrated. You can just hear the frustration in the tone of this letter. It says:

''This January I resigned my job and retired early at the age of 50 to cut our taxes,'' she says. ''We are penalized for being married, and we have no children so you guys really sock it to us. Higher fees on everything we buy or use are higher taxes.''

Says: ''We have been putting almost the maximum allowed into our 401(k) to help cut our taxes. But I may not live long enough to spend the money because you look at my retirement dollars as your money,'' she is speaking about Washington in general, ''determining for me how I can spend it.'' She says that the era of big government seems to be back. Here at the end she says:

''I don't want to hear you guys in Washington say one more time, 'We have to save Social Security.' Do it now, and do it right. We have saved Social Security five times now because you continue to steal from it. Give us our money. Stop stealing it.'' Cut our taxes.

Very frustrated constituent, and I can tell my colleague I am on Kathleen's side, and I know the gentleman from Arizona is as well. We receive letters like that routinely, but it really speaks to the 223 year origins of our great country, when these very noble gentlemen were meeting in Philadelphia at this miraculous time that you described and trying to chart a new course for our country, one that

is based on the realization that our rights come from God. They do not come from the crown, they do not come from the king, they do not come from some document, they do not come from people in the capital city.

These rights come to us from God himself, and they are un-a-lien-able rights. They should be treated that way. Life, liberty and the pursuit of happiness should come as real liberties, as real rights. There should be no tax upon them. There should be no burden that one is saddled with if they want to enjoy living in complete freedom and liberty as America proposes to make possible for all Americans.

Here is one more letter, another one from Ft. Collins. Russell Beers wrote to me. Says Republicans have a majority. Pass a tax proposal, and put it on Clinton's desk, and let him veto it. He says he would prefer a flat tax, but he underlines: Just do it. It has cost him $700 just to have someone figure his taxes for him this year.

Mr. HAYWORTH. I thank my colleague, and I can certainly sympathize with his constituent. And I receive many letters, and they are not confined to April 15, by the way, because some folks get their extension to try and work out their taxes on through October 15, and it has become a particularly vexing problem for a lot of Americans.

But let us address my colleague's constituents' concern because, Mr. Speaker, the American people deserve to know that these comments are not falling on deaf ears. Indeed, as the first Arizonan in history honored to serve on the House Committee on Ways and Means, the committee with primary jurisdiction over the Tax Code and ultimately over tax relief, I am pleased to point out that it is our intention in July to sit down and write a massive bill of tax cuts, because again we believe this is very true, as the preceding letter my friend read from Colorado. We understand that in most American families both parents work not out of choice, but out of necessity, one parent working essentially to pay the incredible tax obligations that befall many families. Essentially for one salary in essence to be almost free and clear, the other spouse, the other parent, must work quite simply to pay the taxes.

My colleague's constituent pointed that out in her letter. The subsequent letter that he read from the gentleman is a call to action, and it is our intent to move forward with a tax bill that is expansive because we believe over 10 years time we need to reaffirm the fact that this money does not belong to the Federal Government, that the tax burden and bite should not be so excessive as to force parents out of the home and into the workplace not because of career aspirations, but because of the necessity of paying the tax bill and dealing with the tax burden. And our notion is over 10 years time to return almost $800 billion to the American people because it is their money to begin with. It does not belong to the bureaucrats here in Washington.

Mr. SCHAFFER. It absolutely is. It is dollars that the American people work hard for, and in order to maintain a truly free and liberated Republic we have to do everything we can here in Washington to insist that those dollars are left in the pockets and in the hands of those people who work hard to earn them in the first place.

Let me just reemphasize the point again with another letter from our constituent who lives in Loveland, Colorado, Toni Colson.

''Dear Representative SCHAFFER, I am your constituent from Loveland. As a business owner and grandparent, I'm very concerned about the serious economic problems facing our country. I feel our current income tax structure is having a very negative impact by taxing production, savings and investment, the very things which can make our economy strong.''

Well, Ms. Colson has hit the nail right on the head. If you look at our tax policy, the graduated income tax structure that we have today, the harder you work and the more productive you are, the higher the percentage of taxation on your income. We actually punish hard work with the current Tax Code. As it stands today, we punish those who put money aside and try to save it, we punish people who make the right kinds of investment decisions that are not only in their own personal best interests as families, but provide the capital and the availability of capital on the market to create more jobs, to create more businesses and to expand the economy.

As my colleagues know, I think often about the trillions of dollars in private capital that is locked up today. Alan Greenspan, the chairman of the Federal Reserve Board, estimates that there is $11 trillion in private capital that is locked up somewhere in America today because the owners of that cash are afraid to take it out and use it productively, and why? Because the Federal Government punishes those who act responsibly and help to move toward promoting a more vibrant and stronger economy.

Mr. HAYWORTH. Mr. Speaker, my friend from Colorado is right. I would just amend this.

We are looking, and I think we should reemphasize this, not at billions but trillions of dollars, and it is amazing to see what is locked up because of the disincentive to inject those funds into the economy, the disincentive to invest in businesses because of the excessive taxation.

□ 2320

In fairness, Mr. Speaker, we should be prepared and indeed, Mr. Speaker, there may be many within the sound of my voice or within this television signal who ask the question, but wait a minute; do not your friends on the left always offer the rejoinder, tax cuts for the wealthy?

I would say to them, yes, Mr. Speaker, that is the tired rejoinder we hear. I suppose, Mr. Speaker, it is all in how one defines who is wealthy, because the rhetoric has become so incendiary and so predictable that if there is a tax cut at all it must go to the wealthy.

I would invite my colleagues, Mr. Speaker, to take a look at an estimate that was prepared for all of us by the Joint Committee on Taxation. The chairman of the Committee on Ways and Means asked for this and, Mr. Speaker, this is not something that deals with the trillions of dollars, as my colleague, the gentleman from Colorado, pointed out earlier. This is something that deals with the very human equation of average families in America.

We should also point out that this process does not occur in a vacuum. Indeed, I was glad my good friend, the gentleman from Colorado, joined me in his first term here in the 105th Congress, my second term but the first term on the Committee on Ways and Means, as we actually offered tax relief to families with first a $400 per child tax credit that increases to $500 and indeed we have found that a family of four earning $30,000 a year, in essence, pays really no income tax if they take advantage of the different deductions and tax credits available to them, an average family of four.

Yet, Mr. Speaker, just raise that income by $10,000 again a family trying to succeed, trying to get ahead, in raising that income to $40,000 for a family of four the tax bill is in excess of $2,000 for that family.

So, again, Mr. Speaker, it is curious to hear the tired rhetoric of tax breaks for the wealthy because the sad fact is, apparently our friends on the left define wealthy as a middle income earner and a middle income taxpayer earning $40,000 a year.

So that is one of the ironies and that is real life, the very human equation, not lost with mind-boggling figures of billions and trillions but just the simple challenge of an annual income for a middle income family. That is what we reiterate here, that this money belongs to the people, not to the Washington bureaucrats.

The first three words of our Constitution are very instructive and they are as instructive as they are poetic. We, the people; not, they, the government, but we the people; all of us, Mr. Speaker.

It is that responsibility which we find uppermost in our minds.

Mr. SCHAFFER. Listening to the people is something that we are certainly all about and want to do as often as we can.

Here is a personal letter from Weston, Colorado, from someone who wrote on this very point, and again he is very critical of government and the Federal system. This is a paragraph I am reading from the middle of the letter from Dr. Owens, and he says, as you can tell, I favor smaller government and less interference with State and local governments who are in a better position to make decisions on most issues. You people in Washington have very distorted concepts of what really goes on out in the real world. Do not believe all you read in the polls. I have taught research and statistics and we have a saying in research: Statistics do not lie but liars often use statistics, he says.

He is absolutely right. He says polls can show almost anything pollsters want them to, just as anyone can find a passage in the Bible to support almost any belief. These are both possible if one takes things out of context and ignores parts that do not suit them.

He talks about the occupant of the building at the other end of Pennsylvania Avenue as proof of the above and he says the people we know do not believe the approval ratings that we see with the things going on, again down at the other end of Pennsylvania Avenue.

I have to amend the gentleman's letter a little bit to fit within the House rules about referring to the individual at the other end of Pennsylvania Avenue directly, but again this is an individual from Weston, Colorado, who understands full well that it is the voice of the people that needs to be heard over and above those of special interests.

Unfortunately, these average, regular, ordinary, every day citizens, they are counting on their Members of Congress to voice their opinions, to voice their concerns and be the ones who are the guardians of the public trust and a legitimate public trust.

What they are up against, though, and the gentleman knows this as well as I do, is when we walk right outside the House chamber in these lobbies right outside the Capitol, there are legions of lobbyists who are paid by various special interests to come here and give us another viewpoint on what America looks like from the perspective of the banks of the Potomac. Fortunately we have the loud voices of people like Dr. Owens in Weston, Colorado, who take the time to write us letters and help us keep the Congress on an even center.

I know the gentleman hears from many constituents who help the gentleman in that regard.

Mr. HAYWORTH. I do, indeed. I would also make the point that one of the ironies of serving here in Washington is that especially sadly on the left, a number of the special interest lobbyists are subsidized with taxpayer funds, which is one of the incredible ironies, something we have tried to change but the institutional inertia here, it is an uphill battle dealing with that. It is one of the curiosities.

The gentleman mentioned the voice of the people and in addition to letters, and I brought a couple down tonight, but I just think about a variety of radio townhall meetings we have held lately and the subject that comes up time and again, Mr. Speaker, is our national security; for even as our Founders in that wonderfully practical and poetic preamble to our Constitution delineated that one of our constitutional responsibilities was to provide for the common defense.

Again, we have serious problems here. Almost everyone I speak with during these radio townhalls in a district in square mileage almost the size of the Commonwealth of Pennsylvania, say the gentleman from California (Mr. COX) has been working to prepare a bipartisan report. It was prepared in January or February. When will the House move to release that because the White House is reticent?

We must move quickly to release that report.

Mr. SCHAFFER. Before the gentleman goes on to the point about the comment, let me just ask about these town meetings. I hold a town meeting in my district every week and hold several others on top of that when we are not in Washington, and it is a great opportunity to listen to thousands of constituents who show up and voice these same kind of concerns that I have read from some of the letters.

I am curious about what the gentleman called a radio townhall meeting. Tell me how that works.

Mr. HAYWORTH. The challenge in representing a district, really in square mileage almost the size of the Commonwealth of Pennsylvania, is trying to get everywhere all the time.

Mr. SCHAFFER. The gentleman's district is that size?

Mr. HAYWORTH. The district is that size. Although a rancher in Show Low said, here is a perfect slogan, a big man for a big district, I do not exactly think that is the case. Even I cannot get all the way around all the time.

So several broadcasters in the area are willing to set up programs and quite often on a Monday or Tuesday will set them up where constituents from the comfort of their home or at work or via mobile phone, if they are out on the streets and byways, can call in and we can discuss issues and it actually invites everyone into the townhall.

The past several townhalls I have had, Mr. Speaker, again and again and again and again, the question of national security comes up. It evokes evidence that we have heard from Dr. Owens that people are concerned. They believe that our national security has been frittered away. Indeed, we have read in the press that the technology transfers and the espionage carried out by the communist Chinese rivals that of the Rosenbergs in the 1950s.

While we see the drips and drabs and the old spin game going on at the other end of Pennsylvania Avenue, we must move as a House, if there is reticence in the executive branch, to release this report.

I would point out for the record, Mr. Speaker, that President Clinton, following receipt of the report from the gentleman from California (Mr. COX) and the gentleman from Washington (Mr. DICKS), in a bipartisan fashion, could have released the report immediately. While there are legitimate national security concerns in terms of not exposing our sources and means of procuring our own information through counterintelligence, there are still serious concerns that the American people need to know about.

Again Mr. Speaker, I would renew the call that this House, if the reticence, if the stonewalling, if the dribs and drabs and endless spin continue from the administration, that this House should take every action necessary, including meeting in a closed session, if that is necessary, to vote out this report so the American people can understand the extent of the problem we confront.

□ 2330

Because whether we worry about security in the home, security in the school, Social Security for our seniors in generations yet to come, undergirding all of that is our very existence as a constitutional republic and our national security. This House took steps tonight to bolster our national security, not bullet-for-bullet or bomb-for-bomb in the Balkan theater, but to try and avert the danger of returning to the days of the hollow force, and it is in that spirit we continue to work in this House.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. SERRANO (at the request of Mr. GEPHARDT) for Tuesday, May 17, and today, on account of a death in the family.

The following Members (at the request of Mr. PALLONE) to revise and extend their remarks and include extraneous material:

Mr. LIPINSKI, for 5 minutes, today.

Mr. FILNER, for 5 minutes, today.

Mr. MCDERMOTT, for 5 minutes, today.

Ms. CARSON, for 5 minutes, today.

Ms. DELAURO, for 5 minutes, today.

Mr. CUMMINGS, for 5 minutes, today.

Mr. HILL of Indiana, for 5 minutes, today.

Mr. PALLONE, for 5 minutes, today.

Ms. JACKSON-LEE of Texas, for 5 minutes, today.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. WHITFIELD) to revise and extend their remarks and include extraneous material:)

Mr. EHRLICH, for 5 minutes, today.

Mr. SOUDER, for 5 minutes each day, today and on May 19.

Mr. BURTON of Indiana, for 5 minutes, on May 25.

Mr. KASICH, for 5 minutes, today.

Mr. WHITFIELD, for 5 minutes, today.

Mr. NETHERCUTT, for 5 minutes, on May 19.

Mr. HILL of Montana, for 5 minutes, on May 19.

Mr. PORTMAN, for 5 minutes, today.

(The following Member (at his own request) to revise and extend his remarks and include extraneous material:)

Mr. CARDIN, for 5 minutes, today.

(The following Member (at his own request) to revise and extend his remarks and include extraneous material:)

Mr. MCDERMOTT, for 5 minutes, today.

ENROLLED BILL SIGNED

Mr. THOMAS, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker.

H.R. 669. An act to amend the Peace Corps Act to authorize appropriations for fiscal years 2000 through 2003 to carry out that Act, and for other purposes.

ADJOURNMENT

Mr. HAYWORTH. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 11 o'clock and 30 minutes p.m.), the House adjourned until tomorrow, May 19, 1999, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

2173. A letter from the Director, Defense Procurement, Office of the Under Secretary of Defense, transmitting the Office's final rule—Defense Federal Acquisition Regulation Supplement; Electronic Funds Transfer [DFARS Case 98–D012] received April 16, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

2174. A letter from the Assistant Secretary, Office of Special Education and Rehabilitative Services, Department of Education, transmitting Final Funding Priorities for Disability and Rehabilitation Research Projects and Rehabilitation Research and Training Centers, pursuant to 20 U.S.C. 1232(f); to the Committee on Education and the Workforce.

2175. A letter from the Assistant General Counsel for Regulations, Special Education and Rehabilitative Services, Department of Education, transmitting National Institute on Disability and Rehabilitation Research, pursuant to 20 U.S.C. 1232(f); to the Committee on Education and the Workforce.

2176. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans; California State Implementation Plan Revision, South Coast Air Quality Management District [CA 038–100a; FRL–6333–4] received April 29, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

2177. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Missouri: Final Authorization of State Hazardous Waste Management Program Revision for Corrective Action [FRL–6333–2] received April 29, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

2178. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule—Consolidated Guidance about Materials Licenses: Program-Specific Guidance about Self-Shielded Irradiator Licenses, dated October 1998—received March 16, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

2179. A letter from the Secretary of Health and Human Services, transmitting the 1998 Annual Report on the National Institutes of Health AIDS Research Loan Repayment Program; to the Committee on Commerce.

2180. A letter from the Deputy Secretary, Division of Market Regulation, Securities and Exchange Commission, transmitting the Commission's final rule—Broker-Dealer Registration and Reporting [Release No. 34–41356; File No. S7–17–96] (RIN: 3235–AG69) received May 3, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

2181. A letter from the Executive Director, Committee For Purchase From People Who Are Blind Or Severely Disabled, transmitting the Committee's final rule—Procurement List Additions and Deletions—received May 3, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

2182. A letter from the President, James Madison Memorial Fellowship Foundation, transmitting the 1998 annual report of the Foundation, pursuant to Public Law 99–591, section 814(b) (100 Stat. 3341–81); to the Committee on Government Reform.

2183. A letter from the Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Atka Mackerel in the Central Aleutian District of the Bering Sea and Aleutian Islands [Docket No. 990304063–9063–01; I.D. 040599A] received April 26, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

2184. A letter from the Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Northeastern United States; Scup Fishery; Commercial Quota Harvested for Winter I Period [Docket No. 981014259–8312–02; I.D. 032699B] received April 26, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

2185. A letter from the Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Economic Exclusive Zone Off Alaska; Shallow-water Species Fisheries by Vessels Using Trawl Gear in the Gulf of Alaska [Docket No. 990304062–9062–01; I.D. 033199F] received April 26, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

2186. A letter from the Director, Policy Directives and Instructions Branch, Immigration and Naturalization Service, transmitting the Service's final rule—Additional Authorization to Issue Certificates for Foreign Health Care Workers [INS 1979–99] (RIN: 1115–AF43) received May 3, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

2187. A letter from the Chairman, United States Sentencing Commission, transmitting the 1997 annual report of the activities of the Commission, pursuant to 28 U.S.C. 997; to the Committee on the Judiciary.

2188. A letter from the Program Analyst, Office of the Chief Counsel, Department of Transportation, transmitting the Department's final rule—Standard Instrument Approach Procedures; Miscellaneous Amendments [Docket No. 29544; Amdt. No. 1927] received May 3, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2189. A letter from the Program Analyst, Office of the Chief Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Alexander Schleicher Segelflugzeugbau Model ASK 21 Gliders [Docket No. 91–CE–25–AD; Amendment 39–11149; AD 95–11–15 R1] (RIN: 2120–AA64) received May 3, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2190. A letter from the Program Support Specialist, Aircraft Certification Service, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; S.N. CENTRAIR 101 Series Gliders [Docket No. 98–CE–50–AD; Amendment 39–11140; AD 99–09–07] (RIN: 2120–AA64) received May 3, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2191. A letter from the Program Support Specialist, Aircraft Certification Service, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Avions Pierre Robin Model R2160 Airplanes [Docket No. 98–CE–80–AD; Amendment 39–11141; AD 99–09–08] (RIN: 2120–AA64) received May 3, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2192. A letter from the Program Support Specialist, Aircraft Certification Service, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Raytheon Aircraft Company Models C90A, B200, B200C, B200T, B200CT, 300, B300, B300C, and A200CT Airplanes [Docket No. 98–CE–104–AD; Amendment 39–11143; AD 99–09–10] (RIN: 2120–AA64) received May 3, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2193. A letter from the Program Support Specialist, Aircraft Certification Service,

Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; British Aerospace (Jetstream) Model 4101 Airplanes [Docket No. 96–NM–214–AD; Amendment 39–11145; AD 99–09–12] (RIN: 2120–AA64) received May 3, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2194. A letter from the Program Support Specialist, Aircraft Certification Service, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 757–200 Series Airplanes [Docket No. 98–NM–37–AD; Amendment 39–11146; AD 99–09–13] (RIN: 2120–AA64) received May 3, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2195. A letter from the Chief, Regs and Admin Law, USCG, Department of Transportation, transmitting the Department's final rule—Management Information System (MIS) Requirements [USCG–1998–4469] (RIN: 2115–AF67) received May 3, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2196. A letter from the Program Support Specialist, Aircraft Certification Service, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Lockheed Model L–1011–385 Series Airplanes [Docket No. 98–NM–199–AD; Amendment 39–11147; AD 99–09–14] (RIN: 2120–AA64) received May 3, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2197. A letter from the Program Support Specialist, Aircraft Certification Service, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Eurocopter France Model AS–350B, B1, B2, B3, BA, and D Helicopters, and Model AS 355E, F, F1, F2 and N Helicopters [Docket No. 98–SW–44–AD; Amendment 39–11139; AD 99–09–06] (RIN: 2120–AA64) received May 3, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2198. A letter from the Program Support Specialist, Aircraft Certification Service, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 747 Series Airplanes Equipped With General Electric Model CF6–45 or –50 Series Engines; or Pratt & Whitney Model JT9D–3, –7, or –70 Series Engines; and 747–E4B (Military) Airplanes [Docket No. 99–NM–49–AD; Amendment 39–11144; AD 99–09–11] (RIN: 2120–AA64) received May 3, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2199. A letter from the Program Support Specialist, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 737–100, –200, –200C, –300, –400, and –500 Series Airplanes [Docket No. 98–NM–337–AD; Amendment 39–11132; AD 99–08–23] (RIN: 2120–AA64) received May 3, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2200. A letter from the Program Support Specialist, Aircraft Certification Service, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; McDonnell Douglas Model MD–11 Series Airplanes [Docket No. 99–NM–59–AD; Amendment 39–11136; AD 99–09–04] (RIN: 2120–AA64) received May 3, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2201. A letter from the Program Support Specialist, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; McDonnell Douglas Model MD–11 Series Airplanes [Docket No. 99–NM–44–AD; Amendment 39–11135; AD 99–09–03] (RIN: 2120–AA64) received May 3, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2202. A letter from the Program Support Specialist, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; McDonnell Douglas Model MD–11 Series Airplanes [Docket No. 99–NM–43–AD; Amendment 39–11134; AD 99–09–02] (RIN: 2120–AA64) received May 3, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2203. A letter from the Program Support Specialist, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; McDonnell Douglas Model MD–11 Series Airplanes [Docket No. 99–NM–42–AD; Amendment 39–11133; AD 99–09–01] (RIN: 2120–AA64) received May 3, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2204. A letter from the Acting Associate Administrator for Procurement, National Aeronautics and Space Administration, transmitting the Administration's final rule—Contracting Officer's Technical Representative (COTR) Training—received April 26, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Science.

2205. A letter from the Chief, Regulations Branch, Customs Service, transmitting the Service's final rule—Technical Corrections Regarding Customs Organization (T.D. 99–27) (RIN: 1515–AB84) received March 16, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. SENSENBRENNER: Committee on Science. H.R. 1654. A bill to authorize appropriations for the National Aeronautics and Space Administration for fiscal years 2000, 2001, and 2002, and for other purposes; with an amendment (Rept. 106–145). Referred to the Committee of the Whole House on the State of the Union.

Mr. SENSENBRENNER: Committee on Science. H.R. 1553. A bill to authorize appropriations for fiscal year 2000 and fiscal year 2001 for the National Weather Service, Atmospheric Research, and National Environmental Satellite, Data and Information Service activities of the National Oceanic and Atmospheric Administration, and for other purposes; with an amendment (Rept. 106–146). Referred to the Committee of the Whole House on the State of the Union.

Mr. REYNOLDS: Committee on Rules. House Resolution 174. Resolution providing for consideration of the bill (H.R. 1654) to authorize appropriations for the National Aeronautics and Space Administration for fiscal years 2000, 2001, and 2002, and for other purposes (Rept. 106–147). Referred to the House Calendar.

Mr. REYNOLDS: Committee on Rules. House Resolution 175. Resolution providing for consideration of the bill (H.R. 1553) to authorize appropriations for fiscal year 2000 and fiscal year 2001 for the National Weather Service, Atmospheric Research, and National Environmental Satellite, Data and Information Service activities of the National Oceanic and Atmospheric Administration, and for other purposes; (Rept. 106–148). Referred to the House Calendar.

Mr. BLILEY: Committee on Commerce. H.R. 1400. A bill to amend the Securities Exchange Act of 1934 to improve collection and dissemination of information concerning bond prices and to improve price competition in bond markets, and for other purposes (Rept. 106–149). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. CRANE:

H.R. 1833. A bill to authorize appropriations for fiscal years 2000 and 2001 for the United States Customs Service for drug interdiction and other operations, for the Office of the United States Trade Representative, for the United States International Trade Commission, and for other purposes; to the Committee on Ways and Means.

By Mr. LEWIS of Georgia:

H.R. 1834. A bill to promote the growth of free enterprise and economic opportunity in the Caribbean Basin region, to increase trade between the region and the United States, and to encourage the adoption by Caribbean Basin countries of trade and investment policies necessary for participation in the Free Trade Area of the Americas; to the Committee on Ways and Means.

By Mr. GILMAN (for himself, Mr. BROWN of Ohio, Mr. COX, Mr. KASICH, Mr. KNOLLENBERG, Mr. SANFORD, and Mr. MCINTOSH):

H.R. 1835. A bill to impose conditions on assistance authorized for North Korea, to impose restrictions on nuclear cooperation and other transactions with North Korea, and for other purposes; to the Committee on International Relations.

By Mr. BEREUTER:

H.R. 1836. A bill to properly balance the wind and water erosion criteria and the wildlife suitability criteria to be used in the 18th signup of land in the conservation reserve program; to the Committee on Agriculture.

By Mr. BURR of North Carolina (for himself, Mr. CARDIN, Mr. MCCRERY, and Mr. PALLONE):

H.R. 1837. A bill to amend title XVIII of the Social Security Act to provide certain Medicare beneficiaries with an exemption to the financial limitations imposed on physical, speech-language pathology, and occupational therapy services under part B of the Medicare Program, and for other purposes; to the Committee on Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DELAY (for himself, Mr. ANDREWS, Mr. GILMAN, Mr. DEUTSCH, Mr. ROHRABACHER, Mr. WU, Mr. COX, Mr. JEFFERSON, Mr. DIAZ-BALART, Mrs. LOWEY, Mr. SMITH of New Jersey, Mr. HUNTER, Mr. BURTON of Indiana, Mr. COOK, and Mr. WELDON of Florida):

H.R. 1838. A bill to assist in the enhancement of the security of Taiwan, and for other purposes; to the Committee on International Relations, and in addition to the Committee

on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FRANKS of New Jersey:

H.R. 1839. A bill to authorize the Director of the Federal Emergency Management Agency to make grants to fire departments for the acquisition of thermal imaging cameras; to the Committee on Transportation and Infrastructure.

By Mr. GRAHAM (for himself, Mr. JEFFERSON, and Mr. WEXLER):

H.R. 1840. A bill to amend the Internal Revenue Code of 1986 to increase the maximum taxable income for the 15 percent rate bracket, to provide a partial exclusion from gross income for dividends and interest received by individuals, to provide a long-term capital gains deduction for individuals, to increase the traditional IRA contribution limit, and for other purposes; to the Committee on Ways and Means.

By Mr. GUTIERREZ (for himself and Mrs. MORELLA):

H.R. 1841. A bill to amend the Immigration and Nationality Act to restore eligibility for adjustment of status under section 245(i) of that Act; to the Committee on the Judiciary.

By Mr. HAYWORTH (for himself and Mr. POMEROY):

H.R. 1842. A bill to provide matching grants for the construction, renovation and repair of school facilities in areas affected by Federal activities, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HYDE (for himself and Mrs. LOWEY):

H.R. 1843. A bill to amend title XXI of the Social Security Act to permit States to use funds under the State Children's Health Insurance Program for coverage of uninsured pregnant women, and for other purposes; to the Committee on Commerce.

By Mr. LAHOOD (for himself, Mr. FRANK of Massachusetts, Mr. KILDEE, Mr. SUNUNU, Mr. FROST, Mr. DINGELL, and Mr. LATOURETTE):

H.R. 1844. A bill to provide for adjustment of status for certain aliens granted temporary protected status in the United States because of conditions in Lebanon; to the Committee on the Judiciary.

By Mr. LIPINSKI (for himself, Mr. TRAFICANT, Mr. DEFAZIO, Mr. DUNCAN, Mr. EVANS, Mr. RUSH, Mr. GUTIERREZ, Mr. DAVIS of Illinois, Ms. SCHAKOWSKY, Mr. COSTELLO, Mr. PHELPS, Mr. BORSKI, Mr. HOLDEN, and Mr. MCGOVERN):

H.R. 1845. A bill to amend title 49, United States Code, to provide for congressional review of civil aviation agreements; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. LOFGREN:

H.R. 1846. A bill to amend the Immigration and Nationality Act to permit the Attorney General to deem that an applicant for naturalization has taken an oath of renunciation and allegiance in certain cases where the applicant is medically unable to take the oath; to the Committee on the Judiciary.

By Mrs. MALONEY of New York (for herself, Mr. MALONEY of Connecticut, Mrs. KELLY, and Ms. NORTON):

H.R. 1847. A bill to amend title 10, United States Code, to require the Secretary of Defense to prescribe regulations to protect the confidentiality of communications between dependents of members of the Armed Forces and professionals providing therapeutic or related services regarding sexual or domestic abuse; to the Committee on Armed Services.

By Mrs. MALONEY of New York (for herself, Mr. SHAYS, Ms. ROYBAL-ALLARD, Mrs. MORELLA, Ms. NORTON, and Mr. DOOLEY of California):

H.R. 1848. A bill to ensure a woman's right to breastfeed her child on any portion of Federal property where the woman and her child are otherwise authorized to be; to the Committee on Government Reform.

By Mrs. MALONEY of New York (for herself, Mrs. KELLY, Mr. ABERCROMBIE, Ms. BERKLEY, Mrs. CHRISTENSEN, Mrs. CLAYTON, Mr. CONYERS, Mr. FARR of California, Mr. FILNER, Mr. FROST, Ms. JACKSON-LEE of Texas, Mr. JEFFERSON, Mr. LAFALCE, Mr. LEWIS of Georgia, Ms. LOFGREN, Mr. MCGOVERN, Ms. MCKINNEY, Mr. MEEHAN, Ms. MILLENDER-MCDONALD, Mrs. MORELLA, Ms. NORTON, Mr. OLVER, Mr. PAYNE, Ms. PELOSI, Ms. RIVERS, Mr. ROMERO-BARCELO, Mr. SANDERS, Ms. SCHAKOWSKY, Ms. SLAUGHTER, Mr. STARK, Mrs. THURMAN, Mr. UNDERWOOD, Mr. WEINER, and Ms. WOOLSEY):

H.R. 1849. A bill to require the Attorney General to promulgate regulations relating to gender-related persecution, including female genital mutilation, for use in determining an alien's eligibility for asylum or withholding of deportation; to the Committee on the Judiciary.

By Mr. MILLER of Florida (for himself, Mr. GEORGE MILLER of California, Mr. GOSS, Mr. KOLBE, Mr. FORBES, Mr. WAXMAN, Mr. ROYCE, Mr. SHAYS, Mr. WOLF, Mrs. NORTHUP, Mr. FRELINGHUYSEN, Mr. BLAGOJEVICH, Mr. SUNUNU, Mr. STARK, Mr. MEEHAN, Mr. SANFORD, Mr. BASS, Mr. CAMPBELL, Mr. BRADY of Pennsylvania, Mr. PORTMAN, Mr. BERMAN, Mr. VISCLOSKY, Mr. HINCHEY, Mr. HUTCHINSON, Mr. CARDIN, Mr. CASTLE, Mr. HANSEN, Mr. COOK, Mr. COYNE, Mr. ENGLISH, Mr. ROHRABACHER, Mr. SOUDER, Mr. WEINER, Mr. SHAW, Mr. SCARBOROUGH, Mr. PORTER, Mr. COBURN, Mr. HORN, Mr. RAMSTAD, Mr. WAMP, Mr. SENSENBRENNER, Mrs. ROUKEMA, Mr. KINGSTON, and Mr. SALMON):

H.R. 1850. A bill to amend the Agricultural Market Transition Act to convert the price support program for sugarcane and sugar beets into a system of solely recourse loans and to provide for the gradual elimination of the program; to the Committee on Agriculture.

By Mr. OWENS (for himself, Mr. CLAY, Mr. GEORGE MILLER of California, Mr. MARTINEZ, Mr. PAYNE, Mr. KUCINICH, and Ms. WOOLSEY):

H.R. 1851. A bill to amend the Occupational Safety and Health Act of 1970 to enhance protections for employees reporting workplace hazards to the Occupational Safety and Health Administration; to the Committee on Education and the Workforce.

By Mr. SENSENBRENNER (for himself, Mr. COBLE, and Mr. BERMAN):

H.R. 1852. A bill to amend title 28, United States Code, to allow a judge to whom a case is transferred to retain jurisdiction over certain multidistrict litigation cases for trial; to the Committee on the Judiciary.

By Mr. SESSIONS:

H.R. 1853. A bill to provide for each American the opportunity to provide for his or her retirement through a S.A.F.E. account, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SHAYS (for himself, Mrs. MALONEY of New York, Ms. BERKLEY, Mr. BRADY of Pennsylvania, Mr. CAPUANO, Mr. ENGLISH, Mr. FALEOMAVAEGA, Mr. FROST, Mr. GILMAN, Mr. GUTIERREZ, Ms. JACKSON-LEE of Texas, Mrs. JOHNSON of Connecticut, Ms. KILPATRICK, Mr. KOLBE, Ms. LEE, Mr. MALONEY of Connecticut, Mr. MCGOVERN, Mr. NADLER, Mr. PETRI, Mr. SCHAFFER, Ms. SCHAKOWSKY, and Mr. UNDERWOOD):

H.R. 1854. A bill to temporarily increase the number of visas available for backlogged spouses and children of lawful permanent resident aliens; to the Committee on the Judiciary.

By Mr. SMITH of Texas (for himself, Ms. LOFGREN, and Mr. HUTCHINSON):

H.R. 1855. A bill to exempt agreements relating to voluntary guidelines governing telecast material, movies, video games, Internet content, and music lyrics from the applicability of the antitrust laws; to the Committee on the Judiciary.

By Mr. THORNBERRY:

H.R. 1856. A bill to direct the Attorney General to establish a panel to study the issue of Federal benefits received by persons convicted of drug offenses; to the Committee on the Judiciary.

By Mrs. THURMAN (for herself, Mr. STARK, Mr. CANADY of Florida, Ms. BERKLEY, Mr. MATSUI, Mr. LEWIS of Georgia, Ms. BALDWIN, Mr. HILLIARD, Mr. BARRETT of Wisconsin, Ms. KILPATRICK, Ms. MILLENDER-MCDONALD, and Ms. HOOLEY of Oregon):

H.R. 1857. A bill to amend the Family and Medical Leave Act of 1993 to allow leave for individuals who give living organ donations, to amend the Public Health Service Act with respect to paying travel and subsistence expenses that are incurred by individuals in donating or receiving of organs, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committees on Commerce, Government Reform, House Administration, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. CAPPS (for herself, Mr. GEJDENSON, Mr. HOUGHTON, Mr. BERMAN, Mr. SAXTON, Mr. ACKERMAN, Mr. WAXMAN, Mr. WEXLER, Mr. OSE, Mr. FROST, Mr. PORTER, Mr. BONIOR, Ms. DELAURO, Mr. BROWN of California, Mr. MATSUI, Mrs. LOWEY, Mr. DIXON, Ms. SCHAKOWSKY, Mrs. MEEK of Florida, Mr. CROWLEY, Mr. BERRY, Mr. HOLT, Mr. FARR of California, Ms. KILPATRICK, Mr. HASTINGS of Florida, Mr. FILNER, Mr. PAYNE, Mr. LEVIN, Mr. KENNEDY of Rhode Island, Mr. BLAGOJEVICH, Mrs. MALONEY of New York, Ms. VELÁZQUEZ, Mr. MINGE, Mr.

CAPUANO, Mr. HINCHEY, Mr. HORN, Ms. LEE, Mr. ETHERIDGE, Mr. REYES, Mr. GREEN of Texas, Mr. MEEHAN, Mr. ALLEN, Mr. ENGEL, Mr. MCGOVERN, Mr. KOLBE, Mr. BENTSEN, Ms. PELOSI, Mr. PHELPS, Mr. OBERSTAR, Mr. KING, Mr. NADLER, Ms. BALDWIN, Mr. HALL of Ohio, Mr. FORBES, Mr. FRANK of Massachusetts, Ms. LOFGREN, Mr. ROMERO-BARCELO, Mr. CONDIT, Mr. PRICE of North Carolina, Mr. LEWIS of Georgia, and Mr. ROTHman):

H. Con. Res. 109. A concurrent resolution commending the people of Israel for reaffirming, in its elections, its dedication to democratic ideals, and for other purposes; to the Committee on International Relations.

By Mr. THOMPSON of Mississippi (for himself, Mr. CLYBURN, Mr. HASTINGS of Florida, Mr. JEFFERSON, Mr. CUMMINGS, Ms. VELÁZQUEZ, Mr. CONYERS, Mr. SCOTT, Mr. RUSH, Ms. JACKSON-LEE of Texas, Mr. PAYNE, Mr. JACKSON of Illinois, Mrs. CHRISTENSEN, Ms. NORTON, Mr. DAVIS of Illinois, Mr. OWENS, Ms. BROWN of Florida, Mrs. MEEK of Florida, Mr. FATTAH, Ms. MILLENDER-MCDONALD, Mr. FORD, Mrs. JONES of Ohio, Mr. TOWNS, Ms. MCKINNEY, Mrs. CLAYTON, Mr. MEEKS of New York, Ms. LEE, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. FROST, Ms. CARSON, Ms. KILPATRICK, Ms. WATERS, Mr. WYNN, Mr. RANGEL, Mr. BISHOP, Mr. HILLIARD, Mr. LEWIS of Georgia, and Mr. WATT of North Carolina):

H. Res. 176. A resolution recognizing the historical significance of the Supreme Court's unanimous decision in Brown v. Board of Education, repudiating segregation, and reaffirming the fundamental belief that we are all ''one Nation under God, indivisible''; to the Committee on the Judiciary.

By Mr. BALDACCI:

H. Res. 177. A resolution relating to the treatment of veterans with Alzheimer's disease; to the Committee on Veterans' Affairs.

By Ms. PELOSI (for herself, Mr. WOLF, Mr. LANTOS, Mr. PORTER, Mr. GEPHARDT, Mr. COX, Mr. BONIOR, Mr. GILMAN, Mr. GEJDENSON, Mr. SMITH of New Jersey, Mr. BROWN of Ohio, Mr. ROHRABACHER, Mr. WU, Mr. ABERCROMBIE, Mr. SCHAFFER, Mr. SHAYS, Mr. WAXMAN, Ms. WOOLSEY, Mr. HORN, Mr. MCGOVERN, and Mr. CLAY):

H. Res. 178. A resolution concerning the tenth anniversary of the Tiananmen Square massacre of June 4, 1989, in the People's Republic of China; to the Committee on International Relations.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 5: Mr. ARMEY.

H.R. 8: Mr. EHRLICH, Mr. HANSEN, Mr. PORTER, and Mr. BRADY of Texas.

H.R. 49: Mrs. MINK of Hawaii, Mr. SANDLIN, and Mr. BACHUS.

H.R. 65: Mr. WATT of North Carolina.

H.R. 111: Mr. TALENT, Mr. CONYERS, Mr. MOORE, Ms. ROS-LEHTINEN, Mr. SMITH of New Jersey, Mr. JONES of North Carolina, and Mr. INSLEE.

H.R. 157: Mr. ARMEY and Mr. PACKARD.

H.R. 170: Mr. ABERCROMBIE, Ms. KILPATRICK, Mr. COSTELLO, and Mr. SANDERS.

H.R. 194: Mr. LEVIN.

H.R. 220: Mr. SUNUNU.

H.R. 248: Mr. ENGLISH and Mr. SHADEGG.

H.R. 303: Mr. CHAMBLISS.

H.R. 315: Mr. PALLONE.

H.R. 351: Mr. QUINN and Mr. BAKER.

H.R. 353: Mr. UPTON, Mr. JENKINS, Mr. SKELTON, Mr. SHAYS, and Ms. BROWN of Florida.

H.R. 357: Mr. BAIRD.

H.R. 380: Mr. WEINER and Mr. SERRANO.

H.R. 383: Mr. WATT of North Carolina, Mr. LEWIS of Georgia, and Mr. HOLDEN.

H.R. 390: Mrs. CHENOWETH, Mr. PITTS, Mr. LAFALCE, Mr. TOWNS, Mr. CROWLEY, Mrs. THURMAN, and Mr. HINCHEY.

H.R. 407: Mr. TAYLOR of Mississippi.

H.R. 417: Mr. BOYD.

H.R. 430: Mr. GONZALEZ.

H.R. 456: Mr. FOLEY, Mr. UDALL of Colorado, Mr. GONZALEZ.

H.R. 483: Mr. TALENT.

H.R. 488: Mr. MARKEY.

H.R. 516: Mr. BOUCHER.

H.R. 518: Mr. SANFORD, Mr. PACKARD, Mr. BOUCHER.

H.R. 531: Mr. LARSON, Mr. LAFALCE, Mr. LAHOOD, Mr. SHAYS, Mr. HOEFFEL, Ms. HOOLEY of Oregon, and Ms. STABENOW.

H.R. 541: Mr. WU and Mr. ABERCROMBIE.

H.R. 576: Mr. BAIRD.

H.R. 584: Mr. KING and Mrs. KELLY.

H.R. 648: Mr. UNDERWOOD and Mr. LEWIS of Georgia.

H.R. 670: Mr. SMITH of Texas and Mrs. MEEK of Florida.

H.R. 716: Mr. LINDER.

H.R. 719: Ms. KILPATRICK.

H.R. 732: Mr. ACKERMAN, Mrs. ROUKEMA, and Mr. KILDEE.

H.R. 750: Mr. SMITH of New Jersey.

H.R. 783: Mr. SISISKY, Mr. BONIOR, Mr. SKELTON, Mr. SIMPSON, Mr. HILL of Indiana, Mr. MCHUGH, and Mrs. JOHNSON of Connecticut.

H.R. 784: Mr. STENHOLM and Mr. BALDACCI.

H.R. 796: Mr. DIAZ-BALART, Mr. THOMAS, Mr. BRADY of Texas, Mr. HUNTER, and Mr. LEWIS of California.

H.R. 827: Mr. LEVIN, Mr. GEORGE MILLER of California, Mr. DAVIS of Illinois, Mr. BERMAN, Mr. STARK, Mr. LEWIS of Georgia, Mr. HINOJOSA, Mr. CARDIN, and Mr. QUINN.

H.R. 845: Mr. LEWIS of Georgia.

H.R. 876: Mr. GARY MILLER of California.

H.R. 895: Mr. DIXON, Mr. CARDIN, Ms. LEE, Mrs. THURMAN, Ms. BERKLEY, Mr. MALONEY of Connecticut, and Ms. VELÁZQUEZ.

H.R. 924: Mr. BURTON of Indiana, Mrs. EMERSON, Mr. GOODE, Mr. HOBSON, Mr. JENKINS, Ms. MCKINNEY, Mr. PICKETT, and Mr. TAYLOR of North Carolina.

H.R. 976: Ms. CARSON, Mr. MALONEY of Connecticut, and Mr. JENKINS.

H.R. 997: Mr. PALLONE, Mr. BROWN of California, Mr. MATSUI, Mrs. JOHNSON of Connecticut, Mr. VENTO, Mr. WEYGAND, Mr. FILNER, Mrs. NAPOLITANO, Ms. WOOLSEY, Mr. MCHUGH, Mr. MOLLOHAN, and Mr. LEWIS of Georgia.

H.R. 1000: Mr. ORTIZ, Mr. POMBO, Mr. SOUDER, Mr. ENGLISH, and Mr. SHOWS.

H.R. 1002: Mr. PACKARD.

H.R. 1008: Mr. CALVERT.

H.R. 1029: Mr. MCDERMOTT, Mr. FROST, Mr. FARR of California, and Mrs. MEEK of Florida.

H.R. 1044: Mr. ENGLISH, Mrs. THURMAN, Mr. JENKINS, and Mr. GARY MILLER of California.

H.R. 1070: Mr. BORSKI and Mr. CLYBURN.

H.R. 1071: Ms. BERKLEY.

H.R. 1080: Mr. WEINER, Mr. THOMPSON of Mississippi, and Mr. LATOURETTE.

H.R. 1083: Mr. CRANE.

H.R. 1095: Mr. RAHALL, Mr. ABERCROMBIE, Mr. LANTOS, and Mr. LEWIS of Georgia.

H.R. 1102: Mrs. MYRICK, Mr. LUCAS of Kentucky, Mr. MANZULLO, Mr. COOK, and Mr. VENTO.

H.R. 1106: Mr. CHAMBLISS.

H.R. 1111: Mr. LEACH.

H.R. 1123: Mr. GEJDENSON and Ms. RIVERS.

H.R. 1146: Mr. TANCREDO.

H.R. 1168: Mr. MEEHAN, Mr. LATOURETTE, Mr. TRAFICANT, Mr. CRAMER, Mrs. ROUKEMA, Mr. HILLEARY, Mrs. TAUSCHER, Mr. JEFFERSON, Mr. SMITH of New Jersey, Mr. SAXTON, Mr. TIERNEY, Mr. ENGEL, Mr. WEXLER, and Mr. VISCLOSKY.

H.R. 1180: Mr. PAYNE, Mr. TAUZIN, Ms. HOOLEY of Oregon, Ms. MCKINNEY, Mr. SIMPSON, and Mr. CAPUANO.

H.R. 1190: Mr. UNDERWOOD.

H.R. 1196: Mr. HINOJOSA and Mr. WU.

H.R. 1218: Mr. PACKARD.

H.R. 1221: Mrs. THURMAN.

H.R. 1222: Mr. MCDERMOTT.

H.R. 1237: Mr. DELAHUNT, Mr. ROMERO-BARCELÓ, Mr. FARR of California, Mr. FRANKS of New Jersey, Mr. DAVIS of Florida, and Mr. WU.

H.R. 1248: Ms. KILPATRICK, Mr. PALLONE, and Mr. BROWN of California.

H.R. 1256: Mr. ARMEY, Mr. DEAL of Georgia, Mr. BARTON of Texas, Mr. MEEKS of New York, and Mr. BOEHLERT.

H.R. 1267: Mr. LAFALCE.

H.R. 1285: Mr. ENGLISH, Mr. WYNN, Mr. BALDACCI, Mr. DAVIS of Illinois, Mr. BONIOR, and Mrs. EMERSON.

H.R. 1288: Mrs. MALONEY of New York, Ms. VELÁZQUEZ, and Mr. CAPUANO.

H.R. 1292: Mr. LOBIONDO, Mr. FROST, Mr. HOUGHTON, and Mr. LANTOS.

H.R. 1301: Ms. MCCARTHY of Missouri, Mr. EVERETT, Mr. KIND, Mrs. THURMAN, Mr. HULSHOF, Mr. LUCAS of Kentucky, Mr. MCHUGH, Mr. CAMP, Mr. TANCREDO, Mr. DEAL of Georgia, and Ms. PRYCE of Ohio.

H.R. 1317: Mr. NEAL of Massachusetts and Mr. UPTON.

H.R. 1334: Mr. SHIMKUS, Mr. NORWOOD, Mr. GILLMOR, and Mr. WELLER.

H.R. 1337: Mr. BECERRA, Mr. BILIRAKIS, Mr. COLLINS, Mr. MCKEON, Mr. RANGEL, and Mr. CRANE.

H.R. 1342: Ms. WOOLSEY, Mr. CAPUANO, and Ms. JACKSON-LEE of Texas.

H.R. 1349: Mr. CALVERT, Mr. CANNON, and Mr. LATHAM.

H.R. 1355: Mr. ACKERMAN and Mr. RODRIGUEZ.

H.R. 1366: Mr. PASTOR, Mr. BAKER, and Mr. SMITH of New Jersey.

H.R. 1443: Mr. ENGEL.

H.R. 1452: Mr. TRAFICANT.

H.R. 1465: Mr. INSLEE.

H.R. 1496: Ms. PRYCE of Ohio, Mr. LOBIONDO, Mr. MCINTOSH, and Mrs. MYRICK.

H.R. 1513: Mr. BLUMENAUER.

H.R. 1592: Mr. CUNNINGHAM, Mr. TERRY, Mr. HUTCHINSON, Ms. BROWN of Florida, Mr. NORWOOD, Mr. HOLDEN, Mr. GEKAS, and Mr. GIBBONS.

H.R. 1602: Mr. MANZULLO, Mr. GARY MILLER of California, and Mr. TALENT.

H.R. 1614: Mr. DAVIS of Florida.

H.R. 1616: Mr. MCINNIS.

H.R. 1649: Mr. PETRI.

H.R. 1650: Ms. KILPATRICK, Mr. LEVIN, Ms. SLAUGHTER, and Mr. SMITH of Washington.

H.R. 1659: Mr. FRANK of Massachusetts, Ms. CARSON, Ms. NORTON, Mr. GONZALEZ, Mr. JACKSON of Illinois, Mr. MEEKS of New York, Ms. BROWN of Florida, Mr. WALSH, Mr. DAVIS of Illinois, and Mr. CLAY.

H.R. 1706: Mr. GARY MILLER of California.

H.R. 1710: Mr. BACHUS.

H.R. 1750: Ms. SCHAKOWSKY, Mr. TRAFICANT, Ms. BALDWIN, Mr. RODRIQUEZ, and Mr. CONYERS.

H.R. 1763: Mr. HUNTER.
H.R. 1768: Mr. MOORE.
H.R. 1775: Mr. HOYER and Mr. KENNEDY of Rhode Island.
H.R. 1777: Mr. ENGLISH, Mr. EHLERS, and Mr. INSLEE.
H.R. 1791: Mr. ENGLISH and Ms. KILPATRICK.
H.R. 1798: Ms. SLAUGHTER.
H.R. 1812: Ms. BALDWIN.
H.J. Res. 21: Mr. EWING.
H.J. Res. 41: Mr. BRADY of Pennsylvania, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. DELAHUNT, and Ms. DEGETTE.
H. Con. Res. 8: Mr. LUCAS of Kentucky.
H. Con. Res. 25: Mr. ROMERO-BARCELO, Mrs. KELLY, and Mr. FROST.
H. Con. Res. 30: Mr. THORNBERRY and Mr. RYUN of Kansas.
H. Con. Res. 60: Mr. LEACH, Mr. BEREUTER, and Mr. SUNUNU.
H. Con. Res. 73: Mr. LAFALCE.
H. Con. Res. 75: Mr. KENNEDY of Rhode Island, and Ms. EDDIE BERNICE JOHNSON of Texas.
H. Con. Res. 94: Mr. TRAFICANT, Mrs. CUBIN, and Mr. SMITH of New Jersey.
H. Con. Res. 99: Mr. ENGLISH
H. Con. Res. 107: Mr. DEMINT, Mr. FORBES, Mr. HILLEARY, Mr. POMBO, Mr. RILEY, Mr. SMITH of New Jersey, Mr. ARCHER, Mr. WATTS of Oklahoma, Mr. BLILEY, and Mr. HOSTETTLER.
H. Res. 45: Mr. PACKARD.
H. Res. 115: Mr. LEVIN, Mr. WEINER, and Mr. CAPUANO.
H. Res. 161: Mr. LAMPSON and Ms. BALDWIN.
H. Res. 164: Ms. MILLENDER-MCDONALD, Mr. HILLIARD, Mr. SANDERS, Mr. SHOWS, Mr. BAIRD, Mr. ABERCROMBIE, and Mr. FROST.

DELETION OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

H.R. 692: Mr. GREEN of Wisconsin.
H.R. 987: Mr. THOMPSON of Mississippi.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 1553

OFFERED BY: MR. HUTCHINSON

AMENDMENT NO. 1: In section 3, insert at the end the following new subsection:

(d) CLOSING OF LOCAL WEATHER SERVICE OFFICES.—It is the sense of the Congress that the National Weather Service should not close any local weather service offices within Wind Zone IV, otherwise known as tornado alley.

H.R. 1553

OFFERED BY: MR. TRAFICANT

AMENDMENT NO. 2: At the end of the bill, add the following new sections:

SEC. 9. COMPLIANCE WITH BUY AMERICAN ACT.

No funds authorized pursuant to this Act may be expended by an entity unless the entity agrees that in expending the assistance the entity will comply with sections 2 through 4 of the Act of March 3, 1933 (41 U.S.C. 10a–10c, popularly known as the ''Buy American Act'').

SEC. 10. SENSE OF CONGRESS; REQUIREMENT REGARDING NOTICE.

(a) PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS.—In the case of any equipment or products that may be authorized to be purchased with financial assistance provided under this Act, it is the sense of the Congress that entities receiving such assistance should, in expending the assistance, purchase only American-made equipment and products.

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

SEC. 11. PROHIBITION OF CONTRACTS.

If it has been finally determined by a court or Federal agency that any person intentionally affixed a label bearing a ''Made in America'' inscription, or any inscription with the same meaning, to any product sold in or shipped to the United States that is not made in the United States, such person shall be ineligible to receive any contract or subcontract made with funds provided pursuant to this Act, pursuant to the debarment, suspension, and ineligibility procedures described in section 9.400 through 9.409 of title 48, Code of Federal Regulations.

H.R. 1654

OFFERED BY: MR. BATEMAN

AMENDMENT NO. 1: In section 101(1), strike ''$2,482,700,000'' and insert ''$2,382,700,000''.

In section 101(2), strike ''$2,328,000,000'' and insert ''$2,228,000,000''.

In section 101(3), strike ''$2,091,000,000'' and insert ''$1,991,000,000''.

In section 103(4)—

(1) in subparagraph (A), strike ''$999,300,000'' and insert ''$1,099,300,000'';

(2) in subparagraph (A)(i), strike ''$532,800,000'' and insert ''$632,800,000'';

(3) in subparagraph (A)(i), strike ''$412,800,000 to be for the Research and Technology Base'' and insert ''$512,800,000 to be for the Research and Technology Base, including—

''(I) $20,000,000 for the Innovative Aviation Technologies Research program;

''(II) $30,000,000 for the Aging Aircraft Sustainment program;

''(III) $10,000,000 for the Aircraft Development Support program;

''(IV) $20,000,000 for the Unmanned Air Vehicles program; and

''(V) $20,000,000 for the Long-Range Precision Hypersonic Strike program'';

(4) in subparagraph (B), strike ''$908,400,000'' and insert ''$1,008,400,000'';

(5) in subparagraph (B)(i), strike ''$524,000,000'' and insert ''$624,000,000'';

(6) in subparagraph (B)(i), strike ''$399,800,000 to be for the Research and Technology Base, and with $54,200,000 to be for Aviation System Capacity'' and insert ''$54,200,000 to be for Aviation System Capacity, and with $499,800,000 to be for the Research and Technology Base, including—

''(I) $20,000,000 for the Innovative Aviation Technologies Research program;

''(II) $30,000,000 for the Aging Aircraft Sustainment program;

''(III) $10,000,000 for the Aircraft Development Support program;

''(IV) $20,000,000 for the Unmanned Air Vehicles program; and

''(V) $20,000,000 for the Long-Range Precision Hypersonic Strike program'';

(7) in subparagraph (C), strike ''$994,800,000'' and insert ''$1,094,800,000'';

(8) in subparagraph (C)(i), strike ''$519,200,000'' and insert ''$619,200,000''; and

(9) in subparagraph (C)(i), strike ''$381,600,000 to be for the Research and Technology Base, and with $67,600,000 to be for Aviation System Capacity'' and insert ''$67,600,000 to be for Aviation System Capacity, and with $481,600,000 to be for the Research and Technology Base, including—

''(I) $20,000,000 for the Innovative Aviation Technologies Research program;

''(II) $30,000,000 for the Aging Aircraft Sustainment program;

''(III) $10,000,000 for the Aircraft Development Support program;

''(IV) $20,000,000 for the Unmanned Air Vehicles program; and

''(V) $20,000,000 for the Long-Range Precision Hypersonic Strike program''.

H.R. 1654

OFFERED BY: MR. COOK

AMENDMENT NO. 2: At the end of the bill, insert the following new section:

SEC. 221. SPACE STATION COMMERCIALIZATION.

In order to promote commercialization of the International Space Station, the Administrator shall—

(1) allocate sufficient resources as appropriate to accelerate the National Aeronautics and Space Administration's initiatives promoting commercial participation in the International Space Station;

(2) instruct all National Aeronautics and Space Administration staff that they should consider the potential impact on commercial participation in the International Space Station in developing policies or program priorities not directly related to crew safety; and

(3) publish a list, not later than 90 days after the date of the enactment of this Act, and annually thereafter with the annual budget request of the National Aeronautics and Space Administration, of the opportunities for commercial participation in the International Space Station consistent with safety and mission assurance.

In the table of contents, after the item relating to section 220, insert the following new item:

Sec. 221. Space Station commercialization.

H.R. 1654

OFFERED BY: MR. ROEMER

AMENDMENT NO. 3: Amend section 101 to read as follows:

SEC. 101. INTERNATIONAL SPACE STATION.

There are authorized to be appropriated to the National Aeronautics and Space Administration for the International Space Station, for expenses necessary to terminate the program, for fiscal year 2000, $500,000,000.

In section 106(1), strike ''$13,625,600,000'' and insert in lieu thereof ''$11,642,900,000''.

In section 106(2), strike ''$13,747,100,000'' and insert in lieu thereof ''$11,919,100,000''.

In section 106(3), strike ''$13,839,400,000'' and insert in lieu thereof ''$12,248,490,000''.

In section 121(a), strike ''sections 101,'' and insert in lieu thereof ''sections''.

H.R. 1654

OFFERED BY: MR. ROEMER

AMENDMENT NO. 4: After section 130, insert the following new section:

SEC. 131. COST LIMITATION FOR THE INTERNATIONAL SPACE STATION.

(a) LIMITATION OF COSTS.—Except as provided in subsection (c), the total amount appropriated for—

(1) costs of the International Space Station through completion of assembly may not exceed $21,900,000,000; and

(2) space shuttle launch costs in connection with the assembly of the International Space Station through completion of assembly may not exceed $17,700,000,000 (determined at the rate of $380,000,000 per space shuttle flight).

(b) COSTS TO WHICH LIMITATION APPLIES.—
(1) DEVELOPMENT COSTS.—The limitation imposed by subsection (a)(1) does not apply to funding for operations, research, and crew return activities subsequent to substantial completion of the International Space Station.
(2) LAUNCH COSTS.—The limitation imposed by subsection (a)(2) does not apply to space shuttle launch costs in connection with operations, research, and crew return activities subsequent to substantial completion of the International Space Station.
(3) SUBSTANTIAL COMPLETION.—For purposes of this subsection, the International Space Station is considered to be substantially completed when the development costs comprise 5 percent or less of the total International Space Station costs for the fiscal year.
(c) AUTOMATIC INCREASE OF LIMITATION AMOUNT.—The amounts set forth in subsection (a) shall each be increased to reflect any increase in costs attributable to—
(1) economic inflation;
(2) compliance with changes in Federal, State, or local laws enacted after the date of enactment of this Act;
(3) the lack of performance or the termination of participation of any of the International countries participating in the International Space Station; and
(4) new technologies to improve safety, reliability, maintainability, availability, or utilization of the International Space Station, or to reduce costs after completion of assembly, including increases in costs for on-orbit assembly sequence problems, increased ground testing, verification and integration activities, contingency responses to on-orbit failures, and design improvements to reduce the risk of on-orbit failures.
(d) NOTICE OF CHANGES.—The Administrator shall provide with each annual budget request a written notice and analysis of any changes under subsection (c) to the amounts set forth in subsection (a) to the Senate Committees on Appropriations and on Commerce, Science, and Transportation and to the House of Representatives Committees on Appropriations and on Science. The written notice shall include—
(1) an explanation of the basis for the change, including the costs associated with the change and the expected benefit to the program to be derived from the change; and
(2) an analysis of the impact on the assembly schedule and annual funding estimates of not receiving the requested increases.
(e) REPORTING AND REVIEW.—
(1) IDENTIFICATION OF COSTS.—
(A) SPACE SHUTTLE.—As part of the overall space shuttle program budget request for each fiscal year, the Administrator shall identify separately the amounts of the requested funding that are to be used for completion of the assembly of the International Space Station.
(B) INTERNATIONAL SPACE STATION.—As part of the overall International Space Station budget request for each fiscal year, the Administrator shall identify the amount to be used for development of the International Space Station.
(2) ACCOUNTING FOR COST LIMITATIONS.—As part of the annual budget request to the Congress, the Administrator shall account for the cost limitations imposed by subsection (a).
(3) VERIFICATION OF ACCOUNTING.—The Administrator shall arrange for a verification, by the General Accounting Office, of the accounting submitted to the Congress within 60 days after the date on which the budget request is transmitted to the Congress.
(4) INSPECTOR GENERAL.—Within 60 days after the Administrator provides a notice and analysis to the Congress under subsection (d), the Inspector General of the National Aeronautics and Space Administration shall review the notice and analysis and report the results of the review to the committees to which the notice and analysis was provided.

In the table of contents, after the item relating to section 130, insert the following new item:

Sec. 131. Cost limitation for the International Space Station.

H.R. 1654

OFFERED BY: MR. ROEMER

AMENDMENT NO. 5: At the end of the bill, insert the following new section:

SEC. 221. CANCELLATION OF RUSSIAN PARTNERSHIP.

Not later than 90 days after the date of the enactment of this Act, the Administrator shall terminate all contracts and other agreements with the Russian Government necessary to remove the Russian Government as a partner in the International Space Station program. The National Aeronautics and Space Administration shall not enter into a new partnership with the Russian Government relating to the International Space Station. Nothing in this section shall prevent the National Aeronautics and Space Administration from accepting participation by the Russian Government or Russian entities on a commercial basis. Nothing in this section shall prevent the National Aeronautics and Space Administration from purchasing elements of the International Space Station directly from Russian contractors.

In the table of contents, after the item relating to section 220, insert the following:

Sec. 221. Cancellation of Russian partnership.

H.R. 1654

OFFERED BY: MR. ROHRABACHER

AMENDMENT NO. 6: In section 103(2)—
(1) in subparagraph (A), insert ‘‘, and of which $77,400,000 may be used for activities associated with International Space Station research’’ after ‘‘rocket vouchers’’;
(2) in subparagraph (B), insert ‘‘, and of which $70,000,000 may be used for activities associated with International Space Station research’’ after ‘‘health issues’’; and
(3) in subparagraph (C), insert ‘‘, and of which $80,800,000 may be used for activities associated with International Space Station research’’ after ‘‘health issues’’.

In section 103(4)(A)(i), insert ‘‘focused program’’ after ‘‘Ultra-Efficient Engine’’.

In section 103(4)(A)(ii)(I), insert ‘‘, including $30,000,000 for Pathfinder Operability Demonstrations’’ after ‘‘Demonstration Program’’.

In section 103(4)(B)(i), insert ‘‘focused program’’ after ‘‘Ultra-Efficient Engine’’.

In section 103(4)(C)(i), insert ‘‘focused program’’ after ‘‘Ultra-Efficient Engine’’.

In section 209(1), insert ‘‘encouraging’’ after ‘‘process of’’.

In section 219—
(1) in subsection (a)—
(A) strike ‘‘EDUCATION CURRICULUM.—’’ and insert ‘‘EDUCATIONAL INITIATIVE.—’’;
(B) strike ‘‘an age-appropriate educational curriculum’’ and insert ‘‘age-appropriate educational materials’’;
(C) insert ‘‘related’’ after ‘‘and any other’’; and
(D) strike ‘‘the educational curriculum plans’’ and insert ‘‘the educational materials plans’’; and
(2) in subsection (b), strike ‘‘Committee on Science of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate’’ and insert ‘‘Congress’’.

H.R. 1654

OFFERED BY: MR. SALMON

AMENDMENT NO. 7: At the end of the bill, insert the following new section:

SEC. 221. ANTI-DRUG MESSAGE ON INTERNET SITES.

Not later than 90 days after the date of the enactment of this Act, the Administrator, in consultation with the Director of the Office of National Drug Control Policy, shall place anti-drug messages on Internet sites controlled by the National Aeronautics and Space Administration.

In the table of contents, after the item relating to section 220, insert the following new item:

Sec. 221. Anti-drug message on Internet sites.

H.R. 1654

OFFERED BY: MR. SMITH OF MICHIGAN

AMENDMENT NO. 8: In section 217—
(1) insert ‘‘(a) INFORMATION DEVELOPMENT.—’’ before ‘‘The Administrator shall’’; and
(2) add at the end the following new subsections:
(b) PLAN.—After performing the activities described in subsection (a) the Administrator and the Secretary of Agriculture shall develop a plan to inform farmers and other prospective users about the use and availability of remote sensing products that may assist with agricultural and forestry applications identified in subsection (a). The Administrator shall transmit such plan to the Congress not later than 180 days after the date of the enactment of this Act.
(c) IMPLEMENTATION.—Not later than 90 days after the plan has been transmitted under subsection (b), the Administrator and the Secretary of Agriculture shall implement the plan.

H.R. 1654

OFFERED BY: MR. SMITH OF MICHIGAN

AMENDMENT NO. 9: In section 217—
(1) insert ‘‘(a) INFORMATION DEVELOPMENT.—’’ before ‘‘The Administrator shall’’; and
(2) add at the end the following new subsections:
(b) PLAN.—After performing the activities described in subsection (a) the Administrator shall, in consultation with the Secretary of Agriculture, develop a plan to inform farmers and other prospective users about the use and availability of remote sensing products that may assist with agricultural and forestry applications identified in subsection (a). The Administrator shall transmit such plan to the Congress not later than 180 days after the date of the enactment of this Act.
(c) IMPLEMENTATION.—Not later than 90 days after the plan has been transmitted under subsection (b), the Administrator shall implement the plan.

H.R. 1654

OFFERED BY: MR. TRAFICANT

AMENDMENT NO. 10: At the end of the bill, insert the following new section:

SEC. 221. SENSE OF CONGRESS; REQUIREMENT REGARDING NOTICE.

(a) PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS.—In the case of any equipment or products that may be authorized to be purchased with financial assistance provided under this Act, it is the sense of the Congress that entities receiving such assistance should, in expending the assistance, purchase only American-made equipment and products.

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

In the table of contents, after the item relating to section 220, insert the following new item:

Sec. 221. Sense of Congress; requirement regarding notice.

H.R. 1654

OFFERED BY: MR. TRAFICANT

AMENDMENT NO. 11: At the end of the bill, insert the following new section:

SEC. 221. USE OF ABANDONED AND UNDERUTILIZED BUILDINGS, GROUNDS, AND FACILITIES.

(a) IN GENERAL.—In meeting the needs of the National Aeronautics and Space Administration for additional facilities, the Administrator shall select abandoned and underutilized buildings, grounds, and facilities in depressed communities that can be converted to National Aeronautics and Space Administration facilities at a reasonable cost, as determined by the Administrator.

(b) DEFINITIONS.—For purposes of this section, the term ''depressed communities'' means rural and urban communities that are relatively depressed, in terms of age of housing, extent of poverty, growth per capita income, extent of unemployment, job lag, or surplus labor.

In the table of contents, after the item relating to section 220, insert the following new item:

Sec. 221. Use of abandoned and underutilized buildings, grounds, and facilities.

EXTENSIONS OF REMARKS

THE SUGAR PROGRAM REFORM ACT

HON. DAN MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 18, 1999

Mr. MILLER of Florida. Mr. Speaker, today myself, Representative GEORGE MILLER and more than 40 of our colleagues are introducing the Sugar Program Reform Act, a bill to phase out the sugar program by the end of 2002.

The sugar program is the ''sugar daddy'' of corporate welfare. Why? Because most of the benefits of this program go to huge corporate sugar producers, not the typical family farmer.

The sugar program's sole purpose is to prop up the price of sugar in the United States through a complex system of low-interest, nonrecourse loans and tight import restrictions. In fact, the price of sugar in the United States today is roughly four times as high as the price of sugar world wide.

As a result, the sugar program imposes a ''sugar tax'' on consumers, forcing them to pay more than $1 billion in higher prices for food and sugar every year.

It devastates the environment, particularly the fragile Everglades in my home State of Florida. Higher prices for sugar have encouraged more and more sugar production in the Everglades Agricultural Area, leading to high levels of phosphorus-laden agricultural runoff flowing into the Everglades, which has damaged the ecosystem.

It has cost many Americans their jobs because it has restricted the supply of sugar that is available on the American market, resulting in the closure of a dozen sugar refineries across the country.

Finally, it hampers our ability to expand trade opportunities for America's farmers. It is hypocritical for the United States to protect domestic sugar production while urging other countries to open their agricultural markets. America loses leverage in trade negotiations as a result.

The sugar program is an archaic, unnecessary government handout to corporate sugar producers at the expense of consumers, workers, and the environment. It is truly deserving of reform.

The Sugar Program Reform Act will do what the 1996 farm bill failed to accomplish. While the Farm bill began to phase out supports for nearly every farm commodity, sugar escaped without any meaningful reform. The Sugar Program Reform Act will gradually phase out the loans provided to sugar producers, and terminate them at the end of 2002. It will require that any loans provided to sugar producers must be repaid.

Finally, it will require the government to ensure that there is an adequate supply of sugar on the United States market to help keep prices down.

This legislation is good for consumers, good for the environment, good for American workers, and good for the economy.

It is my hope that this legislation will be quickly considered by the House.

BETTY LIPPS IS THE ANGEL AMONG US

HON. JOHN SHIMKUS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 18, 1999

Mr. SHIMKUS. Mr. Speaker, I would like to take this opportunity to congratulate Betty Lipps upon being named Citizen of the Year by the Jefferson County Chamber of Commerce in recognition of her efforts to create ''Angels on Assignment.''

''Angels'' is affiliated with the First Methodist Church in Mount Vernon, Illinois and began in 1991. Since then the ''Angels,'' which is devoted to helping the needy and homeless in our country, have made a significant contribution to Mount Vernon and the surrounding Jefferson County area.

However, we cannot overlook the significance of Betty Lipps' efforts in creating this program in the first place. Had she not given of her personal time and vision, this program never would have begun and the ''Angels'' who have come to mean so much to the Mount Vernon area might never have been found.

It takes a lot of people and a lot of hard work to make a program like this flourish the way that ''Angels'' continues to do. Most importunately, it takes one courageous and determined soul like Betty Lipps to get the whole thing started.

To Betty and her husband of 50 years, Bob, I say thank you. Thank you for all you do to make our lives a little better. In your honor, I am wearing the ''Angels'' yellow ribbon on the House Floor today as a reminder that with a little bit of love and understanding there truly are angels among us. Thanks Betty.

EU BEEF BAN NOT BASED ON SCIENCE OR FACTS

HON. DOUG BEREUTER

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 18, 1999

Mr. BEREUTER. Mr. Speaker, this Member would like to commend to his colleagues the following editorial from the May 11, 1999, Journal of Commerce. This editorial provides a thoughtful look at the issues surrounding the European Union's ban on hormone-treated beef. As the editorial emphasizes, since the ban is not based on science, the EU should give consumers the choice of purchasing American beef.

The United States and the European Union, twin champions of a rules-based global trading system, are heading toward another senseless trade showdown, this one over hormone-treated beef.

Like the banana dispute that preceded it—and on which the United States is now collecting trade penalties from EU exporters—the current fight over beef hormones stems from European intransigence.

In the banana case, the EU insisted that its political ties with former colonies took precedence over its duty to deal fairly with other nations' banana producers. In the current fight over hormone-treated beef, the EU insists that its trading obligations must take a back seat to exaggerated public fears over tampering with nature. This is an untenable stance for a major trading power; the EU should abandon it before doing any more damage to the global trading system.

The dispute has dragged on since the EU first banned hormone-treated beef in 1988. The issue picked up steam in 1995, when the World Trade Organization's agreement on Sanitary and Phyto-Sanitary measures forbade the use of bogus health and safety regulations as de facto trade barriers.

Acting on a U.S. complaint, the WTO ultimately ruled that the EU ban of imports of hormone-treated beef is not based on sound science, and told the EU to make a change by May 13. To Washington, this meant the ban must be lifted by Thursday. But Brussels decided the ruling means that more risk assessment is needed, and it ordered up 17 scientific studies. It also said it would announce its intentions this week on how to respond to the WTO order.

Then, last week, EU Consumer Affairs Commissioner Emma Bonino dropped a bombshell into the hubbub of predictions and expectations. Citing the interim results of the first of the 17 studies, the chain-smoking Ms. Bonino said hormone-treated beef is so unsafe that it must continue to be banned from the EU market. ''There can no longer be any question of lifting the ban,'' she said.

U.S. officials were flabbergasted, and rightly so. The announcement pre-empted the so-called scientific studies the EU had launched. It even jumped the gun on the final results of the study it purported to be based upon. And it raised a curious question: Why should the EU plow ahead with 17 expensive studies when it knows the outcome from the beginning?

Moreover, the announcement left major questions unanswered about the scientific basis of the EU's policy. The data behind the interim study results were not immediately available.

At the same time, there is substantial evidence the product is safe: Americans and Canadians have been eating hormone-treated

beef for decades with no evidence of harm. Study after study has shown there is no difference in the effects of synthetic and natural hormones. And the United Nations agency responsible for food safety issues, Codex Alimentarius, has given a clean bill of health to the substances the EU cites as most dangerous.

But none of that deterred Ms. Bonino, who says the danger is so great that even warning labels will not offer enough protection. Her declaration appeared to close off a promising compromise involving labeling; if a product is banned, the question of how to label it becomes academic.

U.S. trade negotiators, who initially opposed the idea of labeling beef as hormone-treated, now are warming to the idea. To be sure, it would add costs to U.S. and Canadian beef products. But faced with the option of no access at all to the EU market, producers are relenting. Given the chance, some might even make a virtue of necessity, marketing their products as ''New, Improved, Hormone-Treated!''

It remains for the EU to back down from its Nanny stance and let consumers decide for themselves—just as they do with cigarettes, alcohol, and other products that pose much greater safety risks than beef growth hormones. No government can guarantee its citizens zero risk, and no public agency should presume to try. The best it can do is base its policies on sound science, and respect its citizens' rights to make an informed choice.

HONORING BERNARD CEDERBAUM

HON. NITA M. LOWEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 18, 1999

Mrs. LOWEY. Mr. Speaker, the Scarsdale Bowl Award, Scarsdale's highest civic honor, has been given annually since 1943 to honor ''one who has given unselfishly of time, energy, and effort to serve the civic welfare of the community.'' Today, I would like to recognize a resident of my district who, through nearly three decades of tireless community service, perfectly embodies the spirit of this award.

Since moving to Scarsdale 28 years ago, Bernard Cederbaum has chaired or served on no fewer the 10 of Scarsdale's boards, councils, and committees. He is one of a very small group of residents to have served on both the board of education (1979–85) and the village board of trustees (1993–98). A natural leader and commonsense decisionmaker, Mr. Cederbaum has presided over the Town Club, Scarsdale Foundation, Environmental Advisory Council, and Greenacres Association. Those who have served with Mr. Cederbaum admire his intelligence, sense of fairness, reasonable approach to problems solving, and his quick sense of humor.

Mr. Cederbaum's commitment to a successful professional career has always been balanced with an unyielding dedication to voluntarism. Remarkably, Mr. Cederbaum dedicated countless hours to the town of Scarsdale while he worked as a partner at the law firm of Carter, Ledyard, & Milburn, presided over the New York State Bar Association's Corporation and Business Law Section, and participated in various committees of the New York City Association of the Bar.

The Scarsdale Bowl Award marks Mr. Cederbaum's fulfillment of his goal, to make a valuable contribution to the community in which he lives. I join with the residents of Scarsdale in applauding Mr. Cederbaum's commitment to our community and I am proud to officially recognize this remarkable civic leader for his many years of service.

IN HONOR OF HIS HOLINESS BABA KASHMIRA JI MAHARAJ FOR HIS DEDICATION TO THE INDIAN COMMUNITY

HON. ROBERT MENENDEZ

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 18, 1999

Mr. MENENDEZ. Mr. Speaker, I rise today to recognize His Holiness Baba Kashmira Ji Maharaj for his commitment to equality and tolerance in India.

Called a visionary with a humane touch, Baba Ji has been instrumental in facilitating the distribution of medical services to the most needy in the remote villages of Punjab. By founding the S.G.L. Charitable Hospital at Jalandhar, Baba Ji has ensured that blood donation sites and necessary cancer treatment and detection equipment are available to the area's less fortunate.

Through a combination of meditation and medication, Baba Ji and the Charitable Hospital has assisted the sick, drug addicts and those suffering from depression. Now, plans have been established to create a nursing college, a dental college, and a medical college.

Another issue of great significance to Baba Ji is that of gender equality. He has been instrumental in highlighting the discrimination and degradation suffered by Indian women. He has spoken passionately about the oppression created by the dowry system and has repeatedly lent his services to families unable to meet the expenses of a wedding.

Baba Ji has also made essential and indispensable strides towards assisting Indian women in their quest for economic independence. He and his family have long been promoters of equal education rights for boys and girls. In 1910, Baba Ji's father and grandfather donated the necessary land and money to found an institution designed to address the educational needs of India's young women and girls. This institution has become one of the finest women's educational institutions in Asia.

From assisting earthquake and flood victims to his ground breaking medical work to his efforts towards equality in India, His Holiness Baba Ji has worked tirelessly on behalf of India's disadvantaged. For his tremendous work in these areas; for his insight and leadership; and for his continued dedication to the underprivileged, I would like to thank and congratulate His Holiness Baba Ji.

HONORING DR. HENRY KENDALL, SCIENTIST AND HUMANITARIAN

HON. RUSH D. HOLT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 18, 1999

Mr. HOLT. Mr. Speaker, I rise today to pay tribute to a late friend and colleague, Dr. Henry Kendall.

Dr. Kendall was foremost a great scientist. He received the Nobel Prize in 1990, along with two colleagues, Dr. Richard Taylor and Dr. Jerome Friedman, for experiments that confirmed the existence of quarks. As a physicist, Dr. Kendall constantly sought to break new ground, searching for new scientific phenomena and effects.

Dr. Kendall, however, was not content to remain solely in the laboratory. Concerned about governmental issues like nuclear proliferation and the safety of nuclear reactors, he helped found the Union of Concerned Scientists. This public interest group presses for control of technologies which may be harmful or dangerous. Dr. Kendall served as Chairman of the UCS from 1974 until his recent death. A strong advocate of public safety, Dr. Kendall devoted nearly every minute outside of his laboratory to campaigns to curb the nuclear arms race and alert the public to the most pressing environmental threats of our time.

Through his efforts, Dr. Kendall was a living testimony to how scientists and politicians can work together to further the public welfare. He testified numerous times before Congress about issues of technological safety, as he firmly believed that scientists could—and should—play an important role in public policy debates. His leadership of UCS was deeply rooted in the belief that, given accurate and credible information, the public and policy makers would ultimately make the right choices about the future. He had a rare gift for taking the long view and understanding how human activities and natural systems are intricately intertwined. He encouraged his coworkers to never shy away from the big problems facing the future of humanity and the natural world.

In his leisure time, Dr. Kendall was an avid outsdoorman, with a love of scuba diving and mountain climbing. His adventures took him to the Andes and the Himalayas, where he took pleasure in the beauty of our world.

Mr. Speaker, Dr. Kendall was an exemplary man in both his work as a scientist and as a public advocate. It is a rare man who can excel at such widely differing fields, and work to bring them closer together. Years from now Dr. Kendall may simply be remembered as a Nobel Prize Winner. But to pay tribute to this one facet of his life would be to deny the completeness of the man, and all that he attempted to do to help the people of this nation.

I hope that my colleagues in the House will join me in extending this tribute to Dr. Kendall.

EXPOSING RACISM

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 18, 1999

Mr. THOMPSON of Mississippi Mr. Speaker, since the beginning of March, I have introduced articles into the CONGRESSIONAL RECORD to document the continued effects racism and discrimination are having on our nation. Although the killings of James Byrd in Jasper, TX, and Isaiah Shoels in Littleton, CO have painfully thrust the acts of overt, violent racists into the national spotlight, the articles I have entered into the RECORD will show, if they do not already, that we can not sit by silently while this cancer grows unchecked.

The origins of our great nation were nascent with promises of freedom, justice, and equality under the law. However, for more than 200 years, the enslavement of Africans and then Jim Crow laws obfuscated our task—our obligation—to make America ''one nation under God.'' We were blinded to the veracity of inspirational phrases like, ''with freedom and justice for all,'' ''all men are created equal,'' and ''Epluribus Unim''—from the many one.

However, during the civil rights movement, many brave Americans of all races stepped forward to denounce the laws and systemic bigotry that perpetuated an American version of apartheid. They walked, marched, and ''satin'' in an attempt to reclaim the legacy promised to all of us by our founding fathers. One such person was Linda Brown. In 1951, this little girl was in the third grade. Although there was an elementary school seven blocks from her house, young Linda was forced to walk over a mile to another elementary school. The reason to make a little girl walk through a railroad switch yard on her way to school? She was black and the school located seven blocks from her house was for white students only.

Many years ago, George Santayana wrote, ''Those who cannot remember the past are condemned to repeat it.'' Because I revere the warning contained in these prescient words, today I am introducing a resolution to recognize the 45th anniversary of the Supreme Court's decision in Brown versus Board of Education. In 1954, the U.S. Supreme Court, in a unanimous decision, boldly struck down segregation laws in public schools and upheld the equal protection laws guaranteed to all Americans by the 14th amendment to the U.S. Constitution.

However, in the aftermath of that historic decision, many of the freedoms won by the Brown decision have been rolled back or are currently under assault. White flight and a conspicuous attack on our public schools have facilitated the de facto resegregation of our public schools. All of the lessons we should have learned from this important event in our shared American history, seem to be once again eluding us.

I respectfully submit this legislation to remind us all that we have a moral obligation to purge the divisive evil of racism out of the fabric of harmony, justice, and equality that is our shared American legacy. We have a responsibility to not only remember the past, but to learn from it.

If in fact, ''those who cannot remember the past are condemned to repeat it,'' then Mr. Speaker, I pray that my efforts to document racism in America and to remind our nation of the significance of the Brown versus the Board of Education, wake us from our collective slumber to experience the beauty of our shared destiny.

A TRIBUTE TO MR. NAT GLASS, HOLOCAUST SURVIVOR AND COMMUNITY VOLUNTEER

HON. CARRIE P. MEEK

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 18, 1999

Mrs. Meek of Florida. Mr. Speaker, I rise today to pay tribute to Mr. Nat Glass, a survivor of the Holocaust in Poland and, today, a volunteer lecturer at the Holocaust Memorial in Miami Beach, Florida. Mr. Glass was a student in Poland when the Nazis invaded his country in the pre-dawn of September 1, 1939, the event which ushered in World War II.

In his lectures today at the Holocaust Memorial, Mr. Glass relates how the Nazis created Jewish ghettos, in which the Jewish people were forced into labor for their invaders. In September, 1944, Mr. Glass and his family were packed into cattle cars and shipped to Auschwitz. There, he saw his mother and two sisters for the last time. Mr. Glass later learned that they died of starvation at the Stutthof concentration camp.

Mr. Glass was sold as a slave and sent to Germany, where he worked in a factory. In early May 1945, the laborers were told to dig their own graves. As they were about to be executed, the American Army liberated the factory.

Today, Mr. Nat Glass sees it as his mission to volunteer and to share his story of tragedy, because he has seen what hate can do.

Mr. Speaker, it is a privilege to pay tribute to Mr. Nat Glass, a man who has overcome evil with good.

A TRIBUTE TO CONNIE LOUDERBACK AND MEMBERS OF THE GOLDEN, ILLINOIS HISTORICAL SOCIETY

HON. JOHN SHIMKUS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 18, 1999

Mr. SHIMKUS. Mr. Speaker, I would like to take this opportunity to congratulate Connie Loudermilk and the Golden, Illinois Historical Society for their efforts to preserve Prairie Mills in Golden.

Prairie Mills was built by Henry R. Emminga in 1872. It operated for 60 years and served as a key component of Golden and the surrounding area. Today, it serves perhaps an even more important role as a reminder of the way things used to be.

Connie Loudermilk, Randy Kurfman and other members of the Golden Historical Society are working very hard to raise funds and awareness to help preserve the mill and enhance its prospects for the future.

I want to commend Connie and Randy as well as Jim Simpson, Dave Weese, Bob Teel, Ben Booth and all the other volunteers involved in this worthwhile effort. I also want to thank the Illinois Country Living magazine for featuring Prairie Mills and the Society's efforts in its January 1999 edition.

The efforts they are making will last for generations to come.

THE VIEW FROM ROMANIA

HON. DOUG BEREUTER

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 18, 1999

Mr. BEREUTER. Mr. Speaker, this Member commends to his colleagues an excellent article which appeared in the Los Angeles Times on May 10, 1999, calling for NATO to halt the bombing of Yugoslavia and to declare a cease-fire, lest NATO become its own nemesis.

[From the Los Angeles Times, May 10, 1999]

THE VIEW FROM ROMANIA

BOMBING BY NATO, AN ALLIANCE IN WHICH WE HAVE SO MUCH FAITH, ENSURES WRONG RESULTS WHILE ABANDONING FUNDAMENTAL PRECEPTS

(By Adrian Nastase)

Romanians have a message for NATO—one that is decidedly pro-NATO, but also may be unpleasant. It is a message of ''tough love.''

Halt the bombing of Yugoslavia and declare a cease-fire. Negotiations must be relaunched without any prior conditions on either side, taking into account the tragic evolution of events that has already occurred on the ground.

As an applicant for NATO membership and member of the Partnership for Peace, Romania has opened its air space to alliance aircraft. We are fully supportive of an embargo that pressures Belgrade to cease its actions in Kosovo. We are adamant that Kosovar Albanians should be allowed to return to their homes with their rights guaranteed. War crimes should be investigated and prosecuted.

But, most Romanians now think that the use of force, including the long-term continuation of airstrikes or any forcible ground intervention, will lose everything NATO seeks.

Kosovo will be destroyed; Slobodan Milosevic will remain in power as a wartime leader reinforced by a siege mentality; Macedonia and Albania will be destabilized by refugees and foreign military presence, and anti-Americanism will rise to fever proportions in Greece, Italy and elsewhere.

We want NATO to win politically and morally. We want peace to be ensured by a great alliance and its strongest members. We want dictators to be removed by popular action, and minority rights preserved by diplomacy, incentives and law.

Romanians dream about becoming part of NATO. Our dream has been to enter an alliance that occupies a moral high ground, not one that, by mistake, kills refugees and civilians. We believe that the alliance's principles have mattered. For years during the communist period, Romania rejected intervention in sovereign states and distanced itself from the Soviet-dominated Warsaw

Pact. Now, an alliance in which we have put so much faith has erred by acting in a manner that ensures all the wrong consequences while abandoning fundamental precepts.

It seems as if NATO now believes that, after destroying Serbian infrastructure, and waiting until all Albanians are expelled from Kosovo, it can recreate order and peace from nothing. Winning militarily from 5,000 meters is being confused tragically with political success.

Romanians have learned important lessons from our own contributions to peacekeeping missions in Angola, Albania and Bosnia. Among these are that preventing conflict is far easier than stopping it and that recreating a status quo is a Gordian knot. We fear, however, that these lessons are being ignored. NATO's potential to keep the peace and to prevent ethnic cleansing before resorting to war, was belated and half-hearted. We hope for more, and have watched with increasing anxiety as air power is unleashed; destroying without solving anything.

Regional capacities to reduce the potential for or intensity of conflict have been ignored. Romania's participation in two costly U.N. embargoes against Iraq and Yugoslavia, plus peacekeeping missions in Angola, Somalia, Albania and Bosnia exhibit Romania's awareness of its role and willingness to sacrifice for principles in which it believes.

Those qualities, however, elicited little interest in Brussels or Washington, where resorting to force seemed preordained.

NATO appears to have changed into an organization prone to use bombs in lieu of diplomats. And, instead of using expansion to address security needs in Europe's most insecure regions—the Balkans and the Baltics, for example—NATO told such countries to wait for security guarantees until war was at our doorstep.

We think that many opportunities for mediating roles have been lot. As the only country bordering on the former Yugoslavia without antagonistic relations with Belgrade, Romanian NATO membership could have increased the probability of successful negotiations with the Serbs.

The denouement of Europe's most recent Balkan was has yet to be scripted. From the neighborhood, however, we can foresee a very discomfiting future: a broken but unrepentant Serbian nationalism, a heavily armed Albanian nation seeking retribution, an embittered Russia harboring imperial memories now convinced of NATO's antipathy, and ample instability.

To say we don't look forward to such a 21st-century environment is far too mild. We are deeply troubled. We thought we were at the gates of an alliance that would preserve peace in our corner of Europe. And, we never, never imagined that negotiations and peacekeeping efforts would be jettisoned to inaugurate a war of such duration and intensity.

But, a way out exists. NATO can declare that it has inflicted sufficient punishment, and is prepared to contribute, but not necessarily command, a peacekeeping force in part of Kosovo to which Albanian refugees are returned and from which Serb army and police units are evacuated. Establishing the size and location of the two zones, and the nature of the international force must be negotiated, but such diplomacy, not cruise missiles, are the path away from disaster.

Romanians are prepared to fulfill useful roles along such a path. But, we must begin to travel down it soon lest NATO becomes its own nemesis.

CENTRAL NEW JERSEY CELEBRATES THE SESQUICENTENNIAL OF OCEAN TOWNSHIP

HON. RUSH D. HOLT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 18, 1999

Mr. HOLT. Mr. Speaker, I rise to direct the attention of my colleagues to the celebration of Ocean Township's sesquicentennial and the re-enactment of the historic first town meeting.

Created by enabling legislation on February 21, 1849, Ocean Township is a community located in central New Jersey between the mouth of the Shrewsbury South River and the river to Eatontown Landing Creek. The precise boundaries, however, were originally described in relation to farms and properties that no longer exist.

In honor of Ocean Township's founding and its first town meeting on March 13, 1849, the Council sponsored festivities reminiscent of that day a century and a half ago. The mayor and council members dressed up in period costumes while elementary and intermediate students sang songs and recited accounts of life in the mid-nineteenth century.

Mr. Speaker, Ocean Township is just one of the historical treasures in central New Jersey that continues to thrive to this day. I know that the people of the community, by observing and respecting their history, will be well-equipped to face the challenges of a brand new century.

I hope that my colleagues will join me and other central New Jerseyans in extending our congratulations to the people of Ocean Township and wishing them another successful one hundred fifty years.

TRIBUTE TO JOHN CHIANG

HON. HOWARD L. BERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 18, 1999

Mr. BERMAN. Mr. Speaker, I rise to pay tribute to John Chiang, a dear friend who this year is the recipient of the Legislator of the Year Award from the San Fernando Valley Democratic Party. While I am naturally delighted that John has been selected to receive this prestigious award, I can't say I'm surprised. John is one of the most intelligent, thoughtful and generous people I have ever had the pleasure to know. His wide circle of friends and admirers can attest to his easy-going charm and strong feelings of empathy.

The explanation for John's success in politics is simple; he works very hard, and he is true to himself. People who meet John invariably want to become part of his team.

John's award from the San Fernando Valley Democratic Party is even more impressive when you consider that he was first elected to office only six months ago. In 1997, he was named Acting Member of the California State Board of Equalization. He replaced Brad Sherman, who was elected to Congress.

John immersed himself in the difficult and politically unpopular job of administering tax policy in California. It says a lot about John that his popularity has actually increased as he has served in this particular post. In 1998, John ran for election to a four-year term on the Board. He won handily in a difficult primary, and then followed that with a smashing victory in the general election. John is now widely regarded as someone with a very bright future in politics.

John is a dedicated public servant, who has become involved with many distinguished organizations and causes. He is a Board Member of Los Angeles Nonprofit Planning Council, an Advisory Council Member of Big Sisters of Los Angeles, and a volunteer attorney for the Los Angeles County Bar Association Hospice AIDS Project. John's many awards for community service include the Asian Pacific American Labor Alliance Community Service Award and the State Bar of California Board of Governors Pro Bono Service Award.

In the past few months, I have been tremendously impressed by the strength of John, his brothers Robert and Roger, and his mother, Judy, in coping with the loss of their beloved sister and daughter, Joyce. Joyce served as an intern in my San Fernando Valley office, and was a member of my Washington staff from 1992–95. I know how much John and the rest of the Chiang family miss Joyce, who was a very special young woman.

I ask my colleagues to join me in saluting John Chiang, whose selflessness and compassion inspire us all. I am proud to be his friend.

TRIBUTE TO SAM DAVIS

HON. SANDER M. LEVIN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 18, 1999

Mr. LEVIN. Mr. Speaker, on May 20, 1999, a Tribute Dinner will honor Sam Davis for his nearly 40 years as Executive Director of the Michigan Association for Children with Emotional Disorders.

As the main force for the founding and continuing efforts of the Association, Sam Davis became an indispensable advocate in Michigan for mental health and for special education programs for children with emotional problems. From the very beginning, he has fostered grass roots activities on behalf of children with special needs. In the early years, it was a difficult struggle as society was still wrestling with denial rather than acknowledgement and treatment of mental problems, especially of our children.

With the help of Sam Davis' leadership and determination, there followed a period of progress. There was a spurt of action, both in the private and public sectors in Michigan. He served on many Boards and Committees, including the Detroit-Wayne County Community Mental Health Services Board Advisory Committee on Children and Youth; Michigan Department of Mental Health Advisory Council on Mental Illness; and Chairperson of the Children's Advisory Council of the Oakland County Community Mental Health Board. He was also appointed to the Child Mental Health Study Group of the Michigan Department of Mental

Health, the Child Care Study Committee, and the Special Education Advisory Committee of the Michigan Department of Education.

In recent years the provision of mental health services for our society has come under increased stress and uncertainty. So Michigan will miss even more intensely the strong hand and agile mind of Sam Davis at the helm of the Michigan Association. He leaves with a long record of accomplishment, and these successes stand as a challenge to Michigan to strive more fully where it has failed. Sam Davis has devoted his life to the children of Michigan and as he leaves for other pursuits, his career is a challenge to all who care to continue to do better by our children with mental health and special needs.

I am pleased to join with all of those who will join in honoring Sam Davis at the Tribute Dinner on May 20, 1999.

A UNIQUE PIECE OF AMERICANA IS PRESERVED THANKS TO JUDY DEMOISY AND THE BROOKS CATSUP BOTTLE PRESERVATION GROUP

HON. JOHN SHIMKUS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 18, 1999

Mr. SHIMKUS. Mr. Speaker, I would like to take this time to alert my colleagues to perhaps one of the most monumental events to take place this year.

On June 13, 1999, my hometown of Collinsville, Illinois will have a happy 50th birthday party for the Brooks Catsup Bottle that sits 170 feet above the community. The bottle was originally used as a water tower built by the G.S. Suppiger Bottling Company which produced the Brooks Old Original Catsup. Built in 1949, the bottle holds up to 100,000 gallons of water.

After the bottling plant shut down, the bottle itself fell into disrepair. In 1993 a group of local preservationists began to raise funds with the purpose of refurbishing and preserving the bottle for its 50th anniversary as well as for future generations. More than 6,000 tee-shirts were sold to help raise money and thousands of volunteer hours were devoted to preserving an essential element of my community's heritage.

Now there are hopes that we can get the bottle placed on the National Register of Historic Places and that effort has my wholehearted support.

I commend the Catsup Bottle Preservation Group and Judy DeMoisy who manages Downtown Collinsville for their work in preserving a unique piece of Americana.

LET THEM EAT BEEF

HON. DOUG BEREUTER

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 18, 1999

Mr. BEREUTER. Mr. Speaker, this Member commends to his colleagues an excellent editorial calling for an end to the European Union's irrational and improper beef ban which appeared in the Omaha World-Herald, on May 12, 1999.

[From the Omaha World-Herald, May 12, 1999]

LET THEM EAT BEEF

A showdown between the United States and the European Union over beef exports ought to be unnecessary. The United States has science and the World Trade Organization at its side. European controls on U.S. beef exports have little relationship with provable concerns.

For more than a decade, the European Union has banned the import of beef from animals that have been fed growth hormones. Such hormones are used in raising more than 90 percent of beef cattle in the United States. Their use is an effective way to make cattle grow faster and bigger.

The Food and Drug Administration has determined the substances safe. The World Trade Organization rule in 1997 that the European ban violated international trading agreements. The WTO said the ban was neither supported by science nor justified by any risk assessment. The WTO last year ordered the EU to abandon its policy by May 13, tomorrow.

A trade war looms unless the EU complies. U.S. officials have threatened to retaliate against European products if the ban, which keeps most American beef out of EU countries, is not lifted. Officials said they would impose 100 percent tariffs on more than $900 million worth of European products, possibly including items such as mineral water, Belgian chocolates and Roquefort cheese. That could effectively price those products out of the U.S. market.

Trade policy-makers at the European Union have kept U.S. officials going around in circles for a decade. The coalition has made superficial changes designed to give the appearance of compliance with the WTO order. That has staved off trade sanctions in the past. But a free market in U.S. beef has not materialized.

The U.S. cattle industry estimated that growers have lost export sales of about $500 million annually since 1989, when America began exporting only hormone-free beef to Europe.

American cattle producers have suggested that the real problem is protectionism. European countries want to insulate their beef producers from U.S. competition. There is also the possibility of scientific ignorance—observers have noted a general European hysteria over mad cow disease and genetically engineered foods such as Monsanto soybeans. Too often, fear has been allowed to trump science.

American farmers and ranchers are especially efficient. They have invested in research and technology to keep themselves competitive. If the beef trade barrier is allowed to stand, despite science and the WTO, this nation's ability to sell its agricultural products overseas will become more vulnerable to illegal trade barriers, and its export position could be severely damaged.

The European Union's beef ban is irrational and improper. It risks a trade war that would harm people on both sides of the Atlantic. European consumers should have the chance to decide for themselves the worth and safety of the beef grown by America's farmers and ranchers. They will never get that chance unless their leaders bow to the WTO and lift the beef ban.

1998 SIXTH DISTRICT ESSAY CONTEST WINNERS

HON. HENRY J. HYDE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 18, 1999

Mr. HYDE. Mr. Speaker, please permit me to share with my colleagues the tremendous work of some diligent young men and women in my district.

Each year, my office—in cooperation with junior and senior high schools in Northern Illinois—sponsors an essay writing contest. The contest's board, chaired by my good friend Vivian Turner, a former principal of Blackhawk Junior High School in Bensenville, Illinois, chooses a topic and judges the entries. Winners of the contest share in more than $1,000 in scholarship funds.

Today, I have the honor of naming for the RECORD the winners of the 1998 contest.

Last year, Peter Meyer led Mary, Seat of Wisdom School in Park Ridge, Illinois, to a junior high division sweep by winning with an essay titled, ''Ban Smoking in Restaurants,'' a text of which I include in the RECORD. Placing second last year in the junior high division was James Troken, followed in third place by Eva Schiave, both of whom also attended Mary, Seat of Wisdom School.

In the Senior High School Division, the first place award went to Julie Kostuj of Driscoll Catholic High School in Addison for her essay, ''Freedom of the Press,'' a text of which I include in the RECORD. Shahzan Akber of Blenbard North High School in Glen Ellyn took the second place prize, and Nicole Beck of St. Francis High School in Wheaton placed third.

BAN SMOKING IN RESTAURANTS

(By Peter Meyer)

Did you know that most of your taste comes from your sense of smell? If you are in a restaurant where people are smoking, how can you taste your food? Although you can request a nonsmoking section for your seating, the harmful smoke from the smoking section is still present in the air you are breathing. That air can cause cancer. A law banning smoking in all restaurants in Illinois will make your meal more pleasant while keeping you healthy.

Laws are very important. Laws protect us from harm, help us when in need, and preserve our rights and freedoms as United States citizens. When citizens feel the need for additional protection, laws are passed. Currently there is no law protecting people completely from secondhand smoke in restaurants, yet, secondhand smoke is the third leading cause of preventable death in this country, killing 53,000 nonsmokers in the U.S. each year.

We need a law banning smoking completely in all restaurants in Illinois. The current Illinois law bans smoking in public places except in designated smoking areas. It says a smoking area should be designed to minimize the intrusion of smoke into areas where smoking is not permitted. Nonsmoking sections do not eliminate nonsmokers' exposure to secondhand smoke, the smoke does not remain in the smoking section. Secondhand smoke has been proven to be a serious health risk. Even the Illinois General Assembly finds that tobacco smoke is annoying, harmful, and dangerous to human beings and a hazard to public health.

Secondhand smoke is a mixture of the smoke given off by a cigarette, pipe, or cigar, and the smoke exhaled from the lungs of smokers. The Environmental Protection Agency has classified secondhand smoke a Group A Carcinogen—a substance known to cause cancer in humans. There is no safe level of exposure for Group A toxins. Nicotine is not the only toxin nonsmokers are exposed to in secondhand smoke. Smoke from the burning end of a cigarette contains over 4,000 chemicals and forty carcinogens including: formaldehyde, cyanide, arsenic, carbon monoxide, methane, and benzene.

Smoke-filled rooms can have up to six times the air pollution as a busy highway. Second-hand smoke does not quickly clear from a room. It takes about two weeks for nicotine to clear from the air in a room where smoking has occurred. In addition to being a carcinogen, second-had smoke causes irritation of the eye, nose, and throat. Passive smoking can also irritate the lungs leading to coughing, excess phlegm, chest discomfort, and reduced lung function especially in children. Secondhand smoke may effect the cardiovascular system, and some studies have linked exposure to secondhand smoke with the onset of chest pain.

When smoking is banned in restaurants, customers will not be exposed to secondhand smoke. They will be able to eat without suffering from the irritation of smoke, increasing their ability to enjoy their meal. Developing children will have healthier lungs. Restaurants will no longer have to pay to operate expensive ventilation systems and will be able to seat more people by not having to maintain separate sections. People who find smoke offensive will not be doomed to eat in the fast-food restaurants that have banned smoking. Smoke-free restaurants may discourage people from starting or continuing to smoke.

Smoking is already banned in most public buildings. Current laws allowing a smoking section in restaurants do not prevent exposure to secondhand smoke. People are involuntarily exposed to smoke which is a carcinogen and a health hazard. Banning smoking in restaurants will continue the effort to improve public health and reduce health costs. Food in restaurants will taste better and eating will be more enjoyable.

FREEDOM OF THE PRESS

(By Julie Kostrj)

Although, according to the United States Constitution, everyone in America has the right of free speech, I believe that in some ways the press abuses its right to free speech. The writers of the Constitution intended everyone to have a right to voice their opinions without being prosecuted by the law. Today, however, the press does more than just profess their views. Publicists often tell lies and proclaim them as facts. As a strong influence in the lives of every American, the media can easily sway public sentiment and ruin the reputation of celebrities.

The media has a right to report facts. It is also acceptable to broadcast opinions as long as it is made clear that what is printed or said is one's own views and not a proven fact. The press has the right to address social grievances, but publicists must be informed on the issues. It would cause much confusion in the public if a distinction was not made between truths and personal views. The population would never know what to believe, and there would be chaos. The media has crossed the line when it uses misleading propaganda or defames a celebrity. In one's own home, around close family and friends, it is acceptable to state whatever one wants. However, there is a difference between sharing your views with a group of friends and printing your opinions in a newspaper or broadcasting them on national television. Publicists should use prudence and common sense when determining what is acceptable to be read or hear by millions. The media often does not realize its great power and the trust that Americans have in the media. It is detrimental to use this power without discretion. Celebrities especially can have an injured reputation and be discriminated against by something the media declared about them.

It is very difficult for the government to prevent abuses by the press without violating a constitutional right. The government has passed laws outlawing libel, but libel is very hard to prove in court. The press can find a loophole in just about everything that they print. The First Amendment basically gives the media the right to say anything and assemble whenever it wants.

The press morally has an obligation to print the truth, but the media more often than not cares more about sales than ethics. As long as the American population continues to read these stories in the newspaper or listen to them on the news, the problem will not stop. The general public has the liberty to buy what it wants. People should not purchase newspapers and magazines in which there are articles in poor taste. The media tailors to the public. The population should not be controlled by the media. The people of this nation have a right to call for higher standards of workmanship.

Individuals have a right to privacy that the media should not invade. According to the Fifth Amendment to the Constitution, every citizen has the ''right to life, liberty, and property.'' People's individual rights are often violated by the media. Journalists are many times guilty of harassment. They cannot take ''no'' for an answer. Some of the most tenacious journalists will go to great lengths to get a story. Reporters will trespass on private property and harass people until they get what they want.

I do not believe that celebrities are less entitled to privacy than the general public. Every American is equal in the eyes of the law. Celebrities do not have any less rights than the common resident. However, celebrities do usually tolerate the media better than the commoner because celebrities have an image to worry about. Celebrities know that if they are rude to the press, the media could easily destroy them.

Although the press is given freedom of speech in the Constitution, I believe that the rights of the individual precede the rights of the press. When personal rights are being violated by the media, then the government has to intervene. The American population should demand that more laws be passed to protect them from the injustices of the media. The press can be regulated by the government without violating a Constitutional right. Just as written in the Second Amendment to the Constitution, every individual has a right to bear arms. However, for the protection of the majority of people, the government has limited the kinds of arms that civilians can own, and it is illegal to carry a concealed weapon. With limits, United States citizens are still allowed to bear arms. There is no reason why the government cannot regulate the freedom of speech of the press without taking their Constitutional liberties away.

CRISIS IN KOSOVO (ITEM NO. 4) REMARKS BY TONY ELGINDY DIRECTOR OF RESEARCH & TRADING, PACIFIC EQUITY INVESTIGATIONS

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 18, 1999

Mr. KUCINICH. Mr. Speaker, on April 29, 1999, I joined with Representative CYNTHIA A. MCKINNEY and Representative MICHAEL E. CAPUANO to host the second in a series of Congressional Teach-In sessions on the Crisis in Kosovo. If a peaceful resolution to this conflict is to be found in the coming weeks, it is essential that we cultivate a consciousness of peace and actively search for creative solutions. We must construct a foundation for peace through negotiation, mediation, and diplomacy.

Part of the dynamic of peace is a willingness to engage in meaningful dialogue, to listen to one another openly and to share our views in a constructive manner. I hope that these Teach-In sessions will contribute to this process by providing a forum for Members of Congress and the public to explore alternatives to the bombing and options for a peaceful resolution. We will hear from a variety of speakers on different sides of the Kosovo situation. I will be introducing into the CONGRESSIONAL RECORD transcripts of their remarks and essays that shed light on the many dimensions of the crisis.

This presentation is by Tony Elgindy, Director of Research & Trading for Pacific Equity Investigations. Mr. Elgindy is not a professional aid worker. He is a dedicated and committed individual who has adopted a personal role in helping his fellow human beings who have been brutalized by this ongoing tragedy. Mr. Elgindy shares his observations and experiences with us, speaking in graphic and moving detail. He was instrumental in bringing 30 refugees out of the Kosovo area to the United States, the first group of refugees to arrive in our country. Among these displaced families were Skefkije Ferataj and her 2 year old daughter, Besarta. Both of them appeared at this second Congressional Teach-In. Following his presentation in a May 1, 1999, article from the Chicago Tribune that describes what the Ferataj family encountered when they reached Chicago. These documents give a very real, human face to the Crisis in Kosovo.

PRESENTATION BY TONY ELGINDY TO CONGRESSIONAL TEACH-IN ON KOSOVO

I'd like to first apologize, having just gotten here in the States from Macedonia. I don't have prior prepared remarks. I would like to thank everyone for having this opportunity to share what I've seen, and to assist me in trying to define some sort of forward momentum here.

Upon my arrival in Skopje, Macedonia which is approximately 23 km. south of the border, I saw my first camps. We went to the border, saw Serb activity on the border, and talked to refugees.

It's difficult to know from my standpoint exactly where to start. I don't know if it's with the random torture, the beatings, the sadistic mutilation of women, their unsafe

enslavement, the taking of eyes of women and children, the cutting off of ears, the burning alive of males, castration of young boys, I just don't know where to start. What's happening in Kosovo is a tragedy beyond anything you could ever watch on TV. There is no way for any of us to sit here today and understand what they are feeling, what they are seeing, or what they've endured. You cannot smell it here, you cannot here it here. The Serbs are systematically burning evidence, destroying all traces of the atrocities, pulverizing ashes. There were flashes in the sky at night when we were trying to sleep from the NATO bombing. All of the relief workers that I met would be there during the day and leave there in the evening, leaving the camps to the Macedonian police. The crying and the grief intensified at night. And I don't know how anyone could tolerate it.

This is a Holocaust, undoubtedly. Holocaust Number Two. I'm not a politician; I'm a trader. I work on Wall Street, been doing it for 11 years. I deal with numbers. I've been fortunate enough to be able to help various relief organizations in the United States with money donations, connections, support, one of which is the Mother Teresa Foundation in Skopje. So I can't sit here and tell you what the results will be and what it will be like if we didn't bomb, or we stopped military action or we sent in ground troops or we never sent in ground troops. All I can testify is what I saw in my two weeks at the border of Kosovo.

Right now in America our markets are at an all-time high. We are swimming in money. The Internet, Dow Jones, and NASDAQ markets capture our focus, our imagination. And—I say this without trying to offend anyone—our greed has blinded us to what's happening elsewhere. And it became apparent to me that somewhere down the line their lives don't meet our standards for valuable commodities to protect. We are remote control-happy. We click through our channels one after another, and we all say yes, that's terrible and we go on to the next channel and we find a sitcom that we can sit down and watch for the rest of the evening. These people don't have that luxury. The cannot turn it off. They cannot switch channels.

Of the 30 refugees [he is helping to evacuate to the U.S.], six of them are family members—two close family members and four distant family members—of another U.S. citizen who accompanied me on the trip to find her family. The other 24 have no connections here in the U.S. It's a very difficult ordeal to obtain their visas, since the U.S. Embassy when we arrived wasn't allowing any refugees to come. And I used whatever resources I had in the financial markets to contact the people—whatever little bit of influence I had—to have them appeal to the Embassy. Well, we ended up using up all the fax paper and jammed the phone lines and we prevailed in getting the very first 30 refugees' visas approved. And a few of them are with us today.

I don't know if America could have learned anything in Bosnia why it wasn't applied here. We knew what the man was capable of doing; we knew how brutal he was; we didn't take into account the retribution he would show the people of Kosovo. I don't know if we should have evacuated the country or been better prepared before we took aggressive steps.

For us to allow him to stay in power, for us to idly sit by and let him continue, is also another matter for debate up here on Capitol Hill, which is something that I have little control over. However, I don't know that we can idly sit by and let a madman run around doing the things that I saw. Out of the 24 refugees that will be coming to the States in the next several days, there are 20 children who are all children of three brothers. These three brothers are all gone, and presumed either dead or missing in Kosovo. All three mothers are missing and presumed dead in Kosovo. The adults accompanying the children are the sister of the brothers who is in her late 60s, and the grandmother who was born in 1908, who is currently sleeping on a wooden pallet in the camps. So, for her to have lived through World War I and World War II, Vietnam, Korea, and to be now facing the final years in a camp, are beyond anything I've ever seen or expected to encounter.

While we were there we did meet up with several refugees—medical students, doctors, lawyers. It's interesting when you meet a lawyer who talks about his practice and he's wearing a suit and tie and he lives in a tent and he's in bare feet. He's walking around in the mud without shoes because the Serb police took his shoes. These people, aside from living in denial and shock, need help ever so desperately.

If everyone is captured today by the top story, which is the Columbine High School tragedy, imagine that happening five times a day, every day, for five years. That's what's happening in Kosovo. It's that multiplied 10,000 times. And for some reason we as Americans have placed a value on an American life higher than that of any other. It could be because Americans are more photogenic, better groomed, live in nicer homes. Whatever it is, it's not right. These people are as valuable as we are. And to discount them, or to shrug them off—as I read in the Wall Street Journal yesterday, that markets are up and doing well and apparently have shrugged off the Kosovo crisis—enrages me.

While we were there I met a medical student, a female, 23 years old, who was in the camp right next door to another camp. She knew where her family was: in the other camp. Yet she was forced to stay in that camp for 16 days. I gave her my video camera, my jacket, my backpack, and we smuggled her out of the camp. All we did was drive a few short miles to the next camp to reunite her with her family which she hadn't seen in over two months. But she'd been in this camp for 16 days after finding out where her family was. The Macedonian police are in my opinion not helping the situation. They are pro-Serb for the most part. And the U.S. needs to take as big a role in the humanitarian side of things as they have in the military.

[From the Chicago Tribune, May 1, 1999]

TWO WHO FLED KOSOVO LAND IN CHICAGO

(By Julie Deardorff)

She is only 2 years old, but Kosovo's Besarta Feratai has already seen more suffering than most will experience in a lifetime. She has watched death and dismemberment. She has been hungry and has gone without sleep. And she automatically says ''bomb'' when she hears the word NATO or a loud noise.

But Bersarta could be considered one of the lucky ones from Kosovo. On Friday, she and her mother, Shefkije, quietly arrived at Chicago's Midway Airport, two of the first refugees allowed into the United States from the Balkans.

Stepping off an AirTran flight from Washington, D.C., in her new Teletubby shoes, Besarta hugged a stuffed koala and stared at the foreign surroundings. Shefkije, wiping tears of joy and disbelief from her eyes, hugged family and friends and held her daughter tightly. In Shefkije's purse were precious six-month visas allowing them into the U.S., marked No. 1 and No. 2

Their arrival came before next week's expected wave of about 20,000 refugees sponsored by relief organizations, and is due almost entirely to the fierce, relentless drive of Chicago beauty salon owner Ana Feratai Mehmetaj, Shefkije's older sister.

Mehmetaj left for the Balkans on her own two weeks ago, in a desperate search for her three sisters. Her childhood home in Istog had already been burned to the ground. She had no idea how to find all of them, let alone transport them back. But she planned to stay until she did.

''From the first day on, I knew I had to do something for my family because I know what Slobodan Milosevic is capable of,'' said Mehmetaj, who came to the U.S. alone more than 25 years ago, when she was just 17. ''When I was watching everything on television, I felt if I didn't do something for my family I would never forgive myself. Now I feel worse. I saw kids without eyes. I saw people taking clothes off the dead and covering children. I say . . . I saw things you should never see. I couldn't sleep at night, couldn't eat. I felt so guilty. It's so different from watching a war in the living room.''

Remarkably, she found Shefkije and Besarta at a friend's home in Macedonia. Days earlier, the two had been plucked out of Radusha, a refugee camp, thanks to money Mehmetaj supplied to pay off the guards.

Their journey to the camp had been an ordeal in itself. They traveled at night to avoid Serbian patrols. Eventually, they made it to Macedonia. ''Every time I talked to her on the phone I thought it was the last,'' Mehmetaj said. ''As soon as I arrived, we just hugged and both started crying. She knew she was safe.''

Initially, Mehmetaj said, the U.S. Embassy in Macedonia would not issue visas for the two because the official refugee program was not yet in place. But a friend, California commodities trader Tony Elgindy, worked the Internet—contacting friends and politicians, including Sen. Spencer Abraham (R-Mich.), asking for help. About a week later, Mehmetaj received a call from the U.S. Embassy. She said Pat Walsh, the head of consular services at the embassy, told her she could take her sister and her niece back to the U.S. immediately, and several other Kosovar Albanians at a later date.

Mehmetaj is also sponsoring a family of four, paying for their transportation to the U.S., their housing and food.

''It's still a dream,'' said Shefkije. ''I feel happy, but I also feel so bad when I think of my people in Kosovo. They need clothes; they need help. I am OK. But my people are not.''

During the grueling, emotional two-week journey, Mehmetaj managed to locate a second sister, Sofije, who had trudged through mountains, eaten snow and was living with her family in an abandoned cigarette factory in Skorg, Albania. The factory was crammed with refugees, and Sofije was located by a friend who spent hours roaming through the nine stories of the building, calling out her name.

''I was so frightened for the first time in my life,'' said Mehmetaj, who made the dangerous eight-hour trip to Albania alone and in the dead of night, against the wishes of

her husband. ''When I found Sofije, I tried to separate her family and take them away, but there were only about 30 people left (alive) from her village and they didn't want to be apart. So I promised to help them too.''

Though she was unable to bring Sofije, her husband and their five children back to the United States this time, Mehmetaj rented two apartments for the family and other Kosovars from the village of Skorg. She also bought them food and clothing.

A third sister and her family are still missing. But Ferataj said the minute she finds out where they are, she will be on the next plane to Greece.

''We were all scared for her safety—it was highly risky, but she has her own mind, thank God,'' said Alenna Hiles, one of Mehmetaj's closest friends who greeted her at Midway Airport. ''It's a miracle she made this happen. She not only found them but got them back here before the refugee program was in place.''

Most of the Kosovar refugees will begin arriving in Chicago, Detroit, Boston and New York—cities selected because they have substantial Albanian populations—as early as Wednesday, according to a State Department spokesman. The State Department has encouraged people with relatives to assist in refugee resettlement.

The second oldest of nine siblings, Mehmetaj owns the European Touch salon and day spa in Dearborn Station, her seventh salon, and drives a car with the license plate ''KOSOV A M.'' Friends and family describe her as tough and fearless.

Most of her family has left Istog, the town where they were raised. Six months before the war, Mehmetaj convinced her mother, Gjyle, to leave Kosovo and move in with a brother in Switzerland. When Istog fell to the Yugoslav army, more than 15,000 refugees fled to Rozaje, Montenegro.

''(My mother) is very determined to get what she wants,'' said Mehmataj's 20-year-old daughter, Linda. ''Either way she was going to do it, whether the United States was going to allow it or not.''

Mehmetaj, Shefkije and Besarta arrived in New York on Wednesday and spent Thursday in Washington, D.C., meeting with several senators and briefing politicians about the situation in Kosovo. Friday, they were weary but overjoyed to be together.

After stopping at the salon to see family members, they all returned to Mehmetaj's South Loop condominium. There, Shefkije gazed at the stunning view of Chicago from the 25th floor. Both mother and child looked curiously at all the things in Mehmetaj's apartment.

''We're so happy for them to be here. They'll have everything they need from all of us,'' said brother Rich Ferataj, 37, who also owns a salon and lives in Oak Lawn. ''I think for now we'll just try to laugh and talk about old times.''

FOUNTAIN CITY POLICE CHIEF JEFF LIEBERMAN HONORED: MARCH 1999 NATIONAL POLICE OFFICER OF THE MONTH

HON. RON KIND

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 18, 1999

Mr. KIND. Mr. Speaker, today I rise to pay tribute to Jeff Lieberman, Police Chief in Fountain City, Wisconsin. Chief Lieberman was honored recently by the National Law Enforcement Officers Memorial Fund as the National Police Officer of the Month. Chief Lieberman is the first and only small-town law officer ever to receive this honor.

Chief Lieberman was chosen for this honor because of his dedication to children, his phenomenal 99 percent conviction rate and his close ties to his community. At Fountain City, Chief Lieberman established the Police Awareness and Learning Safety (PALS) program. The PALS program gives children at the Cochrane-Fountain City elementary school the opportunity to know and interact with a police officer. PALS is designed to provide children with knowledge, skills and attitudes regarding their personal safety, placing emphasis on decision-making and the choices they make in their lives.

Chief Lieberman's commitment to his community, and especially the children, makes him a model police officer and truly deserving of this recognition. As this nation struggles with problems of violence in our schools and our communities, Chief Lieberman is pro-actively working to prevent problems from developing. We need more police officers like Chief Jeff Lieberman.

The people of Fountain City are fortunate to have an outstanding public servant in Chief Lieberman. I commend Jeff, his wife Kim and daughter Paige, for their love and dedication to western Wisconsin and I congratulate Jeff on this honor.

TRIBUTE TO NUNE YESAYAN

HON. GEORGE RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 18, 1999

Mr. RADANOVICH. Mr. Speaker, I rise today to recognize Ms. Nune Yesayan for her outstanding musical talent. Nune is considered to be a ''modern-day minstrel'' from Armenia, who herself has survived a traumatic personal history, but has emerged to breathe a new life of hope and beauty into the present day Armenian experience.

Nune has been called the ''Armenian Madonna,'' however, love for her music and its message spans generations and cultures. Her extraordinary, emotion-provoking voice, reminiscent of one who has gained life-lessons from a long and tiring journey, and her use of ancient instruments appeals to a wide dynamic of fans, from ''hip'' Generation Xers to Baby Boomers, and from lovers of traditional music to those with more ''eccentric'' music tastes. It is her message, however, drawing Armenians world-wide, which provokes a connection to ''home,'' and delivers truths about the identity, language and culture of the Armenian people. They are songs about the beauty of the homeland, (Armenia) and of the people, the strength of the Armenian character, and the nostalgia of what once was with the hope that it can be reclaimed.

At no other time in the modern-day Armenian experience has one performer captured so much attention in such a short period of time. Sold out concerts in Armenia launched the 29-year-old's career. Nune has performed for Armenian troops near the Azeri border, and in Yerevan, Lebanon, Syria and Cyprus. Nune's near-instant stardom led her to California where she performed for mobs of fans. She also appeared at an A.Y.F. picnic, at schools, and in record stores. Nune has produced two CDS and several innovative music videos. She was the only vocalist invited to participate in a 20-hour live broadcast commemorating the tenth anniversary of the December 7, 1988 Armenian earthquake. Adding to this impressive résumé Nune's two Anoush Awards granted to her at the Armenian Music Awards in October, one for ''most popular album'' and the other for ''best female vocalist.''

Mr. Speaker, I rise today to recognize Ms. Nune Yesayan for doing her part to rejuvenate the ''Armenian soul'' and bridge generational and cultural gaps, bringing families and strangers together with her music. Nune recently played at a concert in Fresno, in my district, at the Armenian Community Center. I urge my colleagues to join me in wishing Nune many years of continued success.

WESLEY CHAPEL AFRICAN METHODIST EPISCOPAL CHURCH CELEBRATES ITS 134th ANNIVERSARY

HON. JOHN SHIMKUS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 18, 1999

Mr. SHIMKUS. Mr. Speaker, I would like to take this time to honor the Wesley Chapel African Methodist Episcopal Church of Edwardsville, Illinois upon its 134th anniversary.

On May 6th, the Wesley Chapel held special services to celebrate its 134th anniversary, specifically video taping the proceedings for those members of the church who were unable to participate due to age or other reasons. The celebation featured reflections of the church and its members and featured statements about the church and its impact from the oldest member, 98 year-old Alma Jackson to 12 year-old Terry Bradshaw who represented the youngest members of the church.

Wesley Chapel was founded on the banks of Cahokia Creek at the end of the Civil War. It has been at its current location at 418 Aldrup since 1881 and is currently preparing for the possibility of a new church.

My congratulations go out to Pastor Dwight Bell and Joyce Hariston and Jessie Brown who served as co-chairs of the anniversary committee as well as the entire congregation at the Wesley Chapel African Methodist Episcopal Church.

The commitment to and love of faith will make a difference for generations to come.

''AN S.O.S. FROM TAIWAN''

HON. TOM DeLAY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 18, 1999

Mr. DELAY. Mr. Speaker, I rise today to introduce a very important piece of legislation together with Representatives ANDREWS, GILMAN, DEUTSCH, ROHRABACHER, WU, COX, JEFFERSON, DIAZ-BALART, LOWEY, CHRIS SMITH, HUNTER, BURTON, COOK, and DAVE WELDON.

This bill gives Taiwan a fighting chance to defend itself from a potential Chinese invasion. The Taiwan Security Enhancement Act we are introducing today also stabilizes Taiwan by strengthening U.S.-Taiwanese cooperation.

The Far East is no less pressing than the Middle East or Eastern Europe, where we are heavily involved now. Stability of the entire Asian region is predicated on a balance of power that keeps China in check.

The May 24, 1999, issue of Defense News reports that China could be planning a new round of military exercises and missile tests across the Taiwan Strait in response to American bombing of the Chinese Embassy in Belgrade.

Typically, no U.S. action has been undertaken in the past to discourage these movements because the Administration's Taiwan policy has been missing-in-action for years. Habitual appeasement of China has grown into an addiction that now seriously threatens global security.

Despite President Clinton's claim a few weeks ago that the People's Republic is not a threat, Chinese intentions to the contrary are clear. They have been saber rattling for years.

A clear message was sent when China fired missile tests off the coast of Taiwan in 1995 and 1996. Since then, a massive Chinese missile and military logistical buildup across the Taiwan Straits has served as a constant threat. Waiting for the next shoe to fall before acting would be a costly mistake.

The image of Red Army tanks rolling into Hong Kong should not be forgotten. Neither should the threat by a high-ranking Chinese general to nuke Los Angeles if we interfere in Taiwan.

Adding legitimacy to these loose lips, the Chinese military held practice missile attack exercises against mock U.S. troops just six months ago.

Ever since the annexation of Hong Kong and Macau, consuming Taiwan has become a pressing goal for the expansionist communist government in Beijing. An ounce of prevention now will save a ton of band-aid cures after-the-fact. There will be no way to oust the Chinese should they ever take Taiwan.

The Taiwanese are not asking us to send troops.

They are not asking us to bomb other sovereign nations.

They simply need strategic military advice, technological expertise and access to purchase appropriate American defense systems so they can defend themselves. United States policy must bolster the independence of this little nation.

A few reasonable measures of cooperation would go a long way for the island's defense.

For example, the United States should sell diesel submarines to Taiwan, which is outnumbered in the seas 65 to 4 by the mainland's forces.

Likewise, there is a dire need for air defense that could be rectified by the sale of American-made AIM 120 missiles, long-range radar and satellite warning data.

Enhanced military exchanges would forge a cohesive defense plan between our nations.

But, acquiescing to pressure from Beijing, the Clinton Administration refuses to sell these systems and take these steps despite a massive Chinese military buildup.

The Defense Intelligence Agency reports that the People's Liberation Army is currently deploying approximately 650 new short-range missile systems directly across the straits. There are 150 such missiles aimed at Taiwan already in addition to fevered construction of new fighter planes, warships and subs.

Under the Taiwan Relations Act, the United States committed to providing a defense capability to Taiwan based upon their defense needs. The need is pressing—the time to act on this promise is now.

Appealing to the chivalrous instincts of Americans, the Clinton Administration plants troops all over the world under the guise of defending the proverbial little guy from aggressive bully nations.

Supposedly, that is what we are doing in the Balkans—but bombs flying on Belgrade do not erase American responsibility elsewhere. The Taiwan Security Enhancement Act honors our commitment to stability in Taiwan by increasing cooperation between U.S. and Taiwanese militaries, and increasing sales of defensive technology and weaponry while prohibiting reductions in arms sales.

Mr. Speaker, American prestige is not only on the line in the Balkans. We must honor our commitments in the Taiwan Strait. I urge all of my colleagues to support the Taiwan Security Enhancement Act.

THANKS TO WILLIAM ''BILL'' KENNOY

HON. JOHN J. DUNCAN, JR.

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 18, 1999

Mr. DUNCAN. Mr. Speaker, today, the Tennessee Valley Authority is losing a great leader. After a successful eight-year term on the TVA Board, William "Bill" Kennoy is stepping down.

Bill Kennoy was appointed to the TVA Board by President George Bush and was sworn in on May 31, 1991. Over the past eight years, William Kennoy has contributed a great deal to the citizens of the Tennessee Valley. His competent leadership helped to secure the refinancing of TVA's $3.2 billion debt. Additionally, he was instrumental in preserving the Land Between the Lakes Recreational Area.

All who know Bill Kennoy agree that he is a compassionate leader who has served the public well over his term as a TVA Director. He is the longest-serving member of TVA's current Board of Directors. Bill Kennoy even led TVA during transition period between the previous and current Boards.

Before coming to TVA, Bill Kennoy led Kennoy Engineers, Inc., an environmental firm in Lexington, Kentucky. He brought over 25 years of experience to the Board as a professional engineer and business executive. In fact, he will now return to private life and again be involved in the engineering business.

Mr. Speaker, Bill Kennoy has contributed a great deal to this Nation, but I would like to highlight one of his accomplishments that I am especially proud of. William Kennoy founded the "Weekend Academy" for inner-city youth in Knoxville, Chattanooga, Memphis, and Nashville, Tennessee. The Weekend Academy is a mentoring program that encourages youth to pursue careers in business districts near their homes. I believe this says a tremendous amount about Bill Kennoy.

Mr. Speaker, I know that I join with all Americans in thanking William Kennoy for his service to our Nation over the past eight years. I have included a copy of an editorial written in the Knoxville News-Sentinel honoring William Kennoy that I would like to call to the attention of my fellow members and other readers of the RECORD.

[From the Knoxville News-Sentinel, May 18, 1999]

SERVICE RENDERED

The Tennessee Valley Authority will say good-bye to one of its three board members today, and all in the valley should pause for a salute to William Kennoy.

A Republican nominated to the TVA board by President Bush, Kennoy ends his eight-year term and will return to private life and his chosen profession of engineering.

His departure will leave the board with only one member until two replacements are appointed. That was a situation in which Kennoy found himself in 1993, the year current chairman Craven Crowell and recently departed member Johnny Hayes were appointed to the board.

Kennoy's relationship with the federal utility he later would help manage began long before his appointment to the board. Kennoy's father was a TVA engineer working on the Guntersville Dam in north Alabama. Kennoy said his appointment was ''an opportunity to pay TVA back for what it has done for me.''

It speaks well for Kennoy that he regards as his signal accomplishment at TVA the launching of ''Weekend Academy,'' a mentoring program for children living near downtown in Knoxville, Chattanooga, Nashville and Memphis. The program attempts to help inner-city children achieve success and encourage them to pursue careers in business districts near their homes.

Kennoy also cites among his accomplishments the refinancing of TVA's $3.2 billion debt, improving agency contracts and preserving the Land Between the Lakes Recreation Area.

Kennoy's deliberate, calm style that led him to work out disagreements behind the scenes instead of allowing meetings to degenerate into unnecessary bickering might well be another accomplishment. This trait drew praise from a former board member, U.S. Rep. Bob Clement, a Nashville Democrat: ''You don't see him raise his voice. Bill is very smart, deliberate and compassionate.''

Clearly TVA is better for Kennoy's leadership. As Kennoy steps down today, we thank him for his service on TVA's board and wish him the best for the future.

TECHNOLOGY TRANSFER COMMERCIALIZATION ACT WOULD ELIMINATE PUBLIC INTEREST PROTECTIONS ON LICENSING OF INVENTIONS RESULTING FROM TAXPAYER-FUNDED RESEARCH

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 18, 1999

Mr. KUCINICH. Mr. Speaker, on May 11, 1999, the House of Representatives approved H.R. 209, the Technology Transfer Commercialization Act, by a voice vote after it was placed on the Suspension Calendar. Further analysis of this measure indicates that its fundamental thrust is to water down or eliminate a range of public interest protections that currently are in effect. If enacted in its current form, H.R. 209—and its companion bill, S. 804, currently being considered by the other body—would allow the government to act behind the scenes, with little public oversight, to grant exclusive licenses to firms that wish to commercialize products that have been developed through taxpayer-funded research. These provisions do not serve the public interest. Congress needs to take a closer look at the implications of H.R. 209 and S. 804. The following analysis explains the problems with the bill in detail.

ANALYSIS OF TECHNOLOGY TRANSFER COMMERCIALIZATION ACT (H.R. 209) BY CONSUMER PROJECT ON TECHNOLOGY

(By James Love)

1. THE LEGISLATION REDUCES COMPETITION.

Both H.R. 209 and S. 804 eliminate the statutory requirements in 35 U.S.C. 209(c)(1)(b) that before using an exclusive license, an agency make a finding that: ''the desired practical application has not been achieved, or is not likely expeditiously to be achieved, under any nonexclusive license which has been granted, or which may be granted, on the invention;''

This is an important change in existing law. It is currently illegal to use an exclusive license if development is likely to be expeditiously achieved with a non-exclusive license. However, under the new bills, this will change, and it will be possible to use an exclusive license merely by meeting the much lesser requirement that ''granting the license is a reasonable and necessary incentive to . . . promote the invention's utilization by the public.'' The consequence of this change will be fewer non-exclusive licenses, less competition, and more monopolies on taxpayer owned inventions.

2. THE PUBLIC'S RIGHTS TO NOTICE AND COMMENT ON EXCLUSIVE LICENSING OF GOVERNMENT INVENTIONS IS VASTLY REDUCED

H.R. 209 and S. 804 both gut public notice provisions for exclusive license agreements from government owned inventions. Under existing law, agencies are normally expected to provide 90 days notice that the invention is available to the public for licensing, followed by 60 days notice with an opportunity to file objections for proposals to provide an exclusive license to a particular party. [See: 37CFR404.7(a)(1)]

S. 804 and H.R. 209 reduce notice requirements to ''in an appropriate manner at least 15 days before the license is granted.'' According to the House Report on H.R. 209, this eliminates also the need to provide notice in the Federal Register. S. 804 and H.R. 209 exempt even this modest requirement for ''licensing of inventions made under a cooperative research and development agreement (CRADA) entered into under section 12 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3710a).''

The change virtually eliminates the practical rights of the public to raise objections to the use of an exclusive license or to even question the terms of the license (including the scope of the exclusivity).

3. THE INCREASED SECRECY ON LICENSES UNDERMINES THE PUBLIC'S RIGHTS AND REDUCES ACCOUNTABILITY

There are a number of current cases where the public is seeking information about government licenses, including such items as the royalties or other considerations paid for the license, the revenues from the invention, information about the availability of the invention to the public, or justification for prices charged consumers.

H.R. 209 modifies existing statutory language to require that such information be secret from the public. Language in 35 U.S.C. section 209 that says that information ''may be treated by a federal agency as . . . privileged and confidential and not subject to disclosure under'' the freedom of information act, is changed to say that such information ''shall be treated as privileged and confidential. . . .'' NIH licensing officials claim the change from ''may'' to ''shall'' will make a much broader amount of information secret, including even basic information such as the amount of money received by the government as payment for use of a patent. Indeed, in section 10 of H.R. 209, federal agencies are not even permitted to report statistical information on royalties received for licenses, if ''such information would reveal the amount of royalty income associated with an individual license or licensee.''

This is truly adding insult to injury. Not only will the public be denied a practical opportunity to stop an agency from giving an exclusive license on a government owned patent or to effectively challenge the terms of the patent—taxpayers will not even be permitted to know what the terms are!

4. PROBLEMS IN LICENSING OF FEDERALLY FUNDED INVENTIONS

There are currently significant disputes regarding the use of exclusive licenses for a wide range of government funded inventions, including inventions in the areas of software, computing equipment, biotechnology and medicines.

Regarding the areas of licensing of government funded medical inventions. The existence of public notice permits consumers or potential competitors to object to the use or scope of exclusive licensing. For example, when Bristol-Myers (Squibb) sought an extension of its exclusive license to cis-platin, a cancer drug developed at taxpayer expense, Adria Laboratories, Stuart Pharmaceuticals, American Cyanamide, Elkins-Sinn and Andrulis Research objected to the proposed extension, arguing that the public interest would be served by non-exclusive licensing. Andrulis suggested non-exclusive licensing be coupled with higher royalties to fund cancer research. As a result of the public comments, Bristol-Myers offered to lower the price of cis-platin by 30 percent and fund $35 million in extramural cancer research, in return for the extension of the license.

More recently there has been considerable controversy over Bristol-Myers Squibb's licensing of government data and patents relating to the cancer drug Taxol and the HIV drug ddI, as well as Bristol-Myers policies regarding pricing of d4T, another government funded HIV drug. Also, public health groups who are interested in malaria are concerned about efforts by SmithKline Beecham to obtain exclusive rights to new malaria drugs invented by the US Army and Navy. In many of these controversies, public health groups are seeking to obtain basic economic information, such as the royalty rates paid on the licenses, the amount of sales of the products, or the amount of money the company will spend on subsequent development of the government invention. These are not trivial disputes. Bristol-Myers Squibb claimed to have spent $114 million to develop Taxol, but subsequent data placed the BMS contributions at less than $10 million prior to FDA approval of the drug. The decision by the NIH to grant BMS exclusive rights to two ''treatment regime'' patents on doses of Taxol extended the Taxol monopoly at least 30 months, costing consumers and taxpayers $1.27 billion, according to one study (Richard P. Rozek, Costs to the U.S. Health Care System of Extending Marketing Exclusivity for Taxol, N.E.R.A., Washington, DC, March 1997).

The current controversy with ddI, a US government patented AIDS drug, illustrates some of these problems. The Bush Administration granted Bristol-Myers 10 years of exclusivity on ddI, beginning 1989. Patient groups are trying to determine when or if Bristol-Myers will seek to extend the exclusivity on the patent. The pricing of ddI is considered highly suspect by AIDS patients. Patient advocates would like to find out when such a patent extension is proposed, and to insist on public disclosures of revenues and development costs, to determine if the exclusivity should be continued. Like all AIDS drugs, ddI is expensive, both for consumers and for taxpayers who fund care for many AIDS patients. Competition is expected to lead to significant decreases in prices. Under HR 209, the extension of the patent exclusivity could easily be done before patients could even find out about the proposed extension. Indeed, this may have already happened, due to the difficulty in monitoring such license extensions, and the unwillingness of the NIH to make it easier to monitor these issues or even answer questions about the licenses. But by reducing the notice requirements to 15 days, the public will have no rights.

In some cases, NIH funded inventions are priced at more than $100,000 per year. It won't be long before we see prices higher than $1 million per year per patient for some drugs. How can the US government justify issuing exclusive licenses for life and death therapies, without giving the public the right to speak, or to even find out what the terms of the license are? And why do policy makers permit drug companies to make ludicrous and clearly false public statements regarding the costs of bringing US government pharmaceutical inventions to market, and then make all data on the real costs a state secret?

If the purpose of HR 209 or S. 804 is to make it easier to get exclusive rights on government property, the legislation succeeds. If the purpose is to protect the public's rights in taxpayer property, the legislation fails. We think the second issue is the one that needs greater attention by our elected members of Congress.

HONORING THE STUDENTS OF LAKESHORE ELEMENTARY SCHOOL

HON. RON KIND

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 18, 1999

Mr. KIND. Mr. Speaker, I rise today to pay tribute to the students of Lakeshore Elementary School in Eau Claire, Wisconsin. I want to recognize their true concern and compassion for the innocent children in Kosovo.

The story of Sadako and the Thousand Paper Cranes, by Eleanor Coerr, is a story of strength and courage of one young child diagnosed with leukemia after being exposed to radiation from the atomic bomb dropped on Hiroshima, Japan on August 6, 1945. Sadako tried to make 1,000 paper cranes, which according to legend, would bring her long life. The students of Lakeshore Elementary School gathered together on May 10, 1999, after watching a movie about Sadako and successfully made 1,000 paper cranes in honor of the children in Kosovo. Through their dedication in making these 1,000 paper cranes, the students in my district have become active participants in the international community. They have become messengers of peace and have shown the importance of supporting the children of Kosovo during this time of difficulty.

I hope to visit the Balkan region in the near future and personally deliver some of these special paper cranes and inform some of the children of Kosovo that there are children in the United States who are concerned about their fate. On behalf of the students of Lakeshore Elementary School, I will be able to offer the children of Kosovo these paper cranes as symbols of courage and long life. I salute the Lakeshore Elementary School students, faculty and staff including Dr. Mary Seitz, and Lucianne Boardman for inspiring peace and understanding throughout the world.

TRIBUTE TO KARL F. BAUMANN

HON. GEORGE RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 18, 1999

Mr. RADANOVICH. Mr. Speaker, I rise today to recognize Mr. Karl F. Baumann for his outstanding dedication to the growth of Mariposa County. Karl was a ''strong and commanding'' man who had a vision to develop the barren acres of Cathey's Valley into a town successful in both business and community.

Karl ventured into Cathey's Valley from Southern California 16 years ago when he purchased an 800-acre ranch. It was then that Karl had a vision to develop this ranch into something more. To fulfill his vision of a sound and safe community, Karl subdivided his ranch and built The Whispering Oaks Estates, currently home to many Mariposans. The next project that Karl embarked upon led to the creation of the Cathey's Valley business park. Since then, the business park has contributed greatly to the economy of Cathey's Valley and Mariposa County.

Karl's leadership was also noted by his membership in the #98 Masonic Lodge in Hornitos, the Mariposa County Board of Realtors, and as owner of the Cathey's Valley Realty and Development. Karl has been credited for the amazing growth of Cathey's Valley by many of his colleagues and friends.

Mr. Speaker, it is with great honor that I rise today to recognize Mr. Karl F. Baumann for his leadership and strength in paving the way for a successful community to grow and flourish. His contribution to the San Joaquin Valley is incomparable. I urge my colleagues to join me in wishing the Baumann family and Cathey's Valley continued success for the years to come.

A TRIBUTE TO DUANE ROHMALLER

HON. JOHN SHIMKUS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 18, 1999

Mr. SHIMKUS. Mr. Speaker, I would like to take this time to honor Duane Rohmaller of Christ Lutheran Church and School in Costa Mesa, California upon the announcement of his retirement following forty-one years as a valued Lutheran educator, administrator and friend.

Mr. Rohmaller's friends and admirers are planning a weekend celebration to honor his many contributions to our children, our communities, our faith and our future.

I know Mr. Rohmaller best from his service as my eighth grade teacher at Holy Cross Lutheran School in Collinsville, Illinois. When I reflect on all that he taught me, I am reminded of Proverbs 22:6 ''Train up a child in the way he should go: and when he is old, he will not depart from it.''

Thank you Mr. Rohmaller for your teachings, your values, your commitment and your love of our faith. Your life's work will continue to make a difference for generations to come.

PENALTIES FOR EXPOSING THE IDENTITIES OF INTELLIGENCE AGENTS

HON. TOM DeLAY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 18, 1999

Mr. DELAY. Mr. Speaker, I insert the following speech for the CONGRESSIONAL RECORD.

MANDATORY PENALTIES FOR EXPOSING THE IDENTITIES OF U.S. INTELLIGENCE AGENTS

Mr. Speaker, I commend Congressman Sweeney for bringing this subject to our attention. The nation is being confronted every day it seems with graver and more alarming revelations about breaches of our national security at our weapons labs and other facilities. It should not be overlooked that it was due in large part to the efforts of our intelligence agents that these breaches were first suspected and then subsequently investigated by the FBI and others.

So, it is appropriate at this time to increase the protection for both current and former covert intelligence officers around the world by increasing the criminal penalties for those who willfully divulge their identities to the world. Anyone who deliberately puts American agents' lives, those of their families, and America's security at risk should face a minimum sentence in prison as well. Mr. Sweeney's amendment does that by establishing mandatory minimum sentences for willfully identifying covert agents.

As many of us recall, the current law, the Intelligence Identities Protection Act, was passed after the CIA Station Chief in Greece, Richard Welch, was assassinated after Counter Spy exposed his identity. Ex-CIA agent Phillip Agee was also responsible for repeated disclosures of the names of intelligence personnel and the Supreme Court held that such disclosures are not protected under the First Amendment.

The amendment also addresses the absurdity in the law that allows people to obtain information about former U.S. intelligence activities under the Freedom of Information Act, but does not prohibit people from turning around and identifying intelligence agents who have retired.

To address this shortcoming, the amendment expands the law to include former covert agents under its protections because identifying former agents, their activities and locations not only compromises on-going intelligence efforts, but exposes the former agents and their families to danger and retaliation from our nation's adversaries.

Any individual who has served our country at considerable risk to themselves and their families deserves all the protection we can provide under the law—not only while they serve, but when they retire as well. In this day of vicious, global terrorism, exposing current or former intelligence agents should be subject to severe and mandatory criminal penalties.

The amendment does that and I urge members to vote for it.

TRIBUTE TO RUSSELL ''RUSTY'' BERRY

HON. MARION BERRY

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 18, 1999

Mr. BERRY. Mr. Speaker, I rise today to recognize a great Arkansan and great American.

He is my wonderful brother Russell (Rusty) Berry. Rusty was the last of four children born to Eleanor and Lloyd Berry in the Bayou Meto community of Arkansas County, Arkansas. They would be filled with pride to see him today, successful and responsible.

Since he was ten years younger than his siblings the opportunity to be spoiled was great. He managed to overcome the influence of his siblings to become an accomplished attorney and stepfather.

The loss of both parents before he finished high school presented a situation that could have been quite negative, but because of strong character passed on to him from our wonderful parents, he managed to successfully negotiate the treacherous waters of the seventies.

As a country lawyer he continues to serve all the people with great skill and not just the

ones that can pay. He is a credit to his profession, community, and family.

He is one of the Berry Brothers. This means that he is always there when needed and never questions the need. It also means he has shared many pleasurable days in the field or woods with these same brothers.

He is admired and loved by his nieces and nephews along with his step children. Uncle Rusty being around always brings excitement and anticipation for the children.

He is a part of a vanishing group that came from the Bayou Meto-One Horse Store community where being neighbors and helping each other was a way of life.

The world is a better place for his having been here, and we are all richer because he is part of our family.

I am proud to call him my brother, and think of him with great love and affection.

HONORING CHABAD OF THE FIVE TOWNS ON THEIR SECOND ANNUAL DINNER TO ''CELEBRATE THE DREAM''

HON. CAROLYN McCARTHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 18, 1999

Mrs. MCCARTHY of New York. Mr. Speaker, I rise today to honor Chabad of the Five Towns on the occasion of its Second Annual Dinner to ''Celebrate the Dream,'' on May 25th, 1999 and their honorees Mr. and Mrs. Simon Eisdorfer, Mr. and Mrs. Jeffrey Mark, Dr. and Mrs. Stanley Nussbaum and Dr. and Mrs. Justin Cohen.

I would also like to pay tribute to their spiritual leader, Rabbi Shneur Wolowik, who guidance, dedication, compassion and spirituality has helped Charbad of the Five Towns reach this milestone.

Chabad of the Five Towns opened its doors four years ago with the mission of translating deeply-rooted Jewish concepts into a practical foundation of life, just as the Chabad Jubavitch movement has done for over two centuries.

Chabad reaches out to fellow Jews on a global scale with over 2,300 centers worldwide. In the Five Towns, they have helped hundreds of families both spiritually and materially, whether it be a new immigrant, someone in need, a youth in trouble, or a family or individual who wants to learn more about their heritage, Chabad is there to help. In addition, they believe Judaism should be celebrated with joy, excitement, and enthusiasm, whether it be a holiday celebration, a Passover Seder, a Shabbaton Dinner, a family barbecue, or an outing.

Most importantly, Chabad sees its children as proud Americans, knowledgeable of our country's rich history and democratic ideals, and is pleased with the special relationship between Israel and the United States.

I commend Chabad for its philosophy of inclusion and acceptance, treating every human being as special and worthy, deserving of attention and support, regardless of their religious affiliation or background. It is this embracing of all, without expecting anything in return, that has given impetus to the impressive growth of the Chabad of the Five Towns. After only four years, they are now ''Celebrating the Dream'' of a beautiful new expanded facility in which they can continue to serve the community. I wish to thank them for their tireless efforts and outstanding contributions that have bettered the lives of so many.

INTRODUCTION OF H.R. 1789

HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 18, 1999

Mr. PAUL. Mr. Speaker, I rise today to enlist support for a bill I have introduced to repeal statutes which have now resulted in more than one hundred years of government intervention in the marketplace. In 1890, at the behest of Senator Sherman, the Sherman Antitrust Act was passed allowing the federal government to intervene in the process of competition, inter alia, whenever a firm captured market share by offering a better product at a lower price. The Market Process Restoration Act of 1999, H.R. 1789, will preclude such intervention.

Antitrust statutes governmentally facilitate interference in the voluntary market transactions of individuals. Evaluation of the antitrust laws has not proceeded from an analysis of their nature or of their necessary consequences, but from an impressionistic reaction to their announced gain.

Alan Greenspan, now Chairman of the Federal Reserve, described the ''world of antitrust'' as ''reminiscent of Alice's Wonderland: Everything seemingly is, yet apparently isn't, simultaneously.'' Antitrust is, according to Greenspan ''a world in which competition is lauded as the basic axiom and guiding principle, yet, 'too much' competition is condemned as 'cutthroat'. * * * A world in which actions designed to limit competition are branded as criminal when taken by businessmen, yet praised as 'enlightened' when initiated by government. A world in which the law is so vague that businessmen have no way of knowing whether specific actions will be declared illegal until they hear the judge's verdict—after the fact.'' And, of course, obscure, incoherent, and vague legislation can make legality unattainable by anyone, or at least unattainable without an unauthorized revision which itself impairs legality.

The Sherman Act was a tool used to regulate some of the most competitive industries in America, which were rapidly expanding their output and reducing their prices, much to the dismay of their less efficient (but politically influential) competitors. The Sherman Act, moreover, was used as a political fig leaf to shield the real cause of monopoly in the late 1880's—protectionism. the chief sponsor of the 1890 tariff bill, passed just three months after the Sherman Act, was none other than Senator Sherman himself.

One function of the Sherman Act was to divert public attention from the certain source of monopoly—Government's grant of exclusive privilege. But, as George Reisman, Professor of Economics at Pepperdine University's Graziadio School of Business and Management in Los Angeles, explains ''everyone, it seems, took for granted the prevailing belief that the essential feature of monopoly is that a given product or service is provided by just one supplier. On this view of things, Microsoft, like Alcoa and Standard Oil before it, belongs in the same category as the old British East India Company or such more recent instances of companies with exclusive government franchises as the local gas or electric company or the U.S. Postal Service with respect to the delivery of first class mail. What all of these cases have in common, and which is considered essential to the existence of monopoly, according to the prevailing view, is that they all represent instances in which there is only one seller. By the same token, what is not considered essential, according to the prevailing view of monopoly, is whether the sellers position depends on the initiation of physical force or, to the contrary, is achieved as the result of freedom of competition and the choice of the market.''

Microsoft, Alcoa, and Standard Oil represent cases of a sole supplier, or at least come close to such a case. However, totally unlike the cases of exclusive government franchises, their position in the market is not (or was not) the result of the initiation of physical force but rather the result of their successful free competition. That is, they became sole suppliers by virtue of being able to produce products profitably at prices too low for other suppliers to remain in or enter the market, or to produce products whose performance and quality others simply could not match.

Even proponents of antitrust prosecution acknowledge this. In the Standard Oil case, the U.S. Supreme Court declared in its 1911 decision breaking up the company: ''Much has been said in favor of the objects of the Standard Oil Trust, and what it has accomplished. It may be true that it has improved the quality and cheapened the costs of petroleum and its products to the consumer.''

It is the dynamic model of competition under which only ''free'' entry is required that insures maximization of consumer welfare within the nature-given condition of scarcity and reconciles the ideal of pure liberty with that of economic efficiency. The free market in the world of production may be termed ''free competition'' or ''free entry'', meaning that in a free society anyone is free to compete and produce in any field he chooses. ''Free competition'' is the application of liberty to the sphere of production: the freedom to buy, sell, and transform one's property without violent interference by an external power.

As argued by Alan Greenspan, ''the ultimate regulator of competition in a free economy is the capital market. So long as capital is free to flow, it will tend to seek those areas which offer the maximum rate of return.''

The purpose of my bill is to restore the inherent benefits of the market economy by repealing the Federal body of statutory law which currently prevents efficiency-maximizing voluntary exchange.

IN HONOR OF REVEREND MONSIGNOR GERARD LA CERRA

HON. ILEANA ROS-LEHTINEN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 18, 1999

Ms. ROS-LEHTINEN. Mr. Speaker, today I would like to recognize a man for whom the South Florida Community has the utmost respect, esteem and admiration, Reverend Monsignor Gerard La Cerra, who will celebrate 30 years in the priesthood on May 24th.

Monsignor La Cerra was ordained into the priesthood in Miami in 1969 and has been indispensable to our community from that moment on.

He has been a driving force in our city, possessing a truly "God-given" ability to bring people together from different cultures, religions and walks of life, for a greater good, both encompassing and dispensing brother hood, fellowship and most of all, love.

He was instrumental in the very inception of the Archbishop Coleman F. Carroll High School and involved in every step of its formulation from the initial groundbreaking to the final ribbon cutting ceremony.

In 1995, this extraordinary man was designated Prelate of Honor with the title of Reverend Monsignor by His Holiness, Pope John Paul, II.

In addition to the many honors and accolades that Monsignor La Cerra received, he has been a tireless worker and advocate for the people of Miami and has served selflessly.

I would like all my colleagues to join me in honoring someone who is truly an inspiration and role model to everyone in the way that he has lived every single day of his life.

IN SPECIAL RECOGNITION OF JONATHAN P. CURTIS ON HIS APPOINTMENT TO ATTEND THE UNITED STATES MILITARY ACADEMY

HON. PAUL E. GILLMOR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 18, 1999

Mr. GILLMOR. Mr. Speaker, I rise today to pay special tribute to an outstanding young man from Ohio's Fifth Congressional District. I am happy to announce that Jonathan P. Curtis, of Edon, Ohio, has been offered an appointment to attend the United States Military Academy at West Point, New York.

Mr. Speaker, Jonathan has accepted his offer of appointment and will be attending West Point this fall with the incoming cadet class of 2003. Attending one of our nation's military academies is an invaluable experience that offers a world-class education and demands the very best that these young men and women have to offer. Truly, it is one of the most challenging and rewarding undertakings of their lives.

Jonathan brings a great deal of leadership and dedication to the incoming West Point class of 2003. While attending Edon High School, Jonathan has attained a grade point average of 3.732, which currently places him third in his class of forty-six students. Jonathan is a member of the National Honor Society, and has participated in the United States Air Force Academy Summer Science Academy and the Invitational Academic Workshop at West Point.

Outside the classroom, Jonathan has excelled as a fine student-athlete. On the fields of competition, Jonathan has earned letters in Varsity Track, Cross Country, and Golf. He has also been active in the Edon High School marching band, pep band, concert band, Spanish club, and the D.A.R.E. program.

Mr. Speaker, at this point, I would ask my colleagues to stand and join me in paying special tribute to Jonathan P. Curtis. Our service academies offer the finest education and military training available anywhere in the world. I am sure that Jonathan will do very well during his career at West Point, and I wish him the very best in all of his future endeavors.

MARY ANN MEYER OF COLLINSVILLE, ILLINOIS CELEBRATED HER 100TH BIRTHDAY

HON. JOHN M. SKIMKUS

OF ILLINIOS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 18, 1999

Mr. SHIMKUS. Mr. Speaker, I would like to take this time to honor Mary Ann Meyer of Collinsville, Illinois who turned 100 on March 22, 1999.

On March 20th, her family and friends honored her at a special birthday party at the Knights of Columbus Hall in Collinsville.

For most of her adult life, she has been and avid pinochle and bridge player. In fact she was on the high score board for six months running at the Collinsville Senior Center when she was a mere 99 years young.

She attended SS. Peter and Paul Catholic School and Collinsville Township High School where she graduated in 1917. During her remarkable life, she has visited all 50 states and has traveled twice to Europe. She has been an active member of her church and had a career in banking at a time when many women weren't yet allowed let alone encouraged to do so.

She once said that her secret to a long life includes family, friends, music, traveling and plenty of hard work. Yet the most telling component of her secret was the most basic once when she said "Have faith in God. I still do."

Congratulations on 100 years of making a difference in our lives. Here's to the next 100.

TRIBUTE TO PRESIDENT LEE TENG-HUI

HON. SOLOMON P. ORTIZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 18, 1999

Mr. ORTIZ. Mr. Speaker, for many years now, I have joined my colleagues in congratulating the leaders of the Republic of China (ROC) on their National Day, on associated anniversaries, and other special occasions.

Today I congratulate President Lee Tenghui on completing 3 years in office. President Lee is an energetic man who is moving forward on a number of diplomatic fronts to engage Taiwan as an emerging democracy and economic Pacific power.

In the years ahead, I hope that Taiwan will continue to enjoy its prosperity and freedom.

TRIBUTE TO MATT FONG

HON. GEORGE RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 18, 1999

Mr. RADANOVICH. Mr. Speaker, I rise today to pay tribute to Matt Fong for his service to the state of California and the United States. Matt Fong's leadership and accomplishments in Republican politics has had a profound impact on the advancement and quality of life in California and America.

Matt Fong has been committed to public service for many years, most recently as California Treasurer. As treasurer, Mr. Fong worked to create higher efficiency within the office, thereby saving California taxpayers millions of dollars. He earned additional funds for California schools, hospitals, and prisons through wise investments, and boosted California's ratings with investors. Mr. Fong has done much to increase funds for small business and education, and has also worked to revitalize California's inner cities.

Aside from his many accomplishments as California treasurer, Matt Fong is a United States Air Force Academy graduate. He served as regent of Children's Hospital of Los Angeles, regent of Pepperdine University, where he received his master's degree in Business administration, and he was director of the Boy Scouts of America in the Los Angeles area. Other activities and awards include: National Commission on Economic Growth and Tax Reform, Congressional National Security Group, Chairman of the Governor's Task Force on State and Local Investment Practices, Chairman of the Pacific Rim Financial Summit, Distinguished Alumnus Award from both Pepperdine University and Southwestern University of Law where he received his jurist doctorate degree, Governing Magazine's Deal of the Year Award, Industry Award of Excellence from the National Federation of Municipal Analysts, honored for service to impoverished communities by the First AME Church of Los Angeles, excellence 2000 Award from the United States Pan Asian-American Chamber of Commerce, and the Simon Wiesenthal Center Award for efforts to promote restitution for Holocaust victims from Swiss banks.

Mr. Speaker, it is with great honor that I pay tribute to Matt Fong for his service to the state of California, and the United States. Mr. Fong is a faithful public servant who has shown care and dedication to business, education and the well being of California and the American community as a whole. I ask my colleagues to join me in wishing Matt Fong many more years of success.

TRIBUTE TO RICHARD AND IRMA POWELL

HON. MARION BERRY

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 18, 1999

Mr. BERRY. Mr. Speaker, I rise today to pay tribute to a wonderful couple, The Powells.

Richard and Irma Powell are classic examples of the ''Greatest Generation''. They work hard, play by the rules, and achieve success doing so. They defined responsibility, honesty, thrift, and fair dealings. Their devotion to their family and church is extraordinary.

Both Richard and Irma Powell were born, raised and spent their entire lives in Stanley Point, Arkansas. They raised a large family of children that carry on the values that make the Powells so special.

After the loss of Richard some years ago it took years for Sunday to be the same with his absence from the front row. His occasional impromptu statements to the congregation were profound and memorable. There was never any doubt of his sincerity of commitment.

Mr. Powell was a great student of nature and human nature. The integrity and dedication of the Powells is a living example to all that knew them, especially to institutions like marriage. They were married for 59 years before Mr. Powell passed on.

They accept their lot philosophically, and epitomize the vision Thomas Jefferson had in mind when he helped found this great nation.

Our community is a better place because of their presence, and they are a bless to us all.

IN HONOR OF THE GRADUATION VIP PROGRAM, NEW YORK INSTITUTE OF TECHNOLOGY

HON. CAROLYN McCARTHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 18, 1999

Mrs. MCCARTHY of New York. Mr. Speaker, I rise today to celebrate the graduation of the Vocational Independence Program students (VIP) at the New York Institute of Technology (NYIT) in Central Islip, New York. It was my great pleasure to meet with these students in Washington, D.C. last month. They are a wonderful group and I am very proud of their achievement.

The Vocational Independence Program was founded in 1987 by Jim Rein, Dave Finkelstein and Neal Nelson. VIP is a work/study recreational program that establishes a transition for sixteen to twenty-one year old learning disabled young adults considering post-secondary career options. Soon after its creation, the program developed into what is the current year-round VIP program. The program provides continuing academic exposure to the students and as training for varied vocational options, work experiences and social and independent living skills development. As a part of the campus of NYIT, the students are able to take college beyond its special curriculum.

In our meeting last month, I was impressed with the VIP students keen understanding of how government works and the depth of their questions about my job and working in Congress. They have certainly benefitted from their various studies and trips outside the classroom. These experiences were a fine supplement to their excellent classroom curriculum.

As someone with a learning disability, I commend the students for not allowing their own disabilities to prevent them from attending college and moving into the workforce. They have demonstrated a determination and quest for knowledge which all students should aspire.

My best wishes to each of the graduates and their teachers, families and friends. I wish you great success now and in the future.

IN SPECIAL RECOGNITION OF MARCUS T. JAMEYSON ON HIS APPOINTMENT TO ATTEND THE UNITED STATES MILITARY ACADEMY

HON. PAUL E. GILLMOR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 18, 1999

Mr. BILLMORE. Mr. Speaker, I rise today to pay special tribute to an outstanding young man from Ohio's Fifth Congressional District. I am happy to announce that Marcus T. Jameyson, of Wellington, Ohio, has been offered an appointment to attend the United States Military Academy at West Point, New York.

Mr. Speaker, Marc has accepted his offer of appointment and will be attending West Point this fall with the incoming cadet class of 2003. Attending one of our nation's military academies is an invaluable experience that offers a world-class education and demands the very best that these young men and women have to offer. Truly, it is one of the most challenging and rewarding undertakings of their lives.

Marcus Jameyson brings a great deal of leadership and dedication to the incoming West Point class of 2003. While attending Wellington High School, Marc has attained a grade point average of 3.28, which places him among the best in his class. His academic success has placed him on the Honor Roll and Merit Roll. Currently, Marc is taking Honor's Program courses and several AP courses.

Outside the classroom, Marc has distinguished himself as an outstanding student-athlete. Marc served as the Senior Captain of the Wellington High School Varsity Wrestling Team where, in both his Sophomore and Junior years, he placed fourth in the Ohio State Wrestling Tournament. Marc is also a member of the Wellington Varsity Baseball Team. I am also pleased to announce that Marc is being recruited for Intercollegiate Athletics at West Point.

Mr. Speaker, at this point, I would ask my colleagues to stand and join me in paying special tribute to Marcus T. Jameyson. Our service academies offer the finest education and military training available anywhere in the world. I am sure that Marc will do very well during his career at West Point, and I wish him the very best in all of his future endeavors.

1999 STUDENT CONGRESSIONAL COUNCIL BILL ON SOCIAL SECURITY

HON. RALPH REGULA

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 18, 1999

Mr. REGULA. Mr. Speaker, on March 9, 1999 the 1999 Student Congressional Council in my district passed a bill that proposes to strengthen Social Security for years to come. I feel privileged to have sponsored this student group and I am especially impressed with the students' diligent work in creating this bill. I believe Congress can learn from their example by likewise working together to tackle this difficult issue.

I hereby submit the attached 1999 Student Congressional Council Bill on Social Security into the CONGRESSIONAL RECORD.

BILL PASSED BY THE 1999 STUDENT CONGRESSIONAL COUNCIL ON MARCH 9, 1999. EVENT SPONSORED BY U.S. REPRESENTATIVE RALPH REGULA, 16TH DISTRICT-OHIO

BILL SUMMARY—COMMITTEE A

The basic concept of this bill is to individualize a portion of Social Security while keeping at least half of it completely governmental. The individualized portion will serve to stimulate the American economy, lead to a general higher-than-present public understanding of investment, and grant more independence to employees with the money that they have rightfully earned. Employees will be able, with education and limitations provided by the company, to invest in endeavors such as stocks, funds, IRAs, and the government, in order to increase their playback while lessening the load on Social Security. The bill also provides for a check-and-balance system between the companies and employees, and encourages cooperation among these and the government. The employees have the ability to cause the companies to lose benefits if they are unsatisfied, and the companies have the ability to limit the investment of the employees. Under this bill, money is provided for the Social Security fund by the budget surplus, less stress on the money resulting from less money in the actual Security fund by the budget surplus, less stress on the money resulting from less money in the actual Security fund, and, in cases, the ''matching-the-employees investments'' of companies. The bill also provides for changes that may result from financial crisis, economic slumps, and/or corporate dilemmas, if not addressed by the bill (which many are), then as designated by new amendments, law, or judicial review.

Introduced by: Committee A, Central Catholic High School, Canton, Ohio, GlenOak High School, N. Canton, Ohio, Jackson High School, Massillon, Ohio, and Minerva High School, Minerva, Ohio.

1. Over the next twenty years (1999–2019), an amount of each year's gross national budget surplus equal to the higher of 50% of the surplus or forty-four billion three hundred million dollars will be allotted to the Social Security pool of finance. This investment will provide a foundation for and complement to the near-future implementation

of Social Security funds. All mentioned money will be placed into an exclusive Social Security fund.

II. The money currently allotted for Social Security on each American citizen worker's income will be hereafter dubbed ''The Security and Investment Plan.''

A. The S&I Plan will divide current Social Security allotments into two parts: an unchanged Social Security fund and a Long-term Investment Allocation.

1. Social Security fund

a. The money under this account will be monitored and administered as it is in the current system as of the nineteenth of February 1999.

b. The money under this account must represent at least fifty percent of the S&I money.

2. Long-term Investment Allocations

a. The LTIA will be money that has the opportunity to increase at a rate that will produce more money in the long run than the regular Social Security fund. It will also run than the regular Social Security fund. It will also stimulate the American economy via individual investment in US interests.

b. This money will be monitored by each company and reported to the Congressional Ways and Means Social Security Subcommittee annually for reference.

c. This money is in the control of the individual who has the option to surrender its control to the company to invest as it sees fit or to monitor it individually.

Individual Investment

i. The employing company will provide access to employees as to the status of the questioning employee's money. This access may be via computer network or server, the Internet, telephone, and/or other mediums. This access may be either inherent in the privileges of the employee or granted upon request and approval through a superior or other employee or employer.

ii. The employing company will provide employees with investment education.

iii. The employing company may place limits on employee investment such as the restriction of certain forms of investment, certain risk-levels of investments, and/or simultaneous sums of investment transactions.

iv. If an employee subscribed under the LTIA option has a reason agreed by the employing company and employee to be a situation or plausible cause for a situation of extreme need for the invested money, the employee may withdraw the LTIA funds before the designated time of retirement with a ten percent penalty to be paid to Social Security.

III. Employing companies will be given the option to establish a Security and Investments Plan.

A. The employing must demonstrate competent use of the plan. If less than twenty-five percent of the company's employees are not participating in the LTIA option of the S&I Plan, the company will no longer be considered eligible for the plan.

B. There will be incentives for companies to subscribe under the S&I Plan.

1. An overall four tenths of a percent tax cut for the first twelve months of the S&I incorporation and two tenths of a percent for each year of incorporation thereafter.

2. The company may choose to match each worker's choice of LTIA investment with an equal investment in the interest of Social Security. In this case, the tax cuts will be raised to five tenths of a percent and three tenths of a percent receptively.

3. Corporate brokerage firms who aid companies in organized investment of the LTIA funds will be granted a one-hundredth of a percent overall tax cut.

IV. this bill may be altered or amended as the law-making processes of the Untied States deem proper and necessary to the improvement of the plan without destabilizing the basic tenets of the bill.

V. If an individual's employing company is not a member of the S&I Plan, then that individual may, through an application process determined by an S&I company, apply to become involved in that company's S&I plan without becoming an employee of that company. However, that individual will have to pay a maximum of 10% in commission to the company.

MONTELLO STUDENTS' SPACE SEED PROJECT ON SPACE SHUTTLE DISCOVERY

HON. THOMAS E. PETRI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 18, 1999

Mr. PETRI. Mr. Speaker, this past year, students from Montello, Wisconsin worked on a project that entailed an international experiment which was included on last fall's historic Discovery space shuttle flight.

The experiment involved vials of lettuce seeds from Wisconsin and chicory seeds from Italy being subjected to microgravity, extreme heat and cold during the NASA flight. While in space, the project was tended by astronaut John Glenn. The seeds are being studied to determine the effects of space travel. Early results indicated that the space seeds did as well as the control seeds despite not being fertilized. This unexpected finding could have far-reaching implications for the environment.

The school-wide project included students of different ages and the central theme allowed all types of classes to be involved, such as English, history, and agriculture. The seed project, ''Growing Montello Transglobally'' is a joint effort with students from the Il Montello region of Italy. The students communicated over the Internet using an Italian translator program.

During a visit to Montello High in January, I had the opportunity to discuss the project with the students and was impressed by their interests and abilities. I toured classes where students had participated in computer portions of the project, from sharing and tracking information with their sister school in Montello, Italy, to downloading and sending digital photographs. I was also impressed by a video documentary of the project and related activities that was made in conjunction with the Experimental Aircraft Association (EAA).

The Wisconsin students were able to go to Florida to view the Discovery launch in October. They raised their own money for the trip through a variety of fund-raisers which included selling cookies and T-shirts and hosting a spaghetti dinner.

Seventh and eighth grade students in the Montello School system are co-authoring a children's picture book. The students developed their own ideas for the character, plot, settings and illustrations featuring children from Montello, Italy and Montello, Wisconsin. The book will feature NASA projects as seen from the children's perspective. They will be submitting the book to a professional publisher. A literacy quilt was created to highlight the success of the NASA Project.

Catherine Alexander, teacher, has been asked to have the students do a multimedia presentation on the seed project at the Naval Academy in Annapolis in September.

The time and effort the students of Montello, Wisconsin and Il Montello of Italy put into this project was phenomenal and their achievements and successes should be recognized. I believe these students deserve a full measure of praise for all they have accomplished.

IN SPECIAL RECOGNITION OF LONA R. PIEPER ON HER APPOINTMENT TO ATTEND THE UNITED STATES MILITARY ACADEMY

HON. PAUL E. GILLMOR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 18, 1999

Mr. GILLMORE. Mr. Speaker, I rise today to pay special tribute to a truly outstanding young lady from Ohio's Fifth Congressional District. Recently, I had the opportunity to nominate Lona R. Pieper for an appointment to attend the United States Military Academy at West Point, New York.

I am pleased to announce that Lona has been offered an appointment and will be attending West Point with the incoming cadet class of 2003. Attending one of our nation's military academies is one of the most rewarding and demanding time periods these young men and women will ever undertake. Our military academies provide the training and experience needed to help turn these young adults into the finest officers in the world.

Mr. Speaker, without question, Lona Pieper belongs with the incoming West Point class of 2003. While attending Wellington High School, in Wellington Ohio, Lona achieved a grade point average of 2.92, which has earned her several Merit Awards and placed her on the Honor Roll each year. In addition, Lona has served as Vice President of the Senior Class and President of the Key Club. She has also been active in the French Club, Student Council, and Civil War Club.

Not only has Lona distinguished herself in the classroom, but she has performed wonderfully on the fields of competition. An outstanding student-athlete, Lona is the starting centerfielder on the Wellington High School Varsity Softball Team and is the team's Co-Captain. I am happy to announce that Lona is being recruited for Intercollegiate Athletics at West Point.

My Speaker, at this point, I would ask my colleagues to stand and join me in paying special tribute to Lona Pieper. Our service academies offer the finest education and military training available anywhere in the world. I am sure that Lona will do very well at West Point, and I wish her much success in all of her future endeavors.

TRIBUTE TO LESTER AND LOIS WHITING

HON. MARION BERRY

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 18, 1999

Mr. BERRY. Mr. Speaker, I rise today to pay tribute to a distinguished couple in my community.

Lester and Lois Whiting lived, worked, and raised their family in the Tichnor community and resided there all their days. They were both descendants of pioneer families in south Arkansas County. They were the kind of people that always cared about their neighbors and community, were always ready to do their part for the common good.

The Whitings were the kind of people that only wanted a fair chance. They took care of their own business and achieved success in doing this.

They brought honor and distinction to their family and community with their quiet service and support. They are of the ''Greatest Generation'' that worked hard, played by the rules, and made this country what it is today.

If as some say, your children are the true measure of your success, then the Whitings are indeed successful.

I have been privileged to have lived among wonderful people like the Whitings all of my life.

The world is a better place because they lived. I have been blessed to have had such friends.

THE MULTIDISTRICT TRIAL JURISDICTION ACT OF 1999

HON. F. JAMES SENSENBRENNER, JR.

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 18, 1999

Mr. SENSENBRENNER. Mr. Speaker, today I am introducing the Multidistrict Trial Jurisdiction Act of 1999 at the behest of the Administrative Office of the U.S. Courts (or ''AO'').

The AO is concerned over a Supreme Court opinion, the so-called Lexecon case, pertaining to Section 1407 of Title 28 of the U.S. Code. This statute governs Federal multidistrict litigation.

Under Section 1407, a Multidistrict Litigation Panel—a select group of seven Federal judges picked by the Chief Justice—helps to consolidate lawsuits which share common questions of fact filed in more than one judicial district nationwide. Typically, these suits involve mass torts—a plane crash, for example—in which the plaintiffs are from many different states. All things considered, the panel attempts to identify the one district court nationwide which is best adept at adjudicating pretrial matters. The panel then remands individual cases back to the districts where they were originally filed for trial unless they have been previously terminated.

For approximately 30 years, however, the district court selected by the panel to hear pretrial matters (the ''transferee court'') often invoked Section 1404(a) of Title 28 to retain jurisdiction for trial over all of the suits. This is a general venue statute that allows a district court to transfer a civil action to any other district or division where it may have been brought; in effect, the court selected by the panel simply transferred all of the cases to itself. According to the AO, this process has worked well, since the transferee court was versed in the facts and law of the consolidated litigation. This is also the one court which could compel all parties to settle when appropriate.

The Lexecon decision alters the Section 1407 landscape. This was a 1998 defamation case brought by a consulting entity (Lexecon) against a law firm that had represented a plaintiff class in the Lincoln Savings and Loan litigation in Arizona. Lexecon had been joined as a defendant to the class action, which the Multidistrict Litigation Panel transferred to the District of Arizona. Before the pretrial proceedings were concluded, Lexecon reached a ''resolution'' with the plaintiffs, and the claims against the consulting entity were dismissed.

Lexecon then brought a defamation suit against the law firm in the Northern District for Illinois. The law firm moved under Section 1407 that the Multidistrict Litigation Panel empower the Arizona court which adjudicated the original S&L litigation to preside over the defamation suit. The panel agreed, and the Arizona transferee court subsequently invoked its jurisdiction pursuant to Section 1404 to preside over a trial that the law firm eventually won. Lexecon appealed, but the Ninth Circuit affirmed the lower court decision.

The Supreme Court reversed, however, holding that Section 1407 explicitly requires a transferee court to remand all cases for trial back to the respective jurisdictions from which they were originally referred. In his opinion, Justice Souter observed that ''the floor of Congress'' was the proper venue to determine whether the practice of self-assignment under these conditions should continue.

Mr. Speaker, this legislation responds to Justice Souter's admonition. My bill would simply amend Section 1407 by explicitly allowing a transferee court to retain jurisdiction over referred cases for trial, or refer them to other districts, as it sees fit. This change makes sense in light of past judicial practice under the Multidistrict Litigation statute. It obviously promotes judicial administrative efficiency. I therefore urge my colleagues to support the Multidistrict Trial Jurisdiction Act of 1999.

TRIBUTE TO THE U.S. MERCHANT MARINES

HON. MICHAEL F. DOYLE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 18, 1999

Mr. DOYLE. Mr. Speaker, I rise today to give tribute to U.S. Merchant Marines and extend my gratitude for their valiant service to our country during World War II. As my colleagues should be aware, May 22nd is National Maritime Day.

In years past, I have come before the House to explain in detail how the thousands of courageous men and women who served in the Merchant Marines transported supplies to our soldiers during war and in the face of grave danger. Undeniably, the actions taken and responsibilities fulfilled by these men and women who served in the Merchant Marines contributed to the outcome of World War II. As the Pittsburgh areas was one of the most heavily recruited regions of the country by the Merchant Marines, I have come to have an enormous appreciation for and ever growing amount of respect for the contributions that merchant mariners have made to our nation.

Indeed, their efforts should not be diminished in any way and should be equated with those of other armed service personnel. It is important to note that during World War II, Merchant Marines were subject to government control and their vessels were controlled by the government under the Authority of the War Shipping Administration. And just as with other branches of the military. Merchant Marines traveled under sealed orders and were subject to the Code of Military Justice. Like many Members of Congress, I felt it was completely unacceptable that Merchant Marines were discriminated against in terms of benefits and lent my strong support to H.R. 1126, the Merchant Marine Fairness Act. The bill, H.R. 1126, was ultimately enacted into law as part of H.R. 4110, the Veterans Programs Enhancement Act.

While I am pleased that the Merchant Marine Fairness Act has been signed into law, I was not pleased that the language of an important provision has been altered. Specifically, the Merchant Marine Fairness Act included directive language according the recognition of Honorable Discharge to merchant mariners whose service included time between August 15, 1945 to the end of 1946. The language however, was changed to read ''Certificate of Honorable Discharge'' when the original bill was included in H.R. 4110, and was enacted as part of Public Law 105–368.

As it has been more than half a century since the end of World War II and almost 20 years since the struggle for equitable recognition of merchant mariners began, I am deeply concerned about the potential for the intent of the original language to be misconstrued and thus creating further delay in the delivery of earned benefits. I urge both Secretary of Defense Cohen and Secretary of Transportation Slater to expeditiously and consistently implement the new benefits provisions in accordance to the intent of the original bill's language. Approximately 2,500 mariners and their families are expecting and should receive no less.

I also want to recognize the efforts of one of my constituents, Mark Gleeson, for this personal involvement in, and steadfast commitment to obtaining appropriate recognition for the efforts of Merchant Marines during World War II. Mark cares very deeply about this matter and played a major role in creating greater awareness about the inequitable treatment of Merchant Marines within the halls of Congress.

In closing, I want to thank all of my colleagues who were supportive of the effort embodied in the Merchant Marines Fairness Act and encourage them to monitor its implementation. It is my hope that each and every

Member of the House will take the time to recognize the efforts of our country's World War II Merchant Marines.

HAPPY ANNIVERSARY TO PRESIDENT LEE TENG-HUI OF TAIWAN

HON. EVA M. CLAYTON

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 18, 1999

Mrs. CLAYTON. Mr. Speaker, I wish to offer my congratulations to President Lee Teng-hui of the Republic of China on Taiwan, as Taiwan celebrates the third anniversary of his presence in office on May 20, 1999.

President Lee Teng-hui is the leader of the other China—The Republic of China on Taiwan, a country of 21 million hardworking Chinese citizens who subscribe to an American style of democracy—free elections, respect for human rights and a free enterprise system.

Mr. Speaker, under President Lee's leadership Taiwan is a world-class nation and its citizens enjoy one of the highest standards of living in the world.

As Chinese mainland students continue to demonstrate against the United States, let's not forget our friends on Taiwan who have been our ally and partner throughout their history.

Mr. Speaker, once again I congratulate President Lee as he celebrates his third anniversary in office. He has done a wonderful job for his country and his people.

IN SPECIAL RECOGNITION OF ZEBULON G. WEDGE ON HIS APPOINTMENT TO ATTEND THE UNITED STATES AIR FORCE ACADEMY

HON. PAUL E. GILLMOR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 18, 1999

Mr. GILLMOR. Mr. Speaker, I rise today to pay special tribute to an outstanding young man from Ohio's Fifth Congressional District. I am happy to announce that Zebulon G. Wedge, of Fostoria, Ohio, has been offered an appointment to attend the United States Air Force Academy in Colorado Springs, Colorado.

Mr. Speaker, Zeb has accepted his offer of appointment and will be attending the Air Force Academy this fall with the incoming cadet class of 2003. Attending one of our nation's military academies is an invaluable experience that offers a world-class education and demands the very best that these young men and women have to offer. Truly, it is one of the most challenging and rewarding undertakings of their lives.

Without question, Zeb brings a great deal of leadership and dedication to the incoming Air Force class of 2003. During his time at Fostoria High School, Zeb has achieved a high level of academic excellence. Currently, he has attained a grade point average of 3.75, which places him thirteenth in his class of 158 students. Academically, he was an honor roll member in each year of high school.

In addition to his stellar performance in the classroom, Zeb has shown himself to be an excellent student-athlete. He has been a member of the Fostoria High School Varsity Wrestling Team and the Varsity Football Team. In addition, Zeb has been a member of the Spanish Club, Peer-Mediation, Youth-to-Youth, and served as the Vice President of the Freshman Student Council.

Mr. Speaker, at this point, I would ask my colleagues to stand and join me in paying special tribute to Zebulon G. Wedge. Our service academies offer the finest education and military training available anywhere in the world. I am sure that Zeb will do very well during his career at the Air Force Academy, and I wish him the very best in all of his future endeavors.

TRIBUTE TO FLETCHER AND SYBIL SULLARDS

HON. MARION BERRY

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 18, 1999

Mr. BERRY. Mr. Speaker, I rise today to pay tribute and recognize Fletcher and Sybil Sullards on the occasion of the celebration of their 50th wedding anniversary. Fletcher and Sybil are mother and father to Karen who they love dearly. The Sullards have actually parented many many children in their years as educators in the public schools in Arkansas. They are ''public servants'' in the true spirit of the words. I think of the Biblical meaning of servanthood when I look at the work of Fletcher and Sybil with the young people they served and the communities across this great state that they became involved.

Fletcher and Sybil came to the community I live in, Gillett, in the late 1950's. They were there only a few short years before moving on to serve larger schools and eventually made their home in Searcy, Arkansas. Their time in my community has been an example of the lasting impact for good that teachers make on children and also in setting standards of excellence for the schools they serve.

Of the many strengths of this unique couple I think first of their gift of laughter. As teachers, they dealt with a serious subject—educating children—but it was fun for them. You knew they loved what they were doing because they were and always will be happy people. In my opinion their greatest strength is in their dedication to children as individuals. This makes them truly outstanding. As educators, they knew their students, they liked their students, thus they could challenge, encourage and even reprimand their students. If it takes a village to raise a child, the Sullards are the ingredient every village needs as does every child.

I wish continued happiness for this wonderful couple. My state, my community and my family are better for Fletcher and Sybil Sullards.

INTRODUCTION OF FEDERALLY IMPACTED SCHOOL IMPROVEMENT ACT

HON. EARL POMEROY

OF NORTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 18, 1999

Mr. POMEROY. Mr. Speaker, I rise today to join my colleague, Congressman J.D. HAYWORTH, in introducing the Federally Impacted School Improvement Act. This legislation is designed to provide matching grants to federally impacted schools to meet their urgent repair and construction needs.

The Impact Aid program was built on the premise of a shared responsibility between the federal, state and local governments. Since 1950, the federal government has recognized and accepted its responsibility to assist school districts and communities that are impacted by a federal presence such as a military base or Indian reservation. The federal government has made payments to school districts in the form of federal property, disability and basic support payments to help cover the cost of educating federally connected children. Across the country, 1,600 school districts and 1.5 million children depend on the Impact Aid program for a quality education.

Up until 1994, Congress has provided assistance to help these school districts build and repair their schools, particularly districts whose property tax circumstances make it almost impossible to pass school construction bonds. Since 1994, however, the Impact Aid school construction account has suffered. The funding provided in the section 8007 construction account has become woefully inadequate and is spread too thinly among the over two hundred qualifying schools. As a result, many of these school buildings are antiquated, overcrowded and most troubling, compromise the health and safety of their students.

I would like to draw my colleagues' attention to two particular instances in my state where Impact Aid section 8007 construction funding has fallen far short of meeting schools' most basic repair and construction needs. The Grand Forks school district in North Dakota has been plagued by severe ventilation and air quality problems for some time. The meager funds Grand Forks receives through section 8007 have not enabled the district to make even urgent repairs. One school has had to delay renovation projects because of insufficient funds, and ultimately, to borrow from their Basic Support Payments when renovation needs became too urgent to ignore. In order to improve the air quality so that children are not at risk, this one school would need $800,000. However, the entire Grand Forks school district will receive only $40,000 in section 8007 money this year.

Another Impact Aid school that has become a particular concern for me is Cannonball Elementary, located on the Standing Rock Reservation in North Dakota. As a result of inadequate Impact Aid construction funding over the years, Cannonball has long been neglected. Storage rooms have been converted to makeshift classrooms and portions of the building that have been condemned continue to house students. Students and teachers are

often forced to move from classroom to classroom to escape the stench of sewer back-up that permeates the building. I have walked the halls of this school and have found the conditions these students face on a day-to-day basis to be deplorable.

The legislation we are introducing today offers the best opportunity for Cannonball, and the Grand Forks School District to meet these urgent construction needs. Our legislation would create a separate Impact Aid construction account and authorize a federal appropriation of $50 million for each of the next five fiscal years. The funding would be divided equally between Indian land/federal property and military schools and would create a reserve account for emergency repair needs. Under the legislation, an individual school district could receive a grant up of to $3 million any time during the five year authorization period. In order to make the limited federal funds go farther, the bill targets funding directly to those school districts located on Federal property or that serve a high concentration of federally-connected students. Additionally, the bill requires districts to provide matching funds on all but the small portion of funds reserved for emergencies.

Mr. Speaker, the federal government has a clear obligation to federally impacted schools, and only by stepping up its support can these schools continue to provide a quality education to thousands of children across the country. I am looking forward to working with my colleagues on a bipartisan basis to support Impact Aid schools. I urge my colleagues to support this important legislation, which would enable federally impacted schools across the country to meet their urgent construction and repair needs.

HONORING KEITH LUND AS A ''STAR OF LIFE''

HON. E. CLAY SHAW, JR.

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 18, 1999

Mr. SHAW. Mr. Speaker, I commend Keith Lund for being designated as a ''Star of Life'' by the American Ambulance Association.

Keith's selection as the ''Star of Life'' Award winner for Dade, Broward, Monroe and Palm Beach Counties of Florida is an appropriate honor for such a dedicated paramedic. Keith has worked with American Medical Response for eight years, rising from an emergency medical technician to a paramedic and supervising officer.

Anyone who has been in an emergency situation can easily recognize the vital importance of a calm, direct manner and the ability to work as a team member. Keith Lund embodies these to near-perfection. He handles his daily work in the high-stress environment as a critical care paramedic with eagerness, diligence, and pride.

I believe it is exceedingly difficult to separate professional life and personal life. This is an especially complicated task for a single parent. As a single father, Keith's dedication to his job is balanced with his dedication to his son. Keith's commitment to both should be honored and admired.

Mr. Speaker, I urge my colleagues to join with me in honoring the 150 emergency medical professionals being honored as ''Stars of Life'' during National EMS Week of 1999. I commend Keith Lund for his dedication to emergency care for the people of South Florida as a true ''Star of Life''.

U.S.-TAIWAN RELATIONS

HON. DONALD M. PAYNE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 18, 1999

Mr. PAYNE. Mr. Speaker, I rise today in support of President Lee Teng-Hui and Vice-President Lien Chan of Taiwan as they prepare to celebrate their anniversary in office this May 20th. We are reminded once again that we have a strong partner and friend in the Far East—The Republic of China on Taiwan.

Throughout its history, the Republic of China on Taiwan has always continued to foster good relations with the United States. Many of Taiwan's leaders were either educated in the United States or the United Kingdom and they, just as much as we do, believe in democracy and a free enterprise system.

In the future, I hope we can continue to work together on issues that are mutual beneficial to both countries in the areas of democracy and governance, the rule of law, international trade and the environment. Taiwan has always supported the United States in many areas as it relates to security in and outside of the region. I hope we can continue to do this. It is time we show our appreciation of Taiwan by offering our help to them when they need us.

IN SPECIAL RECOGNITION OF GEOFFREY L. EARNHART ON HIS APPOINTMENT TO ATTEND THE U.S. MILITARY ACADEMY

HON. PAUL E. GILLMOR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 18, 1999

Mr. GILLMOR. Mr. Speaker, I rise today to pay special tribute to a truly outstanding young man from Ohio's Fifth Congressional District. Recently, I had the opportunity to nominate Geoffrey L. Earnhart for an appointment to attend the United States Military Academy at West Point, New York.

I am pleased to announce that Geoff has been offered an appointment and will be attending West Point with the incoming cadet class of 2003. Attending one of our nation's military academies is one of the most rewarding and demanding time periods these young men and women will ever undertake. Our military academics turn these young adults into the finest officers in the world.

Mr. Speaker, without question, Geoff belongs with the incoming West Point class of 2003. During his time at St. Francis DeSales High School, in Perryburg, Ohio, Geoff has achieved a remarkable grade point average of 4.427, which currently ranks him tenth in his class of 178 students. Geoff is a three-year member of the National Honor Society, and has received many awards for his academic excellence.

Outside the classroom, Geoff has been a four-year member of the St. Francis DeSales Marching Bank. In his senior year, Geoff is the leader of the percussion section. In addition, Geoff has demonstrated his dedication and commitment to excellence by obtaining his Eagle Scout ranking with the Boy Scouts of America. He has also been a Scout patrol leader and summer camp counselor.

Mr. Speaker, at this point, I would ask my colleagues to stand and join me in paying special tribute to Geoffrey Earnhart. Out service academies offer the finest education and military training available anywhere in the world. I am sure that Geoff will do very well at West Point, and I wish him much success in all of his future endeavors.

COMMEMORATING THE 150TH ANNIVERSARY OF THE FOUNDING OF THE SISTERS OF ST. FRANCIS OF ASSISI

HON. GERALD D. KLECZKA

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 18, 1999

Mr. KLECZKA. Mr. Speaker, I rise today to commemorate the founding of The Sisters of St. Francis of Assisi, a congregation that is celebrating its 150th anniversary this year.

In 1849, thirteen secular Franciscans emigrated from Bavaria to establish a religious order to meet the education needs of German immigrants in Milwaukee. As such, The Sisters of St. Francis of Assisi are the first Third Order regular Franciscan congregation founded in the United States.

Over the years the work of the congregation has extended to virtually every walk of life and touched countless thousands through ministries of healing, teaching, reconciliation and liberation.

The congregation is involved in diverse ministries, which include: Making affordable housing units available through Canticle Court and Juniper Court, promoting undergraduate and graduate education at the renown Cardinal Stritch University, making affordable rental units available to non-profit groups through the Marian Center, and offering community-based care for all ages through the innovative work at the St. Ann Center for Intergenerational Care. In addition, ministries are maintained by the congregation throughout the U.S. and Taiwan through St. Colett's organizations in Wisconsin, Illinois and Massachusetts. And, a collaborative relationship is maintained with a Franciscan congregation in Cameroon, West Africa.

In all, nearly 350 Sisters and 75 Associates promote the mission of the congregation in areas of education, pastoral ministry in parishes, hospitals and nursing homes, music ministry, elder housing and day care service to those with developmental challenges, and volunteer work of all kinds.

In the last week of July, The Sisters of St. Francis of Assisi will bring its mission to television in a series of public education messages called, ''We are Franciscans with a Future.'' On Sunday, May 30 the 150th celebration will culminate with the May Crowning and on Open House.

Then, in August, another celebration will take place with two other congregations who share the same roots of foundation: The Franciscan Sisters of Perpetual Adoration from La Crosse, Wisconsin, and The Franciscan Sisters of the Eucharist from Meriden, Connecticut. In addition, some 35 friends and parishioners from parish church in Ettenbeuren, Bavaria will join the celebration. They will also visit the motherhouses of all three religious congregations.

Mr. Speaker, it is with immense pride and gratitude that I commemorate The Sisters of St. Francis of Assisi on its jubilee anniversary and the wonderful contributions the congregation has made to the spiritual, academic, and temporal quality of life in communities close to home and around the world.

H.R. 1592, THE REGULATORY FAIRNESS AND OPENNESS ACT OF 1999

HON. RICHARD W. POMBO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 18, 1999

Mr. POMBO. Mr. Speaker, it is rare for both Houses of Congress to reach an agreement—fully bipartisan legislation. The Food Quality Protection Act (FQPA) was enacted in this manner in 1996. This bill eliminated the famous Delaney Clause for residues in raw and processed foods—replacing it with a scientific, rational standard of ''reasonable certainty of no harm.'' Food, agricultural and consumer interests, as well as the pesticide industry saw the passage of FQPA as an opportunity to assure that sound science is paramount in EPA's determinations on the use of chemicals on crops, in homes and for public health concerns. FQPA required the EPA to establish scientific, rational, sound and reasonable standards.

Mr. Speaker, sound science is what the authors intended and expected. This is what Congress wanted—sound science as the rule's foundation. Further, the new law provided an additional safety factor to protect infants and children, and new ways of assessing pesticide benefits and risks. This is something Congress fully supported and continues to support. Despite strong congressional support, implementing the law at the regulatory level has been a very difficult and unnecessarily complex process.

In fact, only a few months after the law was passed, the FQPA implementation process broke down. Members of Congress voiced their concern. The problems were so great and concerns from America's agricultural industry so substantial that Vice President Gore sent a memorandum to both the Department of Agriculture and the Environmental Protection Agency on April 8, 1998. This memorandum laid out the White House's plan for putting FQPA's implementation on the right track.

The White House's plan for FQPA implementation contained four basic principles: sound science in protecting pubic health, regulatory transparency, reasonable transition for agriculture, and consultation with the public and other agencies. America's agricultural and urban pest control community supported the Vice President's approach.

Mr. Speaker, now, a year after the White House got directly involved in FQPA's implementation process, it remains derailed. It has become clear to me that Congress must again revisit this issue. It is my humble hope, we can revisit FQPA the way we left it, in a bipartisan spirit of cooperation.

Mr. Speaker, Congress wanted a law to eliminate the scientifically inadequate and outdated Delaney Clause. What Congress and the Nation got was much worse. In fact, the EPA has failed to provide scientifically sound guidance to the regulated community. The EPA's approach follows a path toward great economic harm for agricultural producers and pest outbreaks causing diseases concerns for urban and suburban communities it is an approach that is without a scientific foundation.

Farmers, the food industry, pest control interests, and many others are understandably concerned. Americans want and deserve a fair, workable implementation of the bipartisan law. Americans want and deserve rules that are based on real information and sound science. Americans want and deserve rules that follows the Vice President's stated goals. Americans want and deserve rules that fit FQPA's requirements.

In order to achieve these results, I along with Mr. TOWNS, Mr. CONDIT and Mr. BOYD have introduced ''The Regulatory Fairness and Openness Act of 1999.'' This legislation maintains the strong safety standards established by FQPA. This bill simply establishes a scientific-based process for implementing the law which will be based on sound, peer reviewed science and open for public review. Further, it ensures that agricultural producers across the country, who are already facing tough times, will not be adversely impacted by loss of crop protection tools because the EPA failed to use good science in reviewing crop protection tools under the new standards of FQPA. It will also ensure the consumers' food supply and food quality will not be affected by incomplete and faulty data.

MY LEGISLATION ACCOMPLISHES THE FOLLOWING

The Regulatory Fairness and Openness Act of 1999 lays out the problems that the EPA has faced over the last few years in implementing the law. In many cases, the EPA simply does not know what to do because the scientific protocols for assessing certain crop protection products under the new law have not been developed. Further, it highlights the extreme negative consequences if the law is implemented improperly. For example, organophosphate insecticides are used on 70 percent of the acres treated in the United States and are used to control of vector insects that spread diseases. If the EPA continues on their current path, many of these products could be lost. Farmers will be left without replacement products and exposed to major losses due to pest outbreaks. Consequently, this will lead to either a shortage of quality produce or increase in import from countries where their farmers do not follow our stringent guidelines. It will also limit the ability of agencies to control vector insects, thus causing health risks for millions of Americans.

This legislation will require the EPA to perform a simple ''transition analysis'' on products before releasing any information about the safety of the product to the public or making final tolerance decisions. If the transition analysis determines that the Administrator is using assumptions when existing data makes the use of the assumption unnecessary or is using worst case estimates, anecdotal, unverified, or scientifically implausible data, the Administrator cannot make final re-registration decisions on those products until sufficient time has been provided to allow the data to be developed, submitted and subsequently evaluated by the Agency.

The Administrator is required to issue rules to implement the FQPA properly within one year of enactment of this bill. Further, the Administrator is required to issue guidelines specifying the kinds of information that will be required to support the issuance or continuation of a tolerance or exemption from the requirements for a tolerance and shall revise such guidelines from time to time.

My bill provides protections, especially to small acreage farmers to ensure that they will not be left without crop protection tools. This legislation requires the Administrator to report to Congress priorities for registering new products that will replace products that are being removed from use and expedite the registration process. This will allow the farmers to continue to provide a safe, reliable food supply.

The USDA and EPA are required to assess the potential negative trade effects of implementing FQPA. The program will monitor the competitive strength of major United States agricultural commodity sections in the international marketplace. Such commodity sectors include fruits and vegetables, corn wheat, cotton rice, soybeans and nursery and forest products.

Mr. Speaker, FQPA must be implemented properly or grave results will occur. My bill gives this Congress a chance to do something good for the American people and the American Farmer. I urge my colleagues to cosponsor this legislation.

THE LIVING ORGAN DONATION INCENTIVES ACT OF 1999

HON. KAREN L. THURMAN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 18, 1999

Mrs. THURMAN. Mr. Speaker, I never thought that I would come before my colleagues to discuss the importance of organ donation. Frankly, it was never an issue until seven years ago—organ donation was something other people did and organ transplants affected other people's families.

Well, I am here to tell you that this issue can affect anyone. You never know.

My husband, John, suffers from Polycystic Kidney Disease. John endured years of dialysis while awaiting a kidney transplant. In 1996,

after waiting three years for a kidney, we finally received word that the local organ procurement organization (OPO) in Gainesville, Florida found a matching organ.

In a country where about 5,000 Americans die each year because there are not enough donated livers, kidneys and other organs to go around, John was clearly one of the lucky ones.

The sad fact is that the disparity between the supply and demand of organs available for transplant contributes to the deaths of eleven people daily. This is not just a problem, this is a health care crisis. Between 1988 and 1996, the number of people on the waiting list for an organ transplant increased by 312 percent and the number of wait list deaths increased 261 percent. Additionally, in 1996, a new name was added to the transplant waiting list every nine minutes.

Viable, transplantable organs are provided from two primary sources: brain-dead victims of trauma (cadaveric donation) or living organ donors. The National Kidney Foundation (NKF) believes that we have only begun to tap the potential of living organ donation. Scientists and organ donation proponents alike firmly believe that increasing the frequency of living organ donation would not only increase the availability of organs but also lessen the transplantation rejection rate and reduce costs associated with dialysis.

However, living donors are faced with loss of income attributable to the time away from work needed for evaluation, surgery and recovery, making it difficult to pay rents, mortgages and other bills. There are also costs associated with their donation which are not reimbursable by Medicare: for example, travel, lodging, meals and child care. I firmly believe that Congress should take a more proactive role in promoting living organ donation by addressing these financial disincentives.

According to a study by researchers at the University of North Carolina at Chapel Hill, 24 percent of family members indicated that financial issues kept them from being living organ donors. Four donors in their study alone lost their jobs when they revealed to their employers their plans to be living related donors and the need to have recovery time after surgery.

We need a concerted and well-established policy on living organ donation in this country. We should not only seek to provide the best quality-of-life for our constituents, but also do so in a fiscally responsible manner. By removing some of the financial disincentives associated with living organ donation, Congress can ensure better graft survival rates, increase the number of organs available for transplantation, and reduce the costs associated with dialysis and repeat transplantation.

That is why today I am introducing the Living Organ Donation Incentives Act of 1999. This legislation would amend the Family and Medical Leave Act (FMLA) to allow living organ donation to qualify as a reason for taking time off work. This would include time spent for tests, evaluations, travel time and recuperation. The FMLA currently covers employers in the private sector with 50 or more employees and most public employees at the federal, state and local level. Under FMLA, employers are required to grant 12 weeks unpaid leave in any one calendar year to parents to care for their newborn or newly adopted child or a seriously ill child, spouse, or parent and to temporarily disabled workers. This provision would specify that living organ donation would qualify as a reason to take leave. In addition, by singling out living organ donation as a qualifier for FMLA, Congress can bring much needed attention to the benefits of this type of donation.

In addition, this legislation would allow the Secretary of Health and Human Services (HHS) to develop a grant program to aid individuals with the high costs associated with living organ donation. Medicare currently pays for the costs associated with a number of solid organ transplants. However, Medicare does not cover the costs of travel, lodging, child care, etc. These costs can be an extremely difficult burden for many potential donors. By developing a grant program for eligible beneficiaries, Congress could help increase the number of living organ donations.

This legislation would also increase the payment amount (referred to as the 'composite rate') by 2.9 percent for renal dialysis services under Medicare. The current rate has remained essentially unchanged since 1983, and the Medicare Payment Advisory Commission recently expressed concern that quality of dialysis services may decline if the rate is not increased. In recent years, costs have risen in relation to the composite rate. In fact, the independent and nonpartisan Medicare Payment Advisory Commission (MedPAC) recently expressed concern that without an increase in the payment the quality of dialysis services may decline.

This legislation is supported by the National Kidney Foundation, American Society of Transplantation, National Renal Administrators Association, American Society of Transplant Surgeons, American Society of Nephrology, American Neprhology Nurses Association, North American Transplant Coordinators Organization, Patient Access To Transplantation Coalition, Renal Physicians Associations.

I would also like to thank and express my appreciation for the ideas and suggestions I received from these organizations. In particular, I would like to acknowledge the contributions of Troy Zimmerman and Dolph Chianchiano with the National Kidney Foundation, Gwen Gampel with the National Renal Administrators Association, and Kathy Lanza Turrisi, Program Director of the Medical University of South Carolina. Together, we have crafted legislation that will tear down the disincentives associated with living organ donation.

Mr. Speaker, in the world of organ donation, supply simply does not meet demand. Together, we need to develop strategies for greater organ donation. I urge my colleagues to join me in cosponsoring this important and urgent legislation.

RECOGNIZING FLAT STANLEY

HON. BOB SCHAFFER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 18, 1999

Mr. SCHAFFER. Mr. Speaker, I rise today to recognize Flat Stanley who showed up today in my office here in Washington, D.C. Mr. Stanley was introduced to me by Jessika Fretwell, a Student from Laurel Elementary School in Ft. Collins, Colorado.

Together, Mr. Stanley and Miss Fretwell are trying to see how far and wide Flat Stanley can travel in a short period of time. This experiment, I understand, is being conducted as part of a classroom activity in Miss Cooper's Class.

I hereby certify, Mr. Speaker, that Flat Stanley arrived in Washington, D.C. today. Should any of our colleagues wish to meet him, they may inquire about his status at my office. There, Mr. Stanley will be resting for most of Wednesday.

INTRODUCTION OF THE FEDERALLY IMPACTED SCHOOL IMPROVEMENT ACT

HON. J.D. HAYWORTH

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 18, 1999

Mr. HAYWORTH. Mr. Speaker, today I introduced the Federally Impacted School Improvement Act with my good friend from North Dakota, Congressman Earl Pomeroy. This bipartisan legislation seeks to address the urgent school construction needs on federal lands, an issue I have championed since I was first elected to Congress.

As you know, Mr. Speaker, the federal government has jurisdiction over schools in three cases—Indian reservations and military installations, which are funded through the Impact Aid program, and the federal enclave of the District of Columbia. Unfortunately, the federal government has failed to live up to its obligations to federally impacted schools, especially in Indian country.

Nearly one in four of my constituents are Native American and approximately 50 percent of the land mass in my district is tribal land. On several occasions, I have had the opportunity to visit my Native American constituents. Virtually everywhere I go, I find one common problem on the reservations: the schools are antiquated, overcrowded, and in dire need of repair or reconstruction.

The Federally Impacted School Improvement Act begins to address this desperate situation by authorizing $50 million to be spent on repair, renovation, and construction in our federally impacted school districts. As you may know, Impact Aid school construction is currently funded through Section 8007. This program received a paltry $7 million in fiscal year 1999, which could have built the equivalent of one school. There is certainly a need for more than one new school in my district alone. In fact, I testified before the House Appropriations Subcommittee on Labor, HHS, and Education in 1998 about the importance of school construction funding for federally impacted schools and included documentation of nearly $180 million in needed school construction funding in just five of my 23 federally impacted school districts. This problem is not isolated to my district. Almost every federally impacted school district faces similar problems.

Mr. Speaker, this legislation represents a start in improving the schools on military and Indian lands. But this is only a beginning. We need to show our commitment to our military and Native Americans, who have long been neglected by the federal government. We must live up to our obligations to educate children on federal land. I urge my colleagues to support the Federal Impacted School Improvement Act.

IN SPECIAL RECOGNITION OF BOB AND LOUISE VOELZKE ON THE OCCASION OF THEIR FIFTIETH WEDDING ANNIVERSARY

HON. PAUL E. GILLMOR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 18, 1999

Mr. GILLMOR. Mr. Speaker, I rise today to recognize a very special couple from Ohio's Fifth Congressional District. Mr. Speaker, on Saturday, May 15, 1999, in the presence of many of their family members, neighbors, and friends, Bob and Louise Voelzke celebrate a milestone day in their lives. On May 15, at the Ballville Community Hall in Fremont, Ohio, Bob and Louise celebrate their fiftieth wedding anniversary.

Mr. Speaker, the celebration of the sanctity of marriage is one our most cherished and time-honored traditions. Throughout the ages, husbands and wives have reaffirmed their trust, faith, and, most importantly, love for each other on their wedding anniversaries. On this most treasured day, we, as their friends, neighbors, coworkers, and family members, have the opportunity to recognize them for their commitment, their sharing, and their love for each other.

The day on which two people are united in marriage is much more than simply a ceremony, with wedding vows and the exchanging of rings. It is the true union of two individuals who then become one, inseparable entity. It is the common bond and an unwavering dedication to each other than will help the marriage through good times and bad.

Mr. Speaker, for the past fifty years, Bob and Louise Voelzke have shown how love, compassion, and conviction are the cornerstones of their long and lasting marriage. Their strong commitment to each other is an example for each of us to follow.

Mr. Speaker, at this time, for myself and the members of the 106th Congress, I would ask my colleagues to stand and join me in paying special tribute to Bob and Louise Voelzke on the occasion of their fiftieth wedding anniversary. May the love and happiness they have found stay with them far into the future. Again, best wishes and congratulations on fifty wonderful years together.

REGARDING ROLLCALL VOTES ON H.R. 1664

HON. JUANITA MILLENDER-McDONALD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 18, 1999

Ms. MILLENDER-McDONALD. Mr. Speaker, we were elected to the "people's House," without question the most deliberative body in the world. As such, when legislation comes to the floor of this House, Members should have every opportunity to amend and perfect it before we pass it on to the Senate. It is our duty. It is our obligation.

Last Thursday, the Republican Leadership in the House presented H.R. 1664, the Kosovo and Southwest Asia Emergency Supplemental Appropriations Act of 1999. The measure provided $12.9 billion for emergency spending to support the ongoing military operations in Kosovo. The request was $6.9 billion above the President's request which by all accounts was more than adequate to fund our mission overseas. H.R. 1664 was presented to this body under a restrictive rule that limited the Minority's opportunities to perfect the bill. For this reason I opposed the rule.

While the rule was passed, it did allow some Democratic amendments. One of those amendments was the Obey amendment which restored $1.5 billion to the budget surplus that the Committee bill removed to fund the construction of military projects overseas. The Obey amendment made increases in military pay and effectively dealt with the issue of retirement by not making it subject to future legislation. The Obey measure also provided funds for disaster assistance for the victims of Hurricane Mitch.

The Obey amendment was defeated along with other amendments that sought to restore funds to the budget surplus. Even though the Obey amendment failed, I voted for H.R. 1664 during final passage. When our troops, our sons and daughters, are engaged in military conflict overseas, we must lay aside our partisan differences and give them the financial and moral support they need. While the Majority failed to do this and used H.R. 1664 to fund pork projects abroad, I felt compelled to rise above Party and vote for my country by casting my vote in support of H.R. 1664. I voted for our troops—our sons and daughters who willingly lay their lives on the line for our national security and for freedom.

ENSURE ACCOUNTABILITY WITH THE FEDERAL SHARE OF THE TOBACCO SETTLEMENT

HON. ROBERT A. WEYGAND

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 18, 1999

Mr. WEYGAND. Mr. Speaker, I rise today to express my extreme disappointment with the inclusion of a particular legislative provision within the conference report for the FY 1999 Emergency Supplemental Appropriations Bill.

This legislative rider, attached to the appropriations legislation in the other body and approved by the conference committee, prohibits the federal government from recovering any of the federal share of the master settlement reached between the states and the tobacco industry. When the states brought their individual cases against the tobacco industry, they did so to recover certain health care costs, including Medicaid costs. Since the federal government pays a portion of these costs, I believe the federal government has a right to determine which activities it should fund with its share of the settlement. While I believe the federal government should return the federal share to the states, it should only be done if the federal share is spent on tobacco control and other programs which seek to improve the public health.

This rider does nothing to ensure that any money form the settlement is spent on important anti-smoking programs and public health programs. This is wrong. In my view, returning the federal share to the states without proper accountability abdicates our duty to ensure this federal money is invested and spent wisely. Throughout the country, governors, state legislatures and citizens are debating how their settlements should be spent. While a great deal of these proposals may be admirable, some are not targeted to improving health care and control tobacco, as intended by the settlement.

According to the Campaign for Tobacco Free Kids, approximately 5,000 children in Rhode Island each year become new daily smokers and 35% of high school students smoke. Nearly one million packs of cigarettes are sold to minors in Rhode Island each year. If current trends continue, it is estimated that 23,000 of Rhode Island's children will later die from smoking. On behalf of the children in my state and the countless children and adults throughout this nation who are negatively impacted by smoking, I urge the fifty governors, state legislators and citizens to work together to ensure this federal money is invested wisely in tobacco control and public health.

THE FORMATION OF THE ALLIANCE OF AUTOMOBILE MANUFACTURERS

HON. FRED UPTON

OF MICHIGAN

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 18, 1999

Mr. UPTON. Mr. Speaker, as the co-chairs of the Congressional Automobile Caucus, we rise to recognize the newly formed Alliance of Automobile Manufacturers on the occasion of the inaugural meeting of its Board of Directors.

In Washington today, we hear a lot about reinvention. The Alliance is a perfect example of a major industry "reinventing" itself to reflect new world realities. The American auto industry has undergone a remarkable transformation in the past few years with the mergers and alliances between U.S. manufacturers and manufacturers around the globe. While its predecessor organization was composed of solely U.S. companies, the new Alliance embodies the global market place, with 10 member companies from around the globe.

The Alliance of Automobile Manufacturers, an international coalition of car and light truck manufacturers, was formed this past January. The member companies include BMW, DaimlerChrysler, Fiat, Ford, General Motors, Mazda Nissan, Toyota, Volkswagon, and Volvo. The new trade association created by this powerful Alliance of automobile manufacturers promises to be an organization that is nimble enough to respond to rapidly changing issues that reach across the ever-shrinking global marketplace.

Members of the Alliance have gone on the public record as committed to developing constructive approaches. Moreover, the Alliance pledges to work with government and other stakeholders to find sensible and effective solutions to shared concerns. We have already witnessed this constructive approach to issues. On May 1, President Clinton unveiled EPA's proposed ''Tier 2'' standards to reduce vehicle emissions and sulfur content in fuel. Prior to this announcement, the Alliance had called for reduction in nitrogen oxide emissions and sulfur-free fuel to provide cleaner cars and cleaner air. EPA's proposal and the Alliance are similar. The Alliance generally supports the clean air targets that EPA has proposed, including cars and trucks meeting the same average standards for nitrogen oxides.

The Alliance companies operate 255 manufacturing facilities in 33 states. They produce more than 90% of all new vehicles sold each year in the United States.

The Alliance stands ready to provide its views and comments on automotive concerns to Members of Congress as we debate issues of importance to the industry and consumers. It has a dedicated staff of professionals, led by Josephine Cooper, who have a long record of experience and knowledge of automobile issues.

A key component to developing good public policy is having an open dialogue with groups impacted by our decisions. We are confident that the Alliance and its member companies will play a vital role in developing creative and constructive solutions to the issues before the Congress.

IN HONOR OF THE GENESIS CLUB AND THE VISIT OF MRS. ROSALYNN CARTER

HON. JAMES P. McGOVERN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 18, 1999

Mr. MCGOVERN. Mr. Speaker, I rise today in tribute to The Genesis Club of Worcester, Massachusetts and note the visit on May 19, 1999, of former First Lady Rosalynn Carter to the club.

The Genesis Club was founded in 1988 by a small group of local business leaders and professionals whose family members were struggling with mental illness. Since its founding, The Genesis Club has developed a comprehensive model of support and rehabilitation in which participants are not patients or clients, but members who participate fully in management, employment, and therapeutic services and programs. The Genesis Club works to encourage and empower individuals with mental illness to function and maintain independence in their living, working, and social environments. Since its founding ten years ago, The Genesis Club has helped more than 800 individuals cope with mental illness through its supportive atmosphere, which fosters vocational and social development, embraces individuals, and leads to personally satisfying and socially productive lives. I and my fellow residents of Worcester and the Third Congressional District of Massachusetts are understandably proud of The Genesis Club, their programs, and their accomplishments.

On May 19, 1999, The Genesis Club will warmly welcome former First Lady Rosalynn Carter, who, throughout her public service career, has been a driving force in the field of mental health. It was while Mrs. Carter was serving as active honorary chair of the President's Commission on Mental Health during the Carter Administration that the Mental Health System Act of 1980 was passed. In addition, in 1982, President and Mrs. Carter founded the Carter Institute, which strives to relieve suffering in our country and around the world by focusing on the cause and consequences of war, hunger, poverty, and human rights abuses. I thank Mrs. Carter for the support and encouragement her visit will bring to The Genesis Club.

Therefore, I rise today both in tribute of The Genesis Club of Worcester, Massachusetts, and their efforts on behalf of those suffering from mental illness, and former First Lady Rosalynn Carter, who, by her visit, honors both my district and The Genesis Club.

MEDICARE REHABILITATION BENEFIT IMPROVEMENT ACT OF 1999

HON. BENJAMIN L. CARDIN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 18, 1999

Mr. CARDIN. Mr. Speaker, I rise along with my colleagues FRANK PALLONE, JIM MCCRERY, and RICHARD BURR, to introduce the Medicare Rehabilitation Benefit Improvement Act of 1999. This legislation is an urgently needed, common sense approach that will help repair a damaging provision passed by Congress nearly two years ago.

In recent years, cost pressures on the Medicare program have resulted in Congress imposing $115 billion in cuts on the Medicare program through the Balanced Budget Act of 1997. As a result, we have seen sharp reductions in payments for the elderly's care. Some of these cuts can be absorbed by our health care system. Others, however, cannot, and are having a devastating impact on the quality of patient care being delivered to the most frail, sickest Medicare beneficiaries. The Congressional Budget Office has just reported that actual BBA cuts to Medicare will exceed by billions of dollars what Congress intended for the five years from 1998 through 2002. It is time to look at what Congress actually did, and where appropriate, make necessary changes.

BBA imposed annual $1,500 caps on Part B outpatient rehabilitative services—one for physical therapy and speech-language pathology, and one for occupational therapy—provided outside the hospital setting. In practice, these limits ignore a patient's clinical requirements and restrict care for those who suffer from the most debilitating diseases, such as stroke, hip fracture, or ALS, and those who incur multiple injuries in a given year. And because the caps are not adjusted for cost variations across the nation, they disproportionately harm beneficiaries in high cost areas. Finally, because the new consolidated billing rules imposed by BBA require all filing for patients in skilled nursing facilities to be done by the facility itself, those facilities that provide adequate therapy services to their sickest patients feel the brunt of the payment limits.

When BBA was being written and debated, Congress held no hearings to examine what the impact of these arbitrary limits might be on patient care. The caps were a crude budget cutting measure designed to deliver savings—$1.7 billion over five years. And in that regard, they were successful. The therapy caps were implemented on January 1, 1999. Since that time, I have heard that in my district, some Medicare beneficiaries in SNFs have already exceeded their limit. Some estimates indicate that one of every six beneficiaries who receive rehabilitative care outside a hospital setting will need in excess of $1,500 in services in a given year. The Health Care Financing Administration's own words in the regulation implementing the cap, from the Federal Register of November 2, 1998, illustrate the problem:

> The $1,500 limits will reduce the amount of therapy services paid for by Medicare. The patients most affected are likely to be those with diagnoses such as stroke, certain fractures, and amputation, where the number of therapy visits needed by a patient may exceed those that can be reimbursed by Medicare under the statutory limits. Services not paid for by Medicare, however may be paid for by other payers.

But what about Medicare enrollees who cannot afford high-priced supplemental insurance policies to cover the balances? Clearly, some relief is necessary so that all patients with serious conditions have access to adequate therapy services and the opportunity to resume normal activities of daily living.

In the last Congress, I introduced bipartisan legislation that would eliminate the arbitrary therapy cap and instead pay for outpatient rehabilitative services based on the patient's diagnosis. But Congress adjourned without holding hearings on that bill. This year, we are beginning to witness the consequences of our failure to act. So today, I am pleased to join my colleagues in sponsoring the ''Medicare Rehabilitation Benefit Improvement Act,'' which is specifically designed to provide relief to beneficiaries who need greater levels of care. This bill creates limited exceptions to the $1,500 cap so that those patients who need additional care the most will be able to continue to receive it. The bill also requires the Secretary of HHS to study the impact of this legislation on beneficiaries and to develop alternatives to the $1,500 limits. This will help Congress determine if the caps for rehabilitative therapy services should continue.

This legislation is a common sense approach that will permit Medicare patients who need intensive therapy services to secure the

appropriate level of care for their conditions. It has the strong endorsement of several organizations, including the American Health Care Association, the American Occupational Therapy Association the American Speech-Language-Hearing Association, the National Association of Rehabilitation Agencies, and the Private Practice Section of the American Physical Therapy Association. I urge my colleagues to join me in support of this essential measure to restore adequate therapy outpatient rehabilitative coverage to those beneficiaries most in need.

REGARDING BLACK ORIGINAL INDIVIDUALS

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 18, 1999

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, in a time where our young African-American males are depicted in the news as at-risk youth, criminals, drug dealers, and high school dropouts, we forget that there are positive young men among them who are changing their environment for the better. As a matter-of-fact, many young African-American males are succeeding in our society and are making their communities both proud and strong.

Mr. Speaker, it is with tremendous pride that I rise to pay tribute to eight young African-American gentlemen in my district who are using their energy, talent, and intelligence to serve others in their community. I truly believe that their accomplishments have cut through the dark and gloomy media depictions of African-American males.

Mr. John Kemp, Mr. Brandon Collier, Mr. Clayton Redmon, Mr. William Hudson, Mr. B.J. Armstrong, Mr. Rodrick Coaxum, Mr. Zandrian Harp, and Mr. Andre Griffin are all members of ''Black Original Individuals.'' Better known as BOI, they formed this organization from a part of an entertainment group already established called Dream Entertainment.

BOI has been designed by these young men to take the social and financial benefits of hosting parties and turn them into a business practice that serves them and their community in a positive manner. Besides teaching them successful business skills, their operation is a great example of teamwork, strategic planning, communications skills, and volunteerism. I am confident that these young men will continue to apply these lessons throughout their lives.

Mr. Speaker, what is particularly notable of their work is that they have been using the profits to fund future enterprises and use the rest of the money to set up a scholarship fund that will be open on a community-wide basis for minorities. This is a great example of humble and positive individuals giving back to others.

Mr. Speaker, not too long ago some high school students in my area had an experience contrary to the gentlemen I cite today. During the fall, hundreds of students disrupted parts of the Dallas area with dangerous underage drinking, noise violations, littering and basic disrespect for our community.

I would like people to focus on these gentlemen as a contrast to the youth that I just mentioned. Instead of destructive parties, BOI has controlled and safe settings where fun is the focus. Instead of violating the law, BOI works within the parameters of rules. Instead of littering our community with beer cans and spreading bottles across lawns, BOI is spreading a message of positive change and service throughout our community.

Mr. Speaker, some of these young men, Mr. Collier and Mr. Redmon in particular, will be heading to college. As they prepare to write what I am sure will be another successful chapter in their lives, they are also passing down their business lessons to the youngest of their members. I commend Mr. Collier and Mr. Redmon for teaching the young for the benefit and sustenance of the group as a whole. Quite often we hear about the successful, both young and old, forgetting to pass their lessons and experiences to those who will come after them. I am pleased that this is not the case with the members of BOI.

On behalf of the constituents of the 30th congressional district, I thank BOI for their service to our community and wish them continued success.

REPORT FROM PENNSYLVANIA HONORING SCHNECKSVILLE COMMUNITY FIRE COMPANY

HON. PATRICK J. TOOMEY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 18, 1999

Mr. TOOMEY. Mr. Speaker, I rise today to deliver my Report from Pennsylvania. Today, I would like to share with my colleagues and the American people the remarkable efforts of individuals in Schnecksville, Pennsylvania.

All across the Lehigh Valley, my wife, Kris, and I meet so many wonderful people. We learn of and hear about amazing individuals who strive day and night to make our communities better places to live.

I like to call these individuals Lehigh Valley Heroes. Lehigh Valley Heroes make a difference by helping their friends and neighbors.

Mr. Speaker, everyone involved with the Schnecksville Community Fire Company are Lehigh Valley Heroes.

This weekend, the Schnecksville Fire Company will celebrate 75 years of service to their community. For this reason, I would like to commend and applaud their efforts—both past and present—in making our community a better place.

Mr. Speaker, this concludes my Report from Pennsylvania.

Mr. Speaker, I insert the following for printing in the RECORD:

THE 1998 SCHNECKSVILLE FIRE TEAM

Richard Ruch, Keith Fenstermacher, Asst. Engineer; Steve Fetherolf, Lieut.; Todd Kern, Asst. Chief; Keith Zehner, Asst. Chief; Jason Zellner, Ronald Paulus, Scott Gicking, Rev. Michael Bodnyk, Chaplain; Ronald Dunstan, Engineer; Tim Henry, Marvin Belles, Nelson Fogle, Lieut.; Tom Hourt, Captain; Ronald Stahley, Chief; Keith Stahley, Charles Weidaw, Daniel Wehr, Jody Blose, Brad Petrahoy.

FIRE POLICE

Nelson Fogle, Karl Haas, Fire Police Captain; Roy Kern, Fire Police Lieut.; Glenn Stahley, Ronald Paulus, Robert Bold, Dennis Oels

NORTH WHITEHALL TOWNSHIP RESCUE SQUAD

Ron Rutt, Rescue Lieut; Tom Hourt, Rescue Lieut.; Ronald Stahley, Rescue Capt.; Steve Fetherolf, Scott Gicking, Ronald Paulus, Richard Ruch, Marvin Belles, Keith Fenstermacher, Charles Weidaw, Charles Eckhart, Todd Kern, Nelson Fogle, Keith Zehner, Daniel Wehr, Robert Rudelitch, Gary Cederberg, Jamie Ebert, Mark Kaintz, Kenny Reimert, Jim Steward, Gary Frederick.

75TH ANNIVERSARY COMMITTEE

George Wessner, Harold Ruch, Rose Bobin, Eleanor Kressley, Carol Wessner, Faye Ruch, John Schaeffer, Delores Wehr, Jean Horwith, Betty Moll, Ron Nederostek, Bernie Molchany, Eva Feinour, Sandy Bradley, Marie Bittner, Betty Holler, Nancy Kern, Roy Kern, Wayne Moll, Nelson Fogle, Terry Dunbar, Ellsworth Meckel, Dennis Bittner, Richrd Solt, Kathy Ruch, Richard Ruch, Diane Fries, Eleanor Stettler, June Handwerk.

OFFICERS 1924 TO 1998

PRESIDENTS' NAMES AND YEARS SERVED

J. Eric Linde, 1924–1941.
Victor Haas, 1942–1945.
David Klotz, 1946.
Raymond Baer, 1947–1948, 1950–1951.
Warren Rohrback, 1949.
Mosby Heinly, 1952.
Ellsworth Meckel, 1953, 1967–1972, 1982.
Robert Heinly, 1954.
Carl Correll, 1955.
Wayne Moyer, 1956–1957.
Donald Hersh, 1958.
Paul Schneck, 1959.
John J. Meckel, 1960.
Russel Grim, 1961–66.
Gordon Werley, 1973–75.
Ted Rothrock, 1976–1978, 1980–1981, 1983–1986, 1997–1999.
John Schaeffer, 1979, 1988–1989.
Karl Haas, 1987.
Robert Gibiser, 1990–1994.
John Ruch, 1995–1996.

VICE PRESIDENTS' NAMES AND YEARS SERVED

Stanley Peters, 1924.
William Long, 1924.
M.D. Wehr, 1924–1926.
Asa M. Stopp, 1924–1925.
Wilson Shankweiler, 1924.
William Heiney, 1925–1932, 1951.
Guy Kohler, 1925–1944.
Wilson Schuler, 1925, 1927–1945.
Steward Peters, 1926.
Preston Holben, 1926.
William Peters, 1927–1941.
Homer Frey, 1927–1928.
John Henninger, 1928–1932.
Howard Heinly, 1929–1932.
Walter E. Bittner, 1933–1942.
Malcolm Hummel, 1942.
Donald Best, 1942–1943.
Richard Reitz, 1942.
Ellsworth Meckel, 1943, 1954, 1956, 1958, 1975–1981.
Theodore Rau, 1943.
David Klotz, 1944–1948.
Raymond Baer, 1944–1945, 1948–1949.
Wm. J.D. Heintzelman, 1945.
Fred Dotterer, 1945.
Franklyn Bittner, 1945.
Walter Best, 1946–1950.
Victor Haas, 1946.
Wilmer Stahley, 1946.
Willis Smoyer, 1947–1950.
Warren Rohrback, 1948, 1957.

Jacob Weber, 1950.
Henry Musselman, 1951–1953.
Mosby Heinly, 1951–1953.
John J. Meckel, 1952–1963.
Raymond Krause, 1952.
Roy Smoyer, 1954.
Leroy Krause, 1955–56, 1961.
Mike Kondravy, 1955.
William Jones, 1957–1958.
John Liscka, Jr., 1959.
Earl Warmkessel, 1959.
William Schock, 1960.
Wayne Moyer, 1960–1962.
Stewart Helfrich, 1960.
Donald Bittner, 1962.
Donald Kern, 1963, 1965.
Warren Follweiler, 1963, 1973–1974.
Russell Rader, 1964.
Willard Holben, 1964–1966.
Thomas Dennis, 1966, 1971.
Harold Schoch, 1967–1969.
Zolton Papp, 1967–1968.
Stanley Traub, 1967.
David Schneck, 1969–1970, 1973.
Frank Kovacs, 1970.
David Samuels, 1971–1972.
Gordon Werley, 1972.
Robert Haberern, 1973.
Warren Follweiler, 1973–1975.
David Schneck, 1973.
Harold Ruch, 1974.
Zolton Papp, 1976, 1978.
Harold Schoch, 1977.
Donald Briam, 1979.
Dean Lobach, 1980–1981.
Danny Yankovich, 1982.
Karl Haas, 1982–1986, 1988, 1997–1999.
Jody Blose, 1983–1986, 1989, 1992.
Richard Ruch, 1987–1988.
Gordon Steigerwalt, 1987.
Edward Frack, 1989–1992.
Keith Zehner, 1990–1991.
Wilson Klotzman, 1993, 1996.
Gary Kressley, 1993.
Jack Ruch, 1994.
Betty Moran, 1994–1995.
Eva Feinour, 1995.
Emory Minnich, 1996.
Paul Schwarz, 1997–1998.
Todd Kern, 1999.

FIRE CHIEFS' NAMES AND YEARS SERVED

Preston Holben, 1924–1928.
Guy Kohler, 1929–1943.
Mosby Heinly, 1944–1954.
Nelson Tyson, 1955–1977.
David Samuels, 1978–1986.
Milt Brown, 1987–1988.
Ron Stahley, 1988–1999.

ASSISTANT FIRE CHIEFS' NAMES AND YEARS SERVED

Ralph Rabert, 1924–1944.
Guy Kohler, 1924–1928, 1944.
John Henninger, 1928–1932.
Fred Heinly, 1929–1932.
Wilson Schuler, 1933–1941.
Ellsworth Meckel, 1942–1943, 1945.
Raymond Baer, 1945–1946, 1949, 1951–1961.
Raymond Krause, 1946–1948, 1950–1956, 1958.
Frank Kovacs, 1947.
Roy Smoyer, 1948–1949.
Philip Anthony, 1950.
Nelson Tyson, 1954.
Wayne Moyer, 1957, 1961–1966.
Paul Schneck, 1959–1962.
Russell Rader, 1963.
Warren Follweiler, 1964–1969.
Floyd Fenstermaker, 1967–1970.
David Schneck, 1970–1972.
Stanley Bruder, 1971–1973.
David Samuels, 1973–1974.
Robert Newhard, 1974.
Russ Fetherolf, 1975–1976.
Keith Stahley, 1977–1981.
Ron Stahley, 1978–1985, 1987.
Roger Yorgey, 1982–1983.
Richard Ruch, 1984, 1986.
Milt Brown, 1985–1986.
Tom Hourt, 1987–1988.
Wilson Klotzman, 1988–1993.
Keith Zehner, 1988–1991, 1993–1999.
Josh Bingham, 1992.
Todd Kern, 1994–1999.

FINANCIAL SECRETARIES' NAMES AND YEARS SERVED

John J. Meckel, 1924–1926.
Homer Frey, 1927–1938.
Walter Best, 1939–1943.
Donald Best, 1944–1945.
Raymond Baer, 1946–1953.
Jacob Weber, 1947–1948.
Ellsworth Meckel, 1949–1952.
Wayne Moyer, 1954–1955.
Carl Carroll, 1956.
Donald Bittner, 1957–1959, 1963.
Harold Schoch, 1960–1962, 1967–1970.
Warren Follweiler, 1964.
Carl Madtes, 1965–1966.
John Schaeffer, 1971–1974.
Frederic Xander, 3 Mos. 1973.
Lee Merkel, 1975–1979.
Mervin Peters, 1980.
John Ruch, 1981.
Keith Stahley, 1982–19987.
John Strauss, 1988.
Mike Bennett, 1990–1991.
Dennis Oels, 1992–1996.
Bea Kuntz, 1997–1999.

TREASURERS' NAMES AND YEARS SERVED

Alphenus Guldner, 1924–1948.
David Klotz, 1949–1958, 1967–1974.
Ellsworth Meckel, 1959–1966.
Harold Ruch, 1975–1979, 1987–1989.
Randy Stahley, 1980–1985.
Kathy Lindenmoyer, 1990–1996.
Shirley Bachert, 1997–1999.

RECORDING SECRETARIES' NAMES AND YEARS SERVED

Frank W. Bechtel, 1924–1927.
Edwin K. Greenawald, 1928–1930.
Roy Schneck, 1931–1932.
William Heinly, 1933–1946.
Robert Heinly, 1947–1960.
Russel Grim, 1949–1960.
Erwin Warmkessel, 1961–1963.
Russell Rader, 1964.
Warren Follweiler, 1965–1967.
James Kohler, 1968–1975.
Paul Schwarz, 1976–1992.
Delores Wehr, 1993–1996.
Elsie Schwarz, 1997–1999.

MEMBERSHIP SECRETARIES' NAMES AND YEARS SERVED

Joseph Horwith, 1975–1985.
Robert Gibiser, 1986–1989.
Ray Saltzman, 1990–1991.
Roy Kern, 1992–1997.
Faye Solt, 1999.st