

the aisle together, but I want to especially commend my colleagues who took the time out of their busy schedules to bring the family and the children and their spouses to the retreat so that we could get to know one another a little better and talk to one another. The goal of the retreat was simple, to try to make this great institution a more civil place in which to conduct the Nation's business. The format was also simple, get out of Washington, away from the media, bring the families in and the children and the spouses so that we could have some honest conversations across the aisle of how we could improve this great institution. Because it is a fundamental rule of human nature that the better you know someone and their spouse and their little children, a lot harder it is going to be to demonize that person than during the hot debates of the day. I think we made a good, honest attempt last weekend, Mr. Speaker. I hope we can now build upon that for the sake of this great Nation.

#### SOCIAL SECURITY AND THE DEBT LIMIT

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

Mr. SMITH of Michigan. Mr. Speaker, some people in Washington want to replace the current debt limit of this country with two limits, one for Treasury securities held by public and one for IOUs held by the Social Security and other trust funds. This is a bad idea that would send a message that debt owed to the trust funds is less important than debt owed to Wall Street.

Some want the new statistic so they can brag about reducing the debt held by the public. That would be true, but it does not matter because total government debt would keep rising. A new statistic on debt held by the public would hide this fact.

Others suggest that we could consider writing off the debt owed to the trust funds because that is just what government owes itself. That is wrong and that is dangerous.

I ask my colleagues to fight against any proposal to change the status of the debt held by the Social Security Trust Fund.

#### DOLLARS TO THE CLASSROOM

(Mr. METCALF asked and was given permission to address the House for 1 minute.)

Mr. METCALF. Mr. Speaker, we must send 95 percent at least of the Federal funds for education to the classroom. This will result in an additional \$800 million to be taken from the grasp of the bureaucrats and into the hands of teachers and parents.

Congress needs to give parents and school boards even greater control without increasing the bureaucracy. It takes about 18,000 Federal and State

employees to manage 780 Federal education programs in 39 Federal agencies, boards and commissions that cost nearly \$100 billion a year annually. It is not surprising that approximately 70 cents per dollar makes it directly to the classroom. If it does not happen in the classroom, nothing much is happening. I am a former schoolteacher and I can tell my colleagues that.

Parental involvement, not bureaucracies, must be central in any proposal to reform our education system.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. GOODLATTE). Pursuant to clause 8 of rule XX, the Chair announces that he will postpone further proceedings today on each motion to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 6 of rule XX.

Such rollcall votes, if postponed, will be taken after debate has concluded on all motions to suspend the rules.

#### ARLINGTON NATIONAL CEMETERY BURIAL ELIGIBILITY ACT

Mr. STUMP. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 70) to amend title 38, United States Code, to enact into law eligibility requirements for burial in Arlington National Cemetery, and for other purposes.

The Clerk read as follows:

H.R. 70

*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 "Arlington National Cemetery Burial Eligibility Act".

#### SEC. 2. PERSONS ELIGIBLE FOR BURIAL IN ARLINGTON NATIONAL CEMETERY.

(a) IN GENERAL.—Chapter 24 of title 38, United States Code, is amended by adding at the end the following new section:

#### "§ 2412. Arlington National Cemetery: persons eligible for burial

"(a) PRIMARY ELIGIBILITY.—The remains of the following individuals may be buried in Arlington National Cemetery:

"(1) Any member of the Armed Forces who dies while on active duty.

"(2) Any retired member of the Armed Forces and any person who served on active duty and at the time of death was entitled (or but for age would have been entitled) to retired pay under chapter 1223 of title 10, United States Code.

"(3) Any former member of the Armed Forces separated for physical disability before October 1, 1949, who—

"(A) served on active duty; and

"(B) would have been eligible for retirement under the provisions of section 1201 of title 10 (relating to retirement for disability) had that section been in effect on the date of separation of the member.

"(4) Any former member of the Armed Forces whose last active duty military service terminated honorably and who has been awarded one of the following decorations:

"(A) Medal of Honor.

"(B) Distinguished Service Cross, Air Force Cross, or Navy Cross.

"(C) Distinguished Service Medal.

"(D) Silver Star.

"(E) Purple Heart.

"(5) Any former prisoner of war who dies on or after November 30, 1993.

"(6) The President or any former President.

"(b) ELIGIBILITY OF FAMILY MEMBERS.—The remains of the following individuals may be buried in Arlington National Cemetery:

"(1) The spouse, surviving spouse (which for purposes of this paragraph includes any remarried surviving spouse, section 2402(5) of this title notwithstanding), minor child, and, at the discretion of the Superintendent, unmarried adult child of a person listed in subsection (a), but only if buried in the same gravesite as that person.

"(2)(A) The spouse, minor child, and, at the discretion of the Superintendent, unmarried adult child of a member of the Armed Forces on active duty if such spouse, minor child, or unmarried adult child dies while such member is on active duty.

"(B) The individual whose spouse, minor child, and unmarried adult child is eligible under subparagraph (A), but only if buried in the same gravesite as the spouse, minor child, or unmarried adult child.

"(3) The parents of a minor child or unmarried adult child whose remains, based on the eligibility of a parent, are already buried in Arlington National Cemetery, but only if buried in the same gravesite as that minor child or unmarried adult child.

"(4)(A) Subject to subparagraph (B), the surviving spouse, minor child, and, at the discretion of the Superintendent, unmarried adult child of a member of the Armed Forces who was lost, buried at sea, or officially determined to be permanently absent in a status of missing or missing in action.

"(B) A person is not eligible under subparagraph (A) if a memorial to honor the memory of the member is placed in a cemetery in the national cemetery system, unless the memorial is removed. A memorial removed under this subparagraph may be placed, at the discretion of the Superintendent, in Arlington National Cemetery.

"(5) The surviving spouse, minor child, and, at the discretion of the Superintendent, unmarried adult child of a member of the Armed Forces buried in a cemetery under the jurisdiction of the American Battle Monuments Commission.

"(c) DISABLED ADULT UNMARRIED CHILDREN.—In the case of an unmarried adult child who is incapable of self-support up to the time of death because of a physical or mental condition, the child may be buried under subsection (b) without requirement for approval by the Superintendent under that subsection if the burial is in the same gravesite as the gravesite in which the parent, who is eligible for burial under subsection (a), has been or will be buried.

"(d) FAMILY MEMBERS OF PERSONS BURIED IN A GROUP GRAVESITE.—In the case of a person eligible for burial under subsection (a) who is buried in Arlington National Cemetery as part of a group burial, the surviving spouse, minor child, or unmarried adult child of the member may not be buried in the group gravesite.

"(e) EXCLUSIVE AUTHORITY FOR BURIAL IN ARLINGTON NATIONAL CEMETERY.—Eligibility for burial of remains in Arlington National Cemetery prescribed under this section is the exclusive eligibility for such burial.

"(f) APPLICATION FOR BURIAL.—A request for burial of remains of an individual in Arlington National Cemetery made before the death of the individual may not be considered by the Secretary of the Army or any other responsible official.

"(g) REGISTER OF BURIED INDIVIDUALS.—(1) The Secretary of the Army shall maintain a

register of each individual buried in Arlington National Cemetery and shall make such register available to the public.

“(2) With respect to each such individual buried on or after January 1, 1998, the register shall include a brief description of the basis of eligibility of the individual for burial in Arlington National Cemetery.

“(h) DEFINITIONS.—For purposes of this section:

“(1) The term ‘retired member of the Armed Forces’ means—

“(A) any member of the Armed Forces on a retired list who served on active duty and who is entitled to retired pay;

“(B) any member of the Fleet Reserve or Fleet Marine Corps Reserve who served on active duty and who is entitled to retainer pay; and

“(C) any member of a reserve component of the Armed Forces who has served on active duty and who has received notice from the Secretary concerned under section 12731(d) of title 10, of eligibility for retired pay under chapter 1223 of title 10, United States Code.

“(2) The term ‘former member of the Armed Forces’ includes a person whose service is considered active duty service pursuant to a determination of the Secretary of Defense under section 401 of Public Law 95-202 (38 U.S.C. 106 note).

“(3) The term ‘Superintendent’ means the Superintendent of Arlington National Cemetery.”

(b) PUBLICATION OF UPDATED PAMPHLET.—Not later than 180 days after the date of the enactment of this Act, the Secretary of the Army shall publish an updated pamphlet describing eligibility for burial in Arlington National Cemetery. The pamphlet shall reflect the provisions of section 2412 of title 38, United States Code, as added by subsection (a).

(c) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 24 of title 38, United States Code, is amended by adding at the end the following new item:

“2412. Arlington National Cemetery: persons eligible for burial.”

(d) TECHNICAL AMENDMENTS.—(1) Section 2402(5) of title 38, United States Code, is amended by inserting “, except section 2412(b)(1) of this title,” after “which for purposes of this chapter”.

(2) Section 2402(7) of such title is amended—

(A) by inserting “(or but for age would have been entitled)” after “was entitled”;

(B) by striking out “chapter 67” and inserting in lieu thereof “chapter 1223”; and

(C) by striking out “or would have been entitled to” and all that follows and inserting in lieu thereof a period.

(e) EFFECTIVE DATE.—(1) Except as provided in paragraph (2), section 2412 of title 38, United States Code, as added by subsection (a), shall apply with respect to individuals dying on or after the date of the enactment of this Act.

(2) In the case of an individual buried in Arlington National Cemetery before the date of the enactment of this Act, the surviving spouse of such individual is deemed to be eligible for burial in Arlington National Cemetery under subsection (b) of such section, but only in the same gravesite as such individual.

### SEC. 3. PERSONS ELIGIBLE FOR PLACEMENT IN THE COLUMBARIUM IN ARLINGTON NATIONAL CEMETERY.

(a) IN GENERAL.—Chapter 24 of title 38, United States Code, is amended by adding after section 2412, as added by section 2(a) of this Act, the following new section:

#### “§ 2413. Arlington National Cemetery: persons eligible for placement in columbarium

“The cremated remains of the following individuals may be placed in the columbarium in Arlington National Cemetery:

“(1) A person eligible for burial in Arlington National Cemetery under section 2412 of this title.

“(2)(A) A veteran whose last period of active duty service (other than active duty for training) ended honorably.

“(B) The spouse, surviving spouse, minor child, and, at the discretion of the Superintendent of Arlington National Cemetery, unmarried adult child of such a veteran.”

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 24 of title 38, United States Code, is amended by adding after section 2412, as added by section 2(c) of this Act, the following new item:

“2413. Arlington National Cemetery: persons eligible for placement in columbarium.”

(c) CONFORMING AMENDMENT.—Section 11201(a)(1) of title 46, United States Code, is amended by inserting after subparagraph (B), the following new subparagraph:

“(C) Section 2413 (relating to placement in the columbarium in Arlington National Cemetery).”

(d) EFFECTIVE DATE.—Section 2413 of title 38, United States Code, as added by subsection (a), and section 11201(a)(1)(C), as added by subsection (c), shall apply with respect to individuals dying on or after the date of the enactment of this Act.

### SEC. 4. MONUMENTS IN ARLINGTON NATIONAL CEMETERY.

(a) IN GENERAL.—Chapter 24 of title 38, United States Code, is amended by adding after section 2413, as added by section 3(a) of this Act, the following new section:

#### “§ 2414. Arlington National Cemetery: authorized headstones, markers, and monuments

“(a) GRAVESITE MARKERS PROVIDED BY THE SECRETARY.—A gravesite in Arlington National Cemetery shall be appropriately marked in accordance with section 2404 of this title.

“(b) GRAVESITE MARKERS PROVIDED AT PRIVATE EXPENSE.—(1) The Secretary of the Army shall prescribe regulations for the provision of headstones or markers to mark a gravesite at private expense in lieu of headstones and markers provided by the Secretary of Veterans Affairs in Arlington National Cemetery.

“(2) Such regulations shall ensure that—

“(A) such headstones or markers are of simple design, dignified, and appropriate to a military cemetery;

“(B) the person providing such headstone or marker provides for the future maintenance of the headstone or marker in the event repairs are necessary;

“(C) the Secretary of the Army shall not be liable for maintenance of or damage to the headstone or marker;

“(D) such headstones or markers are aesthetically compatible with Arlington National Cemetery; and

“(E) such headstones or markers are permitted only in sections of Arlington National Cemetery authorized for such headstones or markers as of January 1, 1947.

“(c) MONUMENTS.—(1) No monument (or similar structure as determined by the Secretary of the Army in regulations) may be placed in Arlington National Cemetery except pursuant to the provisions of this subsection.

“(2) A monument may be placed in Arlington National Cemetery if the monument commemorates—

“(A) the service in the Armed Forces of the individual, or group of individuals, whose

memory is to be honored by the monument; or

“(B) a particular military event.

“(3) No monument may be placed in Arlington National Cemetery until the end of the 25-year period beginning—

“(A) in the case of commemoration of service under paragraph (1)(A), on the last day of the period of service so commemorated; and

“(B) in the case of commemoration of a particular military event under paragraph (1)(B), on the last day of the period of the event.

“(4) A monument may be placed only in those sections of Arlington National Cemetery designated by the Secretary of the Army for such placement.”

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 24 of title 38, United States Code, is amended by adding after section 2413, as added by section 3(b) of this Act, the following new item:

“2414. Arlington National Cemetery: authorized headstones, markers, and monuments.”

(c) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to headstones, markers, or monuments placed in Arlington National Cemetery on or after the date of the enactment of this Act.

### SEC. 5. PUBLICATION OF REGULATIONS.

Not later than one year after the date of the enactment of this Act, the Secretary of the Army shall publish in the Federal Register any regulation proposed by the Secretary under this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Arizona (Mr. STUMP) and the gentleman from Illinois (Mr. EVANS) each will control 20 minutes.

The Chair recognizes the gentleman from Arizona (Mr. STUMP).

#### GENERAL LEAVE

Mr. STUMP. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 70.

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

There was no objection.

Mr. STUMP. Mr. Speaker, I yield myself such time as I may consume.

(Mr. STUMP asked and was given permission to revise and extend his remarks.)

Mr. STUMP. Mr. Speaker, H.R. 70, the Arlington National Cemetery Burial Eligibility Act, is an important bill that is strongly supported by veterans and their service organizations.

Except for a few minor changes, this bill is identical to H.R. 3211 which was passed unanimously by this House in March of 1998. The bill codifies many of the current regulations governing eligibility for burial in the cemetery and placement in the columbarium.

H.R. 70 would allow no waivers for burials at Arlington National Cemetery. It also eliminates eligibility for high-ranking government officials who are veterans but who do not meet the military service requirements of H.R. 70.

I want to express my appreciation to the gentleman from Illinois (Mr. EVANS) for his efforts on this bill, Mr. Speaker. We had some difficulty in

scheduling a hearing and a markup at the subcommittee level and I appreciate the gentleman's cooperation in getting the bill through the Committee on Veterans' Affairs as quickly as we did.

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

Mr. EVANS. Mr. Speaker, I yield myself such time as I may consume. I rise in strong support of H.R. 70. As a former Marine and as a member of the Committee on Veterans' Affairs since 1983, I know that Arlington Cemetery is sacred ground. Last year, however, the General Accounting Office told us that the eligibility requirements for burial at Arlington needed clarification. H.R. 70 addresses these concerns.

It would remove the ambiguity and guesswork from the eligibility process for burials at Arlington. Additionally, and this is very important, the bill would make it easier for the American people to understand the requirements of burial at our Nation's most revered cemetery. This is an excellent piece of legislation and I urge my colleagues to support it.

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

Mr. STUMP. Mr. Speaker, I yield such time as he may consume to the gentleman from New York (Mr. QUINN) who is the chairman of our Subcommittee on Benefits.

Mr. QUINN. Mr. Speaker, I thank the gentleman for yielding me this time. I would like to remind all of my colleagues that this is a bill that we looked at last year, indeed passed, and we are back at it again this year.

I want to point out that H.R. 70 is intended to bring order to the process of being buried at Arlington National Cemetery. As my colleagues will recall, similar legislation passed the House late last year by a vote of 412-0. Unfortunately, the Senate did not act on the bill prior to the 105th Congress adjourning.

To refresh the memories of returning Members and to explain the bill's intent to our newer colleagues, H.R. 70 would codify, with exceptions I will discuss shortly, existing regulatory eligibility criteria for burial at Arlington National Cemetery. Other than the persons specifically enumerated in the bill, no other person could be buried at Arlington. In general, eligible persons would include the following: Members of the Armed Forces who die on active duty; retired members of the Armed Forces, including Reservists who served on active duty; former members of the Armed Forces who have been awarded the Medal of Honor, Distinguished Service Cross, Air Force Cross or Navy Cross, Distinguished Service Medal, Silver Star, or the Purple Heart; also, former prisoners of war would be eligible; the President of the United States or any former President; members of the Guard/Reserves who served on active duty and are eligible for retirement but who have not yet retired; and the spouse, surviving spouse,

minor child and at the discretion of the Superintendent of Arlington, unmarried adult children of those eligible categories I mentioned above.

The bill, H.R. 70, would eliminate the current practice of granting eligibility to Members of Congress and other high-ranking government officials who are veterans but who do not meet the distinguished military service criteria I just outlined. I want to point out, however, that Congress could at any time on a case-by-case basis enact a resolution on behalf of an individual whose accomplishments are deemed worthy of the honor of being buried at Arlington National Cemetery.

The bill also codifies existing regulatory eligibility standards for interment of cremated remains in the columbarium at Arlington. Generally, this includes all veterans with honorable service and their dependents, those that meet the requirements for burial in a VA national cemetery already.

Finally, the bill clarifies that only memorials honoring military service or events may be placed at Arlington and also establishes a 25-year waiting period for such memorials and their erection.

Mr. Speaker, Arlington National Cemetery is running out of space. Last year the subcommittee and about a dozen of our Members scheduled a visit to Arlington to see firsthand and in person the crowded conditions that exist. With the veteran population declining by 8 million through the year 2002, Arlington officials estimate the cemetery could be full by the year 2025. H.R. 70 is an excellent bill. I urge my colleagues to support it in a bipartisan fashion.

I would also like to thank the gentleman from Arizona (Mr. STUMP) and the gentleman from Illinois (Mr. EVANS) for their leadership on this issue.

Mr. EVANS. Mr. Speaker, I yield such time as he may consume to the gentleman from California (Mr. FILNER).

Mr. FILNER. Mr. Speaker, we have before us a bill that has come to us because of certain abuses that occurred in the granting of waivers. We asked the GAO, the Government Accounting Office, to look at that, and they confirmed that although the political abuses of waivers for burial at Arlington that were alleged did not occur, that most of these allegations were unfounded, there was a real need to clarify and write into law the eligibility rules for burial at Arlington National Cemetery. Up to a point, H.R. 70 does that very well and responds to GAO's concerns that standards for waivers have been inconsistently applied throughout the years. I am concerned, as are several members of the Committee on Veterans' Affairs, that this bill provides no realistic opportunity for our country to honor those unique Americans whose contributions are so extraordinary that burial at Arlington Cemetery would be entirely fitting.

When the full committee marked up H.R. 70 last week, I offered an amendment to give the Secretary of the Army the authority to approve the burial of those rare and special individuals whose contributions inspire our Nation and honor them in this way. Let me just remind the House about those people who are now buried at Arlington that would not be allowed to under this legislation.

We could not have honored Detective John Gibson, a member of the Capitol Hill police force who was killed in the line of duty last summer. We could not have honored Senator Robert Kennedy in this way; nor could we have honored Chief Justice of the Supreme Court Warren Burger or Associate Justice Thurgood Marshall, just to name a few.

The gentleman from New York (Mr. QUINN) talked about the potential of a congressional resolution. I mean, talked about introducing politics into this process. I suggested an amendment which would regularize that process, allow the publication of any waivers that were requested by the Secretary and try to regularize that. I think, and I hope, that the other body when we go to conference will be able to design such a waiver procedure that satisfies the very legitimate concerns that have been raised regarding waivers.

Mr. Speaker, I noted that the gentleman from Arizona talked about the support of veterans groups for this measure and one of the reasons behind bringing this up at this point in time. When we in our committee on March 11 considered our budget request to the Committee on the Budget, the veterans service organizations of this Nation had proposed what they called an independent budget, an independent budget which gave \$3 billion more than the President did to satisfy our contract with our Nation's veterans. Unfortunately, this independent budget, which went beyond the chairman's recommendations and the majority's recommendation by \$1.3 billion, was not even allowed to be voted on in our committee. We were not afforded the opportunity to vote on a budget supported by our Nation's veterans organizations. This budget, which was supported by the Democrats on the committee, tried to offset the unjustified low budget that the administration provided for the year 2000. We tried to say that the VA health care system was drastically underfunded and in danger of actual collapse. We tried to say that the GI bill was far short of realistic needs and failing as a readjustment benefit. We tried to say that desperately needed staffing increases included in this budget appeared to be phony, little more than transparent shell games. We tried to say that the national cemetery system has been underfunded for years and the money needed for basic repairs and upkeep was unavailable and we are not meeting our commitment to our Nation's veterans. Veterans were wronged by the administration budget, they were

wronged by the majority on the Committee on Veterans' Affairs submission to the Committee on the Budget, and they were wronged by the budget resolution that is coming to us this week.

I ask that this House, in recognition of our Nation's veterans, in recognition of the brave men and women who we are honoring by this H.R. 70 today which says that only those who deserve to be buried in Arlington should be, as an honor to those brave men and women who are buried at Arlington, we should not vote for this budget resolution that is being brought to us this week. It drastically underfunds the veterans budget. The health care system that the VA has provided for our Nation's veterans is in danger of going under. We should vote down the budget resolution when it comes before us because of its failure to provide for our Nation's veterans.

Reluctantly I ask that H.R. 70 be approved today, but I hope that it is improved in the Senate.

□ 1130

Mr. STUMP. Mr. Speaker, I yield such time as he may consume to the gentleman from Florida (Mr. STEARNS), the chairman of our Subcommittee on Health.

Mr. STEARNS. Mr. Speaker, I thank the distinguished gentleman from Arizona, and I would just say as a quick comment before I start my statement, to the gentleman from California (Mr. FILNER) a good friend who I respect, that his complaints about the veterans' budget should have been made to the President of the United States because the President provided a budget that was underfunded, as the ranking member of our Committee on Veterans' Affairs said of the Veterans budget, it is a house of cards, and both he and I know that all during the testimony that all of us felt that the budget was inadequate. I hope in the future that the gentleman from California (Mr. FILNER) will take the time to sit in the Cabinet office and explain to Mr. Togo West, who is the Secretary of Veterans, how important it is to provide a budget that is properly funded. When the Secretary presents a budget to us all we should do is add or amend and not have to take a whole new rigorous approach and add more money like we did in our Veterans Committee.

So I compliment the gentleman from Arizona (Mr. STUMP) for taking the initiative in the face of many people in this House who think that our veterans are a declining population and they do not need additional services.

But I rise, Mr. Speaker, in strong support of H.R. 70, and commend our chairman for his leadership in tackling this question surrounding burial at the Arlington National Cemetery. The legislation we take up was developed on a bipartisan basis to set clear eligibility standards for burial at this hallowed national military cemetery. The House took up and passed a very similar bill in the last Congress. It is important,

however, that the record be clear on what prompted that legislation.

Arlington Cemetery was created for one reason, to honor the memory of those who died as a result of their military service. Yet, as an in-depth Committee on Veterans' Affairs' investigation disclosed, there have been two possible routes to burial at Arlington. One route was to meet strict eligibility rules. The other was through the grant of a waiver or exception. The use of waivers has allowed burial of the remains of individuals who never even served in the military.

The waiver practice not only runs afoul of Arlington's historic roots, but it invites inconsistencies, favoritism and inequities. The waiver process has been a path for the very privileged and the well connected. Such a practice is not only intolerable in itself, but each exception deprives future survivors of a military burial at Arlington for their loved ones. The sad fact is that Arlington will run out of space for in-ground burials by the year 2025 unless it is expanded.

So, Mr. Speaker, it is altogether fitting, therefore, that this bill eliminate the waiver exception and codify appropriate standards.

Despite our committee's long work on this subject and a 412 to 0 vote on the 105th Congress, there are a few on the other side who said they want to amend this bill or change this bill, and perhaps in a way it is sort of a turnabout from that 412 to 0 vote we had in the 105th Congress. As they proposed, it would allow burial at Arlington for anyone whose act, service or contribution to the United States are extraordinary. That is what they would like to do. "Extraordinary" is the word they use over and over again.

Now "extraordinary" can mean a lot of different things to a lot of people. For example, I mean just to take an exaggerated example, Tom Brokaw wrote a great book that is at the top of the New York Times best sellers' list about the heroic acts of World War II. Would he, if this book was very popular, be allowed because of extraordinary achievement in the journalistic world? And, to take another exaggerated example, if Madonna who went around and entertained veterans hospitals for many years, would she be allowed because of extraordinary service? Or even Steven Spielberg, could he be buried at Arlington because of a future Private Ryan movie?

So, I think, as my colleagues know, those exaggerated examples show that this "extraordinary" status that is included in their language is really sort of a turnabout from what we are trying to specify here today.

So, Mr. Speaker, in conclusion I urge support for codifying the current eligibility requirements as proposed in H.R. 70. They do not consider how famous a veteran was, and frankly, Mr. Speaker, they should not. Our country can find other means to honor those who make great contributions in the sciences, the

arts, the letters, the politics, the sports and other fields, no matter how extraordinary they may be. But Arlington, Arlington Cemetery belongs to our veterans, and we should keep it that way.

Mr. EVANS. Mr. Speaker, I yield such time as he may consume to the gentleman from Arkansas (Mr. SNYDER).

Mr. SNYDER. Mr. Speaker, last year I was one of the people that voted for this bill. We had had lengthy discussions at the committee about it, and I was part of the subcommittee, part of the investigation. The gentleman from New York (Mr. QUINN) and I went out and visited Arlington, and I voted for the bill the last time. I was one of the 412 to 0 that supported it because I thought we had assurances that there was going to be done, some work was going to be done on the bill to improve it.

The deal was some of the concerns that had been brought up. But we have now come almost, I guess, a year and a half or 2 years later, a year later certainly, and no work has been done, and the arguments are the same, and we have learned now two different things:

Number one, we have learned that the bill died on the Senate side. They did not take up the bill, I think because of concerns that have been expressed by the gentleman from California (Mr. FILNER) and some others that there is not wiggle room in this bill to allow for those extraordinary events that occur. The other thing that has occurred is, this last year, is the terrible tragedy that we had with the shooting of two of the Capitol Police officers, and one of them under this bill clearly would not qualify for burial at Arlington, and I know of very, very few people in this Nation who do not believe that Officer Gibson deserved burial at Arlington Cemetery for giving his life to protect every American who was in the Capitol that day and plans on coming to the Capitol, to protect this shrine of democracy.

So that is the problem I have with this bill this year. We have not learned from the events of the last year, and I think this is something that good faith people can work on.

Now the alternative we have been given under the language of this bill is that legislation could be passed. But we all know there are going to be situations that will occur when Congress is not in session, when we are in the August recess, when it is a week before a campaign and there has been a terrible tragedy. There is not going to be a special session of Congress called to deal with it.

Beyond the inconvenience and the problems of dealing with a family in a 3- or 4-day period of time when we are not in session is just the whole idea of thinking about dealing with a bill that has been filed with 10 cosponsors to open up Arlington to a specific member. Are my colleagues going to be the people that step forward and say, "I am

going to vote against that family. They were not heroic enough." I do not think that is the kind of legislation that we are going to want to deal with down the line, so I personally think that legislation is an unsatisfactory resolution.

Another aspect of the bill I have problems with that we did not talk about much during committee is the fact that monuments in Arlington under this bill will be limited to military events only. That means that the monument that is there now for Challenger, for the Challenger disaster, the space shuttle disaster, under the language of this bill we could have no future monuments like that because the NASA mission is not a military event. I think that is unfortunate. I think the people that were in the space shuttle were clearly heroic folks.

In conclusion, I do not fault the intent of this bill. I think, as my colleagues know, to codify this, to make these rules known to people out in America, what it means to be buried at Arlington, I think that is a noble effort. The problem I have is we have not done the work on this side and we are going to turn our problem over to the Senate side. We are going over there saying we know this bill needs work, we have not figured out in 2 years how to do it, and we are going to say that we are satisfied sending the bill over knowing that there are American heroes down the line that we will want to have in Arlington that will not be eligible under the language of this bill, and I do not think that is what the House of Representatives ought to do.

Mr. QUINN. Mr. Speaker, will the gentleman yield just for the purposes of discussion on the floor?

Mr. SNYDER. I yield to the gentleman from New York.

Mr. QUINN. I want to, just for the record, Mr. Speaker, state that I share some of the same frustrations that my colleague shares. In fact, I think we agree on a great portion of the bill, H.R. 70, that we are looking at today. But I want to point out that between the last vote of 412 to 0 and today we did not have no discussion, we just did not reach agreement on some of the points that we are still stuck at today. There was some discussion, not a whole lot of it in between, but there was some discussion that took place.

I also want to say to my colleague, as I have said to the subcommittee and full committee and will say to the Members of the House, I share that same frustration about the timing of trying to make some kind of waiver happen for those extraordinary circumstances. So I disagree a little bit with my good friend and colleague, the gentleman from Florida (Mr. STEARNS) on our side that there may be some extraordinary circumstances. In the case of Officer Gibson, for example, we could have taken care of that, so to say that we could have not allowed Officer Gibson to be buried there is not exactly correct because we were back in ses-

sion the following week or so, so that could have happened. In the case of Senator Kennedy, I am not sure and was not around. We have to check, if it was important, to see the schedule.

I am concerned, though, about the point my colleague brings up about timing and how we would deal with that kind of situation if we were not in session, if the Congress was out for a month or two or whatever that happens to be. I think the gentleman from Arkansas is correct. I think there are some circumstances when that may happen, and I also do not want to rule out the possibility that at some point in time others besides us might make that decision.

I do not have an answer for my colleague this morning, Mr. Speaker. I just want to say that I still share some of those frustrations with him, and I do not know if we are going to vote on this, I think shortly or later on today, to not hold it up, to try to find a way when we go to conference with the Senate, if there are some Members over there that feel strongly enough about it, I would not rule out some more discussion, I guess.

Mr. Speaker, I thank the gentleman for having yielded.

Mr. SNYDER. Reclaiming my time, if I might, I had hoped that we could have had these discussions at the subcommittee level, but it got snowed out in one of the great late winter snowstorms of 1999, but it was not rescheduled, and that is part of my frustration today. We immediately went to the full committee. That, in my opinion, did not allow for the kind of discussions that need to occur at the subcommittee level to improve the bill.

Mr. STEARNS. Mr. Speaker, will the gentleman yield for a question?

Mr. SNYDER. I yield to the gentleman from Florida.

Mr. STEARNS. Mr. Speaker, the gentleman from Arkansas talked about his desire to have it amended or changed to put in place the words "acts or service of extraordinary service."

Mr. SNYDER. If I may reclaim my time, Mr. Speaker, I did not speak about that today. I do not know that that is the option that the gentleman from California (Mr. FILNER) presented at the subcommittee level. I think there are—there are several possibilities.

For example, one possibility maybe should include, as my colleagues know, maybe twice a year, once a year, formal accounting, as my colleagues know, where we call up Arlington here to outline and discuss for us all the waivers this last year.

Another option ought to include, I think, an immediate public notification.

Another option may be that the Secretary of the Army could grant waivers after consultation with the ranking member and chairman of the Committee on Veterans' Affairs.

Another option may be to have some kind of formal notification list; as my

colleagues know, fax numbers of all the VSOs and the subcommittee chairs and ranking members.

As my colleagues know, at 10 p.m. on a Saturday night the Secretary of the Army issued a waiver for this person. That kind of constant public scrutiny may deal with some of the concerns that we have had. So do not hang them on that particular there.

Mr. STEARNS. If the gentleman would yield just for another point, the point I was going to try to make in this discussion is we have never mentioned the word "heroics," as my colleagues know. We are talking about individuals that had heroic behavior in the service, and I think we should recognize that is the purpose and the value of Arlington Cemetery, is to recognize people who have extraordinary heroic behavior.

So that is the point I wanted to make, and I thank that gentleman for having yielded.

Mr. SNYDER. If the gentleman from Florida is offering that as amendment for extraordinary heroic behavior as a waiver, I think I can speak for the ranking member, we would accept that amendment.

Did I misunderstand the gentleman, Mr. Speaker?

Mr. EVANS. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. FILNER).

Mr. FILNER. Mr. Speaker, our intention is today, should be and is focused on the heroic actions of those buried at Arlington National Cemetery, but I thank the gentleman from Florida (Mr. STEARNS) for bringing up the budget and also for his nomination to the President's Cabinet. I thank the gentleman, Mr. STEARNS, but I wish we would have had this debate at the committee. As my colleagues know, we were not allowed to. And Mr. STEARNS' criticism of the presidential budget is well founded, but that is history. The President made his suggestion. It is Congress' turn now.

Mr. Speaker, my colleague can yell at the President all he wants, as I have, but now the gentleman is accountable, and I am accountable, and this Congress is accountable by law and by Constitution for the budget.

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The gentleman voted for a budget which went \$1.9 billion above the President's. We offered an amendment to go \$3.2 billion above the President's. That was not just dollars. It was to maintain the integrity of the VA health care system and other benefit systems. So the gentleman voted for the \$1.9 billion, not for the \$3.2 billion.

The Republican budget that has come onto the floor this week, I think goes about \$.9 billion above the President's. If the gentleman votes for that, that is his budget. It is not the President's anymore. It is the gentleman's and it is \$2.3 billion below what the VSOs, the veterans service organizations, have suggested.

I say to the gentleman and I will say to the House later this week, if the

gentleman votes "yes" for that budget resolution he is supporting a budget which is insufficient for veterans and the Veterans Administration. It undermines our contract with our Nation's veterans.

The gentleman now has an opportunity to stop yelling at the President and take responsibility for his vote, and I ask the gentleman, if he thinks that that budget is too low, as he says the President's was, vote "no" on the budget resolution. Join me in my recommittal motion which will ask for the independent budget's figure to be added to our budget resolution.

Mr. EVANS. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. STUMP. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I would like to thank the gentleman from Illinois (Mr. EVANS), the ranking member of the full committee, for the cooperation and the hard work he has done on this bill, as well as my two subcommittee chairmen, the gentleman from New York (Mr. QUINN) and the gentleman from Florida (Mr. STEARNS). They have put in an extraordinary amount of time.

I do not want to leave the impression that we have not worked on this bill since last year, as someone mentioned. We have worked a lot on this bill. We have made some technical changes. I have conferred with my counterpart, the chairman of the VA committee on the Senate side, and I think we had an excellent time.

Unlike last year, we kind of ran out of time, an election year, end of session. There simply was not enough time to work these differences out. I believe that will happen this time, Mr. Speaker, and I am going to see that it does, if it is within my power.

Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. GOODLATTE). The question is on the motion offered by the gentleman from Arizona (Mr. STUMP) that the House suspend the rules and pass the bill, H.R. 70.

The question was taken.

Mr. STUMP. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

#### SMALL BUSINESS YEAR 2000 READINESS ACT

Mr. TALENT. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 314) to provide for a loan guarantee program to address the Year 2000 computer problems of small business concerns, and for other purposes.

The Clerk read as follows:

S. 314

*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 "Small Business Year 2000 Readiness Act".

#### SEC. 2. FINDINGS.

Congress finds that—

(1) the failure of many computer programs to recognize the Year 2000 may have extreme negative financial consequences in the Year 2000, and in subsequent years for both large and small businesses;

(2) small businesses are well behind larger businesses in implementing corrective changes to their automated systems;

(3) many small businesses do not have access to capital to fix mission critical automated systems, which could result in severe financial distress or failure for small businesses; and

(4) the failure of a large number of small businesses due to the Year 2000 computer problem would have a highly detrimental effect on the economy in the Year 2000 and in subsequent years.

#### SEC. 3. YEAR 2000 COMPUTER PROBLEM LOAN GUARANTEE PROGRAM.

(a) PROGRAM ESTABLISHED.—Section 7(a) of the Small Business Act (15 U.S.C. 636(a)) is amended by adding at the end the following:

"(27) YEAR 2000 COMPUTER PROBLEM PROGRAM.—

"(A) DEFINITIONS.—In this paragraph—

"(i) the term 'eligible lender' means any lender designated by the Administration as eligible to participate in the general business loan program under this subsection; and

"(ii) the term 'Year 2000 computer problem' means, with respect to information technology, and embedded systems, any problem that adversely affects the processing (including calculating, comparing, sequencing, displaying, or storing), transmitting, or receiving of date-dependent data—

"(I) from, into, or between—

"(aa) the 20th or 21st centuries; or

"(bb) the years 1999 and 2000; or

"(II) with regard to leap year calculations.

"(B) ESTABLISHMENT OF PROGRAM.—The Administration shall—

"(i) establish a loan guarantee program, under which the Administration may, during the period beginning on the date of enactment of this paragraph and ending on December 31, 2000, guarantee loans made by eligible lenders to small business concerns in accordance with this paragraph; and

"(ii) notify each eligible lender of the establishment of the program under this paragraph, and otherwise take such actions as may be necessary to aggressively market the program under this paragraph.

"(C) USE OF FUNDS.—A small business concern that receives a loan guaranteed under this paragraph shall only use the proceeds of the loan to—

"(i) address the Year 2000 computer problems of that small business concern, including the repair and acquisition of information technology systems, the purchase and repair of software, the purchase of consulting and other third party services, and related expenses; and

"(ii) provide relief for a substantial economic injury incurred by the small business concern as a direct result of the Year 2000 computer problems of the small business concern or of any other entity (including any service provider or supplier of the small business concern), if such economic injury has not been compensated for by insurance or otherwise.

"(D) LOAN AMOUNTS.—

"(i) IN GENERAL.—Notwithstanding paragraph (3)(A) and subject to clause (ii) of this subparagraph, a loan may be made to a borrower under this paragraph even if the total amount outstanding and committed (by participation or otherwise) to the borrower from

the business loan and investment fund, the business guaranty loan financing account, and the business direct loan financing account would thereby exceed \$750,000.

"(ii) EXCEPTION.—A loan may not be made to a borrower under this paragraph if the total amount outstanding and committed (by participation or otherwise) to the borrower from the business loan and investment fund, the business guaranty loan financing account, and the business direct loan financing account would thereby exceed \$1,000,000.

"(E) ADMINISTRATION PARTICIPATION.—Notwithstanding paragraph (2)(A), in an agreement to participate in a loan under this paragraph, participation by the Administration shall not exceed—

"(i) 85 percent of the balance of the financing outstanding at the time of disbursement of the loan, if the balance exceeds \$100,000;

"(ii) 90 percent of the balance of the financing outstanding at the time of disbursement of the loan, if the balance is less than or equal to \$100,000; and

"(iii) notwithstanding clauses (i) and (ii), in any case in which the subject loan is processed in accordance with the requirements applicable to the SBAExpress Pilot Program, 50 percent of the balance outstanding at the time of disbursement of the loan.

"(F) PERIODIC REVIEWS.—The Inspector General of the Administration shall periodically review a representative sample of loans guaranteed under this paragraph to mitigate the risk of fraud and ensure the safety and soundness of the loan program.

"(G) ANNUAL REPORT.—The Administration shall annually submit to the Committees on Small Business of the House of Representatives and the Senate a report on the results of the program carried out under this paragraph during the preceding 12-month period, which shall include information relating to—

"(i) the total number of loans guaranteed under this paragraph;

"(ii) with respect to each loan guaranteed under this paragraph—

"(I) the amount of the loan;

"(II) the geographic location of the borrower; and

"(III) whether the loan was made to repair or replace information technology and other automated systems or to remedy an economic injury; and

"(iii) the total number of eligible lenders participating in the program."

(b) GUIDELINES.—

(1) IN GENERAL.—Not later than 30 days after the date of enactment of this Act, the Administrator of the Small Business Administration shall issue guidelines to carry out the program under section 7(a)(27) of the Small Business Act, as added by this section.

(2) REQUIREMENTS.—Except to the extent that it would be inconsistent with this section or section 7(a)(27) of the Small Business Act, as added by this section, the guidelines issued under this subsection shall, with respect to the loan program established under section 7(a)(27) of the Small Business Act, as added by this section—

(A) provide maximum flexibility in the establishment of terms and conditions of loans originated under the loan program so that such loans may be structured in a manner that enhances the ability of the applicant to repay the debt;

(B) if appropriate to facilitate repayment, establish a moratorium on principal payments under the loan program for up to 1 year beginning on the date of the origination of the loan;

(C) provide that any reasonable doubts regarding a loan applicant's ability to service the debt be resolved in favor of the loan applicant; and

(D) authorize an eligible lender (as defined in section 7(a)(27)(A) of the Small Business