

operational oversight that (a) includes periodic safety audits of flight operations, training programs, and maintenance and inspection; and (b) emphasizes the exchange of information and resources that will enhance the safety of flight operations. (Class II, Priority Action) (A-94-205)

Based on the safety recommendation database, that recommendation is still in an open—acceptable action status. While we were pleased with the initiatives outlined at the Safety Summit (and we should point out that we participated in the Summit), the full intent of the above recommendations has yet to be met.

The Board recognizes that some of the concerns it had with code-sharing arrangements between U.S. carriers can also exist in code-sharing arrangements between foreign-based carriers and U.S. carriers. The Board will thoroughly consider such issues should they arise in the Board's investigations and we will issue recommendations should they be warranted.

CONTROLLED FLIGHT INTO TERRAIN (CFIT)

The FAA stated that "CFIT and approach and landing accidents are major safety items. . . ."

Comment.—From the time that EGPWS was first certified (Oct. 1996), it took FAA an additional 2 years to issue the NPRM. We are not aware that a final rule has been issued.

ENHANCED GROUND PROXIMITY WARNING SYSTEMS

The FAA stated "The Korean Air Lines Boeing 747 was equipped with a GPWS that provided appropriate and timely terrain warnings to the flight-crew."

Comment.—This statement is not correct. The KAL Boeing 747 GPWS did not provide any terrain warnings to the flightcrew because the airplane was in landing configuration. Only radio altitude call were given by the GPWS during the accident flight.

The FAA stated "At the time of the Guam accident, the EGPWS was not only not certified for the B747, it was also not available from the manufacturer."

Chairman Hall stated that at the time of the accident EGPWS was "not certified for that model aircraft" (referring to the KAL 747-300). Chairman Hall merely stated a fact and was not implying that FAA inaction was to blame for the lack of an EGPWS on the accident airplane.

AIRPLANE RECORDERS

The FAA stated "To date, the FAA believes that close to 30 percent of the affected U.S.-registered fleet (aircraft with 10 or more seats) is in compliance with new requirements."

Comment.—Thirty percent is considered a modest accomplishment when it is noted that most newly manufactured airplanes delivered since 1998 meet or exceed the new parameter requirements, and that 226 Boeing 737s were retrofitted by one airline, namely Southwest, accounting for most of the retrofits. Therefore, the bulk of this 30 percent figure can be attributed to newly manufactured airplanes and one airline's aggressive retrofit program.

The FAA stated ". . . 95% of the U.S. B-737 fleet is either in compliance or in the progress of complying with the rule."

Comment.—At this late date, the Boeing 737 operators should be in the process of complying with the new FDR requirements. It is the Board's understanding that "being in the progress" can mean that an aircraft is simply scheduled for a retrofit as much as two years in the future.

The FAA stated "Administrator Garvey is working with the Air Transport Association and the individual carrier's CEOs to ensure early compliance for a major portion of the carrier fleet."

Comment.—The Metrojet Boeing 737 that experienced a rudder incident near Baltimore—Washington International Airport was scheduled to have a C-check in March 1999, but was not scheduled to have the FDR upgrade until 2001. This does not reflect early compliance.

The FAA stated "FAA is initiating an accelerated rulemaking effort to mandate increased recording time (2 hours). . . ."

Comment.—This statement is accurate. A Rulemaking project has been initiated and FAA staff assigned. NTSB staff has been invited to participate in the rulemaking effort, and thus far, Safety Board staff have had four meetings with FAA staff on this subject.

The FAA stated "Since January 1998, practically all transport category aircraft have left the production line with a 2-hour recorder installed as original equipment."

Comment.—While this statement is generally true, we are aware of at least one airline's labor agreement with its pilots required them to remove the 2-hour CVRs and replace them with the solid-state 30-minute CVRs.

AIRFRAME STRUCTURAL ICING

The FAA stated "The NTSB comments may leave the impression that the FAA has done very little to respond to airframe icing safety."

The Safety Board does believe that the FAA did very little to address airframe structural icing until after the ATR-72 accident at Roselawn, Indiana in 1994. Since then, the FAA has worked with industry, primarily through the ARAC process, to initiate several important efforts that will eventually reduce the risk of flight in icing conditions. Chairman Hall acknowledged these recent ARAC efforts in the Board's testimony.

"With regard to FAA responsiveness to NTSB icing recommendations, Chairman Hall in silent with respect to the numerous Roselawn safety recommendations."

Comment.—Chairman Hall mentioned both the Comair and the Roselawn accident recommendations in his testimony, and acknowledged that the FAA's ARAC efforts and icing conferences are "in response to those recommendations."

The FAA stated "The FAA has completed numerous actions which directly respond to airframe icing safety."

Comment.—The Safety Board acknowledges the FAA actions cited in Administrator Garvey's response.

The FAA stated "The original recommendations were superseded with a new recommendation A-96-54 which is classified as 'Open Acceptable'."

Comment.—Chairman Hall's testimony correctly states that the original 1981 safety study recommendations remained in an open-unacceptable status for 15 years. It is also correct that the original recommendations were superseded with a new recommendation, A-96-54, which is classified as Open-Acceptable. The 1981 recommendation was superseded with a new safety recommendation because acceptable action had not been taken by FAA.

RUNWAY INCURSIONS

The Safety Board's concerns about runway incursions are heightened by adverse trends in recent years. Although there was a slight downward trend in runway incursions from 1990 to 1993, the trend has been moving upward since then. In 1997, there were 300 incursions, up from 275 the previous year. In 1998, there were 326 incursions. According to the FAA, the monthly rate in September 1998—0.73 incursions per 100,000 operations—was the highest monthly rate in 11 years.

The FAA stated, "We are finalizing the program implementation plan . . . we expect

to publish the plan in April 1999 . . . we are well aware that there must provide appropriate funds . . ."

Comment.—The Safety Board has expressed its disappointment that the FAA failed to fund its program office for runway incursions for more than two years. This safety issue needs coordination and overall direction by the FAA, which had been the function of the program office. The Board is pleased that the FAA is now committing itself to the necessary coordination and funding, and will review the FAA's plans and budgets when they are provided. The Board hopes that the FAA will meet its target date of April 1999.

The FAA stated, "We have on-site evaluations underway."

Comment.—The Safety Board is aware that several initiatives have been started and tested by the FAA, but too few of these have been completed. The Board will continue to evaluate the FAA's runway incursion program based on completed programs and equipment that is placed in operation. For example, the Safety Board notes that several AMASS units may be "fielded" or "deployed", but the Board further notes that none are currently operational and the FAA has not projected an operational date.

ORDER OF BUSINESS

Mr. NETHERCUTT. Mr. Speaker, I ask unanimous consent to take my Special Order at this time.

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

There was no objection.

NATIONAL CANCER INSTITUTE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Washington (Mr. NETHERCUTT) is recognized for 5 minutes.

Mr. NETHERCUTT. Mr. Speaker, the National Cancer Institute estimates that over 8 million Americans alive today have a history of cancer. Before the millennium, it is expected that over one million new cancer cases will be diagnosed. Just in this decade, approximately 12 million patients will have cancer detected.

This year it is anticipated that over 500,000 Americans will succumb to cancer. That is over 1,500 people per day. Today, cancer is the second leading cause of death in the United States, exceeded only by heart disease. A bright spot in this tragic picture is the fact that when all cancers are combined, the 5-year survival rate is 60 percent.

So I am pleased to rise today to highlight the excellent work being done at Washington State University's Cancer Prevention and Research Center, a center that is in my own district in Pullman, Washington, to help win this fight against cancer.

This center in Pullman is the focal point for cancer research at Washington State University. The center is located within the College of Pharmacy, where cancer is the core of the

research conducted in the Pharmaceutical Sciences Department. The researchers there in several other Washington State University research departments are studying the deadly disease, including some in biochemistry, food sciences and human nutrition, microbiology and zoology, veterinary medicine, and many, many more.

Today, the Cancer Center is a catalyst to mobilize collaborative research efforts within the University and the surrounding health care community, especially Eastern Washington and Northern Idaho. The goals of the Center in its work are to attack cancer through a multidisciplinary research approach, provide central support services and shared facilities for ongoing research, facilitate translation of basic research to the clinic, and educate health professionals and the public about healthy life-styles and cancer prevention.

The new director of the center, Gary Meadows, hopes to make WSU, Washington State University, and its Cancer Prevention Research Center the major cancer organization in eastern Washington. And our State, by the way, is rich in cancer research facilities: The Hutchinson Cancer Research Center in Seattle, the University of Washington Medical School, and many other university support services provide great research for cancer.

So I applaud and encourage Dr. Meadows and his colleagues for their demanding pursuit to eradicate this deadly disease, and I urge my colleagues to consider favorably additional funding through the National Institutes of Health and research grants for not only cancer research and a possible cure but for diabetes and Alzheimer's and multiple sclerosis and all the other diseases that affect Americans throughout this country.

COMMUNICATION FROM THE
CHAIRMAN OF THE COMMITTEE
ON THE BUDGET, REVISIONS TO
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 and adjusted for H.R. 1141. The adjusted allocation for the House Committee on Appropriations, adjusted by the Kosovo & Southwest Asia Emergency Supplemental Appropriations Act for fiscal year 1999, reflects \$11,109,000,000 in additional new budget authority and \$2,907,000,000 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 in H.R. 1141. Overall, the allocation to the Appropriations Committee will increase to \$584,912,000,000 in budget authority and \$579,814,000,000 in outlays for fiscal year 1999.

I also submit for printing in the CONGRESSIONAL RECORD an adjusted fiscal year 2000 allocation to the House Committee on Appropriations to reflect \$1,838,000,000 in additional new budget authority and \$1,774,000,000 in additional outlays for designated emergency spending. In addition, the outlay effect of the fiscal year 1999 budget authority of H.R. 1664 will result in additional outlays of \$5,243,000,000 for fiscal year 2000. This will increase the allocation to the Appropriations Committee to \$538,109,000,000 in budget authority and \$577,962,000,000 in outlays for fiscal year 2000.

The House Committee on Appropriations submitted the report on H.R. 1664, the Kosovo & Southwest Asia Emergency Supplemental Appropriations Act for fiscal year 1999, which includes \$11,109,000,000 in budget authority and \$2,907,000,000 in outlays for fiscal year 1999 designated defense and non-defense emergency spending. H.R. 1664 includes \$1,838,000,000 in budget authority and \$7,017,000,000 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.

NATIONAL DAY OF PRAYER

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Oklahoma (Mr. LUCAS) is recognized for 5 minutes.

Mr. LUCAS of Oklahoma. Mr. Speaker, today is the National Day of Prayer. After what my staff and I have observed in our beloved home State of Oklahoma in the past 2½ days, I would ask all of my colleagues and all Americans to lift our friends and neighbors in prayer.

This natural disaster has physically impacted virtually every region of our State. The super cells that shot from the far southwest quadrant of the State to the northeast boundaries caused damage and loss in the districts of each of my colleagues in the Oklahoma delegation.

But, as is always the case in the history of our State, no disaster, man-made or natural, can break the resolve or the spirit of our fine people.

Pray for the widow and her adult daughter in Del City who were searching through the rubble of a home she shared with her husband from 1973 until his death 2 years ago. They were not searching for diamond rings or stock certificates. No, all they hoped to find was a keepsake photo of their late husband and father.

Pray for their young neighbor boy who was so excited to find a single baseball card on the spot where his bedroom once sat.

And pray for Oklahomans in all parts of the storm-ravaged State, including

the small town of Dover where over half of their community has been destroyed. They, too, need uplifting.

These good people and thousands of others are hauling off all of their worldly possessions in the trunk of a car or even a wheelbarrow. So many more were not that fortunate.

Nothing can contain their will, their faith, and their fight. God bless Oklahoma. Pray for Oklahoma.

CHINA'S THEFTS OF U.S. NUCLEAR
SECRETS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 1999, the gentleman from Indiana (Mr. BURTON) is recognized for 60 minutes as the designee of the majority leader.

Mr. BURTON of Indiana. Mr. Speaker, last week I came to the floor to point out some of the misleading statements coming out of the White House with respect to China's thefts of U.S. nuclear secrets. I said that the White House had misled the public when it was said by the President that no one had reported to him about Chinese spying, when in reality National Security Advisor Sandy Berger had made such a report to him in July of 1997.

The President said on March 19, when asked by a reporter, and the reporter asked this question, "Can you assure the American people that under your watch no valuable secrets were lost?" And the President responded, "Can I tell you there has been no espionage at the labs since I have been President? I can tell you that no one has reported to me that they suspect such a thing has occurred."

Well, Sandy Berger, the head of the National Security Council, in the fall of 1996 and early 1997 was told by the Department of Energy, their intelligence people, their security people, that there had been espionage taking place at the nuclear laboratories, at Los Alamos and others.

Now, he is the head of the National Security Council. He is appointed by the President to inform him about national security matters. He is the chief national security fellow. And yet the President said he had no knowledge of any espionage taking place; and he said this in March of 1999 this year, just last month or so.

And then again on NBC's "Meet the Press," Sandy Berger, the head of the NSC, said his first Energy Department briefing with Chinese spying was very general and very preliminary, said he did not really know about it. He went on to say at that interview, at that stage Mr. Berger said to Mr. Tim Russert of NBC, "We did not really know how and we did not really know what was taking place."

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These facts are not facts. These assertions do not square with the facts.

In April of 1996, Notra Trulock, the Energy Department's Chief of Intelligence, briefed Sandy Berger about the