

Resolved by the House of Representatives (the Senate concurring), That the rotunda of the Capitol is authorized to be used on June 15, 1999, for a ceremony to present a gold medal on behalf of Congress to Rosa Parks. Physical preparations for the ceremony shall be carried out in accordance with such conditions as the Architect of the Capitol may prescribe.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2000

The SPEAKER pro tempore. Pursuant to House Resolution 200 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 1401.

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IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 1401) to authorize appropriations for fiscal years 2000 and 2001 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal years 2000 and 2001, and for other purposes, with Mrs. EMERSON (Chairman pro tempore) in the chair.

The Clerk read the title of the bill.

The CHAIRMAN pro tempore. When the Committee of the Whole rose on Wednesday, June 9, 1999, amendment No. 14 printed in part A of House Report 106-175 by the gentlewoman from California (Ms. SANCHEZ) and offered by the gentlewoman from Florida (Mrs. MEEK) as her designee had been disposed of.

It is now in order to consider amendment No. 15 printed in House Report 106-175.

AMENDMENT NO. 15 OFFERED BY MR. BUYER

Mr. BUYER. Madam Chairman, I offer an amendment.

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part A amendment No. 15 offered by Mr. BUYER:

Page 207, after line 5, add the following new subtitle (and redesignate the succeeding subtitle accordingly):

Subtitle F—Eligibility to Participate in the Thrift Savings Plan

SEC. 661. AUTHORITY FOR MEMBERS OF THE UNIFORMED SERVICES TO CONTRIBUTE TO THE THRIFT SAVINGS FUND.

(a) AUTHORITY FOR MEMBERS OF THE UNIFORMED SERVICES TO CONTRIBUTE TO THE THRIFT SAVINGS FUND.—(1) Subchapter III of chapter 84 of title 5, United States Code, is amended by adding at the end the following:

“§8440e. Members of the uniformed services

“(a)(1) A member of the uniformed services performing active service may elect to contribute to the Thrift Savings Fund—

“(A) a portion of such individual’s basic pay; or

aisle join with the gentleman from Oklahoma in support of this resolution.

I yield to the gentleman from Oklahoma (Mr. WATTS) for purposes of explaining the resolution.

Mr. WATTS of Oklahoma. Mr. Speaker, I thank the gentleman from Pennsylvania for yielding.

First I would like to thank the gentlewoman from Indiana (Ms. CARSON) for introducing the resolution to award Mrs. Parks the Congressional Gold Medal of Honor. With such leadership Americans will never forget where we came from and never lose sight of where we must go.

Mr. Speaker, I rise to support honoring Mrs. Rosa Parks in the Capitol Rotunda under the dome of the People’s House with the Gold Medal of Honor. What could be more appropriate than for Mrs. Parks to receive the Congressional Gold Medal of Honor in the Capitol Rotunda, the structure that unites the House and Senate, a symbol of a government of the people, by the people and for the people. Our majestic Rotunda is the world’s emblem of democracy and freedom. Mrs. Parks stood in the face of segregation and started a movement that united a Nation. How appropriate for us to honor her where we come together as Members and where we come together as Americans.

Over 40 years ago, Mrs. Parks united the races on a bus in Montgomery, Alabama, and how appropriate for us to honor her in our country’s most enduring symbol of unity, the Capitol Rotunda.

Mr. FATTAH. Mr. Speaker, further reserving the right to object, I yield to the gentleman from Maryland (Mr. HOYER), the ranking member of the Committee on House Administration.

Mr. HOYER. Mr. Speaker, I thank the distinguished gentleman from Pennsylvania (Mr. FATTAH) for yielding, and I join the gentleman from Oklahoma (Mr. WATTS).

I do not know how many Americans have seen Rosa Parks. Rosa Parks is a woman small in stature. But that belies the fact that she was a giant in her courage and in her commitment and in the impact she made on America, not just on African Americans, though an impact she had on their lives and the respect accorded to them, but on the lives of every American who live today in a better country, more conscious of our need to give to each individual within our country the respect that they are due as human beings and children of God.

Rosa Parks, Mr. Speaker, is a giant in the history of America. On December 1st, 1955, Rosa Parks looked up from her seat and said, “No, I will not give you my seat. I was here first. I’m an American citizen. I paid my fare. And I ought to be able to sit on this seat.” Mr. Speaker, she was absolutely correct. But as Martin Luther King observed some 8 years later, in August of 1963, America had yet to live out the reality of the promises made in our Declaration of Independence and in our

Constitution, that Rosa Parks, like the gentlewoman from Missouri (Mrs. EMERSON), was endowed not by government but by her Creator with certain unalienable rights, and among these were life, liberty, and the pursuit of happiness. And our Constitution said, particularly in the 14th amendment and the 15th amendment, that color would not dictate lesser Americans.

Rosa Parks is a giant, and I am pleased, Mr. Speaker, to join the gentleman from Pennsylvania and the gentleman from Oklahoma in setting aside, as the gentleman from Oklahoma so ably articulated, the Rotunda, a revered spot not only in this country but around the world, to honor Rosa Parks, to say to her, “Thank you. Thank you for helping America be a better country.”

Mr. FATTAH. Mr. Speaker, further reserving the right to object, I yield to the gentleman from Ohio (Mr. TRAFICANT).

Mr. TRAFICANT. Mr. Speaker, I want to compliment the gentleman from Oklahoma (Mr. WATTS) and the gentleman from Pennsylvania (Mr. FATTAH). I want to give a special commendation to the gentlewoman from Indiana (Ms. CARSON) who works hard and did a great job on this issue. I would just like to say that when Rosa Parks sat down on that bus, she stood up for all Americans, not just black Americans. I, too, am honored to be here today.

Mr. FATTAH. Mr. Speaker, further reserving the right to object, let me just also add my voice.

I had the opportunity to meet Rosa Parks when she came to Philadelphia and visited with a group of young people at the Liberty Bell in Philadelphia. Observing the crack, she had a fairly profound statement to make about the fact that there was still some need for healing in our own country about issues related to civil rights, but that her work and her life and her legacy had played just a small part. It really was the support and the prayers of millions and millions of Americans of different ethnic backgrounds who supported the efforts of the civil rights movement which really started with her decision not to relinquish her seat.

From time to time I know we have broad disagreements around here, but it is refreshing to see that in a bipartisan way we could come together. I am pleased to join with my colleague and my friend from Oklahoma as we move now to make the rotund available. Some are honored by having this type of honor bestowed upon them. Today I think the Congress is honored by having an American of Rosa Parks’ stature to be able to honor.

Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

The Clerk read the concurrent resolution, as follows:

“(B) a portion of any special or incentive pay payable to such individual under chapter 5 of title 37.

Any contribution under subparagraph (B) shall be made by direct transfer to the Thrift Savings Fund by the Secretary concerned.

“(2)(A) Except as provided in subparagraph (B), an election under paragraph (1) may be made only during a period provided under section 8432(b), subject to the same conditions as prescribed under paragraph (2)(A)-(D) thereof.

“(B)(i) Notwithstanding subparagraph (A), a member of the uniformed services performing active service on the effective date of this section may make the first such election during the 60-day period beginning on such effective date.

“(ii) An election made under this subparagraph shall take effect on the first day of the first applicable pay period beginning after the close of the 60-day period referred to in clause (i).

“(b)(1) Except as otherwise provided in this subsection, the provisions of this subchapter and subchapter VII shall apply with respect to members of the uniformed services making contributions to the Thrift Savings Fund.

“(2)(A) The amount contributed by a member of the uniformed services under subsection (a)(1)(A) for any pay period shall not exceed 5 percent of such member's basic pay for such pay period.

“(B) Nothing in this section or section 211 of title 37 shall be considered to waive any dollar limitation under the Internal Revenue Code of 1986 which otherwise applies with respect to the Thrift Savings Fund.

“(3) No contributions under section 8432(c) shall be made for the benefit of a member of the uniformed services making contributions to the Thrift Savings Fund under subsection (a).

“(4) In applying section 8433 to a member of the uniformed services who has an account balance in the Thrift Savings Fund, the reference in subsection (g)(1) or (h)(3) of section 8433 to contributions made under section 8432(a) shall be considered a reference to contributions made under any of sections 8351, 8432(a), 8432(b), or 8440a-8440e.

“(c) For purposes of this section—

“(1) the term 'basic pay' has the meaning given such term by section 204 of title 37;

“(2) the term 'active service' means—

“(A) active duty for a period of more than 30 days, as defined by section 101(d)(2) of title 10; and

“(B) full-time National Guard duty, as defined by section 101(d)(5) of title 10;

“(3) the term 'Secretary concerned' has the meaning given such term by section 101 of title 37; and

“(4) any reference to 'separation from Government employment' shall be considered a reference to a release from active duty (not followed by a resumption of active duty, or an appointment to a position covered by chapter 83 or 84 of title 5 or an equivalent retirement system, as identified by the Executive Director in regulations) before the end of the 31-day period beginning on the day following the date of separation), a transfer to inactive status, or a transfer to a retired list pursuant to any provision of title 10.”.

(2) The table of sections at the beginning of chapter 84 of title 5, United States Code, is amended by adding after the item relating to section 8440d the following:

“8440e. Members of the uniformed services.”.

(b) AMENDMENTS RELATING TO THE EMPLOYEE THRIFT ADVISORY COUNCIL.—Section 8473 of title 5, United States Code, is amended—

(1) in subsections (a) and (b) by striking “14 members” and inserting “15 members”; and

(2) in subsection (b) by striking “and” at the end of paragraph (8), by striking the period at the end of paragraph (9) and inserting “; and”, and by adding at the end the following:

“(10) 1 shall be appointed to represent participants who are members of the uniformed services (within the meaning of section 8440e).”.

(c) TECHNICAL AND CONFORMING AMENDMENTS.—(1) Paragraph (11) of section 8351(b) of title 5, United States Code, is amended by redesignating such paragraph as paragraph (8).

(2) Subparagraph (B) of section 8432b(b)(2) of title 5, United States Code, is amended by striking “section 8432(a)” and inserting “sections 8432(a) and 8440e, respectively.”.

(3)(A) Section 8439(a)(1) of title 5, United States Code, is amended—

(i) by inserting “or 8432b(d)” after “8432(c)(1)”; and

(ii) by striking “8351” and inserting “8351, 8432b(b), or 8440a-8440e”.

(B) Section 8439(a)(2)(A)(i) of title 5, United States Code, is amended by striking “8432(a) or 8351” and inserting “8351, 8432(a), 8432b(b), or 8440a-8440e”.

(C) Section 8439(a)(2)(A)(ii) of title 5, United States Code, is amended by striking “title;” and inserting “title (including subsection (c) or (d) of section 8432b);”.

(D) Section 8439(a)(2)(A) of title 5, United States Code, is amended by striking “and” at the end of clause (ii), by striking “, over” at the end of clause (iii) and inserting “; and”, and by adding after clause (iii) the following:

“(iv) any other amounts paid, allocated, or otherwise credited to such individual's account, over”.

SEC. 662. CONTRIBUTIONS TO THRIFT SAVINGS FUND.

(a) IN GENERAL.—(1) Chapter 3 of title 37, United States Code, is amended by adding at the end the following:

§ 211. Contributions to Thrift Savings Fund

“A member of the uniformed services who is performing active service may elect to contribute, in accordance with section 8440e of title 5, a portion of the basic pay of the member for that service (or of any special or incentive pay under chapter 5 of this title which relates to that service) to the Thrift Savings Fund established by section 8437 of title 5.”.

(2) The table of sections at the beginning of such chapter is amended by adding at the end the following:

“211. Contributions to Thrift Savings Fund.”.

SEC. 663. REGULATIONS.

Not later than 180 days after the date of the enactment of this Act, the Executive Director (appointed by the Federal Retirement Thrift Investment Board) shall issue regulations to implement sections 8351 and 8440e of title 5, United States Code (as amended by section 661) and section 211 of title 37, United States Code (as amended by section 662).

SEC. 664. EFFECTIVE DATE.

(a) IN GENERAL.—Except as otherwise provided in this section, the amendments made by this subtitle shall take effect one year after the date of the enactment of this Act, or on July 1, 2000, whichever is later.

(b) EXCEPTION.—Nothing in this subtitle (or any amendment made by this subtitle) shall be considered to permit the making of any contributions under section 8440e(a)(1)(B) of title 5, United States Code (as amended by section 661), before December 1, 2000.

(c) EFFECTIVENESS CONTINGENT ON OFFSETTING LEGISLATION.—(1) This subtitle shall be effective only if—

(A) the President, in the budget of the President for fiscal year 2001, proposes legis-

lation which if enacted would be qualifying offsetting legislation; and

(B) there is enacted during the second session of the 106th Congress qualifying offsetting legislation.

(2) If the conditions in paragraph (1) are met, then, this section shall take effect on the date on which qualifying offsetting legislation is enacted or, if later, the effective date determined under subsection (a).

(3) For purposes of this subsection:

(A) The term “qualifying offsetting legislation” means legislation (other than an appropriations Act) that includes provisions that—

(i) offset fully the increased outlays for each of fiscal years 2000 through 2009 to be made by reason of the amendments made by this subtitle;

(ii) expressly state that they are enacted for the purpose of the offset described in clause (i); and

(iii) are included in full on the PayGo scorecard.

(B) The term “PayGo scorecard” means the estimates that are made with respect to fiscal years through fiscal year 2009 by the Director of the Congressional Budget Office and the Director of the Office of Management and Budget under section 252(d) of the Balanced Budget and Emergency Deficit Control Act of 1985.

The CHAIRMAN pro tempore. Pursuant to House Resolution 200, the gentleman from Indiana (Mr. BUYER) and a Member opposed will each control 10 minutes.

Does the gentleman from Hawaii (Mr. ABERCROMBIE) oppose the amendment?

Mr. ABERCROMBIE. Madam Chairman, I do not oppose the amendment, and I ask unanimous consent that in the absence of opposition that I be allowed to control the time otherwise reserved for the opposition.

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

There was no objection.

The CHAIRMAN pro tempore. The Chair recognizes the gentleman from Indiana (Mr. BUYER).

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

The Subcommittee on Military Personnel has been striving to find the right combination of incentives to address the negative recruiting and retention trends that threaten the readiness of our military forces. That is the purpose of the Buyer-Abercrombie amendment, to offer a military thrift savings plan.

On the retention front, all services have incurred unsustainable losses among pockets of highly qualified experienced personnel, including aviators and many high tech skills. The most severe retention problems are in the Navy and the Air Force where officers, noncommissioned officers and enlisted members across the force are leaving at rates that threaten the future viability of those services.

On the recruiting front, three of the services, beginning with the Army, then the Navy and finally the Air Force, have been struggling to meet production goals for new recruits. In addition, some sources of officer commissions, specifically Army and Air

Force senior reserve officer training programs, are failing to produce the required number of new officers.

As a result of the continuing recruiting shortfalls and reduced retention, senior military leaders find themselves compelled to deploy forces to crises and contingencies at manning levels well below the 100 percent or better standard that heretofore has been their goal. With reduced manning levels among the deployed forces, senior leaders are reluctantly accepting higher operational risks, reduced readiness and increased stress on both deployed and nondeployed forces.

The Subcommittee on Military Personnel conducted a number of hearings on recruiting and retention this spring. Although we learned that recruiting and retention are complex problems for which there are no simple solutions, a consistent theme among the military was a strong interest in participating in a tax deferred savings plan like the Federal Government's thrift savings plan. Today's military members like many in our society want to have control over their own retirement. They understand the value of saving and they want the benefits of tax deferred savings enjoyed by 45 million Americans participating in over 600,000 defined contribution retirement plans like the Federal Government's own TSP. While H.R. 1401 contains many compensation and policy initiatives to combat recruiting and retention problems, the one key piece that is not included at this point is the thrift savings plan. There is no doubt that the ability to participate in a thrift savings program will be a powerful tool in our fight to stabilize recruiting and retention programs.

The amendment being offered jointly by myself and the gentleman from Hawaii, the ranking member of the Subcommittee on Military Personnel, is a bare bones thrift savings program modeled after the savings program the Congress granted 965,000 Federal employees who qualify for a pension under the Civil Service Retirement System. The plan includes a maximum payroll contribution of 5 percent of basic pay with no government matching or automatic payments. We would add the ability to make contributions from special and incentive pays. But the participants would not be authorized to exceed contribution limits established by the tax code.

There is lost revenue associated with the deferral of taxes on the contributions and earnings. We did not include the TSP in the bill because we were still working on alternatives for addressing the direct spending question. The Joint Committee on Taxation estimates the direct spending incurred with this provision to be \$11 million in fiscal year 2000 and \$993 million through fiscal year 2009. This amendment addresses this pay-go requirement by making the provision contingent upon the President submitting and the Congress enacting qualified

offsetting legislation during the consideration of the fiscal year 2000 budget request.

I would like to compliment publicly the working relationship I have had with the gentleman from Hawaii (Mr. ABERCROMBIE). It has been a true pleasure in working to address our recruiting, our retention and the retirement concerns affecting the Nation's military.

Madam Chairman, a vote for this amendment is a vote for the people who serve this Nation in uniform. A vote for this amendment is a vote for military readiness. It is a vote for military retention. I urge my colleagues to support a military thrift savings plan.

Madam Chairman, I reserve the balance of my time.

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

I rise today in strong support of what the gentleman from Indiana (Mr. BUYER) has correctly characterized as a bipartisan amendment. I would think that we might even say that it is a nonpartisan amendment, to offer the thrift savings plan to our dedicated service members. As the senior Democrat on the Subcommittee on Military Personnel, I am extremely proud of the compensation package that we have put in this bill to help military personnel. This package addressed pay and retirement, as the gentleman from Indiana indicated, in a comprehensive fashion. May I add parenthetically, Madam Chairman, that I give full credit to the gentleman from Indiana for the really fabulous job that he, the staff and the other Members did with respect to making this truly comprehensive and far reaching.

□ 1045

We were unable to include, as he indicated, a provision that we both viewed as critical not only to the military, but to the economic security of this Nation, the Thrift Savings Plan.

We have the lowest personal savings rate since 1950. Over the past year, the personal savings rate, the amount of savings divided by disposable income expressed as a percentage in this country, has been less than 1 percent. The savings rate in the country is important because it represents the resources that can be used to create, sustain or expand the Nation's capital. Savings represent the potential for long-term future growth and increase the national standard of living, and we want our military to be able to participate in it.

As a Nation, we should encourage all people to save, and, as an employer, the government is remiss if we do not offer that same opportunity to the military. Service members should be extended the same benefits as other Federal employees.

Madam Chairman, as my colleagues know, we, as Members of Congress, are permitted to participate in the Thrift Savings Plan, and we think that, at a

minimum, equity requires us to open up this process to members of the United States military. There are currently 1.4 million employees who do not have the employer-sponsored savings plan; that is the military. The military is the largest employer that does not offer a 401(k) plan. We do offer the benefit to Federal civilians, as I indicated, of the Thrift Savings Plan.

Extending this plan to the military will have a salutary effect on the economy. Participation in the Thrift Savings Plan is 86.1 percent of the FERS employees and 61.2 percent of the CRS employees. If only 61.2 percent of the people in the military were to participate, there would be 848,000 participants. This amounts to a total contribution of additional savings of almost \$1 billion over a 10-year period.

It is past overdue then for us to extend this benefit to the military and allow them the benefit from and contribute to the growth of the economy.

So I urge all my colleagues to support this amendment and reiterate, if I might, in this closing portion of these remarks that this is the product, this amendment is the product of a work effort which has characterized the Subcommittee on Military Personnel of the Committee on Armed Services from the beginning under the leadership of the gentleman from Indiana (Mr. BUYER) which was one of encouragement and cooperation not only extended to all Members, but extended to all members of the armed services who were invited to participate in our deliberations, and credit for that goes to the leadership of Mr. BUYER.

Madam Chairman, I yield 2 minutes to the gentleman from Connecticut (Mr. MALONEY) to speak on the amendment.

Mr. MALONEY of Connecticut. Madam Chairman, I rise to speak in support of this amendment and would like to start by commending the gentleman from Hawaii (Mr. ABERCROMBIE) and the gentleman from Indiana (Mr. BUYER) for proposing this amendment to provide the men and women of our military with an employer-sponsored 401(k)-style retirement plan. Indeed, as the gentleman from Hawaii (Mr. ABERCROMBIE) and the gentleman from Indiana (Mr. BUYER) have both said, the underlying bill makes major steps in regard to compensation and retirement; and I have heard already from people in the armed services and former members of the armed services their gratitude for the work that the subcommittee and the committee have done in regard to this matter.

This amendment, however, makes a good bill even better. This is a no-frills proposal that will allow military personnel to direct up to 5 percent of their own income, their money, into tax-deferred investment accounts without any direct expense to the Federal budget. Private citizens, Federal employees and Members of Congress currently enjoy this opportunity, and we should offer it to the dedicated personnel of our armed services.

Indeed, many young men and women in the military have urged me to support this Thrift Savings Plan proposal as a means for them to start a portable savings plan for their retirement. At a time when the military is competing with a very strong economy and a private sector that is hungry for the same motivated and talented workers we need to fill the ranks of our armed services, it makes great sense to offer an employment package that includes a tax-deferred savings plan.

Once again, as we have seen in the military campaign against Yugoslavia, our Nation has the most capable armed forces on Earth. That is because we have outstanding soldiers, sailors, airmen and marines. We need to make sure that we do all we can to keep them.

I urge my colleagues to support these brave and courageous men and women and vote "aye" for the Abercrombie-Buyer amendment.

Mr. BUYER. Madam Chairman, I yield 2 minutes to the gentleman from Indiana (Mr. SOUDER).

Mr. SOUDER. Madam Chairman, I want to thank our chairman, the gentleman from Indiana (Mr. BUYER), as well as the gentleman from Hawaii (Mr. ABERCROMBIE); Mr. BUYER has been a tireless defender of trying to advance the rights and the additional support of our armed forces throughout the world.

I rise in strong support of the Buyer-Abercrombie amendment to authorize members of the uniformed services to participate in the Federal Thrift Savings Plan. Madam Chairman, with the exception of the military, the Congress has already acted to give virtually every other Federal employee access to tax-deferred savings. We have even authorized the 960,000 employees eligible for the Civil Service Retirement System, CRS, the option to participate in the Thrift Savings Plan. Fully 61 percent of those employees are making contributions to the Thrift Savings Plan; and if they are investing in the common stock option, they are benefiting from a rate of return in excess of 30 percent over the last 4 years. This is simply an amendment to provide equity and fairness to one of the most deserving populations in America, the men and women who serve our Nation in uniform.

At a time when most Americans are benefiting from a strong economy with immense growth in personal wealth using tax-deferred savings military personnel are denied the opportunity. Given the sacrifices being made by military members and their families today, difficult and often hazardous working conditions, long deployments from home, long working hours, limited funding for parts and other on-the-job resources, underfunded quality of life programs, the uniformed services should be the last group denied the opportunity to invest in their own future.

We attempted earlier this year to address the pay inequities, as we did in

the past Congress, because we were increasing Federal employees and other areas, but not our armed forces. This is an attempt to expand not only the pay question, but the benefits that other government employees get to the military, who should be the first to get these benefits, not the last.

There is every indication that military people want to participate in the Thrift Savings Plan and are willing to make the financial sacrifices necessary to benefit from the Thrift Savings Plan. It is time to set the record straight. Vote "yes" on the Buyer-Abercrombie amendment, and I again want to congratulate the chairman for his efforts.

Mr. ABERCROMBIE. Madam Chairman, I yield 2 minutes to the gentleman from Virginia (Mr. PICKETT).

Mr. PICKETT. Madam Chairman, I rise in support of this amendment, and I commend the authors of the amendment for offering it here today. I sponsored legislation on this issue myself that was not successful, I am sorry to say, but I am very happy to be here in support of this amendment. I think it is a provision that is long-past due.

The military has a very small percentage of the people that enter who end up making it a career. Eighty-three percent of the people that enter the military do not intend to make it a career, and at the present time, they have no means to start a retirement fund. This will give them that opportunity by allowing them to participate in the Thrift Savings Plan.

The proposal here would be a no-frills plan modeled after the savings program that Members of Congress have, 5 percent payroll contribution without government matching or automatic contribution. Thrift Savings Plan participation offers service members some portability for retirement benefits that they would not otherwise have, and I think this will encourage people to want to serve in our military. The savings program would be managed by the Federal Thrift Saving Investment Board, a professional, independent organization that will insure and guarantee the security of the money set aside by these people seeking to build a retirement fund.

Madam Chairman, I am very pleased that this amendment is being offered. I know that it is going to help our military in their recruitment and retention efforts, and I think it is a step in the right direction to make certain that our military people, even those who do not plan to make the military a career, have the opportunity to create and sustain a retirement program.

Mr. BUYER. Madam Chairman, I yield myself 1 minute.

I would like to compliment the gentleman who just spoke, the gentleman from Virginia (Mr. PICKETT) whose district and his home are the Navy in Norfolk. Mr. PICKETT has been a hard worker on the Subcommittee on Military Personnel, very tireless in his efforts to address the recruiting and re-

tention and retirement issues; and he has also been an advocate of the Thrift Savings Plan over the years, and I know this is a good moment for him likewise.

Madam Chairman, I yield 2 minutes to the gentleman from North Carolina (Mr. HAYES).

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

Mr. HAYES. Madam Chairman, I rise in support of this amendment and to commend the chairman and ranking member, the gentleman from Indiana (Mr. BUYER) and the gentleman from Hawaii (Mr. ABERCROMBIE) for cooperation and their hard work and their can-do spirit.

Madam Chairman, as I mentioned earlier this morning, members of the Committee on Armed Services were firmly committed to making this the year of the troops. We recognize that American military personnel and their families were bearing the brunt, the 10-year shrinkage in annual defense spending. The result has been devastating. Military quality of life is severed to the point that all of our service branches are having difficulty recruiting and retaining quality military personnel.

This year's defense authorization legislation reverses the downward spiral in defense funding and begins the difficult process of rearming our military both as a fighting force and as a family. While sophisticated hardware and advancements in technology are critical elements of this rebuilding effort, it is our exceptional personnel, the engine of the American fighting force.

I believe our legislation takes an important first step in reaching out to our men and women in uniform and letting them know that they count and that we appreciate the difficult job they do.

The Buyer-Abercrombie amendment would make our already good authorization bill even better. This amendment provides our service personnel the same benefit we provide to all civil servants, the opportunity to participate in the Federal Government's Thrift Savings Plan. Such an initiative would give every sailor, soldier, airman and marine a chance to plan and prepare for the future through participation in the plan. Individual service personnel could make tax-deferred deposits into accounts similar to IRAs.

Madam Chairman, this measure would have a positive effect on recruiting and retention and does not begin to describe the benefit. The Buyer-Abercrombie amendment is an effective tool in our effort to ensure our highly qualified men and women remain in service. We express our appreciation for their protection by our support of the Buyer-Abercrombie amendment.

Mr. ABERCROMBIE. Madam Chairman, I yield 2½ minutes to the gentleman from Missouri (Mr. SKELTON), the senior Democrat on the committee, who has been a mentor to us all, and it

is a great pleasure to have him speak on this most important amendment.

Mr. SKELTON. Madam Chairman, I first must say how very proud I am of the chairman of the subcommittee, the gentleman from Indiana (Mr. BUYER), how proud I am of our ranking member, the gentleman from Hawaii (Mr. ABERCROMBIE) for the work that they did on the personnel section of this bill. The work that they provided for us, and hopefully we will have a strong vote on this entire bill at a later moment today, will give encouragement, will give heart, to those who are in the military and have some doubts as to whether they should stay and serve our Nation in uniform or to seek their fortunes elsewhere.

□ 1100

The pay package, which includes the pay raise, the pay tables, the pension package, it will encourage so many to stay and seek retirement later than leaving. I just cannot compliment the gentlemen enough. I want this House to know of my praise for the gentleman from Indiana (Mr. BUYER) and the gentleman from Hawaii (Mr. ABERCROMBIE) on the fine work they have done.

Let me also add that I support this amendment that they have offered. It was first brought to my attention by the Chief of Naval Personnel, and it is an excellent amendment. It is a key part of the full package that will be comprising the personnel section of this bill.

The military is the largest employer that does not offer a 401(k) plan. However, we do offer this benefit to Federal civilian employees under the Thrift Savings Plan. As a government, we should strive for equity among the different types of employees. I fully support this. It is equity on the Federal level among all different types of employees, soldiers, sailors, airmen and marines who leave before completing 20 years will not leave empty-handed, but be able to take the Thrift Savings Plan with them into another 401(k) plan.

This is the right thing to do for the young people as they grow in service and in maturity. I fully support, fully support this amendment.

Mr. ABERCROMBIE. Madam Chairman, with the Chair's permission and with the indulgence of the gentleman from Indiana, there was a request by a Member to speak, and I ask unanimous consent to extend the debate by 1 minute.

The CHAIRMAN pro tempore (Mrs. EMERSON). The Chair would entertain that request if it were equally divided, 1 minute on both sides.

Mr. SKELTON. Madam Chairman, I move to strike the last word.

The CHAIRMAN pro tempore. Does the gentleman from Hawaii withdraw his unanimous consent request?

Mr. ABERCROMBIE. Yes, Madam Chairman.

The CHAIRMAN pro tempore. The gentleman from Missouri (Mr. SKELTON) will be recognized to 5 minutes.

Mr. SKELTON. Madam Chairman, I yield to the gentleman from Hawaii (Mr. ABERCROMBIE).

Mr. ABERCROMBIE. Madam Chairman, I request that the time that has been yielded to me be divided, 2½ minutes each to the gentleman from Indiana (Mr. BUYER) and myself.

The CHAIRMAN pro tempore. The gentleman from Missouri (Mr. SKELTON) does have the 5 minutes under the 5-minute rule.

Mr. SKELTON. I will be pleased to yield to the gentleman from Indiana at the proper time.

Mr. ABERCROMBIE. Madam Chairman, I yield to the gentleman from Ohio (Mr. TRAFICANT).

Mr. TRAFICANT. Madam Chairman, I did not realize we were going to have such a complicated and convoluted situation here.

I think what the gentlemen are doing, I say to the gentleman from Hawaii (Mr. ABERCROMBIE) and the gentleman from Indiana (Mr. BUYER), is absolutely necessary. I think when we do the little things, the big things take care of themselves.

I had not really looked carefully at this amendment, but having looked at this amendment, it is the types of little things that build morale and stabilization to a military force that is deserving.

I just wanted to echo here and compliment the chairman, the gentleman from Indiana (Mr. BUYER) and the gentleman from Hawaii (Mr. ABERCROMBIE) and the gentleman from Missouri (Mr. SKELTON) and all associated with this.

Mr. SKELTON. Madam Chairman, I yield to the gentleman from Hawaii (Mr. ABERCROMBIE).

Mr. ABERCROMBIE. Madam Chairman, in closing, I would like to thank the subcommittee staff for their very hard work. Additionally, I would like to thank my colleague, the gentleman from Indiana (Mr. BUYER). It has been a pleasure to work with him, to develop such a comprehensive benefits package that I am certain will ensure the viability of the all-volunteer force well into the next century.

Mr. SKELTON. Madam Chairman, I yield to the gentleman from Indiana (Mr. BUYER).

Mr. BUYER. I thank the gentleman for yielding to me, Madam Chairman, and for his contribution and that of the gentleman from Hawaii (Mr. ABERCROMBIE).

One of the challenges associated with recruiting the high quality military force that we possess today are the demands the force places on personnel programs within the uniformed services.

Military men and women today are bright, confident, and they are honorable young people. If these superb young people were anything less than the best, they would not measure up to the extreme challenges that we call on them to overcome each and every day as they serve the Nation around the world.

This high quality force includes members that are more independent and savvy than we have seen in the past. They understand the importance of saving for retirement and they want to control their future.

We have observed a revolution in investment that has changed the retirement planning in the private sector, and those in the military services want to participate in a strong economy that has benefited some others in America. For example, they want the same 30 percent rate of return that 1.8 million Federal civilian employees enjoyed today from their Thrift Savings program. They want some retirement portability that they do not have today within the military retirement system. In short, they want to participate in the Thrift Savings Plan.

While this, again, is no silver bullet that guarantees good recruiting and retention, we must not allow this powerful, cost-effective recruiting and retention tool to go unused. The readiness of the force depends on our action today.

I urge that the administration would include this in the 2001 budget. I urge my colleagues to vote "yes" on the Buyer-Abercrombie amendment. I urge my colleagues to provide the uniformed services access to the Thrift Savings Plan.

Mr. MICA. Mr. Chairman, I want to thank the Chairman of the Subcommittee on Military Personnel, Mr. BUYER and the gentleman from Hawaii, Mr. ABERCROMBIE for introduction of this amendment to provide all members of our uniformed services with the opportunity to participate in a Thrift Savings Plan. This proposal mirrors legislation that was introduced by me and the gentleman from Virginia, Mr. PICKETT last year and again this year as H.R. 556.

It is not only reasonable but also fair that those who serve our nation's armed forces should be eligible for personal savings plans available to other federal employees and Members of Congress. Today when our military pay falls behind cost of living, other federal worker pay and benefits it is essential that Congress provide our military services with additional incentives for recruitment and retention.

With recruitment down, and re-enlistments dropping we must reexamine both the compensation, living conditions and benefits offered our military personnel.

This action today is only one change of many needed to address problems and challenges facing our military and their dependents. It has been my privilege to work with others to help enact this savings plan and I urge its adoption as this military authorization legislation moves forward.

This action will also compliment legislation that I helped to author last year that begins to open our federal employees health benefit program to our military retirees and their dependents.

Mr. ABERCROMBIE. Mr. Chairman, I rise today in support of the Buyer-Abercrombie amendment to provide, in law, a provision for disability separation and retirement for service members with pre-existing conditions. This amendment is one of the en-bloc amendments.

Current law does not include a standard to establish eligibility for disability retirement and

separation based on medical conditions that existed prior to members entry into military service. Previously, disability retirement and separation based on pre-existing medical condition had been authorized in regulations after eight years of service.

In 1979 the Department of Defense recommended to the Congress that disability compensation be extended to personnel with less than eight years of service, in order not to "worsen . . . the competitive position of the armed forces in attracting and retaining the numbers and quality of members essential to the proper functioning of the forces" in context of the "All Volunteer" service. Congress, under the Military Personnel and Compensation Amendments of 1980, approved this request. The DoD disability directive written at this time maintained the eight years length of service requirement only for pre-existing conditions. That policy was removed from the regulations in 1996 after a legal finding that there was no law to support the policy.

Only in very rare instances is medical evidence provided that states unequivocally that military service played no part in the progression of the disease. In fact, such evidence has been presented for just a handful of diseases i.e. (Retinitis Pigmentosa, Huntington's Chorea) and the Services have found their hands tied by current DoD policy and legislation.

This amendment offered by myself and Mr. BUYER would place in law a well-conceived and once well-executed policy and has the strong support of the Department of Defense. Adoption of this proposal would provide compensation to a small number of deserving people—perhaps 50 annually—that are afflicted by hereditary or congenital disease undetected at the time they joined the military.

These affected service members are patriots, who after faithfully serving their country for at least eight years, are now told they are no longer fit for military duty because of a pre-existing condition. These men and women joined the military in good faith and it is that good faith that we must return to them. Mr. BUYER and I strongly urge our colleagues to support the amendment.

The CHAIRMAN pro tempore. All time has expired.

The question is on the amendment offered by the gentleman from Indiana (Mr. BUYER).

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

Mr. BUYER. Madam Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to House Resolution 200, further proceedings on this question will be postponed.

It is now in order to consider amendment No. 16 printed in House Report 106-175.

AMENDMENT NO. 16 OFFERED BY MR. TRAFICANT

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part A, amendment No. 16 offered by Mr. TRAFICANT:

At the end of subtitle C of title X (page 283, after line 6), insert the following new section:

SEC. 1024. ASSIGNMENT OF MEMBERS TO ASSIST IMMIGRATION AND NATURALIZATION SERVICE AND CUSTOMS SERVICE.

(a) **ASSIGNMENT AUTHORITY OF SECRETARY OF DEFENSE.**—Chapter 18 of title 10, United States Code, is amended by inserting after section 374 the following new section:

“§ 374a. Assignment of members to assist border patrol and control

“(a) **ASSIGNMENT AUTHORIZED.**—Upon submission of a request consistent with subsection (b), the Secretary of Defense may assign members of the Army, Navy, Air Force, and Marine Corps to assist—

“(1) the Immigration and Naturalization Service in preventing the entry of terrorists and drug traffickers into the United States; and

“(2) the United States Customs Service in the inspection of cargo, vehicles, and aircraft at points of entry into the United States to prevent the entry of weapons of mass destruction, components of weapons of mass destruction, prohibited narcotics or drugs, or other terrorist or drug trafficking items.

“(b) **REQUEST FOR ASSIGNMENT.**—The assignment of members under subsection (a) may occur only if—

“(1) the assignment is at the request of the Attorney General, in the case of an assignment to the Immigration and Naturalization Service, or the Secretary of the Treasury, in the case of an assignment to the United States Customs Service; and

“(2) the request of the Attorney General or the Secretary of the Treasury (as the case may be) is accompanied by a certification by the President that the assignment of members pursuant to the request is necessary to respond to a threat to national security posed by the entry into the United States of terrorists or drug traffickers.

“(c) **TRAINING PROGRAM.**—If the assignment of members is requested under subsection (b), the Attorney General or the Secretary of the Treasury (as the case may be), together with the Secretary of Defense, shall establish a training program to ensure that members to be assigned receive general instruction regarding issues affecting law enforcement in the border areas in which the members will perform duties under the assignment. A member may not be deployed at a border location pursuant to an assignment under subsection (a) until the member has successfully completed the training program.

“(d) **CONDITIONS ON USE.**—(1) Whenever a member who is assigned under subsection (a) to assist the Immigration and Naturalization Service or the United States Customs Service is performing duties at a border location pursuant to the assignment, a civilian law enforcement officer from the agency concerned shall accompany the member.

“(2) Nothing in this section shall be construed to—

“(A) authorize a member assigned under subsection (a) to conduct a search, seizure, or other similar law enforcement activity or to make an arrest; and

“(B) supersede section 1385 of title 18 (popularly known as the 'Posse Comitatus Act').

“(e) **NOTIFICATION REQUIREMENTS.**—The Attorney General or the Secretary of the Treasury (as the case may be) shall notify the Governor of the State in which members are to be deployed pursuant to an assignment under subsection (a), and local governments in the deployment area, of the deployment of the members to assist the Immigration and Naturalization Service or the United States Customs Service (as the case may be) and the types of tasks to be performed by the members.

“(f) **REIMBURSEMENT REQUIREMENT.**—Section 377 of this title shall apply in the case of members assigned under subsection (a).

“(g) **TERMINATION OF AUTHORITY.**—No assignment may be made or continued under subsection (a) after September 30, 2002.”

(b) **CLERICAL AMENDMENT.**—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 374 the following new item:

“374a. Assignment of members to assist border patrol and control.”

The CHAIRMAN pro tempore. Pursuant to House Resolution 200, the gentleman from Ohio (Mr. TRAFICANT) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Ohio (Mr. TRAFICANT).

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

Madam Chairman, they say this is a perennial Traficant amendment. For 12 years I worked to change the budget surplus in an IRS civil tax case, 12 years, and yes, this is 3 years in a row, because a report recently filed said the greatest national security threat facing the American people is not a foreign enemy per se and their missiles, it is the easy access to America by terrorists and drug smugglers, and our borders are wide open.

The Traficant amendment does not mandate troops on the border. It says if the administration has an emergency and calls them, which they can, it codifies the conditions by which those troops shall be placed. They must be trained. They can never go out alone. They cannot make arrests.

Let me say this, only 3 out of 100 trucks coming across our borders are even inspected, and we are building houses and giving rabies vaccinations in Haiti, guarding borders in the mid-east, waging peacekeeping missions all over the world. The number one security threat facing America and the weak link is our border.

Madam Chairman, I reserve the balance of my time.

Mr. BUYER. Madam Chairman, I rise in opposition to the amendment, reluctantly, and I yield myself such time as I may consume.

Madam Chairman, I again reluctantly oppose the amendment for the following reasons: It is unnecessary. The President of the United States already has the inherent authority to declare a national emergency and employ national reserves to protect the borders of the United States. It is inherent within the constitutional powers of the president. If we cannot protect our own borders within those inherent powers, we do not have to specifically ordain, we do not have to enumerate nor dictate to the President of the United States.

This amendment seeks to protect our border against terrorists and weapons of mass destruction. In fact, major initiatives are already underway to mobilize the Nation against such threats through the utilization of the National Guard weapons of mass destruction programs.

The evidence is overwhelming that our military forces are stretched to a

breaking point. Readiness is suffering due to an overcommitment and underresourcing. We have just added Kosovo to the many locations around the world where the United States forces will be semi-permanently assigned to a major new mission, like policing the border. Redirecting many military personnel to nonmilitary missions would increase the negative impact on military readiness.

Under U.S. law, law enforcement is historically and properly left to the Department of Justice and its agencies, as it should be. The United States military is precluded from becoming a police force, under the posse comitatus act. We ought not to change the basic principle.

We have had many discussions about this, and I compliment the gentleman's tenacity over the years in bringing this amendment. But if it is the border the gentleman wants to strengthen, we can do that through other proper agencies and not through the use of a military force.

At a time when this Nation has embraced the North American Free Trade Agreement and we want to have even better relations with Mexico and Canada, putting a military force on the border itself sends a very awful message to our friend to the south.

I urge my colleagues to vote "no" on this amendment.

Mr. TRAFICANT. Madam Chairman, I yield 1 minute to the gentleman from California (Mr. BILBRAY).

Mr. BILBRAY. Madam Chairman, I ask my colleagues to think, instead of feel. I know they are worried about a negative message being sent. But let me say to my colleague that Mexico places their troops along the border because they recognize that the battle against drugs is going to have to be fought on the border.

The concept of political correctness, of what might look bad is unimportant to Mexico. They know how desperate the situation is. They put their troops where the problem exists. We send our troops all over the world. We are ready to send another 7,000 to Kosovo to protect other neighborhoods and other borders.

What about the American neighborhoods that are being poisoned by drugs today? Is it too much to ask that the American taxpayer who pays for these troops, be allowed to be protected from drugs by these troops?

Madam Chairman, I want to point out, almost every State along the border has committed its National Guard to helping along the border at addressing this crisis. Is it too much to say, with good training and appropriate supervision, that the United States Federal Government will make its contribution, too, in every way possible?

Please, common sense says we should be doing as much for our American citizens as we are doing for people all over the world.

Mr. BUYER. Madam Chairman, I yield 1½ minutes to the gentleman from Texas (Mr. REYES).

PARLIAMENTARY INQUIRY

Mr. REYES. Madam Chairman, parliamentary inquiry. There are a number of Members that would like a unanimous consent to be in opposition to the amendment.

Do I yield time, or does it count against my 1½ minutes? What is the procedure? Obviously, we do not have enough time to have everybody speak.

The CHAIRMAN pro tempore. The gentleman is recognized for 1½ minutes, during which time he may yield to anyone he wishes within the 1½ minutes that he has been yielded.

Mr. REYES. It will count against my time?

The CHAIRMAN pro tempore. That is correct. The gentleman is recognized for 1½ minutes.

Mr. REYES. Madam Chairman, I yield such time as he may consume to the gentleman from California (Mr. FILNER).

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

Mr. FILNER. Madam Chairman, I rise in opposition to the Traficant amendment.

Mr. Chairman, I rise to oppose the Amendment by the gentleman from Ohio.

I do want to commend my colleague from Ohio for his dedication and tenacity in fighting drugs. Every member of this body, I am sure, shares his commitment to ending this scourge on our society. But, while we share the same goals, we do have a difference in opinion on how to eradicate drug smuggling and drug abuse.

The District I represent sits on the Mexican border. One of the crossings in my District is the busiest border crossing in the entire world! So, I have personal experience with the border and all the opportunities and challenges associated with border crossings.

There is no question that we must gain better control of our borders. There have been Herculean efforts by the Immigration and Naturalization Service, the Customs Service, the Drug Enforcement Agency, the Federal Bureau of Investigation, and many other government agencies, including state and local agencies. All these agencies are to be commended for their efforts and dedication to controlling our borders and ending the illegal crossing of narcotics and narcotics smugglers.

And, though much remains to be done, I have serious and grave reservations about this proposal to literally arm the border. Yes, we need to better control the border, but placing armed military personnel on our borders, who are trained to fight and win wars by killing people, is not the answer.

The United States military is the best equipped, best trained, most disciplined, and most efficient in the world. Our military can win any war that the American people choose to fight. But, the brave men and women serving in our Armed Forces win those wars by killing people. As repulsive and unforgiving as killing is, it is the way wars are won. With people who are trained to kill other people patrolling our own border, I fear for the safety of our own citizens—not from intent, but from accident.

I also want to remind everyone that Mexico is a friendly country. They have made no at-

tempts at invasion since the Alamo. Accordingly, I believe this proposal could do serious damage to a relationship that is fragile, at best.

Mr. Chairman, we must find new and innovative methods for stopping illegal drugs from coming into our country and killing our people. But I do not believe arming the Mexican-American border with the United States military is the best way. I call on my colleagues to not limit themselves to old and easy ideas for ending this scourge of deadly drugs. Let us think beyond the conventional solutions of greater force and move toward new proposals.

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Mr. REYES. Madam Chairman, I yield such time as he may consume to the gentleman from Texas (Mr. ORTIZ).

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

Mr. ORTIZ. Madam Chairman, I oppose the amendment. I think that the gentleman from Ohio (Mr. TRAFICANT) has made some good points about terrorism, but this is something that Immigration and Customs can do. I rise in opposition to the amendment at this time.

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

Madam Chairman, I have a tremendous amount of respect for both the gentleman from Ohio (Mr. TRAFICANT) and those Members of Congress that are frustrated about the specter of terrorism, drugs, and all of these other things. But these are the facts: 90 percent of the drugs enter through our ports of entry. As the gentleman from Ohio (Mr. TRAFICANT) mentioned, only three of out every 100 trucks are inspected.

Currently there are only 8,000 Border Patrol agents to cover our border. We need 20,000 to do the job. \$1.9 million was paid out in a settlement to the Ezequiel Hernandez family as he was shot by a military patrol in Texas on the border.

The needs of the border are this: We need to understand and have a common-sense approach from this Congress. We need more Border Patrol agents. We need more Customs inspectors. We need more INS inspectors. We also need to support the technology that will make us effective in inspecting those trucks at the ports of entry.

The consequences I see are, are we moving towards marshal law, not just for border communities, but throughout the country? Are we going to have armed personnel from the United States military in our neighborhoods, not just on the border, but throughout the country? Are we going to have another Ezequiel Hernandez incident?

This has a tremendous impact, not only on border communities, but on this country and a tremendous impact on the readiness and our ability to deploy our troops and expect the best from our armed forces.

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

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

Mr. TRAFICANT. Madam Chairman, I want every Member of Congress to look at the chart that the opposition brought in. I want the chairman of the subcommittee to look at it. I want the Committee on National Security to look at it. We are talking about every country all over the world, and the National Security report came out and said the biggest weakness to America's national security is our own border.

Listen carefully. Increased availability of inexpensive cruise missiles and the capability to fabricate and introduce biotoxins and chemical agents into the United States at record levels, warheads housing nuclear/chemical/biological weapons proliferating, effective missile defenses needed.

But look at our borders. Although not seriously considered, coastal and border defense of the homeland is a challenge that needs attention. Infiltration of our borders by drug smugglers and contraband goods illustrates a dangerous problem.

Now let me say this. Only three out of 100 trucks. Where are the agents? I support the agents. This does not even deal with immigration. Terrorists finance their business with narcotics. Congress talks about a war on narcotics.

All we have is a war going on in Kosovo. We are building homes in Haiti and giving vaccinations to dogs in Haiti, and the damn border is wide open, and I am going to hear this. The committee would not even have had a debate on our border if it was not for this amendment.

Now, this amendment may not pass this time, but 90 percent of the American people are fed up with a Congress that does nothing and talks about a war on crime and a war on terrorism when we are ripe and wide open.

I want to say one last thing. I want some support in a conference. There is not enough anatomy in the other body to even consider these issues. This is the House of Representatives. Show some backbone.

I do not mandate these troops. The President must ask for them. But by God, if he gets them, the Traficant law says they cannot violate posse comitatus. They must be trained. They must give notice to the governors, and it must be coordinated.

Now, that is the way it is. I expect the support of this House today.

ANNOUNCEMENT BY THE CHAIRMAN PRO TEMPORE

The CHAIRMAN pro tempore (Mrs. EMERSON). The Chair will remind Members that the use of profanity in the Chamber is not permitted.

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

I would say to the gentleman from Ohio (Mr. TRAFICANT) that your passion is real. It is misdirected. It should not be the troops on the border, it

should be increasing Customs, INS and DEA.

Madam Chairman, I yield 45 seconds to the gentleman from Arizona (Mr. KOLBE).

Mr. KOLBE. Madam Chairman, I admire the gentleman from Ohio (Mr. TRAFICANT), and as the gentleman from Indiana (Mr. BUYER) said, for his tenacity, but I disagree strongly with his proposal to militarize our border, to put a significant part of my congressional district under martial law.

He is not talking about martial law in Youngstown, Ohio. He is not talking about martial law in New York City. He wants to clear the streets of gangs and drug dealers. What about clearing them with military troops there in those cities as well?

He wants to use the military resources to help stop drugs at our borders and prevent terrorists. Guess what. It is happening. It is happening right now. Joint Task Force 6, located in El Paso, Texas, is doing that.

Here are some of the things that the military does now along the border. Army engineering groups are building roads and fences along the border so that we can patrol it. We have the National Guard unloading trucks at our crossing stations so they can be inspected for drugs. We have the Air Force operating our aerostats which provide radar coverage against drug-smuggling aircraft. It is Customs that should deal with this. It is Immigration and Border Patrol that should deal with this; it is not the military role to deal with this.

I urge my colleagues to defeat this amendment.

Ms. JACKSON-LEE of Texas. Madam Chairman. I rise in strong opposition to the Traficant amendment to place armed troops on the border. This great nation of ours is both a nation of immigrants and a nation of laws, not a nation against immigrants. This means that we have laws, but we also have fairness, we also have due process, and yes, we have a group of hardworking men and women who make up the U.S. Border Patrol. Rather than giving up and becoming a military police-state, let's continue to support our Border Patrol and do everything we can to improve the border patrol. I have joined with Congressman SYLVESTRE REYES to introduce H.R. 1881, the Border Patrol Recruitment and Retention Act of 1999. This legislation will provide incentives and support for recruiting and retaining border patrol agents. This legislation would increase the compensation for Border Patrol agents and allow the Border Patrol agency to recruit its own agents without relying on personnel offices of the INS.

The Border Patrol is not able to recruit enough agents to meet this authorizing level. Therefore, after speaking with the budget analysts at the INS, an additional \$3.7 million is needed to raise the starting salary level from GS-5 level to GS-7 level, which will be slightly over \$30,000 and comparable with the other federal law enforcement agencies.

Apparently Madam Chairman, the Border Patrol Agency loses a lot of its agents when they reach the GS-9 level, and that salary level is around \$33,000 because there is cur-

rently a ceiling on how much an agent can earn. We must do this every year Madam Chairman until FY 2001, which is the remaining authorizing years for Border Patrol agents as mandated by the 1996 law.

Let's not line up troops along the border. The military is not supposed to be used for such purposes. Let's beef up our nation's Border Patrol and pass H.R. 1881, the Border Patrol Recruitment and Retention Act of 1999.

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

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

Mr. TRAFICANT. Madam Chairman, I demand a recorded vote, and pending that, I make the point of order that a quorum is not present.

The CHAIRMAN pro tempore. Pursuant to House Resolution 200, further proceedings on the amendment offered by the gentleman from Ohio (Mr. TRAFICANT) will be postponed.

The point of no quorum is considered withdrawn.

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The CHAIRMAN pro tempore. Pursuant to House Resolution 200, proceedings will now resume on those amendments on which further proceedings were postponed in the following order: Amendment No. 15 offered by the gentleman from Indiana (Mr. BUYER) and amendment No. 16 offered by the gentleman from Ohio (Mr. TRAFICANT).

The Chair will reduce to 5 minutes the time for the electronic vote after the first vote in this series.

AMENDMENT NO. 15 OFFERED BY MR. BUYER

The CHAIRMAN pro tempore. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Indiana (Mr. BUYER) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN pro tempore. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 425, noes 0, not voting 9, as follows:

[Roll No. 185]	AYES—425
Abercrombie	Barrett (WI)
Ackerman	Bartlett
Aderholt	Barton
Allen	Bass
Andrews	Bateman
Archer	Becerra
Armey	Bentsen
Bachus	Bereuter
Baird	Berkley
Baker	Berman
Baldacci	Berry
Baldwin	Biggert
Ballenger	Bilbray
Barcia	Bilirakis
Barr	Bishop
Barrett (NE)	Blagojevich
	Bliley
	Blumenauer
	Blunt
	Boehlert
	Boehner
	Bonilla
	Bonior
	Borski
	Boswell
	Boucher
	Boyd
	Brady (PA)
	Brady (TX)
	Brown (FL)
	Brown (OH)
	Bryant

Burr	Goss	McHugh	Serrano	Stump	Vento	Campbell	Hunter	Quinn
Burton	Graham	McInnis	Sessions	Stupak	Visclosky	Canady	Hutchinson	Radanovich
Buyer	Granger	McIntosh	Shadegg	Sununu	Vitter	Cannon	Inslée	Rahall
Callahan	Green (TX)	McIntyre	Shaw	Sweeney	Walder	Castle	Isakson	Ramstad
Calvert	Green (WI)	McKeon	Shays	Talent	Walsh	Chabot	Istook	Regula
Camp	Greenwood	McKinney	Sherman	Tancredo	Wamp	Chambliss	John	Reynolds
Campbell	Gutierrez	McNulty	Sherwood	Tanner	Waters	Clay	Johnson (CT)	Riley
Canady	Gutknecht	Meehan	Shimkus	Tauscher	Watkins	Coble	Johnson, Sam	Rivers
Cannon	Hall (OH)	Meek (FL)	Shows	Tauzin	Watt (NC)	Coburn	Jones (NC)	Roemer
Capps	Hall (TX)	Meeks (NY)	Shuster	Taylor (MS)	Watts (OK)	Collins	Kaptur	Rogan
Capuano	Hansen	Menendez	Simpson	Taylor (NC)	Waxman	Combest	Kelly	Rogers
Cardin	Hastings (FL)	Metcalf	Sisisky	Terry	Weiner	Cook	Kildee	Rohrabacher
Carson	Hastings (WA)	Mica	Sheen	Thomas	Weldon (FL)	Cooksey	Kind (WI)	Ros-Lehtinen
Castle	Hayes	Millender-	Skelton	Thompson (CA)	Weldon (PA)	Costello	Kingston	Roukema
Chabot	Hayworth	McDonald	Slaughter	Thompson (MS)	Weller	Cramer	Kucinich	Royce
Chambliss	Hefley	Miller (FL)	Smith (MI)	Thornberry	Wexler	Crane	Kuykendall	Ryan (WI)
Chenoweth	Herger	Miller, Gary	Smith (NJ)	Thune	Weygand	Cubin	LaFalce	Ryun (KS)
Clay	Hill (IN)	Miller, George	Smith (TX)	Thurman	Whitfield	Cunningham	LaHood	Salmon
Clayton	Hill (MT)	Minge	Smith (WA)	Tiaht	Wicker	Danner	Lantos	Sandlin
Clement	Hilliard	Mink	Snyder	Tierney	Wilson	Davis (VA)	Largent	Saxton
Clyburn	Hinchey	Moakley	Souder	Toomey	Wise	Deal	Latham	Scarborough
Coble	Hinojosa	Mollohan	Spence	Towns	Wolf	DeLay	LaTourette	Schaffer
Coburn	Hobson	Moore	Spratt	Traficant	Woolsey	DeMint	Lazio	Sensenbrenner
Collins	Hoefel	Moran (KS)	Stabenow	Turner	Wu	Deutsch	Levin	Sessions
Combest	Hoekstra	Moran (VA)	Stark	Udall (CO)	Young (AK)	Diaz-Balart	Lewis (CA)	Shadegg
Condit	Holden	Morella	Stearns	Udall (NM)	Young (FL)	Dickey	Lewis (KY)	Shaw
Conyers	Hooley	Murtha	Stenholm	Upton		Dicks	Linder	Shays
Cook	Horn	Myrick	Strickland	Velazquez		Doyle	Lipinski	Sherman
Costello	Hostettler	Nadler				Duncan	LoBiondo	Sherwood
Cox	Houghton	Napolitano				Dunn	Lowey	Shimkus
Coyne	Hoyer	Neal				Emerson	Lucas (KY)	Shows
Cramer	Hulshof	Nethercutt				Engel	Lucas (OK)	Shuster
Crane	Hunter	Ney				English	Luther	Simpson
Crowley	Hutchinson	Northup				Eshoo	Maloney (CT)	Sisisky
Cubin	Hyde	Norwood				Etheridge	Mascara	Skeen
Cummings	Inslee	Nussle				Everett	McCarthy (NY)	Smith (MI)
Cunningham	Isakson	Oberstar				Ewing	McCollum	Smith (NJ)
Danner	Istook	Obey				Fletcher	McCrery	Smith (TX)
Davis (FL)	Jackson (IL)	Ortiz				Foley	McHugh	Smith (WA)
Davis (IL)	Jackson-Lee	Ose				Forbes	McInnis	Souder
Davis (VA)	(TX)	Owens				Fossella	McIntosh	Spence
Deal	Jefferson	Oxley				Fowler	McIntyre	Spratt
DeFazio	Jenkins	Packard				Franks (NJ)	McKeon	Stabenow
DeGette	John	Pallone				Frelinghuysen	McNulty	Stearns
Delahunt	Johnson (CT)	Pascrell				Gallegly	Metcalf	Sununu
DeLauro	Johnson, E. B.	Pastor				Ganske	Mica	Sweeney
DeLay	Johnson, Sam	Paul				Gekas	Miller (FL)	Talent
DeMint	Jones (NC)	Payne				Gephhardt	Miller, Gary	Tancredo
Deutsch	Jones (OH)	Pease				Gibbons	Moakley	Tauscher
Diaz-Balart	Kanjorski	Pelosi				Gilchrest	Moran (KS)	Tauzin
Dickey	Kaptur	Peterson (MN)				Gillmor	Murtha	Taylor (MS)
Dicks	Kelly	Peterson (PA)				Gilman	Myrick	Taylor (NC)
Dingell	Kennedy	Petri				Goode	Nethercutt	Thomas
Dixon	Kildee	Phelps				Goodlatte	Ney	Thune
Doggett	Kilpatrick	Pickering				Gordon	Northup	Thurman
Dooley	Kind (WI)	Pickett				Goss	Norwood	Tiaht
Doolittle	King (NY)	Pitts				Granger	Nussle	Traficant
Doyle	Kingston	Pombo				Green (WI)	Owens	Upton
Dreier	Kleczka	Pomeroy				Greenwood	Oxley	Vitter
Duncan	Klink	Porter				Gutknecht	Packard	Walden
Dunn	Knollenberg	Portman				Hall (OH)	Pallone	Wamp
Edwards	Kolbe	Price (NC)				Hall (TX)	Pascrell	Watkins
Ehlers	Kucinich	Pryce (OH)				Hastings (WA)	Pease	Watts (OK)
Ehrlich	Kuykendall	Quinn				Hefley	Peterson (MN)	Weldon (FL)
Emerson	LaFalce	Radanovich				Herger	Peterson (PA)	Weldon (PA)
Engel	LaHood	Rahall				Hill (MT)	Petri	Weller
English	Lampson	Ramstad				Hobson	Phelps	Wicker
Eshoo	Lantos	Rangel				Hoekstra	Pickering	Wilson
Etheridge	Largent	Regula				Holden	Pitts	Wise
Evans	Larson	Reyes				Horn	Portman	Wolf
Everett	Latham	Reynolds				Hostettler	Price (NC)	Young (FL)
Ewing	LaTourette	Riley				Hulshof	Pryce (OH)	
Farr	Lazio	Rivers						
Fattah	Leach	Rodriguez						
Filner	Lee	Roemer						
Fletcher	Levin	Rogan						
Foley	Lewis (CA)	Rogers						
Forbes	Lewis (GA)	Rohrabacher						
Ford	Lewis (KY)	Ros-Lehtinen						
Fossella	Linder	Rothman						
Fowler	Lipinski	Roukema						
Frank (MA)	LoBiondo	Royal-Allard						
Franks (NJ)	Lowey	Royce						
Frelinghuysen	Lucas (KY)	Rush						
Frost	Lucas (OK)	Ryan (WI)						
Gallegly	Luther	Ryun (KS)						
Ganske	Maloney (CT)	Sabu						
Gejdenson	Maloney (NY)	Salmon						
Gekas	Manzullo	Sanchez						
Gephhardt	Markey	Sanders						
Gibbons	Martinez	Sandlin						
Gilchrest	Mascara	Sanford						
Gillmor	Matsui	Sawyer						
Gilman	McCarthy (MO)	Saxton						
Gonzalez	McCarthy (NY)	Scarborough						
Goode	McCullum	Schaffer						
Goodlatte	McCrary	Schakowsky						
Goodling	McDermott	Scott						
Gordon	McGovern	Sensenbrenner						

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Mr. MOLLOHAN changed his vote from "no" to "aye."

So the amendment was agreed to.

The result of the vote was announced as above recorded.

ANNOUNCEMENT BY THE CHAIRMAN PRO TEMPORE

The CHAIRMAN pro tempore (Mrs. EMERSON). Pursuant to House Resolution 200, the Chair announces that she will reduce to a minimum of 5 minutes the period of time in which a vote by electronic device will be taken on the additional amendment on which the Chair has postponed further proceedings.

AMENDMENT NO. 16 OFFERED BY MR. TRAFICANT

The CHAIRMAN pro tempore. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Ohio (Mr. TRAFICANT) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN pro tempore. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 242, noes 181, not voting 11, as follows:

[Roll No. 186]

AYES—242

Aderholt	Barrett (NE)	Boehner	Bonilla	Dreier
Andrews	Bartlett	Boswell	Bonior	Edwards
Archer	Barton	Boyd	Borski	Ehlers
Bachus	Bass	Brady (TX)	Boucher	Ehrlich
Baird	Bereuter	Brown (FL)	Brady (PA)	Evans
Baker	Bilbray	Bryant	Brown (OH)	Baldwin
Ballenger	Bilirakis	Burton	Burr	Chenoweth
Barcia	Blunt	Calvert	Burr	Condit
Barr	Boehlert	Camp	Buyer	Cox

NOES—181

Abercrombie	Callahan	Dreier
Ackerman	Capps	Edwards
Allen	Capuano	Ehlers
Armey	Cardin	Ehrlich
Baldacci	Carson	Evans
Baldwin	Chenoweth	Farr
Barrett (WI)	Clayton	Fattah
Bateman	Clement	Filner
Becerra	Clyburn	Ford
Bentsen	Condit	Frank (MA)
Berkley	Cox	Frost
Berman	Coyne	Gejdenson
Berry	Crowley	Gonzalez
Biggert	Cummings	Goodling
Bishop	Davis (FL)	Graham
Bouchier	Davis (IL)	Green (TX)
Blagojevich	Davis (PA)	Gutierrez
Blumenauer	DeFazio	Hansen
Boehner	DeGette	Hastings (FL)
Bonilla	Hinchey	Hayes
Bonior	Holmes	Hayworth
Borski	Hoyer	Hill (IN)
Boucher	Hughes	Hillard
Brady (PA)	Dingell	Doolittle
Bryant	Dixon	Hinchey
Brown (OH)	Doggett	Hinojosa