

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to Amendment No. 2294. The yeas and nays have been ordered. The clerk will call the roll.

The legislative clerk called the roll.

Mr. NICKLES. I announce that the Senator from Rhode Island (Mr. CHAFEE) is necessarily absent.

Mr. REID. I announce that the Senator from Massachusetts (Mr. KENNEDY) and the Senator from Massachusetts (Mr. KERRY) are necessarily absent.

The result was announced—yeas 77, nays 20, as follows:

[Rollcall Vote No. 327 Leg.]

YEAS—77

Abraham	Durbin	Lugar
Akaka	Edwards	Mack
Allard	Feingold	McCain
Ashcroft	Feinstein	McConnell
Baucus	Fitzgerald	Mikulski
Bayh	Frist	Moynihan
Bennett	Gorton	Murray
Biden	Graham	Reed
Bingaman	Grams	Reid
Boxer	Grassley	Robb
Breaux	Harkin	Roberts
Brownback	Hatch	Rockefeller
Bryan	Helms	Roth
Bunning	Hollings	Santorum
Burns	Hutchison	Sarbanes
Byrd	Inouye	Schumer
Campbell	Jeffords	Sessions
Cleland	Johnson	Shelby
Conrad	Kerrey	Smith (OR)
Craig	Kohl	Specter
Crapo	Landrieu	Thomas
Daschle	Lautenberg	Torricelli
DeWine	Leahy	Warner
Dodd	Levin	Wellstone
Domenici	Lieberman	Wyden
Dorgan	Lincoln	

NAYS—20

Bond	Hagel	Smith (NH)
Cochran	Hutchinson	Snowe
Collins	Inhofe	Stevens
Coverdell	Kyl	Thompson
Enzi	Lott	Thurmond
Gramm	Murkowski	Voinovich
Gregg	Nickles	

NOT VOTING—3

Chafee	Kennedy	Kerry
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The amendment (No. 2294) was agreed to.

Mr. LOTT. Mr. President, I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

DEPARTMENT OF VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT, AND INDEPENDENT AGENCIES APPROPRIATIONS ACT, 2000—CONFERENCE REPORT

Mr. LOTT. Mr. President, I ask unanimous consent that the Senate now proceed to consider the conference report to accompany the VA-HUD appropriations bill, it be considered as having been read, and there be 20 minutes equally divided for debate between the two managers; I further ask unanimous consent there be an additional 5 minutes under the control of Senator McCAIN, and 30 minutes under the control of Senator WELLSTONE, with the

vote occurring on adoption at 9:15 a.m. on Friday, October 15, with paragraph 4 of rule XII being waived.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. LOTT. I thank my colleagues. I yield the floor.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The committee on conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill, H.R. 2684, having met have agreed to recommend and do recommend to their respective Houses this report, signed by a majority of the conferees.

The Senate proceeded to consider the conference report.

(The conference report is printed in the House proceedings of the RECORD of October 13, 1999.)

The PRESIDING OFFICER. The Senator from Missouri.

Mr. BOND. Mr. President, I appreciate the generosity of the majority and minority leaders for allowing us to proceed on the consideration of the Senate conference report to accompany H.R. 2684.

I ask that the Chair advise me when 5 minutes have been utilized. I want to save some of my time and be able to yield to my distinguished colleague from Maryland.

This has been a very difficult bill, not unlike, as someone suggested, riding a tilt-a-whirl at the county fair. I am glad to say the ride is over. It was fun while it lasted. We are finally on solid ground with this conference report.

We have a bill that meets many priorities of the Members and I think addresses fairly a number of concerns of the administration without totally satisfying everyone.

First, my sincerest thanks to Senators STEVENS and BYRD for helping us to reach an adequate allocation. Without their help, this bill would still be a work in progress, and we would not be able to complete it.

A very special thanks once again to Senator MIKULSKI, who worked with us to find a good balance in making some very difficult funding decisions. It was a pleasure as always to have her good guidance and sound judgment.

I believe she will join me in saying a special thanks to the new Chair and ranking member in the House, Chairman WALSH, and Congressman MOLLOHAN, who were a tremendous pleasure to work with. We appreciate their assistance.

My thanks to staff on the minority side: Paul Carliner Jeannie Schroeder, and Sean Smith; on my side, a very special thanks to Jon Kamarck, Julie Dammann, Carolyn Apostolou, and Cheh Kim.

I believe the bill before the Senate is a very good bill with funds allocated to the most pressing needs we face. Total spending is \$72 billion in budget authority and \$82.6 billion in outlays. It

is roughly the same as the President's overall request for the VA-HUD subcommittee, plus FEMA emergency funds.

Unlike the President's budget, the highest priority is the recommendation before the Senate for VA medical care, which has increased \$1.7 billion above the President's request as directed by this body, and it is fully paid for in the bill. We have also included significant new funds for 60,000 incremental vouchers, additional funds above the President's request for public housing, capital and operating funds, as well as the President's request for NSF, and an additional \$75 million for NASA.

All of these funding levels have been fully offset. In addition, there has been \$2.5 billion in emergency FEMA funding for the victims of Hurricane Floyd, to whom our hearts go out.

As I noted, the conference agreement provides \$44.3 billion for veterans funding, which includes a full \$1.7 billion for medical care. This is the largest increase ever for VA medical care—clearly the highest priority of this body.

I point out that the vouchers we have provided do not create additional housing. There was discussion on this floor that we desperately need to increase the production of affordable low-income housing. In many areas, such as St. Louis in my State, housing is not available for the vouchers that are there. We have had to use budget gimmicks suggested by the administration, deferring \$4.2 billion of section 8 funding for fiscal year 2000 expiring section 8 contracts until fiscal year 2001. That will create an additional \$8 million funding requirement, or some \$14 billion in BA needed in fiscal year 2000 if we intend to renew all expiring section 8 contracts.

To be clear, this means we will go into next year's appropriation cycle with a funding shortfall of over \$8 billion. We emphasized our concern to the administration for their failure to work with Members on dealing with this funding crisis. Last year they promised to help, but the only thing we got this year was a deferral of \$4.2 billion. This year, in discussions and negotiations, we reached agreement with Jack Lew, the Director of OMB, who has personally promised they will work with Members to address the funding shortfall in BA in the section 8 account. We expect Mr. Lew and the administration to live up to that commitment. Nevertheless, we cannot keep writing blank checks on an empty account. The outyear projections we have from OMB are for flat funding, which means 1.3 million families kicked out of section 8 housing.

To reiterate:

Many of us have been hearing from veterans in our state for some time about their concerns with VA's budget. They have been hearing that their local VA hospital may lose numerous employees, terminate critical services, increase waiting times for appointments, may even shut down altogether.

The additional \$1.7 billion above the President will ensure none of these things happen. VA will be above to expand services and care to thousands of additional veterans. VA will be able to accommodate increased costs associated with pharmaceuticals, prosthetics, and pay raises.

At the same time, we strongly support continued improvements and reforms to the VA health care system to ensure VA medical care dollars go to health care for vets, not maintaining buildings and the status quo.

Other increases in VA's budget include VA research, the state cemetery grant program, the state nursing home construction grant program, and the Veterans Benefits Administration. These are all critical programs and very high priorities.

EPA funding totals \$7.6 billion, the same as FY99 and \$383 million above the President's request. Funding increase were provided for the state revolving funds—which the President had proposed cutting by \$550 million. We have accommodated administration concerns in such areas as the Montreal Protocol.

We were forced to make some tough choices and eliminate or reduce lower priority, lower risk programs in order to accommodate higher priorities. The appropriation protects core EPA programs such as NPDES permitting, RCRA corrective action, and pesticides registration and re-registration.

FEMA funding totals \$870 million, an increase of \$44 million over FY99. This includes an increase of \$10 million for the emergency food and shelter grant program, \$25 million for the Project Impact grant program, \$5 million in start-up funds for the flood map modernization initiative, and increases in critical programs such as anti-terrorism training. In addition, we have included \$2.5 billion in emergency disaster assistance—funding which is truly needed.

We have funded the Department of Housing and Urban Development at \$27.16 billion, which is some \$2.5 billion over last year's level and which will allow us to put HUD on some very solid ground. Because of the priority needs for our veterans, we had to make some tough choices, and in HUD's case, that meant not funding any of HUD's 19 new programs and initiatives. Instead, we have focused on funding HUD's core programs, such as public housing, CDBG, HOME, Drug Elimination grants, and Homeless Assistance and Section 202 Housing for the elderly. These are the key housing and community development programs that make a critical difference in people's lives, and they are programs with a proven track record.

Also, we funded 60,000 new incremental vouchers. I continue to have major concerns about this program—vouchers do not produce or assist in the financing of any new housing and we desperately need to increase the production of affordable, low-income

housing. In addition, in many areas of the country, including areas in my state such as St. Louis, vouchers are very difficult to use—the housing which is affordable under the voucher program is just not available. In addition, against my better judgment but because we do not have the funds in our allocation to meet the funding needs of our key programs, we have used the Administration's budget gimmick of deferring \$4.2 billion of section 8 funding for fiscal year 2000 expiring contracts until fiscal year 2001. This will create an additional \$8 billion funding requirement for a total of some \$14 billion in BA needed in fiscal year 2001 if we intend to renew all expiring section 8 contracts—to be clear, this means we already have a funding shortfall in the VA/HUD appropriations bill for fiscal year 2001 of over \$8 billion.

I want to emphasize my concern with the Administration's past failure to address this section 8 funding crisis; the Administration has created this hole and up to now has not acted responsibly in meeting these funding requirements. And I have gone to the top. In this year's negotiations on the VA/HUD appropriations bill, Jack Lew, the Director of OMB, personally has promised to address the funding shortfall in the section 8 account. I expect Mr. Lew and the Administration to live up to this commitment. Nevertheless, this is the same song and dance we heard from HUD last year when the Secretary of HUD personally promised to address section 8 costs and them responded by pushing much of the section 8 costs into FY 2001 and the outyears. Writing blank checks on an empty account is unacceptable, and under the Administration's outyear budget projections, section 8 contract renewal funding will be flat funded at \$11.5 billion which means over the next 10 years some 1.3 million section families will lose their housing. This is wrong and I do not plan to sit by and let it happen.

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

The bill also provides new authority for section 8 enhanced or "sticky" vouchers to ensure that families in housing for which owners do not renew their section 8 contracts will be able to continue to live in their homes with the Federal government picking up the additional rental costs of the units. It is important to preserve this housing, and these provisions are included in the VA/HUD appropriations bill as well as other important elderly housing reforms.

With respect to NASA, the bill funds the National Aeronautics and Space Administration at \$75 million above the President's request of \$13.6 billion,

including needed funding for the International Space Station and the Shuttle. I know NASA funding was a huge concern for many Members because of the House reductions of some \$900 million.

For the National Science Foundation, the bill includes over \$3.9 billion, which approximates the Administration's request. NSF's allocation is over \$240 million more than last year's enacted level—about a 6 percent increase. This increase in funds continues our commitment and support for the Nation's basic research and education needs.

Some of the major highlights of this allocation include \$126 million in additional funds for computer and information science and engineering activities; \$60 million for the important Plant Genome Program; and \$50 million for the Administration's "Biocomplexity" initiative.

Ms. MIKULSKI. Mr. President, I thank my colleague, Senator BOND, for working with me and producing what I think is an outstanding conference that we bring to our colleagues. We could not have done this without the help of Senator BYRD and Senator STEVENS, who got the committee over some very significant fiscal humps, and also our House colleagues who operated in a spirit of bicameral cooperation. I believe also the White House played a very constructive role in suggesting offsets to meet key national priorities. We think we come with a very good bill, and we are going to urge all of our colleagues to support it.

We got started on this bill in the spring. We got started a little bit late because of impeachment. Everyone wondered how would the Senate proceed after we had been through such a wrenching constitutional crisis. I can say in the VA-HUD subcommittee we did just fine. We moved with a quick step. I believe we probed the fiscal situations of the agencies as to what their needs were and, at the same time, how could we meet national priorities within the discipline of the thinking of a balanced budget.

I believe we do that. I believe today what we present takes care of national interests and national needs. I am confident this bill will be signed by the President. I am pleased what we were able to do it to meet our obligations to veterans. Promises made are promises kept to the people who saved Western civilization. This conference report also serves core constituencies, invests in our neighborhoods and communities, and creates opportunities for people and advances in science and technology. I believe that is an outstanding accomplishment.

I am very pleased we were able to provide a significant increase in funding for veterans' health care, \$1.7 billion over the President's request, and not only providing health care as we know it but breaking new ground in creating primary care opportunities out in communities so that our rural

veterans do not have to drive hundreds of miles for their care. We have also increased the funding for VA medical research, with special emphasis on geriatric care, orthopedic research, and prostate cancer. At the same time, we are looking at new and innovative ways to begin to fund the compelling need for long-term care, increasing the funds from what we call the State Veterans Homes, Federal and State partnerships.

We are also taking care of America's working families in this bill. We fund the housing programs that help lives. We are going to have \$11 billion in all section 8 housing vouchers, including 60,000 additional vouchers to enable people to have affordable, decent, and safe housing. We also maintained core HUD programs, we increased housing for the elderly by \$50 million over the President's request, and increased funding so that more disabled Americans can find housing.

We didn't forget about the homeless. This will now be funded at over \$1 billion. We wanted to make sure local communities have a major say in what is going to happen to them, and that of course occurs in the community development block grant which will be funded at \$4.8 billion.

Whether it is improving the funding for community development financial institutions or empowerment zones, we were able to create more opportunity and yet meet taxpayer obligations.

In addition to that, we also wanted to look at where we were heading with our science and our technology. I am pleased our bill fully funds NASA and restores the severe cuts made to NASA in the House bill. This will save 2,000 jobs at Goddard Flight Center in Maryland, as well as the Wallops Flight Facility on the Eastern Shore. This legislation will fund NASA \$13.6 billion. This means we will be looking at Earth science, we will be looking at how to fund the new generation of space telescopes, and at the same time we are going to upgrade the safety of the space shuttle. That means we are going to invest \$25 million in the upgrading of the space shuttle while we maintain our commitment to the international space station.

We also fully fund the National Science Foundation, where I believe there will be new intellectual breakthroughs, particularly in information technology research. We also fund the National Service at \$433 million, which is close to the President's request. This means that 100,000 members and participants across the country right now are engaging in community service programs at AmeriCorps, Learn and Serve America. We believe that every right has a responsibility, every opportunity has an obligation, and this is what National Service does; it rekindles the habits of the heart.

With regard to our EPA bill, this provides \$7.5 billion in funding. This is \$384 million over the President's request. At the same time, we declare an emer-

gency and do \$2.5 billion in emergency disaster assistance for all of the damage created by Hurricane Floyd. It is not true when they say: A billion here, a billion there, and that is the way Congress works.

We focused on how we can meet compelling human need; how, in the last appropriations of this century, we wanted to make sure we had veterans' health care for the people who, five different times, answered the call of duty to be able to uphold our national interests around the world; to make work worth it by making sure if you are out there and you are working, perhaps at the minimum wage, we are willing to subsidize housing and therefore subsidize work so we could create a true, real safety net for those affected by welfare reform.

We also know America's genius is in its science and technology. As this century closes, we know we not only planted our flag at Iwo Jima and honor our veterans who did that, but we planted our flag on the Moon, which shows the United States of America continues to be a nation of pioneers. We do not seek to conquer other nations. We seek to win wars against cancer. We seek to win the battles of the mind in which we create new ideas, where we win Nobel prizes and then go on to win new markets.

This is what the VA-HUD bill is all about. I am very pleased to bring this to the Democrats. I thank my colleague, Senator BOND, for all of his courtesies and collegiality.

I thank John Kamarck, Carolyn Apostolou, Cheh Kim, and Julie Dammann on his staff for working so close with my staff. I want to especially thank Paul Carliner, Sean Smith, and Jeannie Schroeder, and most of all I thank the Senate for all its cooperation in moving our bill.

I yield the floor.

The PRESIDING OFFICER. Who yields time?

Mr. WELLSTONE. I ask my colleague, Senator MCCAIN—I am actually going to take about 15 minutes at the most—if he wants to precede me?

Mr. MCCAIN. Mr. President, I yield my time.

The PRESIDING OFFICER. Then we go to Senator WELLSTONE for 30 minutes. But the Senator from Missouri reserves 5 minutes of his time.

Mr. MCCAIN. The unanimous consent agreement said I had 5 minutes. I yielded those 5 minutes.

The PRESIDING OFFICER. The Senator from Arizona has yielded his 5 minutes.

Does the Senator from Missouri yield the remainder of his time?

The Chair understands the Senator from Missouri had 10 minutes and he specifically asked to be notified when 5 minutes were up.

Mr. BOND. Do I understand the Senator from Arizona is not going to take 5 minutes? He yielded that time?

He is not speaking.

I reserve the remainder of my time and turn to the Senator from Minnesota.

The PRESIDING OFFICER. The Senator from Minnesota.

Ms. MIKULSKI. If my colleague from Minnesota will wait 1 minute, can I seek clarification from the Senator from Arizona on one point? The Senator from Arizona, did he yield his time or did he just yield his place?

Mr. MCCAIN. I yielded my time. I do not wish to speak on the pending legislation.

Ms. MIKULSKI. I thank the Senator from Arizona.

Mr. BOND. As do I.

Ms. MIKULSKI. I thank the Senator from Minnesota for his patience.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. WELLSTONE. Under the unanimous consent agreement, I have up to 30 minutes. I do not think I will need to take that time. I want to comment on the conference report. I thank the Senator from Missouri and the Senator from Maryland for their work. I am going to vote for this conference report.

Given the constraints they have been working under, and the framework they had to work within, they did a yeoman job, and I thank them.

I want to make three comments and I think I can be brief. First of all, on the veterans' health care budget, it is true; we went up by \$1.7 billion above the President's request. But if you look at the last 3 or 4 or 5 years of flatline budgets, which means really the veterans' health care budget was not even keeping up with inflation, we are essentially still not very far ahead. I believe the veterans organizations, AMVETS and VFW and Paralyzed Veterans of America and Disabled American Veterans, were right in their independent budget, which called for us to bump up the President's request, which was inadequate, by \$3 billion.

We had a sense-of-the-Senate vote on that, where every single Senator voted for that recommendation. I think we are going to have to do much better next year. I think this was progress. I thank my colleagues for their fine work, but it is my honest to goodness judgment this is underfunded; there are some real gaps. In particular, we have the challenge of a veterans community that is growing older. How are we going to provide the care for this community? We still have the challenge of too long a waiting list and too long a distance for people to drive.

I believe we had an amendment on the floor, with Senator JOHNSON, to go up \$3 billion. I wish we had because I think there are still going to be some unmet needs. That was my first point.

The second point is one about which I feel very strongly. Senator MIKULSKI, in particular, has been very helpful. But it is the same moving picture shown over and over again, this time just on a sense-of-the-Senate amendment.

For about 5 or 6 years, I have been talking about the importance of getting some compensation for atomic

veterans. These are veterans who went to States such as Utah and Nevada. They went to ground zero. Our Government asked them to be there. Our Government never told them they were in harm's way, didn't give them any protective gear. It is horrible what has happened to them. The incidence of cancer is quite understandable. The incidence of illness and disease, not just for these veterans but for their children and even their grandchildren, is frightening. It is scary. You cannot do dose reconstruction. There is no way they can prove their case.

I cannot understand why the Senate and the House of Representatives cannot find it in its collective heart a way to provide some compensation for these veterans just as we did with Agent Orange with the Vietnam vets. We were never able to prove one way or the other the connection between Agent Orange and lung cancer. We said we are going to make this a presumptive disease. We are going to argue the presumption is this was caused by Agent Orange.

I have had amendments passed and then they have been taken out in conference committee. This time I wanted to get a good vote on a sense-of-the-Senate amendment because I could not legislate on this appropriations bill. I got 75 or 76 votes which said, at the very minimum, we would include three diseases: lung cancer, colon cancer, and tumors of the brain and the central nervous system.

There are several thousand of these veterans. They are older. They feel so betrayed. This is the classic example of our Government having lied to these veterans. I cannot understand, for the life of me, why a sense-of-the-Senate amendment that is all it was—should have been taken out in conference committee.

I thank my colleagues, Democrats and Republicans, for their support. But I want to say on the floor of the Senate, next year—I think I can get the support from Senator MIKULSKI and Senator BOND and I hope everybody here—we will be ready. One way or another, we are going to get this through. It has been 6 or 7 years. I do not think we can say to these veterans we do not have the resources; we cannot give you any compensation. If we say that, we are just going to say: We don't care what happened to you. We don't care what happened to you. We don't care what happened to you. It has been going on year after year after year. I wanted to express my outrage that we cannot do better.

I will be back next year. Hopefully, we can get better support and get this done in authorization and appropriations. It is a matter of justice. It has been a shameful history. What we have done to these people is a shameful chapter in the history of our country. I hope we in the Senate and the House can find it in our hearts to provide them with compensation. It will mean a great deal to these veterans and their families.

Finally, I thank both colleagues. I do not think they could do any better with these appropriations bills, given the context. But the other issue, because this is VA housing, is, for example, the vouchers in a State such as Minnesota. It does not help at all. We have no vacancies. The fact is, with the limits on what a family would be eligible for, right now the housing is so high that what housing is there is above what the voucher plan will cover. It just doesn't help us at all.

I thank my colleagues because they are trying to do everything they can, everything humanly possible. But I am predicting there are going to be a lot of articles over this next year about housing prices. I hope they will be front page stories because for so many families, they just cannot find any affordable housing. It is just not there. The vouchers don't help because it is not there.

I will give one example and then finish up. Sheila and I do a lot of work with women who have been victims of family violence, domestic violence. They go to shelters. That is the first courageous step, to get out of that home. It is a dangerous place.

Then they are in the shelters. Then where else do they go? There is no affordable housing. In fact, a lot of the battered women's shelters cannot even take some of the battered women because other women and children who cannot afford housing and are homeless actually call shelters and say they have been battered because they are looking for shelter.

I understand the importance of the vouchers, but in many of the communities in Minnesota and around the country, it is not going to help at all. There is no housing. It is not available, so the voucher does not help. Housing has become so high that the voucher, which covers the difference between the fair market value and 25 or 30 percent of their monthly income, will not do any good because the fair market value is above the value of what the vouchers will cover.

We have a real crisis. Both my colleagues know this. It is unbelievable how expensive housing is. The lack of affordable housing for families in our country is a huge issue and not just in the cities, but also in the suburbs and in rural areas as well.

Next year, we are going to get ourselves out of the straitjacket and the framework and make more of the investment.

Senator BOND and Senator MIKULSKI did a yeoman job. They did exceptional work. I thank them. I wanted to lay out these three points. I yield the floor.

#### ENVIRONMENTAL DATA MANAGEMENT

Mr. LAUTENBERG. Mr. President, Chairman BOND, in the Senate report on the Department of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 2000, the committee instructs EPA to "establish procedures to engage the public in the develop-

ment, maintenance and modification of information products it offers to the public." It is my understanding that the committee does not necessarily intend for this process to consume the time or resources that would be involved in a rule-making.

I also understand that, in general, the committee intends that EPA's obligation to honor the public's right to know and to disseminate to the public information about issues affecting human health and the environment should be balanced against the expectations discussed in the "Environmental Data Management" section of the report.

Mr. BOND. The Senator is correct in his understanding.

#### CLARIFICATION ON STATE FUNDING BY EPA FOR THE REGIONAL HAZE RULE

Mr. BURNS. Mr. President, I rise today to engage the senior Senator from Missouri, who is also the chairman of the Departments of Veterans Affairs and Housing and Urban Development and Independent Agencies Subcommittee responsible for the fiscal year 2000 appropriations bill, in a colloquy. This colloquy is to clarify the committee's position on the Environmental Protection Agency (EPA)'s funding in fiscal year 2000 to implement the regional haze rule. I have concerns about how the EPA may distribute fiscal year 2000 funding provided for this rule.

Mr. BOND. I am pleased to enter into a colloquy with the distinguished Senator from Montana, who also serves on the Departments of Veterans Affairs and Housing and Urban Development and Independent Agencies Appropriation Subcommittee. Clarifying the committee's position on how EPA should distribute fiscal year 2000 funding to the states to implement the new regional haze rule is an important matter to me.

Mr. BURNS. I understand that in the conference report to the fiscal year 2000 Departments of Veterans Affairs and Housing and Urban Development and independent agencies appropriations bill, \$5,000,000 is provided to help the states and recognized regional partnerships implement the new EPA regional haze rule. Of this total, an unspecified amount will be provided directly to the Western Regional Air Partnership (WRAP) and the remaining portion will be allocated among the states and other recognized regional partnerships. My concern is, given that 10 states are part of the WRAP, EPA may distribute a major share of the \$5,000,000 to the WRAP and not provide any funding to these 10 states since they are involved with the WRAP. In essence, EPA could assume that funding for the WRAP constituted funding for these 10 states. This is not what I believe this report language intended. Thus, I believe that we need to ensure that EPA understands that funding for the states includes those states working in the WRAP.

Mr. CRAIG. I join with my friend from the State of Montana in supporting this expectation that the states within the WRAP should not be precluded from any distribution of the \$5,000,000 provided in this fiscal year 2000 appropriation bill. The State of Idaho has new requirements and responsibilities based upon this new regional haze rule. These new requirements require Idaho to develop new emissions data and programs which the state doesn't have now. So the State of Idaho must develop new internal capabilities to meet the new regulatory deadlines. The WRAP can assist the states in developing some of these capabilities, however, the states have their own unique roles and responsibilities beyond those of the WRAP. Thus, all states need additional funding beyond that provided to the WRAP.

Mr. BURNS. The purpose for this conference report language to directly fund the WRAP was based upon Congressional concerns with delayed funding in fiscal year 1999 to the WRAP. As of the end of fiscal year 1999, no funds from EPA had been allocated to the WRAP as had been appropriated. This delay in funding has jeopardized the program and progress of the WRAP to assist the states in addressing new regulatory requirements and deadlines of the regional haze rule. This delay also seems a bit ironic since EPA encourages states to form regional partnerships to implement this new law. Since the WRAP is faced with an October 2000 deadline to develop target levels for sulfur dioxide emissions and a contingent Market Trading Program for this new rule, direct funding in fiscal year 2000 is the most effective way to ensure the states meet this new rule.

Mr. BOND. Funds are to be allocated to the WRAP and all states in an equitable manner.

Mr. BURNS. I thank the Chairman for this clarification. I trust that the Environmental Protection Agency will follow these guidelines in developing the distribution of the \$5,000,000 to the states in fiscal year 2000.

Mr. CRAIG. I thank the Chairman also for this clarification.

#### SECTION 425

Mr. LAUTENBERG. Chairman BOND, I understand that section 425 of the Department of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 2000 is not intended to impede federal grantees or contractors from implementing responsibilities permitted under grant agreements.

OMB Circular A-122, Cost Principles of Non-Profit Organizations, makes clear that federal funds cannot be used to lobby Congress or initiate litigation against the U.S. government unless specifically authorized by statute to do so. Similar language exists in other cost principles, as well as Federal Acquisition Regulations affecting contractors. Section 425 is intended to be consistent with these prohibitions.

When an organization endorses the terms and conditions of a grant or con-

tract, that organization also certifies its compliance with the lobbying and litigation prohibitions in the cost principles. Section 425 makes clear that the signatory agreeing to the grant, contract, or other award is to be that of a chief executive officer (CEO) and will serve as meeting the requirements of section 425. Once a CEO (or his or her delegate) signs the grant, contract or other award, the terms and conditions become binding when an audit is conducted to verify that no funds have been used to lobby Congress or initiate litigation against the U.S. government unless specifically authorized otherwise.

Additionally, it is my understanding that the language in section 425 prohibiting the use of federal funds awarded to grantees and contractors from being used for lobbying and litigating on adjudicatory matters is consistent with current rules that restrict the use of these funds for such purposes. This section is not intended to supersede any statute that specifically authorizes the use of federal funds to compensate parties for legal expenses such as the Equal Access to Justice law that allows small businesses and others that sue federal agencies for violating the law to recover their legal expenses when the agency's action is judged to be unfounded.

Section 425 also does not change current practices where federal grantees may be representing low-income or disadvantaged tenants or other individuals, such as veterans, in adjudicatory proceedings. For example, under the Housing Counseling program, HUD reimburses federal grantees for representing tenants. This is something that Congress strongly supports and section 425 is not intended to limit or restrict such programs.

Finally, section 425 is not intended to add new restrictions on membership fees or contributions that an individual whose sole income comes from federal benefits appropriated under this bill gives to organizations that may use a portion of the fee or contribution for lobbying, representing individuals in adjudicatory proceedings, or litigating. For example, the membership fee that a veteran, who has no other source of income other than federal support through this bill, gives to a veterans service organization should not restrict the VSO from representing the veteran in a manner that is any different than current rules.

Let me restate that nothing in section 425 precludes affected entities from enforcing rights under federal law, including, but not necessarily limited to the Administrative Procedure Act and the Constitution of the United States. Its intent is limited to ensuring that current grant and contract prohibitions are followed, not to impede participation in administrative actions.

Mr. BOND. The Senator is correct in his understanding of section 425.

#### CLIMATE CHANGE LANGUAGE

Mr. BYRD. Mr. President, the Fiscal Year 2000 VA/HUD Conference Report

(106-161) contains bill language regarding implementation of the Kyoto Protocol. This bill language is identical to bill language included in the Fiscal Year 1999 VA/HUD Conference Report (105-769). I would like to ask the distinguished Chairman and Ranking Member of the VA/HUD Subcommittee two questions to clarify their understanding of this provision.

I note that last year, the conferees carefully crafted bill and report language that clearly addressed the concern that the Administration does not implement the Kyoto Protocol through domestic regulatory action before the Senate gave its advice and consent to the Protocol. At the same time, the conferees clarified that they did not intend to jeopardize ongoing, voluntary programs. These voluntary programs have numerous benefits and are consistent with our treaty commitments under the U.N. Framework Convention on Climate Change, ratified by the U.S. in 1992.

In the Fiscal Year 2000 VA/HUD Appropriations bill (S. 1596), the Senate included bill and report language that remains consistent with last year's bill and report language. By doing so, the Senate believes that this language provides the necessary consistency and prohibits only funding for proposing or issuing federal regulatory action called for solely to implement the Kyoto Protocol. These programs have long had the support within both the public and private sectors, and thus it makes both economic and environmental sense that we take this course.

It is, therefore, my understanding that, like last year, the provision in question is not intended to restrict ongoing, voluntary programs or activities that, in their entirety, help to improve air quality standards, increase energy efficiency, develop cutting-edge technologies, and reduce global greenhouse gas emissions. Is my understanding correct?

As you also know, the Senate has clearly expressed its bipartisan view regarding the Kyoto Protocol in S. Res. 98, adopted unanimously by the Senate on July 25, 1997. That resolution calls on the Administration to achieve commitments from developing countries, especially the largest emitters, as well as protect U.S. economic interests by emphasizing market-based mechanisms and the use of energy efficient technologies. Is my understanding correct that this provision would not prohibit the Administration from working to achieve S. Res. 98?

Mr. BOND. I thank the distinguished Senator from West Virginia for his questions. Your understanding is correct. The provision is not intended to restrict ongoing, voluntary programs and initiatives such as you have described or to limit efforts to meet the conditions of S. Res. 98. Rather, it is intended to prevent the Administration

from proposing or issuing administrative rules, regulations, decrees, or orders for the sole purpose of implementation of the Kyoto Protocol prior to its consideration by the Senate.

Ms. MIKULSKI. The Senator's understanding is correct. The language is not intended to prohibit the United States from supporting ongoing, voluntary programs or activities that are consistent with our treaty commitments under the Framework Convention on Climate Change ratified in 1992, have had broad bipartisan support in both the public and private sectors, and are consistent with the objectives of S. Res. 98.

Mr. CRAIG. Mr. President, I want to express my appreciation to the chairman of the Appropriations Subcommittee on VA, HUD, and Independent Agencies for his leadership in steering this bill and its many, diverse provisions successfully through the Senate and conference.

One item is noteworthy both for its importance and its ready acceptance on both sides of the aisle and in both Houses. This is the language prohibiting EPA from spending funds to implement the Kyoto Protocol on global climate change, prior to ratification and Senate consent. The bill language on this subject is the same as last year's reiterating a strong congressional position.

Also important is this year's Senate report language requiring greater accountability in the Administration's climate change proposals and initiatives. This language renews and reiterates directives in the managers' statement in last year's conference report. It also expresses disappointment in the late filing, earlier this year, of agency reports explaining the administration's programs, objectives, and performance measures.

I would ask the Chairman if it is fair to say the committee's intent is to put the administration on notice that we fully expect such reports to be included, on a timely basis, as part of the President's fiscal year 2001 budget submission next year?

Mr. BOND. The Senator's understanding is correct. The clear intent of this year's Senate report is to carry last year's directives forward for another year. If Congress, and the authorizing and appropriations committees, in particular, are to make a full and fair assessment of the Administration's programs and proposals, then submission of agency climate change reports with the President's FY 2001 budget is both necessary and expected.

#### EDI SPECIAL PURPOSE GRANTS

Ms. MIKULSKI. Mr. President, I would like to engage in a colloquy with the distinguished chairman of the VA-HUD Appropriations Subcommittee.

Mr. President, regrettably, the FY2000 conference report contains a typographical error that was made during the final drafting of this conference report. Contrary to the intent of the managers and conferees, a \$1,000,000

earmark for the New Jersey Community Development Corporation's Transportation Opportunity Center and a \$750,000 earmark for South Dakota State University's performing arts center were accidentally deleted from the list of EDI Special Purpose Grants due to a computer malfunction.

Unfortunately, we are not able to amend this conference report at this point, but I wanted to ask the distinguished chairman, Senator BOND, if he will work with me, Senator BYRD, and Senator STEVENS to ensure that these typographical errors are corrected in another appropriations bill before this session of Congress ends?

Mr. BOND. Absolutely. First, I totally agree with distinguished ranking member of the VA-HUD subcommittee's account of how this typographical error transpired. Second, I agree that this error is typographical in nature and contrary to the intent of the conferees. Finally, I will work with Senators MIKULSKI, BYRD, and STEVENS to ensure that this typographical error will be corrected in another appropriations measure before this session of Congress ends.

Ms. MIKULSKI. I thank the distinguished Chairman.

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

Mr. BOND. Mr. President, I thank my colleague from Minnesota for his comments on the lack of available housing. We have been talking about the lack of available housing. Over the years prior to the time my ranking member and I were leading this committee, we stopped issuing long-term, 15-year section 8 vouchers. Those long-term vouchers were sufficient to generate new housing. The 1-year vouchers we now issue generally under the section 8 program do not create any new housing.

As I said in my opening remarks, half the vouchers issued in St. Louis County have already been used. We have programs such as the HOME program, the CDBG program, the section 202 elderly, the section 811, disabled, the hop-up program and HOPE VI programs which do provide housing.

We also provided additional assistance to maintain the public housing stock that is in danger of falling into disuse and becoming HOPE VI housing. That having been said, part of our discussions with the administration and with the authorizing committee will be the need to look at how we are going to assure there is adequate housing stock. This is a question not just in the appropriations process where we are putting in money where we can to create new housing; it is something we have to work on with the Finance Committee to make sure low-income housing credits exist.

This is a problem that simply adding some incremental section 8 vouchers is not going to solve; that and the budget authority problem for section 8 we will have to deal with next year.

The Senator also laid out a good argument for authorizing the committee

to consider expanding veterans' benefits and programs. Again, we are happy to work with the authorizing committee when it gets beyond the appropriations measures and attempts to improve the programs in addition to just funding them.

Again, my very special thanks to the distinguished Senator from Maryland whose guidance, and not just assistance, but guidance and good humor, made this ride on the tilt-a-whirl an enjoyable one, even though somewhat too exciting at times. I thank her. Her help and her persuasion, and that of the administration, helped us achieve passage of this bill.

I reiterate my thanks particularly to Paul Carliner on that side and the great John Kamarck on our side, as well as the other staffers.

I yield the floor and yield back my time.

Ms. MIKULSKI. Mr. President, I, too, thank Senator BOND and his staff, as well as my own. At times, the atmosphere in this institution can be quite prickly and quite partisan. If only we would focus on the national interests the way we have in this bill. Through good will, good offsets, and focusing on national priorities we were able to move this legislation through.

I believe Senator BOND is a leader. This legislation would not have moved forward had it not been for his willingness to engage in a dialog with the White House on what their priorities were, insisting, of course, on the Senate's prerogatives.

Again, I thank him, and I yield the floor.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative assistant proceeded to call the roll.

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

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

#### MORNING BUSINESS

Mr. SANTORUM. Mr. President, I ask unanimous consent that the Senate now proceed to a period for morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

#### THE DEATH OF AMBASSADOR E. WILLIAM CROTTY

Mr. DASCHLE. Mr. President, I take this opportunity to express my regret at the loss of Ambassador E. William Crotty, U.S. Ambassador to Barbados. Bill assumed his position as ambassador in November 1998, so he had only begun his fine work representing the United States in Barbados and six other eastern Caribbean island nations. I am confident, however, that his contributions in service to his country would have continued and multiplied.