

(A) an Act of Congress requires the information to be kept confidential by Government officers and employees; or

(B) the information has been obtained by the Government on a confidential basis, other than through an application by such person for a specific Government financial or other benefit, and is required to be kept secret in order to prevent undue injury to the competitive position of such person; or

(6) may divulge matters required to be kept confidential under other provisions of law or Government regulations.

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7. (a)(1) Except as provided in this paragraph, each committee, and each subcommittee thereof is authorized to fix the number of its members (but not less than onethird of its entire membership) who shall constitute a quorum thereof for the transaction of such business as may be considered by said committee, except that no measure or matter or recommendation shall be reported from any committee unless a majority of the committee were physically present.

(2) Each such committee, or subcommittee, is authorized to fix a lesser number than onethird of its entire membership who shall constitute a quorum thereof for the purpose of taking sworn testimony.

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9. (a) Except as provided in subparagraph (b), each committee shall report one authorization resolution each year authorizing the committee to make expenditures out of the contingent fund of the Senate to defray its expenses, including the compensation of members of its staff and agency contributions related to such compensation, during the period beginning on March 1 of such year and ending on the last day of February of the following year. Such annual authorization resolution shall be reported not later than January 31 of each year, except that, whenever the designation of members of standing committees of the Senate occurs during the first session of a Congress at a date later than January 20, such resolution may be reported at any time within thirty days after the date on which the designation of such members is completed. After the annual authorization resolution of a committee for a year has been agreed to, such committee may procure authorization to make additional expenditures out of the contingent fund of the Senate during that year only by reporting a supplemental authorization resolution. Each supplemental authorization resolution reported by a committee shall amend the annual authorization resolution of such committee for that year and shall be accompanied by a report specifying with particularity the purpose for which such authorization is sought and the reason why such authorization could not have been sought at the time of the submission by such committee of its annual authorization resolution for that year.

(b) In lieu of the procedure provided in subparagraph (a), the Committee on Rules and Administration may—

(1) direct each committee to report an authorization resolution for a two-year budget period beginning on March 1 of the first session of a Congress; and

(2) report one authorization resolution containing more than one committee authorization resolution for a one-year or two-year budget period.

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#### RULE XXVII—COMMITTEE STAFF

1. Staff members appointed to assist minority members of committees pursuant to authority of a resolution described in paragraph 9 of rule XXVI or other Senate resolu-

tion shall be accorded equitable treatment with respect to the fixing of salary rates, the assignment of facilities, and the accessibility of committee records.

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4. No committee shall appoint to its staff any experts or other personnel detailed or assigned from any department or agency of the Government, except with the written permission of the Committee on Rules and Administration.

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#### UNITED STATES CODE ANNOTATED

##### TITLE 2.—THE CONGRESS

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###### § 72a. Committee staffs

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(i) Consultants for Senate and House standing committees; procurement of temporary or intermittent services; contracts; advertisement requirements inapplicable; selection method; qualifications report to Congressional committees

(1) Each standing committee of the Senate or House of Representatives is authorized, with the approval of the Committee on Rules and Administration in the case of standing committees of the Senate, or the Committee on House Oversight in the case of standing committees of the House of Representatives, within the limits of funds made available from the contingent fund of the Senate or the applicable accounts of the House of Representatives pursuant to resolutions which, in the case of the Senate, shall specify the maximum amounts which may be used for such purpose, approved by the appropriate House, to procure the temporary services (not in excess of one year) or intermittent services of individual consultants, or organizations thereof, to make studies or advise the committee with respect to any matter within its jurisdiction or with respect to the administration of the affairs of the committee.

(2) Such services in the case of individuals or organizations may be procured by contract as independent contractors, or in the case of individuals by employment at daily rates of compensation not in excess of the per diem equivalent of the highest gross rate of compensation which may be paid to a regular employee of the committee. Such contracts shall not be subject to the provisions of section 5 of title 41 or any other provision of law requiring advertising.

(3) With respect to the standing committees of the Senate, any such consultant or organization shall be selected by the chairman and ranking minority member of the committee, acting jointly. With respect to the standing committees of the House of Representatives, the standing committee concerned shall select any such consultant or organization. The committee shall submit to the Committee on Rules and Administration in the case of standing committees of the Senate, and the Committee on House Oversight in the case of standing committees of the House of Representatives, information bearing on the qualifications of each consultant whose services are procured pursuant to this subsection, including organizations, and such information shall be retained by that committee and shall be made available for public inspection upon request.

(j) Specialized training for professional staffs of Senate and House standing committees, Senate Appropriations Committee, Senate Majority and Minority Policy Committees, and joint committees whose funding is disbursed by Secretary of Senate or Chief Administrative Officer of House; assistance: pay, tuition, etc. while training; continued employment agreement; service credit: retirement, life insurance and health insurance

(1) Each standing committee of the Senate or House of Representatives is authorized, with the approval of the Committee on Rules and Administration in the case of standing committees of the Senate, and the committee involved in the case of standing committees of the House of Representatives, and within the limits of funds made available from the contingent fund of the Senate or the applicable accounts of the House of Representatives pursuant to resolutions which, in the case of the Senate, shall specify the maximum amounts which may be used for such purpose, approved by the appropriate House pursuant to resolutions, which shall specify the maximum amounts which may be used for such purpose, approved by such respective Houses, to provide assistance for members of its professional staff in obtaining specialized training, whenever that committee determines that such training will aid the committee in the discharge of its responsibilities. Any joint committee of the Congress whose expenses are paid out of funds disbursed by the Secretary of the Senate or by the Chief Administrative Officer of the House of Representatives, the Committee on Appropriations of the Senate, and the Majority Policy Committee and Minority Policy Committee of the Senate are each authorized to expend, for the purpose of providing assistance in accordance with paragraphs (2), (3), and (4) of this subsection for members of its staff in obtaining such training, any part of amounts appropriated to that committee.

(2) Such assistance may be in the form of continuance of pay during periods of training or grants of funds to pay tuition, fees, or such other expenses of training, or both, as may be approved by the Committee on Rules and Administration or the Committee on House Administration, as the case may be.

(3) A committee providing assistance under this subsection shall obtain from any employee receiving such assistance such agreement with respect to continued employment with the committee as the committee may deem necessary to assure that it will receive the benefits of such employee's services upon completion of his training.

(4) During any period for which an employee is separated from employment with a committee for the purpose of undergoing training under this subsection, such employee shall be considered to have performed service (in nonpay status) as an employee of the committee at the rate of compensation received immediately prior to commencing such training (including any increases in compensation provided by law during the period of training) for the purposes of—

(A) subchapter III (relating to civil service retirement) of chapter 83 of title 5,

(B) chapter 87 (relating to Federal employees group life insurance) of title 5, and

(C) chapter 89 (relating to Federal employees group health insurance) of title 5.●

#### UNACCEPTABLE AND OUTRAGEOUS CUTS TO THE FOREIGN AFFAIRS BUDGET

● Mrs. BOXER. Mr. President, I am very concerned about the drastic cuts the Republican budget makes to our foreign affairs budget. In his budget request, President Clinton asked for \$21.3 billion in funding for foreign affairs. The budget before us cuts \$3.2 billion from that request.

U.S. leadership around the world requires adequate resources both for embassy security and for international programs. As a member of the Foreign

Relations Committee and the Ranking Member of the International Operations Subcommittee, I have heard many times that our embassies abroad are in dire need of security upgrades.

We should not forget the terrible tragedy that took place last year when over 100 people died in the embassy bombings in Nairobi, Kenya and Dar es Salaam, Tanzania. It was a stark reminder that the men and women who conduct our diplomacy abroad put their lives on the line to promote U.S. interests throughout the world. We have the obligation to ensure their safety in every way possible.

These cuts to the State Department budget are so deep that Secretary Albright called them "outrageous and unacceptable."

Let me outline some of the important programs that will have to be eliminated from the budget under the Republican budget. A \$24 million anti-narcotics initiative and programs to fight money laundering and trafficking in women could not be realized. The new Expanded Threat Reduction Program to reduce the proliferation of weapons of mass destruction in the former Soviet Union could not be implemented. And, the U.S. request of \$500 million to support the Wye Implementation accord would not be achievable under the Senate Budget Resolution.

I cannot believe that my colleagues would chose to undermine our efforts to fight the international war on drugs, control the proliferation of nuclear weapons, and support the peace process in the Middle East, in Ireland and in Bosnia.

We live in a very dangerous world, and this budget puts us at greater risk. We must find the resources to fix this problem and properly fund the international affairs budget.●

#### FLEXIBILITY IN EDUCATION

• Mr. ABRAHAM. Mr. President, I rise to support the Education Flexibility Act. This legislation will address our continuing problem in education policy: too many Washington-knows-best policies and red-tape getting in the way of States and local districts as they attempt to address their unique educational needs.

Mr. President, over the past 16 years the Education Department has spent more than \$175 billion on education programs. Yet achievement scores continue to stagnate and more young people than ever are dropping out of school. One crucial reason for this failure of Federal programs has been the enormous burden of Washington strings and mandates on the States and local school districts.

While the Federal Government provides only 7 percent of total spending on education, Washington demands 50 percent of the paperwork filled out by local school districts. That is wrong. It is inefficient, it is unfair and it is not the way to improve our children's education.

And this is why I support the Education Flexibility Act. This bill would give every State a chance to waive many of the cumbersome rules, regulations, and red-tape often associated with education programs run by Washington.

The State of Michigan currently enjoys the benefits of the Ed-Flex program. In applying for its Ed-Flex waiver, Michigan streamlined several of its State regulations. Further, the very process of seeking waivers has brought Michiganders together to improve education. A working group of State and local officials, school board members, parents and principals was put together in Michigan to determine the best way to streamline regulations and deliver education services.

I believe this legislation is moving in the right direction, and would like to see it move even further. I believe Congress should be even more flexible in new authorizations and appropriations. Communities are different and have different needs. Local school districts need to have more options on how to spend Federal education dollars. While some schools may need to hire additional teachers, other school districts may need to implement a summer school program or a literacy program. The point is, schools should have the flexibility and the resources to meet the specific needs of their students.

A number of amendments have been offered during debate on this bill. My general view is that to offer new authorizations for additional Washington-based programs is moving in the exact opposite direction of the intent of this bill. This bill seeks to free up local education agencies from the Federal bureaucracies administering programs not to add to them. To the extent that these issues have been raised, I have supported the notion that we should first meet our current fiscal obligation to IDEA in addition to giving State and local education agencies flexibility in administering Federal education resources. I look forward to a fuller discussion of these issues in the proper context of the reauthorization of the Elementary and Secondary Education Act.

There has been a great deal of debate about the need to fully fund the Individuals with Disabilities Education Act provisions affecting education. I believe that this raises an important point, particularly given the President's calls for new Federal programs such as his request for 100,000 new teachers, money for which would then compete with IDEA appropriations.

For years now parents and local schools have been expressing concern over the rising costs of education for children with special needs. The Federal Government has made a strong commitment to the education needs of disabled children in every way, with one telling exception: it has not lived up to its promise to provide its share of the funds necessary to educate these children. The result has been an in-

creased burden on local school districts, which must make a choice between hiring a new teacher or paying the Federal Government's share of the IDEA bill.

Under the Republican Congress, funding for IDEA has increased significantly. Unfortunately, it is still not adequate to meet the costs imposed by federal mandates. I believe we have an obligation to do more to meet these previous commitments before we create new programs and start spending on them money which could go to fulfill our IDEA promise. Moreover, if Congress would actually meet the federal government's obligation to pay 40 percent of the costs for educating special needs children, it would free up millions for schools to spend meeting other specific, local education needs.

For example, my state receives approximately \$73 million from the federal government for the educational needs of disabled children. If the 40 percent mandate was reached, my state would receive \$378 million. By meeting the federal government's obligation to current programs, my state would have \$305 million per year more (or one-quarter of the amount appropriated for the new teacher program last year) to be used for whatever needs local school districts might have—including hiring more teachers, after-school programs, or tutoring programs.

Mr. President, I recently asked a school district in my state what kind of difference fully funding IDEA could make to them. Here is what I found: If the federal government met its obligation in funding IDEA in the Oakland School District, that district would have \$60 million more to spend on educating their students.

I think we can all agree on our commitment to elementary and secondary education. The main point of disagreement is over how to deliver federal resources to schools. I suggest that by freeing local school districts of regulations and redtape and by giving them more flexibility in how they administer federal resources, we can free local schools to do what they do best: educate our children.

Education flexibility is not the answer to all our educational problems. But I submit that it provides the best means available to get at those answers: allowing the parents, teachers, and local officials in a position to know what their students need to make the important decisions involved in setting education priorities.

This is a crucial piece of legislation, Mr. President, and I am proud to lend my full support behind this bill.●

#### COMPREHENSIVE BORDER PROTECTION ACT OF 1999

• Mr. GRAHAM. Mr. President, I rise today in support of the Comprehensive Border Protection Act of 1999 which Senator GRASSLEY and I introduced on March 23, 1999. This bill enhances our efforts to secure our borders by providing the U.S. Customs Service with