The possibility of a child who reaches adulthood without using drugs, who then tries drugs as an adult is statistically zero. That is why cracking down on drug criminals reaching out to children is vital to winning the war on drugs. In our effort to maintain and improve the social fabric of all of our communities throughout the country, I encourage my colleagues to join me in voting for the Protecting Our Children From Drugs Act.

AMERICANS NEED A BIPARTISAN PRESCRIPTION DRUG COVERAGE PLAN

HON. CONSTANCE A. MORELLA

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 19, 2000

Mrs. MORELLA. Mr. Speaker, data from a poll conducted by the Kaiser Family Foundation and Harvard University showing that health care is one of the top concerns among voters this election year. In the survey more than 50% identified health care or Medicare as the ''important issue in deciding their presidential vote,'' surpassing their concerns about the economy, crime, jobs, the budget and education. Among the issues cited as most pressing, prescription drug costs and the need for a benefit within Medicare were mentioned most frequently. Unfortunately at this time, there is little bipartisan consensus on the best way to achieve this solution in Congress. Both Republicans and Democrats have offered prescription drug proposals neither is the solution to the expanding Medicare prescription drug problem.

Recently, two hastily conceived prescription drug plans came before the House for a vote. The Republican plan depended on private insurers to offer coverage to beneficiaries. Unfortunately, many private insurers were hesitant to offer a drug only benefit. In fact, the President of the Health Insurance Association of America testified in front of Congress that ''they would not sell insurance exclusively for drug costs.'' His assessment proved well-founded as only one plan initially expressed interest when the Republican plan was proposed.

In the Democratic proposal, a catastrophic drug benefit would not have been available until 2006. In addition, it forced implementation of a new Medicare prescription drug benefit upon the already overburdened Health Care Financing Administration (which oversees Medicare) without giving them the necessary resources and flexibility to oversee Medicare fee for service, Medicare+Choice, and a new prescription drug plan.

In our haste to show that we would construct prescription drug legislation, we sacrificed bipartisan deliberations for ''partisan one-upmanship.'' It is abundantly clear that people want a prescription drug bill but passing flawed legislation to deflect criticism will only exacerbate the situation and erode confidence in government. I echo the sentiments of the American Association of Retired Persons (AARP), which also has concerns about both of the proposed prescription drug benefit plans, when they wrote. ''A solution that can stand the test of time will require true bipartisanship.''

Now while we consider how to best devise a comprehensive Medicare prescription drug plan, we can at least pass legislation which takes a first valuable step towards that goal.

H.R. 1796, the ''Medicare Chronic Disease Prescription Drug Benefit Act,'' of which I am a sponsor with Congressman CARDIN, would supply Medicare prescription drug coverage to over 30 million seniors. By initially focusing on the most common chronic diseases which can be controlled with medication—heart disease, diabetes, high blood pressure, clinical depression, and rheumatoid arthritis—its objective is to reduce complications and unnecessary hospitalizations, making it possible for seniors with these ailments to take their medication regularly, and to mitigate high costs for the seniors who spend the most on medication.

In addition, I supported the amendments to the Agriculture Appropriations bill which would allow for the bulk re-importation of FDA approved prescription drugs from FDA approved facilities in Canada and Mexico. These amendments, which had the overwhelming support of both the House and Senate, are a free market solution that increases choices and lowers the costs of prescription drugs for all Americans. Enactment of these bipartisan measures would enable more seniors to have access to safe and effective prescription drugs.

Neither H.R. 1796 nor the re-importation amendments are the final solution to the prescription drug crisis but they are critically important first steps.

CHEYENNE RIVER SIOUX TRIBE EQUITABLE COMPENSATION ACT

SPEECH OF

HON. DON YOUNG

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 17, 2000

Mr. YOUNG of Alaska. Mr. Speaker, I submit for the benefit of the Members, copies of letters between the Committee on Resources, and TOM BLILEY, Chairman, Committee on Commerce, regarding the jurisdiction of S. 964.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON COMMERCE,
Washington, DC, October 17, 2000.

Hon. DON YOUNG,
Chairman, Committee on Resources,
Washington, DC.

DEAR DON: I am writing with regard to S. 964, the Cheyenne River Sioux Tribe Equitable Compensation Act. I understand that this legislation, as considered by the House, includes the text of S. 2439, a bill to authorize the appropriation of funds for the construction of the Southeastern Alaska Intertie system, and for other purposes. As you know, S. 2439 falls within the exclusive jurisdiction of the Committee on Commerce pursuant to Rule X of the Rules of the House of Representatives.

Because of the importance of this legislation, I recognize your desire to bring it before the House in an expeditious manner. By agreeing to waive its consideration of the bill, however, the Committee on Commerce does not waive its jurisdiction over S. 964. In addition, the Commerce Committee reserves its authority to seek conferees on any provisions of the bill that are within its jurisdiction during any House-Senate conference that may be convened on this legislation. I ask for your commitment to support any request by the Commerce Committee for conferees on S. 964 or similar legislation.

I request that you include this letter and your response as part of the Record during consideration of the legislation on the House floor.

Thank you for your attention to these matters.

Sincerely,

TOM BLILEY,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON RESOURCES,
Washington, DC, October 18, 2000.

Hon. TOM BLILEY,
Chairman, Committee on Commerce,
Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter regarding the amendments to S. 964, the Cheyenne River Sioux Tribe Equitable Compensation Act. You are correct that the amendment to that bill includes the text of S. 2439, a bill to authorize the appropriation of funds for the construction of the Southeastern Alaska Intertie system, and for other purposes. S. 2439 was referred to the Committee on Commerce.

The Alaska Intertie system is critically important to my constituents, so I appreciate your willingness not to insist on a referral of S. 964 so that it can be voted on by the House of Representatives today. I agree that your forbearance does not affect any jurisdictional interest that you would have in S. 964 as amended, and if a conference on the bill becomes necessary, I would support your request to have the Committee on Commerce be represented on the conference committee.

Thank you again for your cooperation on this matter and on many others during my service as Chairman of the Committee on Resources. It has been a privilege and a pleasure working with you and your staff these last six years.

Sincerely,

DON YOUNG,
Chairman.

TRIBUTE TO THE HONORABLE JOHN E. PORTER, MEMBER OF THE HOUSE OF REPRESENTATIVES

SPEECH OF

HON. HENRY J. HYDE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 2000

Mr. HYDE. Mr. Speaker, it is with a deep feeling of gratitude mixed with a profound sense of loss that we bid farewell to our most valued colleague, JOHN EDWARD PORTER. His retirement from this Congress is well earned, but because he is a unique person he is literally irreplaceable.

He has brought his rare gifts of intelligence and compassion together with a prodigious work ethic to bear on some of the most consequential problems faced by a free people. His leadership, over the many years, of the Subcommittee on Labor, Health and Human Services has been unmatched in the history of the Appropriations Committee. Justice and humanity have animated all his work, and JOHN is one Congressman who has added credibility and idealism and generosity of spirit to this Congress.

A gentleman in the fullest sense of the term, a deeply thoughtful person possessed of the largest heart and soul of anyone I have ever met, I wish him a tranquil sea and that he

might know in what high esteem he is held by all fortunate enough to call him friend.

PERSONAL EXPLANATION

HON. JIM KOLBE

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 19, 2000

Mr. KOLBE. Mr. Speaker, on October 18, 2000 the House debated and voted on H. Res. 631, ''Honoring the Members of the Crew of the Guided Missile Destroyer U.S.S. *Cole* Who Were killed or Wounded in the Terrorist Attack on that Vessel in Aden, Yemen, on October 12, 2000'', H. Con. Res. 415, National Children's Memorial Day, and H.R. 3218, the Social Security Number Confidentiality Act. Had I been present, I would have voted ''yea'' on H. Res. 631, (rollcall vote No. 531), ''yea'' on H. Con. Res. 415 (rollcall vote No. 532), and ''yea'' on H.R. 3218 (rollcall vote No. 533).

INTRODUCTION OF THE NOTIFICATION AND FEDERAL EMPLOYEE ANTI-DISCRIMINATION AND RETALIATION ACT

HON. F. JAMES SENSENBRENNER, JR.

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 19, 2000

Mr. SENSENBRENNER. Mr. Speaker, as the Chairman of the Committee on Science, I believe open discourse at federal agencies is necessary for sound science. Intolerance inhibits, if not prevents, thorough scientific investigation.

Accordingly, I was very disturbed by allegations that EPA practices intolerance and discrimination against its scientists and employees. For the past year, the Committee on Science has investigated numerous charges of retaliation and discrimination at EPA, and unfortunately they were found to have merit.

The Committee held a hearing in March 2000, over allegations that agency officials were intimidating EPA scientists and even harassing private citizens who publicly voiced concerns about agency policies and science. While investigating the complaints of several scientists, a number of African-American and disabled employees came to the Committee expressing similar concerns. One of those employees, Dr. Marsha Coleman-Adebayo, won a $600,000 jury decision against EPA for discrimination.

It further appears EPA has gone so far as to retaliate against some of the employees and scientists that assisted the Science Committee during our investigation. In one case, the Department of Labor found EPA retaliated against a female scientists for, among other things, her assistance with the Science Committee's work. The EPA reassigned this scientist from her position as lab director at the Athens, Georgia regional office effective November 5, 2000—a position she held for 16 years—to a position handling grants at EPA headquarters. In the October 3 decision, the Department of Labor directed EPA to cancel the transfer because it was based on retaliation.

EPA's response to these problems has been to claim that they have a great diversity program. Apparently, EPA believes that if it hires the right makeup of people, it does not matter if its managers discriminate and harass those individuals.

Diversity is great, but in and of itself, it is not the answer. Enforcing the laws protecting employees from harassment, discrimination and retaliation is the answer. EPA, however, does not appear to do this. EPA managers have not been held accountable when charges of intolerance and discrimination are found to be true. Such unresponsiveness by Administrator Browner and the Agency legitimizes this indefensible behavior.

To assure accountability, I have introduced the Notification and Federal Employee Antidiscrimination and Retaliation Act (No FEAR Act) of 2000, H.R. . Federal employees with diverse backgrounds and ideas should have no fear of being harassed because of their ideas or the color of their skin. This bill would ensure accountability throughout the entire Federal Government—not just EPA. Under current law, agencies are held harmless when they lose judgments, awards or compromise settlements in whistleblower and discrimination cases.

The Federal Government pays such awards out of a government wide fund. The No FEAR Act would require agencies to pay for their misdeeds and mismanagement out of their own budgets. The bill would also require Federal agencies to notify employees about any applicable discrimination and whistleblower protection laws and report to Congress on the number of discrimination and whistleblower cases within each agency. Additionally, each agency would have to report on the total cost of all whistleblower and discrimination judgments or settlements involving the agency.

Federal employees and Federal scientists should have no fear that they will be discriminated against because of their diverse views and backgrounds. H.R. is a significant step towards achieving this goal.

INTRODUCTION OF THE 'CELLULAR TELECOMMUNICATIONS DEPRECIATION CLARIFICATION ACT'

HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 19, 2000

Mr. CRANE. Mr. Speaker, I am pleased to join with Rep. NEAL and Ms. JOHNSON, Ms. DUNN, and Mr. JOHNSON of the Committee on Ways and Means in introducing the ''Cellular Telecommunications Depreciation Clarification Act.'' This legislation will amend the Internal Revenue Code to clarify that cellular telecommunications equipment is ''qualified technological equipment'' as defined in section 168(i)(2).

When an asset used in a trade or business or for the production of income has a useful life that extends beyond the taxable year, the costs of acquiring or producing the asset generally must be capitalized and recovered through depreciation or amortization deductions over the expected useful life of the property. The cost of most tangible depreciable property placed in service after 1986 is recovered on an accelerated basis using the modified accelerated cost recovery system, or MACRS. Under MACRS, assets are grouped into classes of personal property and real property, and each class is assigned a recovery period and depreciation method.

For MACRS property, the class lives and recovery periods for various assets are prescribed by a table published by the Internal Revenue Service found in Rev. Proc. 87–56, 1987–2 C.B. 674. This table lists various Asset Classes, along with their respective class lives and recovery periods. Rev. Proc. 87–56 does not specifically address the treatment of cellular assets, but rather addresses assets used in traditional wireline telephone communications.

These wireline class lives were created in 1977 and have remained basically unchanged since that time. In 1986, Congress added a category for computer-based telephone switching equipment, but there are no asset classes specifically for cellular communications equipment in Rev. Proc. 87–56. This is largely due to the fact that the commercial cellular industry was in its infancy in 1986 and 1987. Since the cellular industry was not specifically addressed in Rev. Proc. 87–56, the cellular industry has no clear, definitive guidance regarding the class lives and recovery periods of cellular assets. Therefore, the Internal Revenue Service and cellular companies have been left to resolve depreciation treatment on an ad hoc basis for these assets as the industry has rapidly progressed.

The result is that both cellular telecommunications companies and the Internal Revenue Service are expending significant resources in auditing and settling disputes involving the depreciation of cellular telecommunications equipment. This process is obviously costly and inefficient for taxpayers and the Service, but it also leaves affected companies with a great deal of uncertainty as to the tax treatment, and therefore expected after-tax return, they can expect on their telecommunications investments. A standardized depreciation system for cellular telecommunications equipment would eliminate the excessive costs incurred by both industry and government through the audit and appeals process, and would eliminate an unnecessary degree of uncertainty that is slowing the expansion of our national telecommunications systems.

The Treasury Department's recently released ''Report to the Congress on Depreciation Recovery Periods and Methods'' tacitly acknowledges this point. In its discussion about how to treat assets used in newly-emerging industries, such as the cellular telecommunications industry, the report states:

> [t]he IRS normally will attempt to identify those characteristics of the new activity that most nearly match the characteristics of existing asset classes. However, this practice may eventually become questionable in a system where asset classes are seldom, if ever, reviewed and revised. The cellular phone industry, which did not exist when the current asset classes were defined, is a case in point. This industry's assets differ in many respects from those used by wired telephone service, and may not fit well into the existing definitions for telephony-related classes.

Rather than force cellular telecommunications equipment into wireline telephony ''transmission'' or ''distribution'' classes, a better solution would clarify that cellular telecommunications equipment is ''qualified technological equipment.'' The Internal Revenue