

provisions of that bill, to think through the implications of that bill. It has unilateral sanctions, mandatory—not discretionary—sanctions against China. It is very overdrawn. American companies doing business in China could be sanctioned. It has extraterritorial provisions which are way beyond the ordinary rules of international law. I think it would cause a tremendous strain in the context of PNTR.

My concern is that we are setting the schedule for July, albeit just a part of July, that does not include probably the most important vote that this Senate is going to take up this Congress; that is, passage of PNTR. And until there is a date set for PNTR, I must respectfully object.

The PRESIDING OFFICER. Objection is heard.

Mr. LOTT. Mr. President, we will continue to work with both sides of the aisle to see if this matter can be dealt with in an acceptable way, aside from it being offered as an amendment to the China PNTR bill. I think that would be potentially a large problem because if it were adopted, certainly then that legislation would have to go back to the House, and there is a lot of concern about that.

As far as a time to consider the major bill, the China PNTR, this is an important part of the process in a move in that direction. And until we get this resolved, then it is going to be very hard to focus on exactly what date we could get a vote on the bill.

I must also add that it is true we have a lot of important work to do in July. We have to deal with the very unfair death penalty. We have to deal with eliminating the marriage penalty tax. We have to pass the agriculture appropriations bill. We have to pass the Interior appropriations bill. We have to pass the Housing and Veterans Affairs appropriations bill. We have to pass the Commerce-State-Justice appropriations bill. We have to pass the Treasury-Postal Service appropriations bill. We have a lot of work to do, and none of it is insignificant.

The people's business needs to be taken care of. This is just a part of that process. But I understand the Senator's objection. We will keep working to see if we can find a time and a way to do it.

DEPARTMENT OF DEFENSE AUTHORIZATION

Mr. LOTT. Mr. President, I now have a unanimous consent request that the only first-degree amendments remaining in order to the Department of Defense authorization bill, S. 2549, be limited to amendments that are relevant to the provisions of the bill, and on the finite list of amendments in order to the bill; that these first-degree amendments be subject to relevant second-degree amendments; provided further that the first-degree amendments must be filed at the desk by the close of business on Friday, June 30, 2000.

The PRESIDING OFFICER. Is there objection?

The PRESIDING OFFICER (Mr. BENNETT). The Democratic leader.

Mr. DASCHLE. Mr. President, I will just say, as I indicated last night, we want to work with the majority, with the leader, to accommodate his desire to bring this bill to closure. We are just about there. We are not quite there. I have been talking with one of my colleagues in regard to that particular request. We are not there yet. Unfortunately, I will object.

Mr. LOTT. Before the Senator objects, in the spirit of cooperation that we are working under, I would like to withdraw the request so we can keep working and see if we can get this agreed to today.

Mr. DASCHLE. That would be preferable.

The PRESIDING OFFICER. The request is withdrawn.

Mr. WARNER. Mr. President, this is precisely what I and Senator LEVIN and Senator REID and others have been working on. On our side, as best I can assess, there is one remaining understandable discussion that must take place between Chairman ROTH of the Finance Committee and the distinguished senior Senator from West Virginia, Mr. BYRD. I believe other indications on our side have been fulfilled. I have worked through the morning. I believe they are fulfilled. So if that one remaining issue can hopefully be resolved, we might be able to readdress this today.

Mr. LOTT. Mr. President, it looks as if we are going to be here for quite some time. I believe we will have an opportunity later on in the day to try again. We will certainly do our very best to get this agreed to. It is an important issue. We will do everything we can to come up with a fair agreement.

Mr. BYRD. Mr. President, reserving the right to object, until some understanding is agreed to on the amendment to which Mr. WARNER has alluded, I will object.

MILITARY CONSTRUCTION APPROPRIATIONS ACT, 2001—CONFERENCE REPORT

Mr. LOTT. Mr. President, if I could turn to the military construction appropriations conference report, that is a very good bill that passed way back in May, I think it was May 18. This important military construction conference report passed the Senate under the leadership of Senator CONRAD BURNS, but from the very beginning, it was a bill that did have some emergency provisions attached to it. We did have the funds for the costs, the money that has been already spent for the defense for Kosovo, and some additional funds for costs associated with that.

Over a period now of almost 6 weeks, there has been a process underway between the House and the Senate on both sides of the aisle to get an agreement on this conference report that in-

cluded a title II that had the emergency funds for the Kosovo situation, for the Colombia drug war, and also for emergencies associated with Hurricane Floyd, the fires, and other issues.

During the process of the conference, other issues were added. Some issues that were in were taken out. That is the way a conference works. I must confess that I didn't get a look at the final product myself until this morning. I think we actually had access to it last night. We did get access to it. Senators had an opportunity to review that. If points of order need to be made, they can be made. But this is for military construction and for emergencies. We need to get this done. It is already late. There are a lot of people, there are a lot of different reasons for how that happened, but here we are. As majority leader, I have a responsibility to try to bring it to a conclusion and take whatever time that requires.

I will shortly ask unanimous consent that the military construction appropriations conference report come up. I need to inform all Members that if the agreement is not agreed to or a similar version to this that can—if we cannot come up with something that could be entered into by the full Senate, then it would be my intention to call up the conference report and Senators MCCAIN and GRAMM will ask, as I understand it, that it be read. If that is done, it would take some 6 hours, I am told by the staff, to read the conference report. I still hope we can avoid that. If there are problems with the conference report, let's talk about it. If points of order are going to be made, let's do them. We will have time to understand exactly what is in the bill.

I am sure we will hear from Senator STEVENS and Senator BYRD and others who are familiar with the details. That is what it is all about. I realize it is Friday afternoon, but Members have been told for weeks that we would be in session on this Friday and would be having votes.

This is an important vote. All we can do is try to come up with a way that we can have a good debate, but if there is objection to proceeding and insistence that it be read, then we will have to do that. After that there could be a series of votes on points of order and hopefully on final passage.

I want to outline the situation as it now stands. I ask unanimous consent that the Senate now proceed to the conference report and it be considered as having been read. I further ask unanimous consent that following 10 minutes for debate between the two managers, and the chairman and ranking member, Senator GRAMM be recognized to raise a point of order. I further ask unanimous consent Senators STEVENS and BYRD be immediately recognized to make a motion to waive and, following 10 minutes equally divided on the motion to waive, the Senate proceed to a vote on that motion with or without any intervening action or debate. By the way, if we need more time

for debate, I would be glad to accommodate that.

Finally, I ask unanimous consent that if the motion to waive is agreed to, the Senate proceed to an immediate vote on the conference report without any intervening action, motion, or debate.

The PRESIDING OFFICER. Is there objection?

Mr. GRAMM. Mr. President, reserving the right to object.

The PRESIDING OFFICER. The Senator from Texas.

Mr. GRAMM. Mr. President, the conference report before us, I am unhappy to say, makes a mockery out of the budget. In fact, if we adopt this conference report, I think there is no need that we should ever adopt another budget.

This conference report violates every tenet of the budget we adopted. This conference report has two major phony spending shifts where we shift payments from the fiscal year we are appropriating for backwards into year 2000 so that we can spend an additional \$4 billion in clear violation of the budget. I am sure you will hear Senator STEVENS saying that the defense of the Nation will be imperiled if we don't pass this bill. Yet while we are providing money to defense through this bill on an emergency basis, this bill takes \$2 billion out of defense and gives it to nondefense, a total violation of the budget agreement that we struck.

It is Friday. My wife is waiting at the corner of First and C. But if we look the other way on this bill, then there is no budget, and we are going to totally lose control of spending.

Mr. LOTT. Will the Senator yield?

Mr. GRAMM. I am happy to yield.

Mr. LOTT. First of all, the greatest argument I have heard for bringing this to conclusion is the fact that the Senator's lovely wife is waiting for his presence to join him in other activities. I am genuinely concerned about that. If we have to read this bill, I would like to urge the Senator to stay here; I will go see Mrs. GRAMM. That is the corner of First and C Streets, I believe? I will meet her, and I will provide her with a very lovely lunch in the Senate dining room.

Mr. GRAMM. I appreciate that. If my wife were a liberal, I would really be nervous.

When she figures out that I am here doing God's work, she is going to figure that the time is better spent than with her.

Mr. LOTT. Speaking of the Lord's work, I suggest that the Lord's work here would be to analyze this legislation. Let's engage in discussion; let's point out where there are problems, if any. Let's hear the other side. If necessary, let's vote. To spend 6 hours reading the bill is not going to advance the cause. I am glad for the Senator to engage in this.

Mr. MCCAIN. I ask the majority leader to yield to me for a comment.

The PRESIDING OFFICER. A unanimous consent agreement is pending. Is

the Senator from Arizona reserving the right to object?

Mr. MCCAIN. Yes, I do.

Mr. LOTT. I am glad to respond to a question.

Mr. MCCAIN. Mr. President, I say to the majority leader, we are now doing what we usually do when a pork barrel bill is before us; that is, that national defense and national security are at risk; we will have to withdraw from Kosovo; it will be the end of Western civilization as we know it. We already have something from the Pentagon that says we will have to shut down unit training during the month of September, blah, blah, blah.

So even though in this bill we have, for example, under Kosovo and other national security, Olympic Games support; and even though in the name of "emergency" we have a Coast Guard acquisition of a \$45 million Gulfstream for the Commandant of the Coast Guard—and I would be glad to pay for his first-class airfare while he awaits that emergency, to help him ride out the emergency situation, even though we have \$10 million for the Bering Sea crab disaster, \$10 million for a North-east fishery, \$7 million for a Hawaii fishery, and \$5 million for an Alaska Sea Life Center. We have covered a good part of those for senior members of the Appropriations Committee who have a coastline.

These are all done in the name of an emergency. I will ask unanimous consent that we take up and pass without objection all of those, including this "dire emergency" concerning the Olympic Games support and what is contained in the Kosovo and other national security portions of this bill—I would agree to a unanimous consent agreement that it be taken up and passed, and that the rest of this bill, which is incredibly full of unnecessary, unwanted, unauthorized, unmitigated pork be debated.

There are 47 points of order that can be lodged under this appropriations bill. What do we want to do? We want to take a \$19 billion appropriations bill and pass it by voice vote just because we want to go home for the Fourth of July.

I ask unanimous consent that we take the fiscal year 2000 appropriations title I on Kosovo and other national security defense and pass it, and that we take up the rest of this bill for debate on points of order when we return after the recess.

The PRESIDING OFFICER. There is a unanimous consent agreement pending.

Mr. MCCAIN. At the appropriate parliamentary point, I will propound that request.

Mr. GRAMM. Mr. President, reserving the right to object, I will be brief. If we weren't at the end of the session with people on the way to the airport, I think we could have a debate on this issue and we could begin to raise 47 points of order against this bill.

The problem is that people would come in wanting to leave for the recess

and basically understand that if they vote to override the points of order, they could go home for a week. Whereas, if they sustain the point of order, they could end up being here for further debate. So I urge my colleagues to allow us to agree that we will allow the bill to come up, waive all of our rights to have it read, and to delay it by other motions, have it come up the day we get back and we will have a debate. If we stay here and ruin everybody's week, we are going to harden hearts. When we get back to this bill—and it will not pass today. This bill is not going to pass today. If we harden hearts, we are going to come back here and spend a week when we might have a chance to work some of these things out, basically, in a strong-worded debate that will serve no interest.

I urge my colleagues to let us step aside, let the bill be brought up, waive reading it, but have it be brought up on Monday when we come back so we have an opportunity to legitimately make our case. If these were little trivial matters, then I would look the other way, swallow hard, and let it go. But these are not trivial matters. This is basically eliminating the entire budget that we adopted. I think if we do that, we are making a mockery out of the whole process. I am not going to do it. So I object.

The PRESIDING OFFICER. The majority leader is recognized.

Mr. LOTT. I have two things. There is one clarification I wish to make on what Senator GRAMM said. If one of the points of order should be sustained, or if a major one was made and sustained, we would not necessarily have to continue this. This bill then would go back to the House when they return. They would have to take it up and consider it further. I realize there may be multiple points of order. If one were sustained, there might be others.

Look, I understand what Senator GRAMM is saying. I certainly feel very strongly that our budget process should be protected and, if it is violated, there should be an opportunity to address those points of order. I have no problem with that. All I say is I think to read the bill doesn't help anybody's cause. I think we would be better off if we get into a discussion and talk about what is in the bill.

So, again, I am sympathetic with all sides concerned, and I would like to get out from the middle of the crossfire of the ammunition being employed here. At this point, since there is objection, I have no—

Mr. STEVENS. Reserving the right to object.

Mr. LOTT. Mr. President, am I proceeding under leader time?

The PRESIDING OFFICER. The majority leader has the floor.

Mr. STEVENS. Mr. President, I regret deeply that there is a dispute over these items. It is true that there is some money in the bill, and all of the items the Senator from Arizona mentioned, but one, were in the Senate-

passed bill. The Sea Life Center is the only new one. It is a provision to pay a rent for a Sea Life Center, which will close in August unless that can be done. It is a Sea Life Center that has Federal money in it that opened it. If somebody doesn't believe that is an emergency, the right thing is to allow us to vote on it. I am perfectly prepared to muster up 60 votes for that Sea Life Center. I am proud of that Sea Life Center.

I say this to the Members of the Senate. There is not one amendment in this bill that was not presented by a Member who is here. I assume the Members are prepared to vote for the items they told us were emergencies. The Senator from Arizona is well known to be the watchdog of the Treasury and I admire that. I believe we should get on with this business and let's test the votes.

The Senator is right. If there are not 60 votes to establish the emergency designation on this bill, it will be returned to the Senate. But that is going to be the same, whether it is now or 6 hours from now.

I remember so well when one of my former colleagues killed a bill, which we worked on for 7 years, in the last few minutes of a Congress by asking that the bill be read. I have always thought that bills don't have to be read if they are available to Members of the Senate. That used to be the understanding, that they would be read if the bill was not physically on the Members' desks. I will be pleased to put it on every Member's desk now. It has been available since last night. But to have us now go into a reading of the bill—the Senator from Texas says his wife is waiting on the corner. My wife is already in Alaska. I am due there tonight. But the sad thing is that the last plane I could take to make it left at 10 o'clock. I am prepared to stay here all week, if it is necessary.

I have put before the Members of the Senate—and I will ask unanimous consent to print this in the RECORD. It is not fake or a manufactured thing. We have been telling the Senate for days and months that this money had been taken from the operation and maintenance account—the President's action employing troops in Kosovo. He has the right to do that under the act. And the money runs out. On July 5, this new order must go into effect that reduces the actions of our people during the period of maximum training in the summertime. It is not fake. I don't know why anyone would question the statements of the Chief of Staff of the Army.

The bill may not pass today, but it is going to pass before July 5. That is my commitment. If the Senator wants to make a commitment that it doesn't pass today, I will make a commitment that it passes by July 5. I believe we have the capacity to do that. It is the desire to have this bill passed and to have the people of the armed services know the Senate is behind the people

in the armed services. It is still a military construction bill, an emergency bill to replace money spent for the operation and maintenance account.

It is a must-pass bill before July 5.

Mr. LOTT. Mr. President, I move that the Senate turn to the conference report to accompany the military construction appropriations conference report.

Mr. GRAMM. Mr. President, I ask that the bill be read.

The PRESIDING OFFICER. The clerk will read.

The Senator from Alaska.

Mr. STEVENS. Mr. President, I make a point of order that I don't think the bill has to be read. The bill is available to all Members of the Senate.

The PRESIDING OFFICER. The point of order is not sustained.

Mr. STEVENS. I appeal the ruling of the Chair.

The PRESIDING OFFICER. The question is, Shall the ruling of the Chair be upheld?

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. STEVENS. Mr. President, the Senator from Texas has raised a question about the pay shifts that are assumed in this bill.

The PRESIDING OFFICER. The appeal of the ruling of the Chair is not debatable.

Mr. STEVENS. I withdraw my appeal.

The PRESIDING OFFICER. The motion to proceed is not debatable.

Mr. STEVENS. Mr. President, I ask unanimous consent that I be able to make a statement at this point and that the Senator from Texas be able to speak prior to taking action.

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

Mr. STEVENS. Mr. President, the Senator from Texas has asked that we remove from the bill the pay shifts which we assumed were available to our committee in order to increase the amount of budget authority and outlays that would be used by our committee. The Senator can name them and make sure we are naming them correctly.

Mr. GRAMM. An SSI pay shift of \$2.4 billion; a VA compensation pay shift for \$1.9 billion; and the third item is moving the defense firewall, which would transfer \$2 billion from defense to nondefense.

Mr. STEVENS. Mr. President, at a later date I will explain in full what that means.

But I make the commitment to the Senator from Texas that on the first available vehicle to the Appropriations Committee we will rescind the action

that is in this bill adjusting those pay shifts and taking them into account for future use. They were mechanisms to make available funds that would be used in the 2001 bill, and we can and we will have to make adjustments in other ways in the future. But these shifts have been objected to, and they will not be used this year. I can't say they won't be available in another year. They will not be used in connection with fiscal year 2001.

Mr. LOTT. Mr. President, I ask unanimous consent that the reading of the conference report be dispensed with and that a vote occur on adoption of the conference report immediately.

Mr. MCCAIN. Mr. President, I reserve the right to object.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Mr. President, I thank the Senator from Alaska.

I obviously am disturbed about much that was put into this legislation. But I see a \$6 billion savings here. So I think it is a reasonable compromise. I intend to put in the RECORD as well as on my web site and many other places some of the really egregious projects that are in this bill. At the same time, this significant savings I think is a very important move.

I will not object.

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

The report will be stated.

The legislative clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 4425) "making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 2001, and for other purposes," having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate, and agree to the same with an amendment and the Senate agree to the same. Signed by all of the conferees on the part of both Houses.

The PRESIDING OFFICER. The Senate will proceed to the consideration of the conference report

The conference report is printed in the RECORD of Thursday, June 29, 2000.

Mr. BURNS. Mr. President, I am pleased to bring before the Senate the Military Construction Conference Report for fiscal year 2001.

The Senate and the House went into conference with very different recommendations for projects and unfortunately, not enough money to go around.

We have worked hard with our House colleagues to bring the Military Construction Conference to a successful conclusion.

This agreement represents a tremendous amount of work and great deal of cooperation between the House and Senate.

Mr. President, the military construction portion of this bill has some points I want to highlight.

We have sought to recommend a balanced bill that addresses key, military construction requirements for readiness, family housing, barracks, quality of life and funding for the reserve components.

In the final conference agreement relating to military construction, we met our goals of protecting quality of life and enhancing mission readiness throughout the Department of Defense.

It provides a total of \$8.8 billion in spending, an increase of \$200 million over the levels recommended by both the House and Senate, and an increase of \$800 million over the President's budget request.

It is my hope that we can move this bill forward very quickly and send it to the President.

Mr. STEVENS. Mr. President, late Thursday, the conference concluded on H.R. 4425, the Fiscal Year 2001 Military Construction Appropriations Act.

When the appropriations committee in the Senate reported that bill, we included a second division, Division B, that provided a series of emergency supplemental appropriations for the Department of Defense, the Coast Guard, and other national defense related activities.

The conferees on this bill, led by the subcommittee chairman, Senator BURNS, addressed both the underlying military construction bill, and an expanded range of emergency supplementary needs.

Upon completing work on the military construction portion, an amendment was offered by myself, Senator BYRD, the House committee chairman, BILL YOUNG, and the House ranking Member, DAVID OBEY.

The amendment addressed fiscal year 2000 funding needs for the Department of Defense, the Coast Guard, wildfire fighting, recovery from hurricanes Floyd and Irene, the Cerro Grande fire in New Mexico, Liheap, and Plain Colombia.

At several critical points, the personal involvement of the Speaker on the House and the Majority Leader in the Senate were invaluable to breaking through disagreements, and achieving completion of our work.

While Senator BURNS will address the military construction portion of the bill, I want to highlight the defense emergency needs addressed in this conference report.

Once again, the President mortgaged the readiness of our Armed Forces by committing troops abroad, without the prior authorization and funding from Congress.

If this bill did not pass this week, the Army faced a genuine calamity, as training, base operations and other critical functions would have ground to a halt.

These funds, provided to sustain the Army through the remainder of this fiscal year, will prevent any interruption or degradation of our Armed Forces.

In addition, the conferees, under the leadership of Representative JERRY

LEWIS, chairman of the House Defense Appropriations Subcommittee, responded to several vital defense needs.

The amendment, offered by the four Members I named, provides a total of \$11.23 billion in emergency spending for fiscal year 2000.

The amendment also makes several technical changes, pursuant to the budget resolution for fiscal year 2001 adopted earlier this year, concerning changes to pay days, delayed obligations, progress payments, prompt payment, and other matters.

In addition, the amendment permits the Senate Appropriations Committee to allocate the full amount provided in the 302(a) allocation for discretionary spending in the budget resolution. This is the same amount now available to the House Committee.

The amendment also adjusts the Function 050 outlay firewall included in the budget resolution to reflect the actual outlay levels in the Function 050 related bills reported by the House and Senate committees.

I want to especially commend the Chairman of the House Military Construction Subcommittee, Representative HOBSON, and the Chairman of the House Committee, BILL YOUNG, for their cooperation and leadership in presenting this conference report to the House and Senate.

Critical funding shortfalls for fuel, medical care, contract liabilities for Tricare, depot maintenance and intelligence were addressed in the House passed version of the supplemental, and included in this conference report.

Chairman LEWIS' initiative ensured that the readiness and quality of life for our military personnel will be truly enhanced by these initiatives, and provide the right starting point for our work on the conference for the FY 2001 Defense Appropriations Bill when we return from the July 4th recess.

A second important need met in this conference report is for Western wildfire fighting. As we meet here in Washington, fires are burning in several Western States, especially Washington State and my own State of Alaska.

The \$350 million provided in this conference report will ensure the Bureau of Land Management and the Forest Service will be able to respond to any challenges we face during what promises to be a dry and hot summer—a truly dangerous situation.

Last month, at the request of the senior Senator from New Mexico, I traveled to the Los Alamos National Laboratories during the terrible fire that afflicted that area.

I saw firsthand the devastation to that community, and the federal facilities, caused by that fire.

Senator DOMENICI has included in this bill a comprehensive authorization bill that provides a claims settlement mechanism for the families and businesses who lost so much in that tragedy.

In addition, this conference report provides \$661 million to initiate the

claims settlement process and restoration of the federal facilities. These provisions brought to the conference by Senator DOMENICI will start the long recovery process, reflecting the Federal Government's liability for this disaster.

In this conference report, there are also several matters of great importance to my State. I appreciate the willingness of the conferees to consider these items.

Finally, I want to again thank the distinguished Ranking Member of our Committee, Senator BYRD, for his work to complete work on this bill. All the conferees met and worked in a spirit of bipartisan compromise, which is reflected in the conference report before the Senate.

I urge the Senate to adopt this conference report today, so that it can go immediately to the President.

Mr. BYRD. Mr. President, the Senate will soon take up the FY 2001 Military Construction Conference Report. In addition to meeting the military construction needs of the nation, Divisions B & C contain emergency supplemental appropriations for FY 2000 totaling some \$11.2 billion.

The supplemental portion of the bill funds a broad array of urgently needed programs. More than \$6 billion is provided for the emergency needs of the military. Of that amount, some \$2 billion is to cover the cost of our peacekeeping operations in Kosovo; \$1.6 billion is to recover increased fuel costs to the military; and \$1.3 billion is for health benefits for the military. For the victims of natural disasters, particularly those who suffered the ravages of Hurricane Floyd, some \$300 million is provided. And, \$350 million is provided in emergency funds to replenish the fire management accounts of the Department of the Interior and U.S. Forest Service. Those firefighting accounts are totally depleted and must be replenished immediately. The bill also provides \$600 million in Low Income Home Energy Assistance grants, and more than \$600 million is provided to address the costs related to the disastrous fire at Los Alamos, New Mexico.

One of the biggest pieces of the supplemental package is \$1.3 billion to fully fund the President's request in support of Plan Colombia. The President's anti-drug initiative is an ambitious effort in support of Plan Colombia, a massive undertaking by the Colombian government to fight the alarming rise of heroin and cocaine production and trafficking in Colombia.

The intent of the President's aid package to Colombia is laudable; but at this point, there remain more questions than answers as to what the impact of this assistance will be. Our efforts in the past have done little, if anything, to deter Colombia's drug lords. The production of cocaine and heroin has skyrocketed. Some analysts are concerned that increased U.S. involvement in Colombia's drug wars will

fuel an all-out civil war in a country already ravaged by guerrilla warfare and paramilitary abuses.

For those reasons, I am pleased that this conference report preserves a provision that I originally added in the Senate Appropriations Committee to place restrictions on future funding for U.S. assistance to Plan Colombia, and to limit the number of U.S. military personnel and U.S. civilian contractors that can be deployed in Colombia to support the counter-narcotics effort.

The Byrd provision requires the Administration to seek and receive congressional authorization before spending any money on U.S. support for Plan Colombia beyond the funding contained in this supplemental package and other relevant funding bills. The President's request for Plan Colombia is fully funded. This provision simply ensures that, if additional funding is requested to prolong or expand U.S. involvement in Colombia's anti-drug campaign, Congress will have the opportunity to review and evaluate the entire program before green-lighting more money.

The goal of my provision is to prevent an incremental and possibly unintended escalation of U.S. involvement in Colombia's war on drugs to the point that the United States, over time, finds itself entangled beyond extraction in the internal politics of Colombia. We cannot ignore the fact that Colombia is embroiled in a civil war, and that narco-guerrillas, who are better-trained, better-financed, and better-equipped than the Colombian army, control much of the country. The government of Colombia is fighting a just, but uphill battle. The United States, in this funding package, is making a major commitment to help Colombia. With the Byrd provision, we are also making a commitment to the people of the United States that Congress will stand guard against this nation's being unwittingly drawn too deeply into Colombia's internal problems.

Mr. President, this Administration has, in the past, registered strong opposition to the Byrd provision. I assure the Senate that we have listened to the concerns expressed by the Administration, and have addressed them. We doubled the cap on U.S. military personnel to 500, as requested by the Pentagon, and tripled the allowable number of U.S. civilian contractors to 300. We exempted funding for on-going counter-narcotics programs covered in other appropriations bills, as requested by the Administration. We addressed virtually every issue raised by the Administration, and I hope that the President is ready to endorse this language.

It is my opinion that the Administration should welcome the spotlight that this provision will shine on the level of U.S. participation in Plan Colombia. The Administration should also welcome the additional safeguards that this language provides to reduce the possibility of unbridled mission creep and unforeseen consequences.

There are some who have expressed concern that this language is too restrictive, and that it will impose too difficult a process to allow the United States to continue its efforts to fight drug production and drug trafficking in Colombia and throughout the region. I believe the process should be restrictive. I do not believe that U.S. assistance to Plan Colombia should be handled on a business-as-usual basis. The political situation in Colombia is too unstable, and the risks to American citizens involved in the counter-narcotics campaign are too high.

That said, my provision is not intended to slam the door on future counter-narcotics assistance to Colombia or to other countries in the region, if such assistance is needed and warranted. The war on drugs must be waged aggressively, both at home and abroad. At this point, the President has requested a specific level of funding, \$1.3 billion, to finance a specific program. Congress is providing that funding in this appropriations measure. If this President, or a future President, seeks more money, or seeks to broaden or prolong U.S. involvement in Plan Colombia, we merely ask him to present that request to Congress, and to give Congress the opportunity to review, assess, and authorize the entire program. What we do not want to see is U.S. assistance to Plan Colombia quietly ramped up through regular or supplemental funding bills until we suddenly reach the point of having thousands of U.S. citizens deployed to Colombia, and billions of U.S. tax dollars invested in Colombia's drug war, and no way to extricate the United States from Colombia.

Mr. President, Congress has a responsibility to exercise oversight over programs such as U.S. participation in Plan Colombia. This provision ensures that we will have the opportunity to exercise that oversight, and to make an informed and deliberate decision on future funding for Plan Colombia. It is a wise precaution to include in a package that will underwrite a costly, complicated, and unprecedented assault on a dangerous and determined enemy.

Mr. KENNEDY. Mr. President, the bill before us provides over \$1 billion in assistance to Colombia and represents a major increase in our political and financial commitment to the Colombian Government and the Colombian Armed Forces.

Many of us have been deeply concerned about the potential impact of this substantial increase in U.S. military assistance on human rights in Colombia. We have worked with the Senate Foreign Operations Appropriations Subcommittee to include human rights conditions on the aid. I commend Senators MCCONNELL and LEAHY for their leadership on this issue and for preserving the human rights conditions in the final version of the bill. The conditions are fully consistent with the laws and stated policies of the Colombian Government. They are also vital to en-

suring that U.S. military aid does not contribute to human rights abuses in Colombia. We look forward to working with the Administration to achieve the Colombian Government's compliance with them.

The first condition requires that armed forces personnel alleged to have committed gross violations of human rights be suspended from duty and brought to justice in the civilian courts, in accordance with the 1997 ruling of Colombia's Constitutional Court. The Colombian Ministry of National Defense has stated that, "the Commander General of the Military Forces will separate from active service, by discretionary decision, members of the various Military Forces for inefficiency or for unsatisfactory performance in the fight against illegal armed groups." Unfortunately, this policy has not been implemented, and there is no automatic process for suspending a member of the Colombian Armed Forces alleged to have violated human rights.

The Colombian Ministry of National Defense has expressed its support for the 1997 ruling of the Constitutional Court. In its March 2000 publication entitled "Public Force and Human Rights in Colombia," the Colombian Ministry of National Defense stated that, "Colombia has taken very important steps in limiting the jurisdiction of the military justice system. In effect, in 1997 the Constitutional Court concluded that crimes against humanity do not fall under its jurisdiction because it does not relate to the service provided by the Public Force. Such crimes constitute a serious violation of human rights and transgress the duties of armed services. Consequently, the Constitutional Court decided that such crimes be heard by the Ordinary Criminal Courts."

Unfortunately, the Colombian Armed Forces have grossly misrepresented their record of compliance with this Constitutional Court ruling. They have claimed that 576 human rights cases involving Armed Forces personnel were transferred to civilian courts when, in fact, only 39 cases of human rights violations were transferred—and those cases involved low level officials.

The human rights conditions contained in the bill also require the Colombian Government to prosecute in the civilian courts the leaders and members of paramilitary groups and armed forces personnel who aid or abet them. This provision is also fully consistent with the stated policies of the Colombian Government. In its publication entitled "Human Rights and International Humanitarian Law Policies," the Colombian Ministry of National Defense stated that illegal self-defense groups "are one of the main offenders of human rights and international humanitarian law." In its publication entitled "Public Force and Human Rights in Colombia," the Ministry further stated that the Public Force confronts and combats guerrilla and illegal self-

defense groups "with the same rigor." President Pastrana's "Plan Colombia" is quite clear on this issue, stating that "the Government will not tolerate ties of any kind between any member of the military forces or the police and any illegal armed group or force."

Regrettably, the State Department, the United Nations, and human rights groups have documented continuing links between the Colombian Armed Forces and paramilitary groups. The State Department Human Rights Report for 1999 stated that the Armed Forces and National Police sometimes "tacitly tolerated" or "aided and abetted" the activities of paramilitary groups. According to the report, "in some instances, individual members of the security forces actively collaborated with members of paramilitary groups by passing them through roadblocks, sharing intelligence, and providing them with ammunition. Paramilitary forces find a ready support base within the military and police." The report also concluded that "security forces regularly failed to confront paramilitary groups." Human Rights Watch has documented links between military and paramilitary groups, not only in isolated, rural areas but in Colombia's principal cities, and these links involve half of Colombia's 18 brigade-level units.

The Colombian Armed Forces have resisted investigating these links. Instead of investigating a credible allegation of military collaboration with paramilitary groups in a civilian massacre that occurred in the town of San Jose de Apartado on February 19, the Commander of the 17th Brigade filed suit against the non-governmental organization that made these allegations, charging that it had "impugned" the honor of the military.

The human rights conditions contained in the bill reflect the Colombian Government's laws and policies and underscore the importance of human rights as a fundamental principle of U.S. foreign policy. Compliance with these conditions is essential if we are to ensure that U.S. military aid does not contribute to human rights abuses in Colombia.

I am disappointed that the conference agreement permits the President to waive the conditions in the interest of national security. However, the inclusion of this waiver authority does not exempt the Administration from responsibility for seeking the Colombian Government's compliance with these human rights conditions. Nor is the waiver an excuse for the Colombian Government not to address the continuing human rights problems in Colombia. I look forward to the good faith application of these important human rights provisions in the implementation of this legislation.

Mr. DEWINE. Mr. President, I rise today to commend my colleagues on the Appropriations Committee who have worked with me, the Senator from Georgia, Senator COVERDELL; the

Senator from Florida, Senator GRAHAM; the Senator from Iowa, Senator GRASSLEY; and so many others on the emergency supplemental provisions contained in the Conference Report to the Fiscal Year 2001 Military Construction Appropriations bill. I am especially pleased that the Conference Report contains essential funds to begin correcting resource and funding shortfalls in the U.S. Coast Guard, and vital assistance needed to reverse the deteriorating situation in Colombia—a situation I would like to discuss in just a few minutes.

First, though, let me say a few words about the Coast Guard's current—and precarious—budget situation and how this Conference Report will help keep it afloat—at least for the remainder of this fiscal year. The reality is that our Coast Guard has been forced to cut back on its current services this year and could be forced to cut back even more next year. These reductions make it far more difficult for the Coast Guard to meet its many missions. They put at risk the sustainability of valuable fish stocks in the North Atlantic and Pacific Northwest. They reduce the Coast Guard's capability to stem the flow of illicit drugs and illegal immigration into the United States. And they can work against the Coast Guard's ability to respond quickly to search and rescue situations, which often in fishing grounds and high traffic migrant areas.

As early as last February, the Coast Guard began reducing its operating hours in the air and at sea. In some parts of the country, operating hours have been reduced as much as 20 to 30 percent.

Fortunately, Mr. President, the Conference Report we passed today will carry the Coast Guard through the current fiscal year. In total, more than \$700 million is provided to help restore the Coast Guard's aircraft and vessel spare parts supply; cover the cost of rising fuel prices; pay for rising health care costs and quality of life improvements for Coast Guard personnel; and increase by six its fleet of C-130 aircraft—assets critical to the Coast Guard's counter-drug and search and rescue capabilities.

Additionally, the Conference Report includes funding for the replacement of the Great Lakes Ice Breaking vessel—the Mackinaw. As my colleagues from the Great Lakes region know, this replacement vessel is invaluable to avoid disruption of winter-time commerce on the Great Lakes.

This legislation is a step in the right direction, but it is only a step. Our Coast Guard still remains seriously underfunded. We must still address the overall funding problems facing the Coast Guard, which is the task that awaits the conferees to the Transportation Appropriations bill. Unless we address this funding crisis, our Coast Guard will be in the exact same boat—no pun intended—year after year. Ultimately, unless we put the Coast Guard

under a far more sound financial footing, we risk compromising the entire Coast Guard apparatus, its routine and emergency operations, training and maintenance functions, and even its safety and commercial missions along our coasts and Great Lakes.

Not long ago, the Senate approved a Transportation Appropriations bill for the next fiscal year that would fund the Coast Guard's operating expenses at a level \$159 million less than what it needs to conduct its missions. Mr. President, I understand the Chairman and Ranking Member of the Transportation Subcommittee had to make some tough choices. They had a smaller budget to work with than their counterparts in the House. In fact, the House had \$1.6 billion more in its allocation for the Transportation Appropriations Bill than the Senate. This funding disparity needs to be resolved in the upcoming conference.

Mr. President, let me remind my colleagues about the unique importance of the Coast Guard. They are called "the rescue experts," and for good reason. Each year, the Coast Guard responds to 40,000 search and rescue cases and saves 3,800 lives. During the devastation of Hurricane Floyd, the Coast Guard conducted search and rescue missions and delivered drinking water and critical supplies to citizens along the Eastern seaboard. And, following the dramatic floods in North Carolina that resulted from the hurricane, Coast Guard helicopters came in right behind the storm and pulled stranded survivors from rooftops and trees surrounded by the swollen rivers.

The Coast Guard's rescue and response missions are often front page news, but often the untold stories are the emergencies prevented by the Coast Guard. Few people realize that before any cruise ship ever touches the ocean, Coast Guard ship inspectors from its Marine Safety Offices inspect each ship to ensure they are built not just for beauty and recreation, but for safety as well. That's good news for the approximately seven million Americans who embark on cruise ships every year. In fact, the Coast Guard doesn't just inspect cruise ships—the Coast Guard inspects all commercial ships, including cargo ships and tankers.

Of course, I have spoken on the Senate floor on several occasions to highlight the Coast Guard's extraordinary contributions to keep illegal drugs from ever reaching our shores. The scourge of drugs is the primary security threat within this hemisphere. It is a cancer that destroys civil institutions and erodes the sovereignty of nations in the Caribbean and South and Central America.

That is why a number of us here in the Senate and the House worked to provide additional funding in 1998 for the Coast Guard's counter-drug efforts, and that investment has paid off. The following year, the Coast Guard seized 57 tons of cocaine with a street value of \$4 billion—that's more than the total operating cost of the Coast Guard.

The Coast Guard's law enforcement skills extends as far as the Middle East, where Coast Guard cutters and tactical law enforcement teams enforce the continuing U.N. embargo against Iraq.

Perhaps one of the Coast Guard's toughest jobs is the day to day enforcement of U.S. immigration law. It is an emotional and gut wrenching mission. It challenges Coast Guard men and women daily to carry out their responsibilities with due regard for the law, human dignity and, above all, safety of human life. It is a tough job. But, day in and day out, the Coast Guard continues to carry out its duties with professionalism and a never-ending commitment to the people it serves.

These are just some of the vital missions that would be undermined if the Coast Guard is not given the resources to sustain its daily operations. In some respects, we have passed that point already. The Coast Guard is at a point that it is essentially cannibalizing equipment for parts, deferring maintenance, and working their people overtime—and this is just to sustain daily operations. This doesn't even take into account the rapidly rising fuel costs, which are exacerbating problems this fiscal year.

At the same time, the Coast Guard has to invest in its future. When compared to 41 other maritime agencies around the world, the ships that make up our Coast Guard fleet of cutters are the 38th oldest. Over the past four years, the Coast Guard has had to spend twice as much money to fix equipment and hull problems. This is not surprising because the older the equipment becomes, the harder it is to maintain. As the need for equipment maintenance increases, so too does the cost of operations. This is a problem that is not the result of mismanagement, but from insufficient funding. And that fact is reflected by this Congress having to use emergency supplemental funding for the Coast Guard two straight years just to sustain normal operations. I think you would agree, Mr. President, that this kind of stop-gap funding process is not the best way to keep an organization running—particularly one of such vital importance to our nation.

I urge the conferees to the Transportation Appropriations bill, in both the House and Senate, to keep these facts in mind as they proceed to conference. Again, the bill we have passed today is a good first step, but it is only that—a step.

Today, the United States Congress took a very important and necessary step toward bringing stability to countries in our hemisphere, and communities in our own country that are caught in the death grip of drug trafficking.

Today, we are sending to the President more than just an assistance package to Colombia—we are sending a blueprint of a partnership with Colombia and other countries in the hemi-

sphere to reduce illegal drug production and distribution. This is partnership among democracies in our hemisphere.

No one denies that an emergency exists in Colombia. The country is embroiled in a destabilizing and brutal civil war—a civil war that has gone on for decades with a death toll estimated at 35,000. The once promising democracy is now a war zone. Human rights abuses abound and rule of law is practically non-existent.

The situation in Colombia today bears little resemblance to a nation once considered to be a democratic success story. But today, the drug trade has threatened the sovereignty of the Colombian democracy and the continued prosperity and security of our entire hemisphere. And, tragically, America's drug habit is what's fueling this threat in our hemisphere. It is our own country's drug use that is causing the instability and violence in Colombia and in the Andean region. When drug deals are made on the streets of our country, they represent a contribution to continued violence in Colombia and in the Andean region.

The sad fact is that the cultivation of coca in Colombia has doubled from over 126,000 acres in 1995 to 300,000 in 1999. Not surprisingly, as drug availability has increased in the United States, drug use among adolescents also has increased. To make matters worse, the Colombian insurgents see the drug traffickers as a financial partner who will sustain their illicit cause, which only makes the FARC and the ELN grow stronger.

A synergistic relationship has evolved between the drug dealers and the guerrillas—a relationship bonded by the money made selling drugs here in the United States. Each one benefits from the other. Each one takes care of the other. This is not a crisis internal to Colombia. It is a crisis driven by those who consume drugs in our country, and a crisis that directly impacts all of us right here in the United States.

It is a crisis that has flourished in part because the current Administration made a significant and unwise policy change in its drug control strategy in 1993. When President George Bush left the White House, we were spending approximately one-quarter of our total federal anti-drug budget on international drug interdiction—spending it either on law enforcement in other countries, on Customs, on the DEA, on crop eradication—basically on stopping drugs from ever reaching our shores.

After six years of the Clinton presidency, that one-quarter was reduced to approximately 13 to 14 percent, a dramatic reduction in the percentage of money we were spending on international drug interdiction.

Fortunately, in the last few years, Congress has had the foresight to recognize the escalating threats in Colombia, and has worked to restore our drug fighting capability outside our borders.

In 1998, Congress passed the Western Hemisphere Drug Elimination Act (WHDEA), which not only has begun to restore our international eradication, interdiction and crop alternative development capabilities, it contained the first substantial investment in Colombia for counter-narcotics activities in almost a decade.

Today, we are building on that effort with a more focused plan to eliminate drugs at the source and to reduce the financial influence of drug trafficking organizations on the paramilitaries and insurgents within Colombia. In short, Mr. President, we are reversing the direction of our drug policy for the better. Congress saw what the Administration was doing. We said the policy has to change; we need to put more money into interdiction and source country programs; and that's exactly what we did.

We must not lose sight of why we are providing this assistance. The bottom line is this: The assistance package we put together because Colombia is our neighbor—and what affects our neighbors affects us too. We have a very real interest in stabilizing Colombia and keeping it democratic and keeping it as a trading partner, and keeping its drugs off our streets.

As we consider the great human tragedy that Colombia is today, we must not lose sight of the fact that the resources we are providing to Colombia now are an effort to stop drugs from ever coming into our country in the future. And ultimately, the emergency aid package is in the best interest of the Colombia-Andean region. It is in the best interest of the United States. And, it is clearly something we had to do.

Mr. LEAHY. Mr. President, I want to associate myself with the remarks of the senior Senator from Massachusetts, Senator KENNEDY, who has taken a strong, personal interest in the human rights conditions in the Colombia aid portion of this bill.

Senator KENNEDY and I, with the support of other Senators, both Democrats and Republicans, including some strong supporters of this Colombia aid package, wrote these conditions which passed the Senate on June 22. The Senate version, which passed overwhelmingly, did not contain the presidential waiver that was included by the conferees. There was virtually no meaningful opportunity for most Senators, especially Democrats, to participate in the Conference on the Colombia aid package, and I am disappointed that the waiver was included.

If the Administration had a history of giving the protection of human rights in Colombia the attention it deserves there would be no need for these conditions. Unfortunately, the Administration, as well as the Colombian Government, have consistently misrepresented, and overstated, the Colombian Government's efforts to punish human rights violators. This causes me great concern. There is no need for

the waiver and no justification for waiving these conditions.

Senator KENNEDY has described the situation in detail so I will not repeat what he has said. However, I do want to respond to a couple of the State Department's claims:

The State Department has said that "dramatic steps have been taken [by the Colombian Government] to deal with the legacy of human rights abuses." It cites a change in Colombian law, such that "military officers responsible for human rights violations are tried in civilian courts." That is a gross misrepresentation of what actually occurs. The Colombian Armed Forces have systematically, and successfully, sought to avoid civilian court jurisdiction of human rights crimes by many of its members.

The State Department has also said that "President Pastrana has stated repeatedly that he will not tolerate collaboration, by commission or omission, between security force members and paramilitaries." I am sure President Pastrana, who I greatly admire, has said that. But the reality is that this collaboration has existed for years, and virtually nothing has been done about it. In fact, it is only recently, when pressed, that the Administration and the Colombian Government even acknowledged that it was going on. To date, little has been done to stop it.

This is not to say that the Colombian Government has done nothing to address the human rights problems. It has, and I want to recognize that. But that is no argument for waiving these conditions. Far more needs to be done, especially to punish those who violate human rights.

There is no doubt that the Administration believes that supporting "Plan Colombia" is in our national security interests. However, the Administration has also said, repeatedly, that promoting human rights is a key goal of "Plan Colombia." The Colombian Government has said the same thing. If those pronouncements means anything, they mean that it is not in our national interests to provide assistance to the Colombian Armed Forces if the basic human rights conditions in this bill are not met, particularly when the Colombian Government has said these conditions are fully consistent with its own policies. This is not asking too much. These are not unreasonable conditions. To the contrary, they are the minimum that should be done to ensure that our aid does not go to forces that violate human rights. There is no reason whatsoever that the Administration cannot use the leverage of this aid package to ensure that these conditions are met, and I fully expect the Administration to do so.

Mr. WELLSTONE. Mr. President, I rise in strong opposition to the changes that were made to "Plan Colombia" in the military construction conference report. As if this body did not originally give enough to the military

"Push into Southern Colombia" with \$250 million, this conference report increases that amount by \$140 million, to fund a 390 million dollar first-time offensive military action in southern Colombia.

"Plan Colombia" has been added to this conference report as an emergency supplemental. We are moving it through this Congress quickly under the guise of a "drug emergency." But, if there is truly a drug emergency in this country, and I believe there is, why are there no resources in this plan targeted to where they will do the most good: providing funding for drug treatment programs at home? And, honestly, if the purpose of this military aid is to stop the supply of drugs, shouldn't some of that aid target the North as well? Something strange and dishonest is going on here.

During our debate over "Plan Colombia" I heard over and over again not only how much the Colombian government needed this assistance, but also how urgently it had to have it. I heard over and over again how if Colombia did not get this money now all hope for democracy would be lost, not only in Colombia but also for many other Latin and South American countries as well. This, my colleagues, is a far cry from stopping the flow of drugs into the United States. This, my colleagues, is choosing sides in a civil war that has raged for more than thirty years. And I think the American people deserve to know this.

This massive increase in counter-narcotics aid for Colombia this year puts the U.S. at a crossroads—do we back a major escalation in military aid to Colombia that may worsen a civil war that has already raged for decades, or do we pursue a more effective policy of stabilizing Colombia by promoting sustainable development, strengthening civilian democratic institutions, and attacking the drug market by investing in prevention and treatment at home? I see today that we have chosen the former.

We are choosing to align ourselves with a military that is known to have close contacts with paramilitary organizations. Paramilitary groups operating with acquiescence or open support of the military account for most of the political violence in Colombia today. In its annual report for 1999, Human Rights Watch reports: "in 1999 paramilitary were considered responsible for 78% of the total number of human rights and international humanitarian law violations" in Colombia. Our own 1999 State Department Country Reports on Human Rights notes that "at times the security forces collaborated with paramilitary groups that committed abuses."

We should support Colombia during this crisis. Being tough on drugs is important, but we need to be smart about the tactics we employ. This conference report decreases by \$29 million the aid this Chamber gave to support alternative development programs in Co-

lombia. It cuts by \$21 million support for human rights and judicial reform. It also cuts support for interdiction by \$3.1 million. Yet, it increases by \$140 million funding for the military "Push into Southern Colombia." What are we doing here? Guns never have and never will solve Colombia's ills, nor will they address our drug problem here in the United States.

I reiterate how unbalanced "Plan Colombia" is in this conference report. It cuts the good and increases the bad. A more sensible approach would have been to permit extensive assistance to Colombia in the form of promoting sustainable development and strengthening civilian democratic institutions. This would have safeguarded U.S. interests in avoiding entanglement in a decades-old civil conflict, and partnership with an army implicated in severe human rights abuses. Instead, we are funding a military offensive into southern Colombia and denying resources where they would be the most effective: drug treatment programs at home. I am appalled at this strategy.

Mr. GORTON. Mr. President, I oppose the billions of dollars of emergency Fiscal Year 2000 supplemental funding included in the Fiscal Year 2001 Military Construction bill to continue our involvement in Kosovo, and to dramatically escalate our military's involvement in Colombia. While I support the Military Construction provisions in the bill, particularly the worthy Washington state projects specified in the bill, I cannot vote for passage of this measure.

I did not support the President's decision to intervene in the 600-year-old civil war in the Republic of Yugoslavia, and do not support the spending of another \$2 billion on this open-ended commitment of our nation's armed forces and taxpayer dollars.

Last week, I actively opposed the President's effort to entangle us in yet another civil war, this time in Colombia. I unsuccessfully sought to reduce the proposed \$934 million in funding to \$200 million, which would amount to a four-fold increase in spending on our fight against drug-trafficking between Colombia and the United States. This supplemental spending bill now includes even more for Colombia, a total of \$1.3 billion. I am afraid this is a mere down payment on the billions more we will be asked to spend in coming years. I refuse to support this launching of yet another never-ending commitment—especially one that the President can neither justify nor guarantee will have even the slightest positive impact on drug trafficking.

The billions included in this bill for Kosovo and Colombia are not only an irresponsible waste of taxpayer funds, they are a dangerous gamble that we will exit involvement in these civil wars with less damage to our fighting men and women, and national dignity than we have in the past.

EB-52 OPTION

Mr. CONRAD. Mr. President, as my colleagues may be aware, in recent

years there has been discussion within the military about modifying or equipping B-52 aircraft with advanced electronic jamming equipment that would allow them to perform a dedicated electronic warfare, or EW, mission. I joined Senator DORGAN in filing amendments calling for a thorough study of an "EB-52" option.

Mr. DORGAN. I think it should be noted that operation Allied Force demonstrated that our nation is short jamming assets for even one major war. An "EB" version of the B-52 would be a cost-effective solution to the problem, since the aircraft are already paid for. As a matter of fact, I understand that during Operation Allied Force, General Wesley Clark asked if any other platforms could be equipped with offensive electronic gear to augment the over-tasked EA-6Bs against Serbia's air defense system, and that an "EB-52" variant was under consideration. That concept warrants full consideration, as a supplement to the EA-6B aircraft now in service with the Navy.

Mr. CONRAD. I wonder if the distinguished Chairman and Ranking Member share our interest in the idea of an EW mission for the B-52 and belief that it should be carefully studied?

Mr. WARNER. I certainly do. Our Nation requires additional dedicated EW assets and the B-52 offers great potential in this area. I would bring to the attention of my colleagues that the Defense Authorization Act for fiscal year 2000 called for a study of potential additional EW platforms to supplement the EA-6B. The B-52 warrants careful and thorough analysis, and I have been assured by the Defense Department that it is, in fact, being studied. Senator LEVIN, would you care to comment?

Mr. LEVIN. I appreciate the interest of my friends from North Dakota in the EB-52 and share the sentiments of the distinguished Chairman on this matter. The B-52 is a viable candidate for the EW mission in light of its large payload, intercontinental range, reliability, and airframe maintainability beyond 2040. It is my understanding that it is being studied as a dedicated EW platform candidate and must receive full consideration.

Mr. CONRAD. I greatly appreciate the comments of the Armed Services Committee's distinguished leadership. I am willing to withdraw my amendment in light of assurances that the study is underway and will continue to accord the B-52 full, fair, and thorough consideration as a potential dedicated EW platform.

Mr. DORGAN. I also thank the distinguished Chairman and Ranking Member for their attention to this important matter. In light of their assurances, I, too, will withdraw my amendment, and look forward to working with them to ensure that the B-52 is given a close look for the EW mission during the ongoing study.

Mrs. LINCOLN. Mr. President, with the passage of the emergency supple-

mental appropriations bill, I want to talk about an important issue to all of my constituents in Arkansas and to private property owners across this country. I thank the appropriators for including language in the bill that will prohibit the Environmental Protection Agency from promulgating or implementing its proposed Total Maximum Daily Load regulations.

In issuing its August 1999 Total Maximum Daily Load regulation, the EPA overstepped its congressionally mandated authority. Congress authorized the EPA to regulate point sources and left it up to the states to regulate non-point sources and develop and implement TMDL plans. In its proposed TMDL regulation, the EPA granted itself authority to regulate these specific items and clearly overstepped its regulatory authority. These changes, while seemingly innocuous, represent a major shift in Clean Water Act authority from the States to the Federal Government at the hands of the Environmental Protection Agency. Congress has the authority to set clean water laws of this country, not the EPA.

I reiterate something I have been saying as often as anyone will listen—these new regulations can easily be summed up in two words—unreasonable and unnecessary.

I understand some of my distinguished colleagues' objections to what seems like legislating on an appropriations bill, but I want to let my colleagues know that I have attempted to use all other avenues to fix this regulation. I completely agree with the EPA's objective of cleaning up our Nation's rivers, lakes, and streams, but firmly believe that this regulation oversteps congressional mandated authority and intent for the implementation of the Clean Water Act.

I assure my colleagues that I have done all that I could to encourage the EPA to back down before we got to this point. I have personally met with the President. I have personally met with EPA Administrator Carol Browner. I have introduced legislation to reassert congressional intent regarding the Clean Water Act. My colleagues and I have held ten congressional Committee hearings, introduced six pieces of legislation on this matter, and held over 20 public meetings around the country that were attended by thousands of property owners.

In Arkansas alone, we have held three public meetings and two congressional field hearings. In El Dorado over 1,000 attended; in Texarkana over 4,000 attended; in Fayetteville over 2,000 attended; and over 1,000 attended in Hot Springs and in Lonoke to learn how this new TMDL regulation would affect their private property and to protest the reach of the EPA into traditional non-point source activities.

We have attempted all available avenues to right this wrong. It was never congressional intent for the EPA to regulate non-point sources or to interfere with States' implementation of

TMDLs on its rivers, lakes, and streams.

After all of our efforts to curb this regulation and bring it back into line with congressional intent have failed, we have been left with no other recourse but to restrict the EPA's funding for this TMDL regulation.

This emergency supplemental appropriations bill is a good bill, and it rightly delays implementation of any new, unnecessary and unreasonable EPA regulations until Congress and the States have adequate time to address this issue properly and completely. I urge my colleagues to support this bill.

Mr. BINGAMAN. Mr. President, I would like to thank my colleagues for voting for final passage of H.R. 4425 and for supporting the funding for the Cerro Grande Fire Assistance Act contained in this bill. By working together with Senator DOMENICI and his staff, we were able to quickly put together a piece of legislation that will compensate the many New Mexicans injured by the Cerro Grande fire that raged through Los Alamos and the surrounding forests in early May. Because of the federal government's role in setting what began as a controlled burn in the Bandelier National Park, this legislation was a necessary response from the federal government.

The intensity of the Cerro Grande fire resulted in extraordinary losses for both the residents of Los Alamos and the surrounding pueblos. I am pleased that a compensation fund will now be available for those who lost their homes in the fire, those who were forced to close down their business and those who provided emergency relief to the threatened community. The compensation fund will also be made available for those who suffered other kinds of losses as a result of the fire. This would include aid to the Santa Clara Pueblo to help them restore the thousands of acres they lost to the Cerro Grande blaze. It would also include assistance to the members of the San Ildefonso Pueblo who have suffered economically due to the fire closing down the roads and cutting off the tourist traffic that frequents the pueblo. I'm also glad that we were able to provide funding for the Los Alamos National Laboratory so it can begin to address the damages it sustained as a result of the Cerro Grande fire.

I am very pleased that the Cerro Grande compensation fund will be available shortly so people can get on with their lives and start rebuilding their communities. Once this legislation is signed by the President, FEMA will have 45 days to draft regulations that govern this claims process. I would like to thank FEMA, and especially Director James Lee Witt, for taking on this very large responsibility of handling the fire claims process. He has worked tirelessly to aid disaster victims across this country and I know he will devote the resources necessary to aid the victims of the Cerro Grande

fire. We hope that the regulations governing the claims process will be in place shortly and the victims of the fire can begin settling their claims with the federal government by late summer.

As I thank my colleagues for their support, I would like to particularly thank Senator DOMENICI for his hard work in fighting for this money in the appropriations process. The initial appropriation of \$455 million for this compensation fund will hopefully address most, if not all, of the damage caused by the Cerro Grande fire. The amount appropriated is a significant commitment by the federal government and by passing this legislation today, Congress has committed itself to compensating the victims of the Cerro Grande fire for the losses they incurred.

Mrs. MURRAY. Mr. President, I am pleased and relieved that after weeks of uncertainty we have finally reached this point, and that we are ready to act on the Military Construction Bill.

As always, I thank Senator BURNS, the Chairman of the Military Construction Subcommittee for his leadership and bipartisan cooperation. I also want to thank Chairman STEVENS and Senator BYRD for their work in producing this bill. They set an excellent example for all of us to follow.

The FY 2001 Military Construction Appropriations Bill provides \$3.8 billion dollars in spending. This agreement also represents a tremendous amount of work and a great deal of cooperation between the House and Senate.

We went into conference with very different recommendations for projects, and simply not enough money to go around. We came out with a bipartisan package that is fair and balanced and, most importantly, addresses some of our most pressing military construction needs. I wish we could have done more because the needs are so significant.

As our nation continues to tally up ever-larger budget surpluses, I hope that the Defense Department will channel more resources into military construction. We simply cannot continue to balance the best military in the world on the back of a crumbling infrastructure. We ask tremendous sacrifices from our military families, and this bill is an opportunity to address their pressing needs.

Mr. President, I would also like to acknowledge the excellent contributions of the Military Construction Subcommittee staff for their many hours of hard work in crafting this agreement.

I also want to make a few brief comments regarding the supplemental appropriations that have been attached to this legislation. I will vote for the conference report but I do so with serious reservations about numerous provisions in the supplemental. It is important to note that the package before the Senate today does not represent the work of the entire conference com-

mittee. The conference committee did not meet to consider the supplemental items.

This has not been an ideal process. While this bill provides funding for needed projects and disaster relief, many needs were left unaddressed. Other projects were added that were not part of either the President's supplemental request or the Senate's supplemental provisions.

I am particularly disappointed that this conference report does not include the Senate's language to provide Seattle and other local governments in Washington state with the needed reimbursement funding for last year's WTO meeting. The federal government has not been a true partner in sharing the costs for this event.

I am particularly disappointed with the Congressional Majority, which promised to include this language. Unfortunately, when they met behind closed doors, they chose to neglect our obligation to Seattle. I will demand that the Senate act on this matter before we adjourn this year.

In addition, I continue to have serious reservations about the assistance package to Columbia for counter narcotics activities. I have worked with Senator LEAHY to strengthen the human rights provisions within the bill, and I did vote for both amendments to limit funding to Columbia during the Senate's consideration of the issue. If the Columbia funding were attached to a bill other than Military Construction where I serve as ranking member, I would give serious consideration to voting against the bill.

I also want to note for my colleagues that this legislation provides significant disaster assistance for New Mexico to aid the Los Alamos area in dealing with the recent devastating fire. Senator DOMENICI and Senator BINGAMAN have been very diligent in working with the Senate on this issue.

At this moment, fire crews in Washington state have finally gotten control of another significant fire near one of our country's nuclear weapons facilities. More than 200,000 acres were destroyed by a fast-moving fire on and around the Hanford Nuclear Reservation.

Secretary Richardson is at Hanford today to assess the damage. I have been in contact with Governor Gary Locke and various federal officials to follow the fire developments. While it is too soon to know the extent of the damage, I do want my colleagues to be aware of this serious situation.

Mr. KERRY. Mr. President, I am deeply concerned that the supplemental appropriations contained in this Military Construction Appropriations conference report (accompanying H.R. 4425) do not provide for essential funding for SBA's popular 7(a) guaranteed business loan program.

For nearly 50 years, SBA's 7(a) loan program has provided loans to start and grow small business across the country when they could not access fi-

nancing in the commercial marketplace. SBA provides this assistance in the form of guaranties for loans made by a network of more than 5,000 private sector lenders. Currently, SBA's 7(a) portfolio includes nearly \$40 billion in 7(a) loans representing as many as 150,000 small businesses that might not be in business today were it not for their SBA guaranteed loans. The 7(a) program is funded by user fees and a modest appropriation intended to offset any potential losses on the SBA guaranteed loans. For fiscal year 2000, the taxpayers' cost for a 7(a) loan is only \$1.16 for every \$1000 guaranteed. And for each \$10,000 loaned, at least one job is created.

Despite the tremendous benefits provided by the 7(a) loan program, however, this year the available program level will not be adequate to meet the needs of the eligible, credit-worthy small businesses that will seek assistance from SBA. This means that by the end of the fiscal year the Agency will have to turn away some of the small entrepreneurs that are relying on SBA-guaranteed loans to finance the growth of their businesses. In an environment where small business is responsible for much of the growth in the American economy and most of the new job opportunities, this is penny-wise and pound-foolish.

SBA has funds available that could be transferred to the 7(a) program to help to make sure that every eligible, credit-worthy small business that seeks SBA's loan assistance is able to access the loans that they need. The simple request would allow SBA to use funds that have been previously appropriated to it for the 7(a) program. If any of us were asked whether we support the small businesses in our States—in our districts, we would answer with a resounding "yes." By including language to allow SBA to use existing funds for 7(a) program loans, we will be demonstrating in a very tangible way that our local small businesses can really count on this support.

I don't understand why we, the Congress, continue to deny this simple request that means so much to so many and costs so little. This is nothing unanticipated or given to the Congress at the last minute:

In SBA's FY 2000 request, SBA asked for a program level of \$10.5 billion for this program. The SBA only received a program level of \$9.75 billion.

The President's supplemental request letter of February 25, 2000 included SBA's request for authority to transfer money to the 7(a) program to raise the program level to the requested \$10.5 billion.

When the Administrator testified on the FY 2001 budget in March of this year, she stated that SBA would need the \$10.5 billion program level for FY 2000 at the then current demand level.

On May 22, SBA Administrator Alvarez sent letters to Chairmen STEVENS and GREGG expressing her concern that the transfer was not included in S. 2536.

In a letter from Jacob Lew, director of OMB, to Chairman Young, Director Lew mentioned the concern by the Administration of the transfer ability.

Now I am expressing my concern that it is not in H.R. 4425.

Mr. KYL. Mr. President, the Senate is today considering the conference report to accompany the FY2001 military construction appropriations bill, H.R. 4425. The bill includes funding for military facilities and infrastructure, including base improvements, operation and training facilities, barracks and family housing, and environmental compliance.

Attached to the military construction bill is a supplemental spending package for FY2000 that includes funding for anti-drug efforts, including in Colombia, funds to replenish defense accounts that have been drawn down by the Clinton administration to pay for military operations in Kosovo and Bosnia, and funds for disaster assistance, wildland firefighting activities, and administrative expenses associated with repeal of the Social Security earnings limitation earlier this year.

I am pleased that the total cost of the supplemental package was reduced from the original \$13 billion proposed by the House to about \$11 billion. I want to commend the Majority Leader, Senator LOTT, and the Chairman of the Appropriations Committee, Senator STEVENS, for working to limit the cost of the supplemental package.

I think we could have gone further, though. The bill includes about \$600 million for the Low Income Home Energy Assistance Program. I question the need to include that money here. There is \$7 million for peanut assessments. There is language in the bill that lifts the firewall that would prevent defense funds from being diverted to certain domestic programs. These are things I would omit from the bill, if I could.

The fact is, though, that the bulk of the supplemental spending is urgently needed, even though some provisions of questionable merit have been included. More than half of the supplemental—\$6.5 billion—is required to replenish defense operations and maintenance accounts that President Clinton has tapped to cover the cost of unauthorized military missions around the globe, including in Bosnia and Kosovo. Because O&M accounts have been seriously depleted, we find that we are now on the brink of serious readiness problems in our military if we do not replenish these accounts, and do so quickly.

Mr. President, the firefighting money in this bill—\$350 million—like the defense money—is an urgent matter. The Los Alamos, New Mexico, fires have dominated the news, but wildfires this year have consumed more than 25,000 acres in Arizona, as well. Nationwide, over one million acres have burned this year, and we still have several months remaining in our fire season. The money in this bill will reimburse the

Bureau of Land Management and the Forest Service for costs incurred in connection with firefighting efforts on the Grand Canyon rim and elsewhere around the country. The firefighting funds have to be allocated.

The bill allots \$1.3 billion for counter-narcotics activities, including Plan Colombia. That is a start, but we are likely going to have to do even more to help gain control of drug production and distribution from Colombia.

There are several items of particular importance to the state of Arizona that I would like to highlight at this point. First and foremost is language to prevent the Secretary of the Interior from moving forward with a unilateral reallocation of Central Arizona Project (CAP) water. This language is defensive in nature—that is, it is intended only to counter a threat by the Interior Secretary to reallocate CAP water by the end of the calendar year contrary to the terms of Indian water settlements now being negotiated. Water is a precious and scarce resource, and the allocation of CAP water is one of the most important decisions affecting the future of my state. Arizona simply cannot allow the Secretary to reallocate its water merely because he is about to leave office.

The bill includes a \$12 million one-time appropriation to be split equally between Arizona, Texas, California, and New Mexico to help cover the overwhelming costs associated with processing criminal illegal immigrants and the significant number of border-related drug cases.

It also includes a one-time, \$2 million appropriation for Arizona to assist Cochise County and other affected jurisdictions along the U.S.-Mexican border that are incurring significant costs for local law enforcement and criminal justice processing because of record-breaking levels of illegal immigration and smuggling of drugs and people into the state.

Dr. Tanis Salant, a professor at the University of Arizona, is close to completing a study on unreimbursed costs that occur as a result of increased illegal immigration in the area. He estimates that Arizona's border counties collectively spend \$15.5 million to bring criminal illegal aliens to justice. Cochise County spends 33 percent of its overall local criminal justice budget to process criminal illegal immigrants. This does not even include incarceration costs, which are also severe.

Finally, the bill funds important military construction projects in the state:

\$2.265 million to improve the readiness center at the Army National Guard's Papago Military Reservation;

\$1.598 million for the readiness center at the Guard's Yuma installation; and

\$3.35 million for the child-development center at Fort Huachuca.

These were projects that were not identified in the President's budget, but which are important priorities in the state.

As I said early on, there are some things in this bill that I do not support. There is questionable need for some of the military construction projects that are funded. The LIHEAP money should not be included here. Peanut assessments. The breaching of the defense firewall. But it seems to me that the good in the bill outweighs the bad.

Mr. President, I will vote for this bill. We have no choice but to replenish our defense accounts and pay for emergency items, like firefighting and disaster relief.

Mr. L. CHAFEE. Mr. President, I would like to share with my colleagues my views on several items contained within this conference report.

Shortly after becoming a Senator, I was named chairman of the Foreign Relations Subcommittee on Western Hemisphere Affairs. One of the most important matters before our subcommittee this year is the Administration's proposed anti-drug aid package for Colombia. The conference report before the Senate today includes \$1.3 billion for this plan.

On February 25, I called the first hearing of my subcommittee to consider the many facets of this package. I must say that at first, I was quite skeptical of providing such a dramatic increase in anti-drug military aid to Colombia. My concerns centered on whether the United States had a comprehensive long-term strategy for this plan, whether this swift and dramatic infusion of military hardware would result in a worsening of the human rights record of the Colombian military, and whether there were assurances that these funds would not be wasted due to corruption.

At our hearing, our subcommittee explored a number of questions about this plan. Key among our witnesses was José Miguel Vivanco, Executive Director of the Americas Division of Human Rights Watch. Mr. Vivanco outlined a report he had just authored documenting the continued links between the Colombian military to the paramilitaries that have been implicated in countless human rights abuses in Colombia. He also touched on the lack of progress in prosecution in Colombia's civilian courts of military personnel accused of human rights abuses.

Two months later, I chaired a meeting of the Foreign Relations Committee with the President of Colombia, Andrés Pastrana. At this meeting, several members of the Committee and other interested Senators were able to discuss in depth with Mr. Pastrana our concerns about this plan. I came away from our meeting fully convinced that President Pastrana is a courageous, reform-minded leader who is committed not only to ending drug trafficking in Colombia, but also to bringing stability, ending violence, and promoting human rights there as well.

I am gratified that concerns such as those raised at our subcommittee hearing and our meeting with President

Pastrana received attention as the House and Senate have considered the Administration's plan. In that regard, the conference report before the Senate today includes several stringent requirements, including a series of conditions on the progress of Colombia's military in addressing human rights abuses; \$29 million more than the President's request for human rights and justice programs; a requirement that the U.S. President develop a comprehensive strategy with benchmarks; and additional anti-drug funding to neighboring nations so that this problem is not simply exported out of Colombia.

Although there remain numerous critics who do not support this plan, I would attest that the provisions in this bill are far better than simply appropriating the funds without condition. With these strong provisions included, I support passage of this anti-drug package for Colombia.

However, let's be clear that passage of this plan today is not the end of Congress' consideration of this critical issue. As chairman of the Subcommittee on Western Hemisphere Affairs, I will closely monitor implementation of this aid package to ensure that the conditions enacted by Congress today are carried out responsibly and thoroughly by the Administration.

I would also like to mention a rider inserted by the Conference Committee that would prohibit the Environmental Protection Agency from finishing work on a proposed rule revising the Total Maximum Daily Load (TMDL) program under the Clean Water Act. The TMDL issue is an important policy matter, one with significant consequences for public use of our Nation's surface waters and for many businesses, farmers and others who will be affected by the rule. No doubt, this issue is controversial and merits careful consideration and debate. However, the TMDL provision inserted into the Military Construction and Supplemental Appropriations bill inappropriately transfers the decision regarding the TMDL rule from the Environmental Protection Agency to the Senate and House Appropriations Committees.

This rider is not germane to the underlying bill, was inserted into the Conference Report without any public debate, and cannot be amended. In my view, important decisions regarding environmental policy should not be made behind closed doors and out of public view. This type of backdoor legislating circumvents the legislative process of debate and amendment, and abuses the public trust. By including this language in a conference report that cannot be amended, Senators must either accept the offensive provision, or vote down an appropriations bill containing important funds for disaster relief, humanitarian aid, and national defense.

Since the bill provides critical assistance to people that need help, I reluctantly support its passage.

Mr. McCAIN. Mr. President, I appreciate the opportunity to address the

Senate once again on the subject of military construction projects added to an appropriations bill that were not requested by the Department of Defense. This bill contains more than \$1.5 billion in unrequested military construction projects. More importantly, I would like to spend a few minutes discussing the thorough perversion of the budget process by Congress in its relentless pursuit of the other white meat. There is \$4.5 billion in pork-barrel spending in this bill, \$3.3 billion of that total in the so-called "emergency supplemental."

Webster's, Mr. President, defines "emergency" as "a sudden, generally unexpected occurrence or set of circumstances demanding immediate action." What we have here is the antithesis of that concept. It is ironic that the emergency spending bill before us today includes \$20 million for abstinence education, because the taxpayers are really getting screwed. For months the leadership of this body made a deliberate decision not to act quickly and deliberately with regard to legitimate spending issues involving military readiness and the crisis in Colombia. The decision was made not to treat these essential and time-sensitive activities as expeditiously as possible. Now, after many months and a legislative trail more complicated and illogical than any Rube Goldberg contraption, we are presented with an \$11 billion bill replete with earmarks that under no credible criteria should be categorized as "emergency"—and this is in addition to the over \$1.5 billion added to the underlying military construction appropriations bill for strictly parochial reasons.

Mr. President, as everyone here is aware, I regularly review spending bills for items that were not requested by the Administration, constitute earmarks designed to benefit specific projects or localities, and did not go through a competitive, merit-based selection process. I submit lists of such items to the CONGRESSIONAL RECORD, generally prior to final passage of the spending bill in question. In the case of the Military Construction bill for fiscal year 2001, I submitted such a list, along with a statement critical of the process by which that bill was put together, particularly the over \$700 million worth of military construction projects added to that bill that were not requested by the Department of Defense—an amount, I reiterate, that was doubled in conference with the rarely fiscally responsible other Body.

This is an institution that has proven itself incapable of passing legislation on an expedited basis that genuinely warrants the categorization of "emergency." Funding for ongoing military operations that strains readiness accounts is a case in point. The one thing, Mr. President, we can pass without hesitation and consideration is money for pork-barrel projects. Just prior to final passage back in May of the Military Construction appropriations bill, the Appropriations Committee pushed through \$460 million for

six new C-130J aircraft for the Coast Guard—the very aircraft that we throw money at with wanton abandon as though our very existence as an institution is dependent upon the continued acquisition of that aircraft.

That funding and those aircraft are in the bill that emerged from conference with the House. A consensus exists, apparently, that we must have six more C-130Js in addition to the ones added to the defense appropriations bill despite a surplus in the Department of Defense of C-130 airframes that should see us through to the next millennium and beyond. Message to parents saving up for little junior's college education: invest in the stock of the company that makes C-130s; the United States Congress will ensure your offspring never need student loans.

Compared to the \$460 million for the C-130s, it hardly seems worth it to mention the \$25 million added to this emergency spending measure for yet another Gulfstream jet, other than to point out that it is manufactured in the same state as the C-130s.

It was reassuring that a compromise was reached on the issue of helicopters for Colombia. It is extremely unfortunate, however, that an issue of life and death for Colombian soldiers being sent into combat to fight well-armed drug traffickers and the 15,000-strong guerrilla army that protects them was predicated upon parochial considerations. Valid operational reasons existed for the decision by the Department of Defense and the Colombian Government to request Blackhawk helicopters, and the Senate's decision to substitute those Blackhawks for Huey IIs was among the more morally reprehensible actions I have witnessed within the narrow realm of budgetary decision-making by Congress.

Specific to the Military Construction Appropriations Act for Fiscal Year 2001, it continues to strain credibility to peruse this legislation and believe that considerations other than pork were at play. How else to explain the millions of dollars added to this bill for National Guard Armories, which, in a typically Orwellian gesture, are now referred to as "Readiness Centers?" Whether the \$6.4 million added for a new dining facility at Sheppard Air Force Base; the \$12 million for a new fitness center at Langley Air Force Base; the \$5.8 million for a joint personnel training center at Fairchild Air Force Base, Alaska; the \$3.5 million added for an indoor rifle range and \$1.8 million for a religious ministry facility at the Naval Reserve Station in Fort Worth, Texas; the \$4 million added for the New Hampshire Air National Guard Pease International Trade Port; the \$4 million for a Kentucky National Guard parking structure; and the \$14 million added for New York National Guard facilities all constitute vital spending initiatives is highly questionable.

Mr. President, there are one-and-a-half billion dollars worth of projects added to this bill at member request. Not all of them, in particular family housing projects warrant criticism or skepticism. There are important quality of life issues involved here. The public should be under no illusions, however, that over a billion dollars was added to this bill solely as a manifestation of Congress' naked pursuit of pork.

As mentioned, far more disturbing than the pork added to the military construction bill is the damage done to the integrity of the budget process by the abuse of the concept of emergency spending. Permit me to quote from the opening sentence from the Washington Post of June 29 with regard to this bill: "Republicans are trying to grease the skids for passage of a large emergency spending bill for Colombia and Kosovo with \$200 million of 'special projects' for members, and one of the biggest winners is a renegade Democrat being courted by the GOP."

That, Mr. President, summarizes the process pretty well. Military readiness and the situation in Colombia are not in and of themselves important enough to warrant support for this spending bill; we must have our pork. We must have our \$25 million for a Customs Service training facility at Harpers Ferry, West Virginia, a site most certainly chosen for its bucolic charm and operational attributes rather than for parochial reasons. We must have our \$225,000 for the Nebraska State Patrol Digital Distance Learning project. We must have over \$3 million earmarked for anti-doping activities at the 2002 Olympics, in addition to the \$8 million for Defense Department support of these essential national security activities on the ski slopes of Utah. We must have \$300,000 for Indian tribes in North Dakota, South Dakota, Montana and Minnesota.

Those of us who had the misfortune of witnessing one of the most disgraceful and blatant explosions of pork-barrel spending in the annals of modern American parliamentary history, the ISTEA bill of 1998, should be astounded to see the projects funded in this emergency spending bill:

\$1.2 million for the Paso Del Norte International Bridge in Texas;

\$9 million for the US 82 Mississippi River Bridge in Mississippi;

\$2 million for the Union Village/Cambridge Junction bridges in Vermont;

\$5 million for the Naheola Bridge in Alabama;

\$3 million for the Hoover Dam Bypass in Arizona and Nevada;

\$3 million for the Witt-Penn Bridge in New Jersey; and

\$12 million for the Florida Memorial Bridge in Florida.

These, Mr. President, are but a tip of the iceberg—an iceberg that shall not stand in the way of the icebreaker added to this bill, albeit for more credible reasons than the vast majority of member-adds.

As I stated earlier, tracking the process by which this bill comes before us today has been a truly Byzantine experience. The addition of \$600,000 for the Lewis and Clark Rural Water System in South Dakota serves as sort of a tribute to the unusual path down which this legislation has traveled. The most skilled legislative adventurers would be hard pressed to follow the trail this bill followed before arriving at its destination here today.

I cannot emphasize the significance of piling billions of dollars in pork and unrequested earmarks into a bill that we have categorized for budgetary purposes as "emergency." Consider the distinction between emergency spending essential for the preservation of liberty and to deal with genuine emergencies that cannot wait for the usual annual appropriations process, and the manner in which Congress abuses that concept and undermines the integrity of the budgeting process. When I review an emergency spending measure and read earmarks like \$2.2 million for the Anchorage, Alaska Senior Center; \$500,000 for the Shedd Aquarium/Brookfield Zoo for science education programs for local school students; \$1 million for the North Shore-Long Island Jewish Health System in Long Island, New York; \$1 million for the Center for Research on Aging at Rush-Presbyterian—St. Luke's Medical Center in Chicago; and \$8 million for the City of Libby in Montana, plus another \$3.5 million for the Saint John's Lutheran Hospital in Libby, I am more than a little perplexed about the propriety of our actions here.

Is the American public expected to believe that what the chairman of the Appropriations Committee calls a "must-pass bill" essential for national security should include emergency funding for Dungeness fishing vessel crew members, U.S. fish processors in Alaska, and the Buy N Pack Seafoods—how do you, Mr. President, even write that bill language with a straight face—processor in Hoonah, Alaska, research and education relating to the North Pacific marine ecosystem, and the lease, operation and upgrading of facilities at the Alaska SeaLife Center, and the \$7 million for observer coverage for the Hawaiian long-line fishery and to study interaction with sea turtles in the North Pacific. Finally, and not to belabor the point, is the \$1 million for the State of Alaska to develop a cooperative research plan to restore the crab fishery truly a national security imperative?

My friend and colleague from Texas, Senator GRAMM, has referred to the sadly typical smoke and mirrors budgeting gimmickry pervasive in this bill. I am disturbed by these budgeting gimmicks designed to prevent Congress from complying with the revenue and spending levels agreed to in the Budget Resolution. This bill is a betrayal of our responsibility to spend the taxpayers' dollars responsibly and enact laws and policies that reflect the best interests of all Americans.

For example, this bill waives the budget caps to allow for more discretionary spending. This bill also waived the firewall in the budget resolution between defense and nondefense spending on outlays. The end result is that this gives the Senate Appropriations Committee the freedom to move the \$2.6 billion the Defense Appropriations Subcommittee did not spend on much-needed readiness into non-defense spending.

This bill further changes current law and shifts the payment date for SSI, the Supplemental Security Income program, from October back to September. What that does is shift money into fiscal year 2000. In the process, it allows \$2.4 billion more be spent in fiscal year 2001 by spending that same amount of money in the previous year. This bill also uses the gimmick of moving the pay date for veterans' compensation and pensions from fiscal year 2001 to fiscal year 2000. Both of these provisions are further examples of the irresponsible budget gimmickry that allows the Congress to spend more without any accountability.

Mr. President, to conclude, this bill is a travesty, a thorough slap in the face of all Americans concerned about fiscal responsibility, national security, the scourge of drugs on our streets, and the integrity of the representation they send to Congress. We should be ashamed of ourselves for passing this bill—a bill that members of the Senate had no time to review despite misleading statements to the contrary voiced on the floor of the Senate. Unfortunately, shame continues to elude us, and the country is poorer for that flaw in our collective character.

Mr. President, I ask unanimous consent to have printed in the RECORD the list of unrequested items.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

H.R. 4225 FY01 conference MILCON and supplemental add-ons, increases & earmarks

[In millions of dollars]

M1A2 Tank Upgrades	163.7
Patriot Missile Program	125
Walking Shield Program	0.3
2002 Olympic and Paralympic Winter Games	8
Sale of a Navy Drydock to Bender Shipbuilding, Mobile, AL.	
Corps of Engineers Flood Protection, Devils Lake, North Dakota	2
Corps of Engineers Flood Protection, Princeville, North Carolina	1.5
Corps of Engineers improvements, Johnson Creek, Arlington, TX	3
Corps of Engineers dredging, Saxon Harbor, Wisconsin	0.2
DoE Oak Ridge, Tennessee	25
DoE Kansas City Plant, Missouri	11
DoE Pantex Plant in Amarillo, Texas	7.5
DoE Los Alamos, NM	5
DoE Sandia Lab, NM	14
DoE Transportation/Fleet Upgrades	10

DoE Savannah River Site	1.5	Education Research, Statistics Center, George Mason Univ., VA	0.368	LIHEAP (Low Income Home Energy Assistance Program)	600
DoE Nevada Test Site Uih Shaft improvements	2.5	3 Improvements to St. John's Lutheran Hospital, Libby, Montana	3.5	Military Construction, Blount Island, FL	35
DoE Office of Security Staffing ...	3	10 Economic Development Administration Grant to Libby, Montana	8	Washington, DC Police Department Funding	4.5
DoE Worker Health Concerns Paducah, KY & Portsmouth, OH ...	10	58 Arch. of the Capitol—Capitol Fire Safety Improvements	17.48	Lewis & Clark Rural Water Project in South Dakota	0.6
DoE Uranium Enrichment Decontam. and Decommission. Fund	58	42 NTSB Alaska Air/Egypt Air Investigation Costs	19.739	Airborne Reconnaissance Low (ARL) aircraft	30
DoE Environmental Cleanup at Paducah, KY & Portsmouth, OH	16	35 DOT Paso Del Norte International Bridge, TX	1.2	Colombia—Substitutes 30 Blackhawk helos requested by the administration and the Colombian Government for a total of 60 Huey II helicopters.	
DoE Uranium and Thorium licensee reimbursements	42	DOT US 82 Mississippi River Bridge	9	Cerro Grande/Los Alamos Fire Emergency Conservation Program	10
Land acquisition at Blount Island, Florida	35	1.35 DOT Union Village/Cambridge Junction in Vermont	2	Cerro Grande, Watershed and Flood Prevention Ops, Los Alamos	4
Implementation of the 1999 Livestock Mand. Price Reporting Act	1.35	77.56 DOT Naheola Bridge, Alabama ...	5	Dept. of Int. BIA Operation of Indian Programs, Cerro Grande NM	8.982
Farm Service Agency Salaries and Expenses	77.56	DOT Hoover Dam Bypass in Arizona and Nevada	3	Buy America Provisions, Arabian Gulf, Kwajalein Atoll.	
Commodity Credit Corporation (CCC)	81	DOT Witt-Penn Bridge in New Jersey	3	Authorizes Purchase of an elevated Water Tank, Millington, TN.	
Authorizes Sec. of Agriculture to use CCC funds to offset the assessment on peanut producers for losses from 1999.		DOT Florida Memorial Bridge	12	Authorizes Light Rail Connector, Ft. Campbell, Kentucky.	
DoJ Funds to reimburse Texas, New Mexico, Arizona and California municipal governments for federal costs associated with handling and processing of illegal immigrants	12	National Environmental Policy Institute, Washington, DC	0.75	Authorizes SECAF to conduct milcon dem. project, Brooks, AFB, TX	
DoJ Communications Assistance for Law Enforcement (CALEA)	181	DOT Woodrow Wilson Bridge, VA/MD	170	Elementary School for the Central Kitsap District, Bangor, WA	1
Hurricane(s) assistance to fishermen	10.8	DOT transfer to EPA for telecommuting pilot program	2	Study the Health of Vieques, Puerto Rico Residents	40
Long Island Lobster Fishery Compensation for New York/Conn.	7.3	DOT Metro-North Danbury to Norwalk, CT commuter rail project	2	Purchase Tactical High Energy Laser for the Army	5.7
West Coast Groundfish fishery disaster relief (CA, OR & WA) ...	5	DOT Second Avenue Subway improvements, NYC, NY	3	Purchase F-15 Eagle Fighters for the Air Force	90
U.S. Commission on International Religious Freedom	2	DOT Improvements to the Halls Mill Road, Monmouth County, NJ	1	CH-46 Helicopter engine Procurement	27
Bering Sea Crag Fishery for Oregon, Washington, and Alaskans	10	Treasury in-service firearms training facility, WV	24.9	EP-3 Sensor Improvements for the Navy	25.8
Voluntary Fishing Capacity reduction program (NE U.S.)	10	Treasury—Secret Service funds for National Security Special Events	10	Dam Construction, West Virginia	11
Hawaiian Long-line fishing/Sea Turtle interaction/observers	7	White House—EOP funds for restoration/reconstruction of e-mail	8.4	U.S. Customs Service Training Center, Harpers Ferry, WV	25
North Pacific/Alaska SeaLife Center emergency appropriation	5	Winter Olympics/Paralympic Games Doping Control Program	3.3	U-2 Reconnaissance aircraft improvements	212.7
BLM Wildland Fire Management funding	200	Provide FY00 funds for the nebraska State Patrol Digital Distance learning project.	7	WARSIMS for the Army	5
BLM Land Acquisition—Douglas Tract in Southern Maryland	2	5 HUD Economic Develop. Initiatives Comm. Dev. Block Grants:	5	Biometrics Assurance Program ...	7
Storm Damage Repairs in National Forests in Minnesota & Wisconsin	2	City of Park Falls, Wisconsin	1.3	EPA Macalloy Special Account, Charleston, SC	9.7
Authorizes Const. of Indian Health Service Clinic in King Cove, AK.		Lake Superior BTC Cultural Center, Washburn, Wisconsin	0.25	Atlas Pulsed Power Experimental Facility, Nevada Tst Site	5
Authorizes compensation to Buy N Pack Seafoods in 1999 and 2000 for losses in Dungeness crab fishing in Glacier Bay Park, AK.		Hatley, Wisconsin for water, wastewater, and sewer system imp	0.9	DoE Science Programs, Natural Energy Lab, Hawaii	2.5
DoL—Abstinence Education—Maternal and Child Health Grant ..	20	Hamlet, North Carolina for demolition and removal of buildings	0.05	DoE Science Programs, Burbank Hospital, Fitchburg, MA	1
Const. of Little Flower Children's Services Clinic, Wading River, NY	3	Youngstown, Ohio for design and constr. of a Community Center	25	DoE, St. Luke's Medical Center, Chicago, IL	1
International HIV/AIDS funding	12	Home Investment Partnership Program, New Jersey	11	DoE Science Program, North-Shore, Jewish Hlth. Sys., Long Island	1
CDC Chronic and Environmental Disease Prevention, Houston, TX	0.46	Home Investment Partnership Program, North Carolina Housing Finance Agency	25	DoE Supply Programs to Materials Science Center, Tempe, AZ	1
Payment to States for Foster Care and Adoption Assistance ..	35	FEMA Buyout of properties in flood plains	50	Prohibits the use of federal funds to the Nuclear Regulatory Commission for FY00 and 01, Chattanooga, TN Tech Trng Ctr.	
Auth. extension of funds to Anchorage, AK Senior Citizen's Center.		NASA Software work for future Mars Missions	1	West Virginia, Dept. of the Interior, Surface Mining Reg. Program	9.821
Improvement in Postsecondary Education, College of New Jersey	0.75	NASA Online "Learning Flight Control for Intell. Fl. Cont. Sys." proj.	0.5		
		DC reimbursement for IMF and world Bank Demonstration	4.485		
		DOT Study, HWY 8 from Minnesota Border thru Wisconsin.	468		
		6 C-130Js for the Coast Guard	45		
		1 Gulfstream V (C-37A) for the Commandant of the Coast Guard			

HHS Projects for the Health Resources and Services/SSA	20	8th and I Marine Barracks (1 Unit)	0.5	Aberdeen Proving Ground, Munitions Assessment/Processing Sys	3.1
Youth Offender Grants	19	Florida:		Massachusetts:	
Shedd Aquarium/Brookfield Zoo Science Programs	0.5	NS Mayport, Aircraft Carrier Wharf Improvements	6.83	Hanscom AFB, Renovate Acquisition MGMT Facility	12
Boston Music/Symphony Education Collaboration (Dept. of Educ.)	0.832	Panama City USN Coastal System Center, Amphib. War. Facil	9.96	Air Natl. Guard, Barnes Municipal Airport, Relocate Taxiway	4
Ben Booke Arena and Hilltop Ski Area Grant, Anchorage, AK.		Tyndall AFB, Weapons Controller Train. School	6.195	ANG, OTIS ANGB, Upgrade Airfield Storm Water System	2
Total Plus-Ups for the Supplemental Portion Only: \$3,386,177,000.00.		Army Reserve, Clearwater Aviation Support Facil	17.8	Westover AFB, USMC Reserve Training Facility	9.1
		Army Reserve, St. Petersburg Arm. For. Res. Center	10	Westover AFB, USAF Reserve, Repair Airmen Quarters	7.45
		USAF Reserve, Homestead, Fire Station	2	Michigan:	
<i>MILCON portion of the bill</i>		Georgia:		Natl. Guard, Lansing Combined Main. Shop	17
[In millions of dollars]		Ft. Gordon, Consolidated Fire Station	2.6	Natl. Guard, Augusta Organ. Main. Shop	3.6
Alabama:		Athens USN Supply Corps School, Fitness Center	2.95	Air Natl. Guard, Selfridge ANGB, Upgrade Runway	18
Redstone Arsenal Space & Msl Def Command Bldg	15.6	Moody AFB, Dormitory	8.818	Minnesota:	
Alaska:		Robins AFB, Storm Drainage System	11.762	Natl. Guard, Camp Riley, combined Support Main. Shop	10.368
Eielson AFB, Joint Mobility Complex	25	Robbins AFB, Airmen Dining Facil	4.095	Mississippi:	
Elmendorf AFB, Child Development Center	7.666	Hawaii:		USN Stennis Space Center, Warfighting Center	6.95
Arizona:		USA Pokakuloa Train. Range ..	12	Columbus AFB, Corrosion Control Facil	4.828
Ft. Huachuca, Child Develop. Center	3.35	USN Ford Island, Sewer Force Main	6.9	Natl. Guard, Camp McCain, Modified Record Fire Range ..	2
Army National Guard, Papago Mil. Reserv. Readiness Center	2.265	Defense Wide, Pearl Harbor, Special Deliv. Drydeck Facil ..	9.9	Natl. Guard, Oxford Readiness Center	3.348
Yuma Readiness Center	1.598	Maui Readiness Center	11.592	ANG, Jackson Int'l Airport, C-17 Corr. Control/Main. Hangar ..	1.7
Arkansas:		Idaho:		Family Housing, Gulfport Naval Con. Battalion Center (157 Units)	20.7
Pine Bluff Arsenal, Chemical Defense Qual. Facility	2.5	Air Natl. Guard, Gowen Field, C-130 Assault Strip	9	Missouri:	
Little Rock AFB, C-130 Drop Zone	1.259	Illinois:		Ft. Leonard Wood, Airfield Improvements	4.2
California:		Natl. Guard, Aurora Readiness Center	2.871	Natl. Guard, Maryville Readiness Center	4.225
Ft. Irwin, Presidio of Monterey Barracks Addition	2.6	Natl. Guard, Danville Readiness Center	2.435	USNR, Whiteman AFB, Littoral Surveillance System	3.57
Barstow USMC Log. Base, Paint & Undercoat Facility ...	6.66	Indiana:		Family Housing, Ft. Leonard Wood (24 units)	4.15
Lemoore NAS, Child Dev. Center Expansion	3.79	ANG, Ft. Wayne Int'l Airport, Replace Fuel Cell & Corrosion Facility	7	Montana:	
Miramar USMC Physical Fitness Center	6.39	Grissom AFRB, Services Complex	11.29	Malstrom AFB, Convert Commercial Gate	3.517
Monterey USN PostGrad. Building Extension	5.28	USNR, Grissom AFRB, Reserve Train. Facil	4.73	Malstrom AFB, Helicopter Ops Facil	2.362
TwentyNine Palms, Bach. Enlisted Quarters	21.77	Iowa:		Natl. Guard, Bozeman Readiness Center	4.916
Beal AFB, Control Tower	6.299	Fairfield Readiness Center	1.066	Nevada:	
Fresno, Organiz. Maintenance Shop	0.978	Kansas:		Fallon NAS, Corrosion Control Hangar	6.28
Parks, Organiz. Maintenance Shop	6.062	Ft. Riley, Adv. Waste Water Treatment Facil	22	Natl. Guard, Carson City USP&FO, Admin. Building	4.472
Bakersfield Readiness Center ...	0.5	McConnel AFB, Approach Lighting System	2.1	Air Natl. Guard, Reno-Tahoe Int'l Airport, Fuel Storage Complex	5
Fort Ord Thermochemical Conversion—Direct the Army to develop and operate a thermochemical conversion pilot plant at Fort Ord.		McConnel AFB, KC-135 Squad Ops/Aircraft Main. Unit	9.764	Family Housing, Nellis AFB (26 units)	5
Colorado:		Air Natl. Guard, McConnell AFB, B-1 Power Check Pad ...	1.55	Carson City Readiness Center—direct National Guard Bureau to insure additional funding is provided.	
Peterson AFB, Computer Network Defense Facility	6.826	Ft. Leavenworth—Bell Hall Refurbishment earmark for FY 2002.		New Hampshire:	
Peterson AFB, Maintain Main Access Gate	2.31	Kentucky:		Air Natl. Guard, Pease Int'l Trade Port, Med. Train. Facil ..	4
Army Natl. Guard, Ft. Carson, Mobiliz. & Train. Equip. Site	15.1	Ft. Knox Multi-Purpose Digital Training Range	0.55	New Jersey:	
Air Natl. Guard, Buckley ANGB, Replace Joint Munitions Complex	6	Natl. Guard, Ft. Knox, Parking	3.929	Picatinny Arsenal, Armament Software Eng. Center	5.6
Connecticut:		Louisiana:		McGuire AFB, Air Freight Terminal/Base Supply Complex ..	10.6
Orange Air National Guard Station Air Control Squadron Complex should be considered in FY 2002.		Barksdale AFB, B-52H Fuel Cell Main. Dock	14.074	Fort Dix Barracks \$900,000 for the design of the facility	0.9
Delaware:		USNR, New Orleans Naval Support Activity	1.67	New Mexico:	
Army Natl. Guard, Smyrna Readiness Center	7.02	New Orleans NAS, Joint Reserve Center	7	Cannon AFB, Control Tower	4.934
Dover AFB Control Tower high-light funding req. for FY 2002.		Maine:		Holloman AFB, Repair Bonito Pipeline	18.38
District of Columbia:		Portsmouth Naval Shipyard, Waterfront Crane Rail System	4.96		
Washington USMC Barracks, Site Improvements	7.4	Maryland:			
Washington USN Research Lab. Nano-Science Center	12.39	Ft. Meade, Barracks	19		
		Patuxent River NAS, Environmental Noise Reduction Wall ..	1.67		
		Patuxent River NAS, Research & Test Eval. Support Facil ...	6.57		

Kirtland AFB, Fire/Crash Rescue Station	7.35	Natl. Guard, Tazwell Readiness Center	3.51	USAF Planning & Design	20.391
New York:		Texas:		Natl. Guard Planning & Design	20.547
Ft. Drum, Battle Simulation Center	12	Ft. Hood, Command & Control Facil	4	Natl. Guard Unspecified Minor Construction	10.48
Air Natl. Guard, Hancock Field, Small Arms Train. Facil	1.25	Ft. Hood, Fire Station/Transportation Motor Pool	6.492	Natl. Guard Unspecified Minor-WMDCST	25
Air Natl. Guard, Hancock Field, Upgrade Aircraft Main. Shops	9.1	Corpus Christi NAS, Parking Apron Expansion	4.85	Air Natl. Guard Unspecified Minor Construction	4
ANG, Niagara Falls Int'l. Airport, Upgrade Overrun & Runup	4.1	Ingleside USN Station, Mobile Mine Assembly Unit Facil	2.42	USA Reserve Planning & Design	5.5
West Point Multi-media Learning Center	0.5	Kingsville NAS, Aircraft Parking Apron	2.67	USA Reserve Unspecified Minor Construction	0.7
North Carolina:		Dyess AFB, Fitness Center	12.813	USNR Planning & Design	2.2
USMC Camp Lejeune, Armories	4	Lackland AFB, Child Dev. Center	4.83	USAFR Planning & Design	1
Seymour Johnson AFB, Repair Airfield Pavements	7.141	Sheppard AFB, Dining Facil	6.45	Total MILCON only: \$1,226,226,000.00.	
Air Natl. Guard, Charlotte/Dgls. Airport, Replace Supply Whare	6.3	Laughlin AFB, Visitors Quarters	11.973	Total MILCON Plus Supplemental: \$4,612,403,000.00.	
North Dakota:		Ft. Bliss, Lab. Renovation	4.2	ADD-ONS, INCREASES AND EARMARKS HIGHLIGHTED BY SECTION AND DESIGNATED AS EMERGENCY REQUIREMENTS	
Natl. Guard, Wahpeton Arm. For. Readiness Center	10.96	Air Natl. Guard, Ellington Field, Replace Base Supply/Civil Eng. Co	10	Section 111. Any military construction projects, including architect and engineer contracts, estimated to exceed more than \$500,000 to be accomplished in Japan, in any NATO country, or in countries bordering the Arabian Gulf are to be awarded to United States firms or U.S. firms in joint venture with host nation firms.	
Ohio:		USNR, NAS, Ft. Worth, Indoor Rifle Range	3.49	Section 112. Any military construction project in U.S. territories and possessions in the Pacific and on Kwajalein Atoll, or in the Arabian Gulf, estimated to exceed \$1 million may be awarded to a foreign contractor only if the foreign contractor bid exceeds a U.S. contractor bid by 20% or more. Furthermore, for contract awards for military construction on the Kwajalein Atoll this requirement is suspended for Marshallese contractors.	
Wright-Patterson AFB, Consolidated Toxics Hazards Lab	14.908	USNR NAS, Ft. Worth, Religious Ministry Facil	1.83	Section 124. Department of Defense funds may be transferred for the purpose of funding programs of the Demonstration Cities and Metropolitan Development Act of 1966 (42 U.S.C.) to pay for expenses associated with the Homeowners Assistance Program.	
Air Natl. Guard, Mansfield-Lahm Airport, Squad. Ops & Commun	7.7	Utah:		Section 130. Critical military construction funds may be transferred from the Naval Reserve account to the Active Duty Navy account for funding an elevated water storage tank at the Naval Support Activity Midsouth, Millington, Tennessee.	
Air Natl. Guard, Springfield Airport, Power Chk/De-arm pad	4	Hill AFB, Dormitory	11.55	Section 131. Department of Defense military construction funding may be used for the light rail connector located at Fort Campbell, Kentucky and if funds become available, the Secretary of the Army may later accept funds from the Federal Highway Administration or the State of Kentucky.	
Columbus Naval & Marine Reserve Center, Consolidated Air Res.	7.08	S.A. Douglas Armed Forces Reserve Center Parking & Site Improv	0.7	Section 133. Directs the Secretary of Defense to prioritize military housing projects in San Diego over military housing projects in cities in other communities where there are bases.	
Oklahoma:		Vermont:		Section 134. \$170 million is provided for the purposes of dredging and foundation repairs for the Woodrow Wilson Memorial Bridge in Virginia.	
Ft. Sill, Tactical Equip. Shop ...	10.1	Air Natl. Guard, Burlington Int'l. Airport, Main. Complex	9.3	Section 135. Provides \$0.5 million in funds for the Secretary of the Navy to improve and repair Marine Corps Officer Quarters Number 6 belonging to the Commandant of the Marine Corps, at the 8th and I Barracks, in Washington, D.C. This is odd especially since elsewhere in this bill there is restrictive language that prohibits more than \$25,000 per unit may be spent annually for maintenance and repair of ANY general or flag officer quarters.	
Altus AFB, C-17 Cargo Compartment Trainer	2.939	Virginia:		Section 136. Authorizes the Secretary of the Air Force to conduct a logistics, maintenance, and military construction demonstration project at Brooks Air Force Base, Texas.	
Tinker AFB, Dormitory	8.715	Ft. Eustis, Aircraft Main. In-struction Building	4.45		
Vance AFB, Main. Hangar	10.504	USN Dahlgren Naval Surf. Warfare Center, Joint Warf. Analysis C	19.4		
Natl. Guard, Sand Springs, Arm. For. Res. Center	13.53	Langley AFB, Fitness Center ...	12.18		
Oregon:		Natl. Guard, Richlands Org. Main. Shop	1.175		
Camp Rilea Train. Simulation Center	1.47	Family Housing, Ft. Lee (52 units)	8.6		
Eugene Armed Forces Reserve Center Complex consideration for FY 2002.		Fort Belvoir, Potomac Heritage National Scenic Trail	0.5		
Pennsylvania:		Washington:			
Philadelphia Naval Surface Warfare Cent., Gas Turbine Test Fac	10.68	Bangor Naval Sub. Base, Strategic Sec. Support Facil	4.6		
Ft. Indiantown Gap, Repair Waste Treatment Plant/Sewage	8.518	Bremerton Naval Station, Fleet Recreation Facil	1.93		
Johnstown Regional Main. Shop	4.5	Everett Naval Station, Aquatic Combat Training Facil	5.5		
Mansfield Readiness Center	3.1	Puget Sound Naval Shipyd., Industrial Skills Center	10		
New Milford Readiness Center ..	2.675	Fairchild AFB, Joint Personnel Training Center	5.88		
Letterkenny Army Depot, Missile Igloo Modifications	0.112	Fairchild AFB, Runway Center-line Lighting	2.046		
Rhode Island:		Natl. Guard, Bremerton Readiness Center	4.341		
Air Natl. Guard, Quonset State Airport, Main. Hangar & Shops	8.9	Natl. Guard, Yakima Readiness Center	1.6		
South Carolina:		Ft. Lawton, Site Improvements	3.4		
Charleston AFB, Base Mobility Warehouse	9.449	Ft. Lewis Vancouver Barracks Historic Facilities	1.5		
Charleston AFB, Runway Repair	10.289	West Virginia:			
Shaw AFB, Dining Facil	5.252	Air Natl. Guard, Yeager ANGB, Upgrade parking Apron	6		
Beaufort USMCAS, Readiness Center	4.87	USNR, Eleanor Res. Center	2.5		
Leesburg Training Center, Infrastructure Upgrades	5.682	Wyoming:			
USN, Ft. Jackson Naval Reserve Armory	5.2	Air Natl. Guard, Cheyenne Int'l. Airport, Control Tower	1.45		
South Dakota:		Puerto Rico:			
Ellsworth AFB, Base Civil Eng. Complex	10.29	Ft. Buchanan, Child Dev.	3.7		
Natl. Guard, Sioux Falls, Consolidated Barracks/Edu. Facil	4.955	WorldWide Unspecified:			
Tennessee:		USA Unspecified Minor Construction	5.7		
Natl. Guard, Henderson Readiness Center	5.165	USA Planning & Design	17.6		
		USA Classified Project	0.5		
		USN Planning & Design	10		
		USN Unspecified Minor Construction	4		
		USAF Unspecified Minor Construction	1.5		

Section 137. Directs the Secretary of Defense to provide not less than \$1 million for the design of an elementary school for the Central Kitsap School District in Bangor, Washington. Putting this funding requirement in the emergency supplemental bill is an end run around the normal authorization and appropriations process. Now that design work is obligated, then next year funding will become available for the construction of the school through the military construction authorization and appropriation bills. Both Committees turned down this project because the Department of Defense had not put any design money funding in their budget.

Chapter 1—Operation and Maintenance, Defense-Wide

Provides \$40 million in emergency funding to Vieques, Puerto Rico for the study of health or Vieques residents, airport firefighting equipment, pier improvements at a commercial ferry pier and terminal, construction of an artificial reef and reef conservation, special payments for Vieques commercial fisherman for lost days of fishing because Navy training, roadways and bridge improvements in Puerto Rico, adult training and reeducation programs, natural resources preservation, protection and conservation, and economic development programs.

Research, Development, Test and Evaluation, Army

Provides \$5.7 million for the purchase of Tactical High Energy Laser (THEL) for the Army.

Section 103. Provides \$90 million for the purchase of F-15 Eagles for the Air Force.

Section 104. Provides \$163.7 million for the purchase of Abrams tank M1A2 SEP Upgrades for the Army.

Section 111. Provides \$27 million for the purchase of engines for the CH-46 and \$25.8 million for the purchase of EP-3 sensor improvement modifications for the Navy. Provides \$212.7 million for the purchase of U-2 reconnaissance aircraft sensor improvements and flight simulators for the Air Force. Provides \$5 million for the development of WARSIMS for the Army.

Section 112. Provides \$7 million total for biometrics information assurance programs for the Army, probably at Walter Reed Hospital in Maryland.

Section 113. Provides \$125 million for the purchase of Patriot missile equipment for the Army.

Section 114. Provides \$300 thousand for Walking Shield for the technical assistance and transportation of excess housing to Indian Tribes in the States of North Dakota, South Dakota, Montana and Minnesota.

Section 116. Provides for the transfer of \$9.7 million from Department of Defense readiness funding to the Environmental Protection Agency Macalloy Special Account for environmental response funding in Charleston, South Carolina.

Section 117. Provides \$8 million to the Department of Defense for communications, communications infrastructure, logistical support, resources, and operational assistance required by the Salt Lake Utah Organizing Committee to stage the 2002 Olympic and Paralympic Winter Games.

Section 119. Provides for the sale of Navy Drydock No. 9 (AFDM-3) located in Mobile, Alabama, to the private shipbuilder Bender Shipbuilding and Repair Company, Inc. without competitive bidding by other contractors.

Section 205. Provides \$5 million from the Department of Energy Weapons Activities programs to move the Atlas pulsed power experimental facility to the Nevada Test Site.

Section 206. Provides \$2.5 million from the Department of Energy Science programs to the Natural Energy Laboratory in Hawaii.

Section 207. Provides \$1 million from the Department of Energy Science programs to the Burbank Hospital Regional Center in Fitchburg, Massachusetts.

Section 208. Provides \$1 million from the Department of Energy Science programs to the Center for Research on Aging at Rush-Presbyterian-St Luke's Medical Center in Chicago, Illinois.

Section 209. Provides \$1 million from the Department of Energy Science programs to the North Shore-Long Island Jewish Health System in Long Island, New York.

Section 210. Provides \$1 million from the Department of Energy Supply programs to the Materials Science Center in Tempe, Arizona.

Section 211. Prohibits the use of federal funds appropriated to the Nuclear Regulatory Commission for fiscal year 2000 and 2001 to relocate or prepare for the relocation of personnel or functions from the Chattanooga Tennessee Technical Training Center.

Chapter 3—Military Construction

Section 303. Provides \$35 million from the Department of Defense Military Construction Navy account for the purchase of land at Blount Island, Florida.

Chapter 4—Department of Transportation, Coast Guard

Provides \$468 million for the purchase of 6C-130J Hercules aircraft for the Coast Guard and the funding of these aircraft as an emergency requirement and therefore is not subject to the budget caps.

Chapter 2—National Oceanic and Atmospheric Administration

Provides \$30.7 million for compensation of fisherman for losses and equipment damage resulting from Hurricane Floyd and other recent hurricanes and fishery disasters in the Long Island Sound lobster fishery and west coast groundfish fishery, and for the repair of the National Oceanic and Atmospheric Administration hurricane reconnaissance aircraft and designated as an emergency requirement and therefore is not subject to the budget caps.

United States Commission on International Religious Freedom

Provides \$2 million for the United States Commission on International Religious Freedom and designates this funding as emergency funding.

GENERAL PROVISIONS

Section 2201. Provides \$10 million for the Pribilof Island and East Aleutian area of the Bering Sea for emergency expenses for fisheries disaster relief and \$7 million for other disaster assistance, \$3 million for Bering Sea ecosystem research, and \$1 million for the State of Alaska to develop a cooperative research plan to restore the crab fishery in Alaska and to designate this funding as emergency funding and therefore the funding is not subject to the budget caps.

Section 2202. Provides \$10 million for Northeast multi species fishery to support a voluntary fishing capacity program and designates this funding as emergency and therefore not subject to the budget caps.

Section 2203. Provides \$2 million for studies relating to the long-line interactions with sea turtles in the North Pacific and \$5 million for the commercial fishing industry in the Northwest Hawaiian Islands for the Hawaiian Long-line fishery and to designate this funding as emergency and therefore is not subject to the budget caps.

Section 2204. Provides \$5 million in funding for and directs the Secretary of Commerce to establish a North Pacific Marine Research Institute at the Alaska SeaLife Center by the North Pacific Research Board for the

purpose of carrying out education projects relating to the North Pacific marine ecosystem with particular emphasis on marine mammal, sea bird, fish, and shellfish populations in the Bering Sea and Gulf of Alaska including populations located in or near Kenai Fjords National Park and the Alaska Maritime National Wildlife Refuge. This \$5 million in funding is designated as emergency funding and therefore is not subject to the budget caps.

Section 2303. Provides emergency status funding for United States fish processors which have been negatively affected by restrictions on fishing for Dungeness crab in Glacier Bay National Park and which previously received interim compensation and specifically "Buy-N-Pack Seafoods Inc., a United States fish processor in Hoonah, Alaska which has been most severely impacted by these fishing restrictions.

GENERAL PROVISIONS

Language stating that notwithstanding any other provision of law, no funds provided in this or any other Act may be used to further reallocate the Central Arizona Project water or to prepare an Environmental Assessment, Environmental Impact Statement, or Record of Decision providing for the reallocation of the Central Arizona Project water until further act of Congress authorizing and directing the Secretary of the Interior to make allocations and enter into contracts for delivery of the Central Arizona Project water.

Language stating that notwithstanding any other provision of law, the Indian Health Service is authorized to improve municipal, private or tribal lands with respect to the new construction of the clinic for the community of King Cove, Alaska.

Language which provides for compensation to Dungeness fishing vessel crew members, fish processors which have been negatively affected by restriction on fishing and Dungeness Crab in Glacier Bay National Park; and, the Buy N Pack Seafoods in Hoonah, Alaska which have been negatively affected by restrictions on fishing in Glacier Bay National Park.

INDEPENDENT AGENCIES

\$2,374,900 in addition to amounts made available for the following in prior Acts, shall be and have been made available to award grants for work on the Buffalo Creek and other New York watersheds and for aquifer protection work in and around Cortland County, New York, including work on the Upper Susquehanna watershed.

\$2,600,000 shall be transferred to the "State and Tribal assistance grants" account to remain available until expended for grants for wastewater and sewer infrastructure improvements for Smithfield Township, Monroe County (\$800,000); the Municipal Authority of the Borough of Milford, Pike County (\$800,000); the city of Carbonadale, Lackawanna County (\$200,000); Throop Borough, Lackawanna County (\$200,000); and Dickson City, Lackawanna County (\$600,000), Pennsylvania.

Language which redirects funding appropriated in title III of the Department of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 2000, by striking "in the town of Waynesville" in reference to water and wastewater infrastructure improvements as identified in project number 102, and by inserting "Haywood County"; Fourpole Pumping Station" in reference to water and wastewater infrastructure improvements as identified in project number 135; and by striking the words "at the West County Wastewater Treatment Plant."

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Earmarking \$20,000,000 for Health Resources and Services for special projects of

regional and national significance under section 501(a)(2) of the Social Security Act, which shall become available on October 1, 2000, and shall remain available until September 30, 2001.

ADMINISTRATION ON AGING

Earmarking \$3,000,000 as an additional amount for Health Resources and Services, to remain available until September 30, 2001, for renovation and construction of a children's psychiatric services facility in Wading River, New York.

Earmarking \$2,200,000 for the Anchorage, Alaska Senior Center, and shall remain available until expended.

DEPARTMENT OF EDUCATION

Amended by inserting after the words "Salt Lake City Organizing Committee" the words "or a governmental agency or not-for-profit organization designated by the Salt Lake City Organizing Committee."

Earmarking \$19,000,000 provided to become available on July 1, 2000, for Youth Offender Grants, of which \$5,000,000 shall be used in accordance with section 601 of Public Law 102-73 as that section was in effect prior to the enactment of Public Law 105-220.

Earmarking \$750,000 to remain available until expended, which shall be awarded to the College of New Jersey, in Ewing, New Jersey, for creation of a center for inquiry and design-based learning in mathematics, science and technology education.

Inserting "Town of Babylon Youth Bureau for an educational program."

By striking "\$500,000 shall be awarded to Shedd Aquarium/Brookfield Zoo for science education/exposure programs for local elementary schools students" and inserting "\$500,000 shall be awarded to Shedd Aquarium/Brookfield Zoo for science education programs for local school students.

By striking "Oakland Unified School District in California for an African American Literacy and Culture Project" and inserting "California State University, Hayward, for an African-American Literacy and Culture Project carried out in partnership with the Oakland Unified School District in California.

By striking "\$900,000 for the Boston Music Education Collaborative comprehensive interdisciplinary music program and teacher resource center in Boston, Massachusetts" and inserting an earmark for "\$462,000 to the Boston Symphony Orchestra for the teacher resource center and \$370,000 shall be awarded to the Boston Music Education Collaborative for an interdisciplinary music program, in Boston, Massachusetts.

Earmarking \$368,000 to be derived by transfer from the amount made available for fiscal year 2000 for Health Resources and Services Administration—Health Resources and Services for construction and renovation of health care and other facilities: Provided that such amount shall be awarded to the George Mason University Center for Services to Families and Schools to expand a program for schools and families of children suffering from attentional, cognitive, and behavioral disorders.

GENERAL PROVISIONS

Earmarking \$3,500,000 for the Saint John's Lutheran Hospital in Libby, Montana for construction and renovation of health care and other facilities and an additional amount for the Economic Development Administration.

Earmarking \$8,000,000 only for a grant to the City of Libby, Montana, such amount to be transferred to the City upon its request notwithstanding the provisions of any other law and without any local matching share of award conditions.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The conference report was agreed to. Mr. LOTT. Mr. President, I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

Mr. LOTT. Mr. President, I use my leader time to make some announcements about the schedule.

I, too, commend Senator BURNS from Montana, the chairman of the Appropriations Military Construction Subcommittee, and his ranking member, Senator MURRAY of Washington State, for their work on this legislation. It is important. It has a lot of projects that are very important for our defense and the underlying military construction appropriations bill. I also extended to them my sympathy and appreciation for the fact that their bill had to carry a title II which brought a lot of emergency legislation, but it needed to be done. Their bill became the catalyst to move this emergency legislation through. It was not easy for them to have to deal with all the conflicting problems not in their jurisdiction. I thank them for what they did on this legislation.

I thank Senator GRAMM, Senator MCCAIN, Senator STEVENS, and Senator BYRD for their usual brilliance and innovation. What looked like 6 hours of readings, multiple votes on points of order, and a contested final passage sometime tonight, Saturday, or Sunday, was resolved in a matter of minutes. It is a miracle.

I know there will be objections to various parts and a lot of speeches will be made. That is great. There will be time for that later. I appreciate the help of Senator DASCHLE and all involved. We needed this bill. We needed this emergency legislation.

Senator STEVENS did the right thing. I thank him. I wanted to express my appreciation to all.

Mr. DASCHLE. Will the Senator yield?

Mr. LOTT. I am happy to yield to the Senator.

Mr. DASCHLE. I also express my congratulations to Senator STEVENS and Senator BYRD for their masterful effort in getting the Senate to this point, and for the managers of the bill itself. As Senator LOTT has indicated, this was not an easy task. All the way to the very last moment it looked as if this could have been derailed. It wasn't, in part because of leadership and in part because of cooperation.

I think we have done a good thing today, an important thing. It is important we finish this work prior to the time we leave. This bill will now go to the President, as it should. I know he will sign it. I think we are ending the way we should have ended, on a high note with a good deal accomplished.

I thank the Senator.

Mr. BYRD. Will the Senator yield?

Mr. LOTT. I am happy to yield to the Senator.

Mr. BYRD. Mr. President, having been the Senate Democratic leader, I

know that there comes a moment in time when leaders have to step in and act. Our two leaders did that at the critical moment. It is through their leadership that we have reached an understanding in this matter. I thank both leaders. I congratulate them on having done a great service. I say this: Every Senator is in their debt.

I also thank my colleague and friend, Senator STEVENS, for the leadership he has shown in these appropriations matters.

I hope that both of our leaders, in particular, and all of our colleagues will have a very safe and enjoyable Fourth of July.

Mr. LOTT. Thank you, Senator BYRD, for your comments and for your inspiration and for talking about the history of this great country and this special celebration of the Fourth of July, 2000, with family and friends. It is a special time for our country and in our lives. I look forward to it.

Senator BYRD, I will have the presence of my very fine grandson that you spoke so beautifully about just 2 years ago on his birth date. I look forward to that moment.

Mr. BYRD. Will the Senator yield?

Mr. LOTT. I am happy to yield to the Senator.

Mr. BYRD. Please tell your handsome grandson, who has been blessed with a multitude of talents, I am sure, that this year is not the beginning of the 21st century. Tell him it is not the beginning of the third millennium. This is the last year of the 20th century. Regardless of what the media say and many politicians say, this is the last year of the 20th century and the last year of the second millennium.

Let him know that, so that he will be raised in truth and will always seek truth.

Mr. LOTT. Thank you, again.

Senator BYRD, I want to note, when you enter my young grandson's room, on the wall to the left, in a beautifully framed device is the fantastic speech that you gave on the floor. It will always be there. What you had to say was so beautiful to say about our grandchildren, and about his birth, and quotes from the Bible, quotes from history.

Anybody who thinks there is not a bipartisan spirit around here needs to know that there is no quote from the Republican majority leader in my grandson's room. The only speech in his room is the speech from that great Democrat of West Virginia, ROBERT BYRD.

Mr. REID. Will the Senator yield?

Mr. LOTT. I yield to Senator REID.

Mr. REID. Having listened and watched what went on and having served in government most of my adult life, it is not often we see such leadership in action close up. We have seen it here today. This is remarkable.

I want to publicly express my appreciation for the work done by our leader. The burdens he bears I see close up. I see your burdens, Mr. Majority Leader, but not as up close and personal as

I see Senator DASCHLE's. What he does for us, the minority, is extraordinary, as evidenced by the very quick, instantaneous decisions he made in conjunction with you today. You are both to be applauded. This is democracy in action. It is what is good about government.

I also extend accolades to the two of you. I have no military service in my background, but with the love and appreciation and dedication that Senators STEVENS and INOUE have for the military, and Senator WARNER and others who work for the defense of this country, they see it from a little different perspective than a lot of us because they have seen military action. I think they deserve a great deal of credit.

Senator INOUE has been ill and has not been here this week, but his spirit has been here. He was awarded the Congressional Medal of Honor. He and Senator STEVENS have guided the military of this country for the last decade as no one in the history of this country, in my opinion. I express appreciation for everyone on our side of the aisle for what these two men do for the military. Senator STEVENS and Senator INOUE have personally felt the need for this military construction bill, and every word they speak indicates that.

Mr. LOTT. Mr. President, I thank Senator REID, for his comments.

ORDER OF BUSINESS

Mr. LOTT. I want the Senate to be on notice when we return on Monday, July 10, since there was objection to, at least at this time, taking up the Thompson bill freestanding, we will go to the Interior appropriations bill. There will be a vote or votes on that Monday sometime between 5 and 6, presumably around 5:30.

Later today, we hope to still be able to propound some unanimous consent requests. We are still working to see if we can get the Department of Defense authorization bill worked out with an agreement, and conclude that, and Senator DASCHLE and I are continuing to work to see if we can get an agreement on how to take up the estate tax issue. We may still have some more business yet this afternoon. Of course, we are going to also wrap up with some confirmations from the Executive Calendar; specifically, judges that are pending before we conclude our business today.

MORNING BUSINESS

Mr. LOTT. I ask unanimous consent the Senate now proceed to a period of morning business, with Senators permitted to speak up to 10 minutes each.

Mr. WARNER. Reserving the right to object, could that include, Mr. Leader, the ability of the Armed Services Committee to bring up a package of cleared amendments?

Mr. LOTT. I believe it would.

Mr. WARNER. Could I have that exception written into the distinguished leader's unanimous consent?

Mr. LOTT. I don't believe it is necessary, but I amend my request to that effect.

Mr. WARNER. I wish to advise you, Mr. Leader, working with your staff on this side, working with the Judiciary Committee, that is the only remaining item, together with Senator ROTH and Senator BYRD, who are working on a matter which if we can resolve those two, I believe I can indicate to my distinguished leaders that we could get the unanimous consent.

Mr. LOTT. Thank you very much. I yield the floor.

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

The Senator from Montana

MILCON CONFERENCE REPORT: CLEAN WATER ACT PROVISION

Mr. BAUCUS. Mr. President, I rise to express my strong opposition to a provision, which has been included in the military construction conference report, that prevents EPA from using any funds to implement a new rule to clean up our nation's streams, rivers, and lakes.

Let me explain why this rule is important.

Since 1972, when the Clean Water Act became law, we've made a lot of progress in cleaning up our water, especially with respect to so-called "point sources" like sewage treatment plants and industrial plants; the pipe that come out of plants and go into lakes and streams.

But we still are far from reaching our goal of fishable, swimmable waters. That is the standard in the act.

That's where the new rule comes in. It relates to something called "total maximum daily loads," or TMDLS. It is a long, technical-sounding label. But it's a pretty simple concept. A TMDL is really a pollution budget for a watershed. It's like the Clean Water Act version of a State implementation plan under the Clean Air Act.

The TMDL program was actually enacted as part of the original Clean Water Act, way back in 1972. For a long time, it was dormant. But, in recent years, environmental groups have lawsuits requiring EPA and states to implement the program. In virtually every single case, they have won.

In light of this, EPA decided to revise its rules for the TMDL program, to bring them up to date. To begin with, it convened a group of stakeholders, who worked for two years to make recommendations. Then, last August, EPA proposed new rules.

Make no mistake about it. These rules have been controversial.

Like many others, I have been particularly concerned about the proposal to require many forestry operations to get Clean Water Act permits. I thought EPA was taking a long, winding road that didn't end up in the right place.

But EPA has been listening. In response to Congressional hearings and public comments, it has made changes.

For example, it dropped the forestry proposal and made other parts of the rule more workable.

As I understand it, the rule has gone to OMB for review, and should be published, in final form, soon.

But then we get this conference report. Out of the blue, it provides that none of the funds appropriated to EPA for 2000 and 2001 can be used to implement the new rule.

I have two major problems with this provision. The first problem is the process by which the provision has been included in the conference report. The process is, in a word, outrageous. Clearly, there are differences of opinion about the TMDL rule. But there are several opportunities for those differences to be debated.

The Environment and Public Works Committee is considering a bill, introduced by Subcommittee Chairman CRAPO and Committee Chairman SMITH, that would, among other things, delay the final rule. The House HUD/VA/Independent Agencies Appropriations bill contains a provision that also would delay the rule.

Of course, there is the regulatory review process we enacted in 1996, that allows Congress to disapprove a final rule.

In each case, we would have a debate. The merits would be discussed. Senators could explain why they believe that the rule should be delayed; others could respond. Then we would have a vote, and the public could judge our actions.

That's not what's going on here. Instead, opponents of the rule have slipped the provision into an unrelated conference report that cannot be amended—no debate, no sunshine, no public knowledge of what is going on. And they have done it on a bill that provides emergency funding for many urgent national needs, so that the President is under strong pressure to sign the bill.

Frankly, I wonder why they have taken this approach. Why not debate, in clear public view? What are they afraid of?

Another thing, by using conference reports this way, we further weaken the bonds that bind this institution together, and reduce public confidence in our deliberative process. This is no way to run a railroad.

The second problem with the provision is substantive. Despite significant progress since 1972, too many of our rivers, streams, and lakes do not meet water quality standards.

EPA's proposed rule makes some important improvements. At the heart of it, the rule clarifies the operation of the TMDL program and requires implementation plans, so that the program becomes more than a paperwork exercise. At the same time, the rule gives States more time to complete their lists, allocations, and plans—a lot more time.

That is a pretty good tradeoff.

By blocking the rule, we will simply delay the tough decisions about how to