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House of Representatives

The House met at 9 a.m. and was called to order by the Speaker pro tempore (Mrs. BIGGERT).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
July 27, 2001.

I hereby appoint the Honorable JUDY BIGGERT to act as Speaker pro tempore on this day.

J. DENNIS HASTERT,
Speaker of the House of Representatives.

PRAYER

The Chaplain, the Reverend Daniel P. Coughlin, offered the following prayer:

Lord God, may the prayers of people across this Nation endow this Chamber with Your justice. May right judgement be brought to bear on all issues which affect Your people.

Floods, fire and volcanoes seize our attention. Negotiating war rooms, security chambers, prisons and waiting rooms cannot contain the anxiety of Your people.

Yet You, O Lord, endure like the Sun and the Moon from age to age. Your presence is like soft rain on the meadow, like raindrops on the earth.

In our own days, justice shall flourish and peace till the Moon fails if You, Lord, rule from sea to sea.

Once again save the children when they cry and the needy who are helpless. Have pity on the weak for You alone have the power to save the lives of all.

Blessed be You, Lord God. You alone work wonders. May Your glorious name be blessed forever. Let Your glory cover the Earth both now and forever. Amen. Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House her approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Illinois (Mr. SHIMKUS) come forward and lead the House in the Pledge of Allegiance.

Mr. SHIMKUS led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain 1-minutes at the end of the legislative day.

DEPARTMENTS OF VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT, AND INDEPENDENT AGENCIES APPROPRIATIONS ACT, 2002

The SPEAKER pro tempore. Pursuant to House Resolution 210 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 2620.

□ 0904

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 2620) making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and

for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2002, and for other purposes, with Mr. SHIMKUS in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee of the Whole rose on Thursday, July 26, 2001, the amendment by the gentleman from New York (Mr. LAFALCE) had been disposed of and the bill was open for amendment from page 33, line 5, through page 37, line 9.

AMENDMENT OFFERED BY MR. FRANK

Mr. FRANK. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. FRANK:

In title II, in the item relating to "COMMUNITY PLANNING AND DEVELOPMENT—HOME INVESTMENT PARTNERSHIPS ACT", strike "That of the total amount provided under this heading, \$200,000,000" and all that follows through "as amended: *Provided further*,".

Mr. FRANK. Mr. Chairman, one of the popular and successful innovations in Federal aid to housing in recent years dating back to when the gentleman from Texas (Mr. GONZALEZ) was the Chair of the committee is the HOME program. The HOME program is one of the few programs now existing, perhaps the only one, which allows municipalities that feel the need to do housing construction. Many of us feel that we have a terrible problem in this country because of the increased price of housing, particularly in areas of housing shortage. While we are strong supporters of the section 8 voucher program, there is a large consensus, which you saw in the bipartisan witnesses before our hearings, that the voucher program alone is not enough, that it does not deal with the situation increasingly common in many of our areas, metropolitan areas and others, but particularly metropolitan areas, where economic pressures have driven housing prices so high and where production is so difficult for a variety of reasons.

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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The HOME program is the premier general production program. It is strongly supported by elected officials. The President proposed to take \$200 million of the HOME funds and restrict them, restrict them in a way that they have not previously been restricted. The HOME program has been a genuine block grant with complete flexibility. One of the things you can do under the HOME program if the municipality or the consortium of municipalities wants to is to do a homeownership program. But it is not mandatory. This is part of a flexible approach. The President said, let's take \$200 million of this plan and make it mandatory that they use it for that and only that. Now, the committee increased the funding, but it increased the funding by picking up this restriction.

What my amendment does is very simple. It has no offset because it needs no offset. It does not change the dollar amount of the bill, of the HOME program or of anything else. It simply removes from the HOME program as put forward in the bill a restriction on the use of \$200 million which restriction would be imposed over the objection of the mayors. It is a restriction which takes a first unfortunate step towards converting a genuine flexible, successful, local-oriented block grant program into a partial categorical program. I stress again that the category which is earmarked in this bill at the President's request is an entirely permissible one. We are not preventing those municipalities that want to do it from doing this. We are saying that if the municipality wants to do it, it should be able to do it, but if it does not wish to do it, it should not have to do it. That is the critical point here.

I want to stress again that this is important because this bill, which fails because of the tax reductions having taken away the revenue that we need to be responsible, this bill fails entirely to deal with the production problem. We do have some money in the 202 program for the elderly. We just had testimony that there are nine people on the waiting list for every section 202 elderly unit. If you want to know whether these programs are successful or not, look at that consumer satisfaction. Older people, 9 to 1, want to get into what is available. But that is only for the elderly. We have the low-income housing tax credit which does some good. But the primary program by which we can today do production is the HOME program. This bill fails as I said in not responding to the needs for another production program.

The problem of course is that no such program was on the books and so you cannot expect it to be appropriated before it is authorized. I hope we will in this Congress create an increased production program. But one way to do production—the only way—is to increase home funds. So I want Members to be very clear. The only way you can meet even a small part of the need for increased housing production, particu-

larly in those metropolitan areas where the housing shortage makes vouchers unusable, is to free up the money in HOME. A homeownership program might be a useful one in some municipalities. My amendment does not in any way, shape or form restrict the ability to do that. But to impose that and to say to a city, here is a chunk of money that you cannot use for production, you cannot use for rehabilitation, you cannot use for anything else, you can only use it for homeownership, when that city might prefer to do it in different ways is a revision to a way of thinking about congressional imposition on municipal flexibility that I had thought this Congress was beyond and I thought my friends on the other side were beyond.

So I hope the amendment is adopted. Now, there are other potential uses of the \$200 million. We will have that conflict. But at this point I hope we can free this up and let the mayors spend this money as they see it, including on production.

Mr. WALSH. Mr. Chairman, I rise in strong opposition to the gentleman's amendment. The President and the Secretary have made increasing homeownership opportunities for low-income families a top priority, one I believe each and every one of us can and should support. My experience as a city council member in Syracuse and city council president was that the strongest neighborhoods are the ones with the highest percentage of homeownership. Anything that we can do to promote homeownership, we should do.

The program that the President has asked us to support would provide funds for individuals and families to make a down payment in order to get a mortgage on a property. As most of us know who have bought homes, the hardest part is that initial stretch, to meet those initial monthly mortgage payments the first several years, but also to get that money for the down payment. It is essential to the equation of homeownership.

As you know, Mr. Chairman, we have made dramatic changes in this country in recent years through welfare reform. Thousands and thousands of families who have been chained to welfare over the years have now benefited by moving from the strictures of welfare into the workplace. The efforts of the Congress and the administration, in both parties, has given them hope, given them the opportunity and pride of being productive citizens. The next critical step to giving Americans the opportunity to really get a piece of the American dream, is homeownership.

This is a very critical program. This is the President's major initiative in this bill. So while the administration request proposed an earmark for this initiative out of the HOME program, we did not do that. Instead, we have provided a \$200 million increase over the request for the initiative. I want to make sure Members are aware that the down payment assistance is already au-

thorized as a part of the HOME program. In fact, many States and localities are already using their HOME funds for this purpose. However, given the priority that many of us believe should be placed on homeownership, we have targeted the increase provided over the last year for homeownership as the President requested.

While down payment assistance is an authorized HOME activity, targeted funds would require some authorization changes to preserve the prerogatives of the authorization committee on which the gentleman from Massachusetts serves as ranking member by requiring those authorization changes to be made before targeting the funds. Should those changes not be made by next June, which I certainly hope will not be the case, States and localities can use these increased funds for any authorized HOME purpose.

□ 0915

The debate over what changes should be made to bolster home ownership is not an issue for this bill. We leave that to the authorizing committee. However, I believe we should support the President and the Secretary in these efforts.

Mr. Chairman, if this program is implemented properly, we have the opportunity to help over 100,000 American families move from tenancy, rentership, to ownership. What a marvelous concept that is. What better way to use taxpayers dollars than to help people get their piece of the rock, to fulfill their American dream. Anyone who knows the rights and the responsibilities of home ownership knows there is a special feeling that goes with that.

Mr. FRANK. Mr. Chairman, will the gentleman yield for a clarification question?

Mr. WALSH. I yield to the gentleman from Massachusetts.

Mr. FRANK. Mr. Chairman, I understand the point that says authorizing legislation has to be adopted, but it says until June 30, 2002. The appropriation, I assume, begins October 1st. Does this mean no money can be spent between October 1 and June 30, or that the mandate would not be in effect from October 1 until June 30?

Mr. WALSH. Mr. Chairman, reclaiming my time, my understanding is that the requirement is that the authorization committee do their job this year, pass the authorization. If they do not, then those funds would revert to the States and localities, as with the rest of the program.

Mr. FRANK. Mr. Chairman, if the gentleman would yield further, there is a time gap, because the appropriation kicks in October 1.

The CHAIRMAN. The time of the gentleman from New York (Mr. WALSH) has expired.

(On request of Mr. FRANK, and by unanimous consent, Mr. WALSH was allowed to proceed for 1 additional minute.)

Mr. WALSH. Mr. Chairman, I yield to the gentleman from Massachusetts.

Mr. FRANK. My question was just this: Since the appropriation begins October 1, but the lapsing of the mandate kicks in June 30, 2002, what happens if the authorizing committee and the Congress do not pass the legislation then as of October 1? Is the mandate in effect and it ends on June 30, or does it never go into effect?

Mr. WALSH. Mr. Chairman, reclaiming my time, if the authorizing committee does its job, there is not a problem. We would expect the authorizing committee to do their job. If they do not do their job, then money reverts back to the States.

Mr. CONYERS. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, could I ask the distinguished chairman a question, please, because I heard the gentleman from Massachusetts; and I thought he made good sense. And I heard the chairman, the gentleman from New York, I thought he made good sense.

Is there a disconnect here that has not been made clear to me? I did not hear the gentleman from New York (Mr. WALSH) say anything about what the gentleman from Massachusetts (Mr. FRANK) said. I would like to yield for the gentleman to explain that.

Mr. WALSH. Mr. Chairman, will the gentleman yield?

Mr. CONYERS. I yield to the gentleman from New York.

Mr. WALSH. Mr. Chairman, my response was that this program is not authorized. We expect it to be authorized. If it is not authorized, the money would revert to the States as the rest of the formula for the HOME program already does.

Mr. CONYERS. Mr. Chairman, reclaiming my time, we can authorize it ourselves. Do we not have at least that much power? I thought we could do that. Who is this supreme authorizing body in Washington, D.C., that I do not know much about?

Mr. WALSH. If the gentleman would yield further, I would hope that the authorization committee would respect that this is the President's number one priority in housing this year and honor that request by doing the authorization.

Mr. CONYERS. So that is the gentleman's only reservation? That is the complaint?

Mr. WALSH. If the gentleman will continue to yield, we would expect the authorizing committee to get their work done. There is sufficient time in the year.

Mr. FRANK. Mr. Chairman, will the gentleman yield?

Mr. CONYERS. I yield to the gentleman from Massachusetts.

Mr. FRANK. Mr. Chairman, there is a technical point and a more substantive one. The technical point is this: the gentleman from New York says that if the legislation is not authorized, then the money does go back to the recipient municipalities the way my amendment says.

The problem is that that does not happen in the bill until June 30, 2002, and this appropriation becomes effective on October 1. So from October 1 of 2001 until June 30, the money will be mandated and not available freely. The gentleman said well, he would hope, recognizing it was the President's priority, they would authorize it.

I know that motivates many on the gentleman's side. But the President's priority was not to have the Patients' Bill of Rights of Ganske-Norwood-Dingell, and the President's priority has been a different campaign finance reform.

I am pleased to say from time to time this House constitutionally differs with Presidential priorities, and the argument that something is not a Presidential priority, as my friend from Michigan has said, is not an argument.

So I think if the gentleman concedes that we should not be doing this without authorization, then he has it backwards, because his amendment language says as of October 1, if my amendment does not pass, there is this mandate and the mandate stays in effect for most of the fiscal year. I think that is the wrong way to deal with it.

Mr. CONYERS. Reclaiming my time, I do too. I think the subcommittee chairman is of good heart and great cheer and wonderful spirit, and I think the Frank amendment to this, notwithstanding what the President wished and wanted earlier on, maybe if we went back to the President, he would say this is not such a bad idea either. I do not know if we have time to do that, but I think the gentleman from Massachusetts (Mr. FRANK) has come up at least with a good idea.

Mrs. KELLY. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise in opposition to my friend from Massachusetts's amendment to strike the earmark for the Down Payment Assistance Initiative program in the HOME program. As a member of the Committee on Financial Services Subcommittee on Housing and Community Opportunity, on which I serve with my friend from Massachusetts, I believe that the President's proposal for low-income down-payment assistance must be a top priority.

When I read the Frank amendment, I was a little surprised, since I know my friend from Massachusetts to be a knowledgeable individual on issues concerning housing. Hence, I assumed he would realize the down payment assistance program is already an authorized purpose of the HOME program and is one that is in current use in towns and cities across the country.

In the past few months, we have both participated in a number of hearings on the lack of affordable housing in our Nation. We have been told again and again of the crisis we face.

The HOME program is important to housing production. It is an important housing production program, and I be-

lieve the gentleman from Massachusetts wants to facilitate as much new housing as possible. However, I also believe my friend from Massachusetts would recognize the real need to help low-income families with their down payments for their purchase of first home.

Let me be clear: the down payment initiative is not a solution to all the problems we face, but it is one important step that will greatly assist the families who use it.

In addition, in order to target this excess \$200 million solely to down-payment assistance, we are required to take this issue up in our committee to target the assistance. I will do everything possible to work with my friend from Massachusetts and all of the other members of our committee to ensure we make these changes. However, if we fail to do this by next June, the funding will be utilized as regular HOME funds would.

With this in mind, I would hope that my friend from Massachusetts would withdraw his amendment so that we can join together to work on this issue and craft a program in the committee. I believe that our Subcommittee on Housing and Community Opportunity has a solid bipartisan approach to the housing programs that our Nation uses. This initiative will require us to work together to bring it into reality.

I also hope that my friend and all of our colleagues on this subcommittee will join us in working on this issue. As the gentleman from Massachusetts (Mr. FRANK) is the ranking member of the committee, I hope he will work to help craft a program to help more people own their own homes.

Mr. FRANK. Mr. Chairman, will the gentlewoman yield?

Mrs. KELLY. I yield to the gentleman from Massachusetts.

Mr. FRANK. Mr. Chairman, first, I would point out the ranking member does not set the committee agenda. The committee has been in existence since January or February. The majority has not brought this item forward for us to debate.

Secondly, I thought the gentlewoman was making my argument. Of course I understand it is already authorized. That is why I do not think we need to force communities to do it. It is fully authorized. Some communities are doing it.

The difference between us is not whether this is not in some places a good idea, but whether Congress should retreat from the notion of a block-granted HOME program with reliance on local judgment and take for the first time the wrong step, I think, of mandating the specifics.

I would be glad to have the committee bring it up, but I do want to point out to the gentlewoman, she is a member of the majority. It is up to them to bring something forward.

The problem is this says the committee and House and Senate. It is not only up to the committee. If we do not

get legislation through as of October 1, this gets mandated and the communities cannot enjoy the previous flexibility, and that is what I object to.

Mrs. KELLY. Mr. Chairman, reclaiming my time, I believe very strongly that this is a program that we must authorize very quickly. I believe very strongly that this is a program that will allow people to own their own homes. The more people at the low-income level that are able to do that, the better we all are, for our communities and across the Nation.

I urge my colleagues on both sides of the aisle to join me in opposition to this amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts (Mr. FRANK).

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

Mr. FRANK. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Massachusetts (Mr. FRANK) will be postponed.

Mr. WALSH. Mr. Chairman, I ask unanimous consent that amendments numbered 44, 45 and 46 may be offered at any point during further consideration of the bill.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

Mr. YOUNG of Florida. Mr. Chairman, reserving the right to object, I reserve the right to object only to explain the purpose for this unanimous consent request is to try to help us get an organized schedule today so we can move along expeditiously. This would simply allow these three amendments to be taken up early in the day. They will tend to be the more controversial amendments. We would like to get this process organized.

In addition, I would like to suggest that Members that have amendments that they wish to offer really should let us know what they are quickly, so that we can try to organize the balance of the day so we can complete this legislation.

Mr. OBEY. Mr. Chairman, will the gentleman yield?

Mr. YOUNG of Florida. I yield to the gentleman from Wisconsin.

Mr. OBEY. Mr. Chairman, I have first a question and then a comment.

If this request is granted, it is my understanding that this in no way affects the rights of other amendments to be offered, even though when we consider some of these amendments we would be moving ahead in the bill.

Mr. YOUNG of Florida. Mr. Chairman, reclaiming my time, the gentleman is correct. However, as we proceed through the bill, I think the gentleman and I both agree that Members that have amendments at a particular place in the bill should be here to offer them, because, as we announced sev-

eral days ago, we are not going to be able to go back to the bill once we have passed that point.

Mr. OBEY. Mr. Chairman, if the gentleman will yield further, I will simply reemphasize that. If Members have amendments, they have a responsibility to be here in a timely fashion. It is not the committee's responsibility to protect Members who are not protecting themselves.

Mr. YOUNG of Florida. The gentleman is correct.

Mr. Chairman, I withdraw my reservation of objection.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

AMENDMENT NO. 44 OFFERED BY MS. KAPTUR

Ms. KAPTUR. Mr. Chairman, I offer an amendment concerning the Public Housing Drug Elimination Program.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 44 offered by Ms. KAPTUR: At the end of title II, insert the following new section:

SEC. 2. For carrying out the Public and Assisted Housing Drug Elimination Act of 1990 (42 U.S.C. 11901 et seq.) and the functions of the clearinghouse authorized under section 5143 of the Drug-Free Public Housing Act of 1988 (42 U.S.C. 11922), and the aggregate amount otherwise provided by this title for the "HOME INVESTMENT PARTNERSHIPS PROGRAM" is hereby reduced by, and the amount provided under such item for the Downpayment Assistance Initiative is hereby reduced by, \$175,000,000.

Ms. KAPTUR. Mr. Chairman, the amendment I am proposing would restore a program that the majority party has zeroed out in this legislation for the Public Housing Drug Elimination Program. This program has been in operation since President Reagan signed the legislation in his last administration, and was first appropriated, funds were first let around the country, by the first Bush Administration back in 1988.

Our amendment has been scored by CBO as budget neutral, both in outlays and budget authority, because of offsets from the HOME program and the Down Payment Assistance Initiative, which has not been authorized.

Last year Congress provided over \$310 million to over 1,100 housing authorities across the country for this very, very successful program, which aims at keeping criminal activity down in some of the most vulnerable neighborhoods in our country where seniors, low-income families, and the disabled live on a daily basis.

□ 0930

It is a worthy program; it is a successful program that has been supported by both Republican and Democratic administrations. Frankly, I am rather perplexed, I am mystified, as to why any administration or any subcommittee would zero out a program with this rate of success.

Over 118 Members of this Congress have signed a letter to the gentleman from New York (Mr. WALSH) and the gentleman from West Virginia (Mr. MOLLOHAN) supporting the continuation of this program, and with me here at the desk I have a list of Members' districts that include over 1,100 Housing Authorities where this program has been in operation and so successful.

Now, there is no question that crime has dropped nationwide and, in particular, in some of the most vulnerable areas of our cities, so let me explain what used to happen. What used to happen is that drug lords in places like Chicago literally controlled the roofs. I was in the housing field long before I was elected to Congress. I know what it is like to stand on the roof of a building and watch as mothers cannot leave a housing project to go buy milk because the drug lords control the streets, and if they had a deal coming down, you could not live your life.

This program aims to get rid of that, to set up police substations in many of these housing projects in some of the most dangerous parts of America to let the children in those areas have a chance at a decent life. This is a program with a track record, and it is a good one, and it should not be zeroed out.

Mr. SAWYER. Mr. Chairman, will the gentlewoman yield?

Ms. KAPTUR. I yield to the gentleman from Ohio.

Mr. SAWYER. Mr. Chairman, I would like to take a moment to thank the gentlewoman for her enormous effort with regard to this program.

I am in support of this amendment. This amendment will help make sure that children living in our Nation's public housing, over 1 million of them, have safe and secure environments in which they can grow and succeed. They deserve this opportunity.

This amendment restores funds to the Public Housing Drug Elimination Program. These are programs that are disparate all across the country. Local authorities use these funds to supplement law enforcement activities in some cases, while others create drug intervention programs and new social support services. This program has a sterling record of success.

One reason is it allows housing authorities to tailor their programs to fit their individual needs and the needs of their residents. All over the country, children living in public housing who have participated in drug prevention activities have higher self-esteem, higher grades and fewer school absences.

Mr. Chairman, the gentlewoman talks about this program coming into effect under Ronald Reagan and being administered by President George Bush and HUD Secretary Jack Kemp. Earlier this session, the gentlewoman pointed out that more than a quarter of us, from one end of the political spectrum to the other, signed a letter to the

leaders of this subcommittee to ask to continue funding for this program. That is because I suppose, in the end, children are not a partisan issue. The Public Housing Drug Elimination Program has never been a partisan issue, and neither is this amendment. Many Members have indicated their support for continued funding for this program. The amendment gives us the opportunity to show our support. It is drugs, and not this effective undertaking, that needs to be eliminated.

Ms. KAPTUR. Mr. Chairman, re-claiming my time, I would say to the gentleman from Akron, Ohio (Mr. SAWYER), thank you so very much. The gentleman was mayor of Ohio long before he was elected to this Congress and understands the importance of this program. He took time from a markup in another committee to be here this morning. We thank him so very, very much for his leadership and interest on this issue.

Mr. WALSH. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I would just like to begin my portion of this debate by stating that I am not aware that there has ever been a study to show that this drug elimination program is successful as a national policy. There are lots of anecdotal comments and individual programs around the country that have had some degree of success, but this program has never been declared a success by the Federal Government.

I am also not aware that there is a higher degree or a higher percentage of drug use or drug abuse in public housing than anywhere else in this country. I think, to a degree, it is a negative statement about the Federal Government's view of public housing to have a program specifically for drug elimination in public housing.

Having said that, the HOME program, as I have said before, will help Americans to move from tenancy, to rental, to homeownership. I think it is important that we provide specific funds for that purpose, and I hope the authorizing committee will make this authorization a reality.

Let me just talk a little bit about the drug elimination program. First of all, the program has \$700 million of unspent funds. When this program began 13 years ago, it was funded at \$8 million. It was designed to address a gap in services that State and local governments were not filling for public housing. A lot has changed since then. The crime bill, for example, provided somewhere in the neighborhood of \$9 billion to States and localities to hire over 100,000 additional police officers, to fund 1,000 new Boys and Girls Clubs in public housing, as well as a variety of other juvenile crime prevention activities.

State and local governments have been provided the resources in public housing. Residents should be receiving the benefit of those Federal programs like everyone else.

Currently, less than one-third of all public housing authorities receive drug

elimination funds. Just four of the public housing authorities in the country are receiving 25 percent of all of these funds. In New York City, where they receive somewhere in the neighborhood of \$35 million to \$40 million, half of the money, half of it, is going to pay the salaries of New York City police officers. That is what the crime bill was for.

So they are getting Federal funds through the crime bill to hire additional police. They are also using these drug elimination funds to pay police salaries, and that just is not what these funds were for.

All of the PHAs that have received money have not been able to spend it. The gentlewoman's hometown of Toledo, Ohio, is only now in the process of spending 1999 funds. In my hometown, in Syracuse, there is about \$2 million in the pipeline for drug elimination programs. They can continue to use that money under this bill if they have pipeline funds and they have a program that they believe is effective. In Syracuse there are several that they believe are effective, so they can continue to use those funds.

In addition, we have increased the public housing operating fund by a little more than 8 percent, a very substantial increase. Under the law, public housing authorities can use those operating expenses for drug elimination programs or, basically, for any other program that they see fit. So they have the flexibility there to continue to do this sort of activity.

Secretary Martinez and President Bush asked us to eliminate this program. Secretary Martinez is a new Secretary. Just as we did with Secretary Cuomo when he had policy initiatives, we tried to honor those public policy initiatives; and the Congress, in most cases, complied. I would ask my colleagues to comply with Secretary Martinez. He does not believe that criminal justice is part of the core business of HUD. He wants HUD to get out of the criminal justice business.

As I said, if individual public housing authorities want to continue the programs that they feel are effective, they can use the pipeline funds, and they can use their HUD operating expenses which we have provided for a very strong increase.

Mr. Chairman, to close, I have a letter here signed by the Enterprise Foundation, the National Council of State Housing Agencies, the National League of Cities, the National Association of Counties, National Community Development Association which says, we need these home funds. We do not want them used for any other program. So they would oppose this amendment.

I urge my colleagues to oppose this amendment.

Ms. KILPATRICK. Mr. Chairman, I move to strike the last word.

Mr. Chairman, the tragedy in this whole HUD bill is that it is underfunded. I rise to support the amendment to keep the Public Housing Drug Elimination Program in operation.

Last night we discussed until 11 o'clock that there is \$640 million cut out of the Section 8 Program. There is \$240 million cut out of the Community Development Block Program. There is \$445 million cut out now, in this budget, out of the Housing Modernization Program. There is \$97 million less this year in the Homeless Assistance Program, and now we come to the Public Housing Drug Elimination Program, which has not been cut back but eliminated.

This program was started and signed into law in 1988 by President Reagan. President Bush won and continued the program. President Clinton increased the program, and last year it had a \$310 million appropriation. This budget gives it zero.

So not only have we reduced those other categories of housing needed, one of the most-needed categories behind education and health in our country, moderate safe, clean housing does not exist for many Americans, and what this Republican Congress does, it has decimated that in this HUD budget even more.

What my colleagues need to also know is that last week this Congress passed a bill that gave \$675 million to Colombia. Last year, this Congress gave \$1.3 billion to Colombia, where it is documented that 90 percent of the cocaine and heroin comes from.

So I say to my colleagues, this drug elimination for public housing program, which does work well; and, the chairman ask for a study, do not zero it out. It is doing marvelous things. It is hiring people who live in public housing to take care, to guide, and to monitor their own living conditions so that the children can be safe, so that the seniors can have opportunity.

On the one hand, we can give Colombia \$2 billion and cannot find \$175 million for those who live in public housing to try to eradicate drugs, keep drugs down, and keep their housing safe. Something is wrong with that equation.

Mr. Chairman, I thank the gentlewoman from Ohio for introducing the amendment. Our offices have worked closely on this. This is not the time to cut public housing funds. Perhaps we should send the money to Colombia so we can stop the interdiction, but, quite certainly, we also ought to have treatment on demand, which none of these budgets address. Quite certainly, we ought to have a minimum of \$175 million for people who live in public housing, again, not to eliminate the program. We need to ask for the testimony. We have testimonies to tell the gentleman that it works, and the study will prove that, too. It works.

Mr. Chairman, \$2 billion to Colombia, and we cannot give \$175 million to public housing who want to help themselves, to do what it takes to live in clean and safe housing. I think we can do better than that as a Congress. We are a much better Nation than that.

All of us do not agree with the Andean Colombia program, but we do support eradicating drugs in our society. The way we do that is to stop the flow, yes, and also treatment on demand.

When somebody who is addicted, whose life is in chaos finally gets ready for treatment and goes to a center in my district, they say, okay, fine, we are glad you are here. Come back in 3 months, and we will find a slot for you.

Come on. That is not how it works, America. My colleagues on both sides of the aisle, they have it in their districts, and I have it in mine. It is an American problem. We cannot give Colombia \$2 billion on the one hand and not give a few million for the American citizens who Colombia has strung out.

Mr. Chairman, it is important that we adopt this amendment. It is important that we talk about what is really happening here. The HOME Program is a marvelous program. We want the Downpayment Program as well. The most important thing a person can do, a family can have, is a home. The stability, the consciousness, the being somebody really is defined in America by their home and their home conditions and how they live.

So I hope the Congress will think deeply about this amendment. Mr. Chairman, this is \$175 million, on top of all of the cuts I already mentioned in Section 8, community development block grants, housing modernization and homeless assistance. We are going in the wrong direction. Vote "yes" on the Kaptur amendment.

□ 0945

Mrs. KELLY. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in opposition to the amendment of the gentlewoman from Ohio (Ms. KAPTUR) to strike the \$200 million from the President's down payment assistance initiative and add it to the drug elimination program.

This amendment would make two changes to this legislation we have at hand. I believe they are both wrong.

The amendment strikes down the President's proposed \$200 million down payment assistance initiative. To strike this funding takes the legislation in the wrong direction.

As a member of the Committee on Financial Services' Subcommittee on Housing and Community Opportunity, we have held several hearings on the current affordable housing crisis we face in this Nation. We have heard again and again that affordable housing is not available, and many families cannot afford market rents. HUD has declared further that a fair market rent for a two-bedroom apartment in my area of Westchester County is \$1,144 a month. That is higher than in New York City.

What we have to do is to help these families get out of the rentals and into their own homes so they can build equity in their home. To own their own homes means they can also build eq-

uity into our communities. That builds stronger communities for America. The President recognizes this need, and that is the purpose of the down payment assistance initiative.

First-time home buyers need all the assistance we can give them. It comes down to the fact that when one owns one's own home, they are vested. They are vested in the interests of the neighborhood, the local schools, and the community.

Unfortunately, this amendment seeks to strike this valuable initiative in order to fund the drug elimination program. In past years, I was a strong supporter of the drug elimination program. I have heard positive programs that are run with drug elimination funds. But this year, I have come to the conclusion that this program should be ended.

Let me just read some of the abuses from the Miami-Dade Housing Agency:

The money was spent before receiving the grant. Overtime money was paid to officers to bowl and play basketball. Janitorial services were done at elderly developments; and that is a good thing, but they bought phones and beepers and copiers, shirts and clocks, recreation equipment, journal vouchers. A lot of money was wasted instead of doing drug elimination.

I believe that it is very important that we try. I think Secretary Martinez has put it best when he testified before our Subcommittee on Housing and Community Opportunity this spring as to problems inherent in the program. He told us HUD does not have the resources to enforce and ensure that these funds are spent properly. He asked us to add additional funding to the public housing capital fund rather than to the drug elimination grant fund.

Since then, I have looked into the use of the drug elimination grants and I have been greatly saddened at the waste, fraud and abuse that has occurred in this program. I have found these funds have been spent on things like trips to Washington, D.C., a board retreat to St. Simon's Island in Georgia, renovations to kitchens that never existed, and consultants that pocketed a lot of money. The list goes on and on.

Worst of all, \$800,000 was approved for creative wellness programs that are considered on the outer fringes of alternative medicine. This program involves God-Goddess typing according to an individual's gland activity. It also involves gemstones and colors for each personality type. This is not what the drug elimination program was meant to do. These abuses need to stop. We must ensure that HUD funds are spent on housing, not incense.

How do we start? I think it is very important that we join together in voting against the Kaptur amendment.

One last thing that I think is important to point out, this current appropriations bill has \$34,000 new section 8 vouchers. That is twice as many as the Senate has in their bill.

The appropriations bill is a good bill for housing, and it is good for America. My friend, the gentleman from New York, has a good bill; and I ask my colleagues to join together in voting against the Kaptur amendment.

Ms. CARSON of Indiana. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in enthusiastic and fervent support of the amendment of the gentlewoman from Ohio (Ms. KAPTUR) to fund the Public Housing Drug Elimination Program.

It strikes me, Mr. Chairman, or it reminds me, it is reminiscent of the mathematical maxim that the whole equals the sum of its parts. We want safe communities. We want productive and mature and healthy children. We want public housing to thrive and to ultimately move those residents out into the economic mainstream. We want to continue to work on ways where we can reduce the size of the jail population, recognizing that the majority of inmates in jails in my district, and certainly around the country, are there because of drug-related offenses, which bears a humongous cost to tax-payers.

The Public Housing Drug Elimination Program has successfully enabled housing authorities to work cooperatively with residents, local officials, police departments, community groups, boys and girls clubs, drug counseling centers, and other community-based organizations to develop locally supported anticrime activities.

There is good public housing in Indianapolis. The Indianapolis housing agency, under the leadership of Bud Myers, has demonstrated expertise in administering the system. They received \$2.2 over the last 4 years to help them in their work of drug elimination. The housing department has set up youth programs that focus on building self-esteem and reliance, and primary preventative kinds of activities to stop housing residents from getting involved in drug activities in the first place.

It is up to us as civic leaders and responsible citizens to instill a sense of value, dignity, and pride in today's youth. It is impossible, Mr. Chairman, for these people that work in the community to eliminate drugs, for people who work in public housing to do this without proper support.

Using the Public Housing Drug Elimination Program, our housing agency has been able to reduce criminal activity by 60 percent since 1995. The grants from this program have enabled IHA to implement a visible community policing effort, and thus has enabled these properties to be among the safest in the city. Imagine public housing safe in the city.

Mr. CONYERS. Mr. Chairman, will the gentlewoman yield?

Ms. CARSON of Indiana. I yield to the gentleman from Michigan.

Mr. CONYERS. Mr. Chairman, I appreciate the gentlewoman's statement and yielding to me.

Mr. Chairman, I have just lifted myself off the floor when I heard the chairman, the gentleman from New York (Mr. WALSH), say that there is no proof that public housing has more drug abuse. When the gentleman from New York (Mr. WALSH) said there was no proof that public housing has more drug abuse than anywhere else, this has to be put in some context.

I ask of the gentleman from New York (Mr. WALSH), where has the gentleman been? There is public housing, and this is not a condemnation of all public housing, but there is some public housing in which there is plenty of drug problems. I do not know what kind of proof the gentleman wants about that. Any inspection would tell the gentleman that. Ask the gentleman from New York (Mr. RANGEL), or ask any of us in any major city.

For the gentleman to be the chairman of the committee that determines what kind of protection we give to the people in public housing, and over billions of dollars controlled Federally, and for the gentleman to tell us that there is no indication that some public housing has more drug abuse than anywhere else, many of the public housing is in places where everybody has a high level of drug abuse all over the place.

Mr. WALSH. Mr. Chairman, will the gentlewoman yield?

Ms. CARSON of Indiana. I yield to the gentleman from New York.

Mr. WALSH. It is my understanding, and we do have some communication on this and I will try to locate it if I can, from public housing directors who say to us, "We think that Members should know that there is no higher level of drug use or drug abuse in our housing than there is in the neighborhoods around our public housing authorities." We have provided billions of dollars to the criminal justice system.

Mr. CONYERS. If the gentlewoman will yield further, has the gentleman not gone out to a public housing project himself?

Mr. WALSH. I have. Absolutely. In my hometown, that is not the case.

Mr. GARY G. MILLER of California. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, there is an interesting argument going on. We have a disagreement here. Someone said or we say there are no studies that demonstrate there is a problem. We talk about abuses. I have a list of abuses that I have no question about.

On the other side, we talk about a need for funding because there are criminal elements within public housing. I do not disagree with that. I am going to accept that argument, and from some facilities I have seen, I think the Members are accurate in that argument. I had one in the city of Upland that had a problem, and with additional funding, they reformed that problem.

I am willing to accept the argument from my colleagues on the other side that there is a problem in public hous-

ing and we need drug elimination funds to eliminate and deter these problems. But the problem with government is that rather than addressing the problem, we continue to put a Band-Aid over the sore. The problem is, we have forced people into public housing projects with section 8 vouchers because there is no place else for them to go.

A good friend of mine owns one of the largest nonprofits in the United States, and they have probably made 25,000 loans to low-income families to get them into housing. The name of the company is Hart. If Members go into Hart's buildings, every one of the employees in there were single parents, single women formerly on welfare. Every one of them today is in a home. They helped them get into homes. They provided buyers' assistance, down payments with zero government funding.

The problem we have here, Mr. Chairman, we have an administration and a Secretary of HUD altogether different than the previous Secretary of HUD that we had. For the last 2 years, I have spent more time battling with HUD, trying to make sure nonprofits could continue to operate to help poor people, because HUD did not like the competition.

Our Secretary today is different. How do we resolve this problem? Is there a problem with the criminal element within the public housing projects and drugs? I believe that is the case. How do we resolve that problem? Let us help people get out of public housing and into homes. Let us allow them to take the section 8 money and place a down payment on that home. Let us even let them take the section 8 vouchers that we force them to use to live in a dwelling, to use that to pay part of their payment to become productive parts of the community and established parts of the community.

Guess what is going to happen when we do that? I think my friends on the opposite side of the aisle have a different problem with this than I do. In 4 to 5 or 6 years, they will have built up enough equity in that home they are likely not to need the government's assistance to live any longer. To some people, that is scary. To me it is not.

So what do we do? We say we have a problem with housing projects that are funded by the government, but let us force people to live in those housing projects, because we will not let them use the money to buy a home. That just does not make sense to me at all.

Last year some of my colleagues on the opposite side of the aisle said on the drug elimination program money, when we finally start to succeed and eliminate the problem, let us cut their money off. What we are doing then, we were saying that we are only going to give money to communities that fail to solve the problem, and those that work hard and diligently and succeed in resolving the problem, we are going to cut their funds off, so they have to

look to the local law enforcement to deal with a problem that tends to be generated by public housing.

If there was not a problem, address this question: Why do not funds provided by local government adequately deal with the problems within these housing projects? Because every community hires police officers. They manage to protect the rest of the community without assistance otherwise than what they receive in funding.

What we do is we say that is not adequate. We need to give them additional funding because there is a problem that is worse and needs Federal assistance than the rest of the community is experiencing.

That in and of itself is a problem. In this country, we have not been able to provide affordable housing for people, nor have we been able to provide housing stock for most people to move out of affordable housing into the next level.

□ 1000

Because the average home owner, when they buy a new home, realizes that 35 percent of the sales price of that home is directly attributed to government. Not indirectly through taxation of others; but direct assessments against the developer in order to get a building permit, 35 percent of that sales price goes to government. That means that if a young couple wants to buy a \$100,000 home, guess what? \$35,000 of that \$100,000 went to government.

Then, on the other hand we say, why cannot people in this country afford a home? The government is the problem. The government will never resolve the problem unless government does something to let the private sector work.

Mr. FATTAH. Mr. Chairman, I move to strike the requisite number of words.

Let me speak in support of the Kaptur amendment. Let me say a couple of things. First of all, I have heard we should eliminate the drug elimination program because of waste and fraud. I cannot seem to recall a Member on the other side of the aisle ever wanting to eliminate any program in the Pentagon's budget because of waste or fraud. But any social program, any program focused at helping particularly disadvantaged communities is subject to this attack.

What we have is, for the first time in the country's modern history, the crime rate has gone down 8 years in a row. The majority party says let us try to interfere with that. Let us eliminate the COPS program. Let us make sure we do not have the gun buy back program. Let us eliminate the drug elimination program. Let us find those initiatives of the past administration that helped move the country in a downward trend in terms of the crime rate and let us remove them out of the way. Somehow, it would seem to me, that we would all, both parties, both the majority and the minority, be celebrating an 8-year decline in the crime

rate in our country and that we would want to reinforce those initiatives that have been proven to be successful.

We just heard the gentleman from California (Mr. GARY G. MILLER) speak. I do not know where some of the Members here have been; but in any major city in our country, the police department proudly proclaims that they will not go in and provide protection in these public housing developments. It is unfortunate, but in our city it has been this way for a very long time. It is this way around the country.

It is the Federal Government's unfortunate burden since we are the landlord for these families which are mainly women and children, and rather than provide some assistance to them so they can live in safety or require the local community to provide adequate law enforcement, we want to wipe our hands of both this program in any other responsibility.

Mr. WALSH. Mr. Chairman, will the gentleman yield?

Mr. FATTAH. I yield, unlike your colleague who would not yield to the gentlewoman from Ohio (Ms. KAPTUR).

Mr. WALSH. Mr. Chairman, I would not tolerate that in my hometown.

Mr. FATTAH. The whole world is not your hometown.

Mr. WALSH. I understand that, but if we took some aggressive action with the local police, they have to go where the city council and the leaders of the community tell them. If it is in the city, it is their responsibility.

Mr. FATTAH. Reclaiming my time, we have a situation right now in the home city of the gentlewoman from Ohio (Ms. KAPTUR), Cincinnati, where the police department has refused to police in parts of the community. We cannot sit and ignore the fact that as a Congress we are saying, in these communities with a 99 percent of population of women and small children in which the Federal Government is the landlord, that we are not going to do anything to make sure that these communities are safe. And we are going to eliminate this program, and ignore the fact that, in our country, we have finally seen a major decrease in crime.

Maybe the majority party is not happy with that. I do not know. Maybe it is not politically helpful that there is a reduction in crime. Maybe that is why we want to pull the rug out of the COPS program and the drug elimination program and the gun buy back program, but I think that is an unfortunate way to proceed. I would hope that people would support the Kaptur amendment.

Ms. KAPTUR. Mr. Chairman, will the gentleman yield?

Mr. FATTAH. I yield to the gentlewoman from Ohio.

Ms. KAPTUR. Mr. Chairman, I want to thank the gentleman from Pennsylvania (Mr. FATTAH) for bringing up the important point, that in many communities across this country, until this program was enacted, local police were not policing. In fact, in many places in

America the local police had no relationship with the authorities. This program has drawn in local policing, whether it is county, State officials, local police, on-site resident management that are trained now in working with the local residents.

The relationship locally with the authorities was not always a good one. In many cases, and I cited Chicago in particular, which I never forgot after visiting there, the authorities were completely out of control. They were neglected. They neglected areas of our community.

I want to thank the gentleman for pointing out the importance of this program in creating an appropriate bond with local authorities so that now there is security, and crime has gone down all over this country including in these very important neighborhoods.

Mr. DAVIS of Illinois. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I have a similar amendment that I will withdraw. As I listen to this debate it seems to me that we are talking about two different worlds. It does not seem to me that we are talking about the one United States of America. I come from the city of Chicago, the third largest city in the country. I also represent 68 percent of the public housing in the city of Chicago. I want to invite the President and the Secretary of HUD to come and look at what public housing is like in the largest urban centers.

I also listen to my colleagues who do not seem to understand the differences between communities. And nobody created them exactly the way that they are; but if we look at the causes for drug addiction, the causes for drug use, I represent a district that has lost more than 140,000 manufacturing jobs over the last 40 years; 140,000 solid good-paying jobs have gone as a result of our trade policies.

I come from a community that represents the last wave of migration for people trying to escape what was a South that they could not tolerate and refused to continue to live in.

When we talk about public housing, in many instances we are talking about thousands of people stacked on top of one another. I have a stretch of public housing that goes from 2200 South to 5700 South, straight down what we call the State Street Corridor.

The second poorest urban area in America. And so if my colleagues tell me that we do not need drug elimination efforts, there is nothing the residents of public housing have liked more than to be able to establish their own drug prevention program on site right where they are so that, in spite of the conditions under which they live, children can understand that they can, in fact, grow up with the idea of doing more than standing on the corner hollering "crack" and "blow" or looking for a nickel bag or a dime bag.

So I really do not know where my colleagues have been or what it is that

they are talking about. I invite all of my colleagues to come to the big city public housing developments and see what the policies of this Nation have created and then to tell me that we cannot find a little bit of money; that because of some fraud and abuse, that we are going to throw out the baby with the bath water.

Mr. Chairman, I cannot think of any program, any activity where we have not discovered some fraud, some abuse. But we did not stop making airplanes because there was fraud and abuse. We did not stop manufacturing automobiles.

So I would urge us, Mr. Chairman, that we rethink our position. That we take another look. That we support the reconstitution of this program. And I too would commend the gentlewoman from Ohio (Ms. KAPTUR) for all of the work and the tenacity with which she has pursued this issue.

Ms. KAPTUR. Mr. Chairman, will the gentleman yield?

Mr. DAVIS of Illinois. I yield to the gentlewoman from Ohio.

Ms. KAPTUR. Mr. Chairman, I thank the gentleman from Illinois for his eloquent statement. I thank him for giving us a snapshot of places in America where programs like this make an enormous difference. I thank him for his leadership, and I just wanted to place on the record the fact that HUD did do a study in 1999. In fact the inspector general of HUD did a study. They found no abuse in this program.

In fact, all HUD said, the inspector general, the inspection side of HUD merely said they ought to do some more studies around the country on how the program is working. They only asked for more paper reporting.

But on the ground, on the ground where people live every day, this is a successful program.

Mr. Chairman, I wanted to use this moment also to say to the gentleman from New York (Mr. WALSH), my good friend, who I really do not think his heart is in opposition on this program, but I want to say in my own town he said the money was not being spent. I would have to say that is not an accurate statement. In fact, over \$700,000 of Federal and local money is being spent every year and is being spent according to the allocation formulas from HUD on schedule.

Mr. DAVIS of Illinois. Mr. Chairman, reclaiming my time, I say that we will either pay now or we will pay later.

Mrs. ROUKEMA. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, unfortunately, I was unable to be here when there was a debate on the Frank amendment earlier this morning. As the chairwoman of the Subcommittee on Housing and Community Opportunity, I want to repeat my opposition to the Frank amendment and repeat what I stated in the general debate as of yesterday. That is the reference to the President's downpayment assistance program.

As I stated in the general debate, this is really a compassionate program so that we can help low-income people achieve the American dream. And that is what that program is all about.

Mr. Chairman, I want the Members to know also, because there was some discussion about the authorization of this legislation. As chairwoman of the Subcommittee on Housing and Community Opportunity, the authorizing subcommittee, I stated in the general debate that I would make every effort to assure that this important initiative would be authorized before the June 2002 deadline that is outlined in this bill, and I recommit myself to that publicly here.

Again, I think this is a compassionate effort. The President's program is an important one that will allow low-income families to share in the American dream of homeownership, and we should support it. In that context, as I stated in the general debate, I would, unfortunately, have to oppose the Frank amendment.

Mr. FRANK. Mr. Chairman, will the gentlewoman yield?

Mrs. ROUKEMA. I yield to the gentleman from Massachusetts.

Mr. FRANK. Mr. Chairman, I repeat that the gentlewoman's chairmanship of the Subcommittee on Housing and Community Opportunity has been a very constructive one, because we have been building, I think, a very important record on the importance of housing and moving forward.

I do have to say on the specific question of authorization, I mentioned it only because the gentlewoman from New York who is no longer here said, "Well, I was the ranking member, we could do this." And my response was well, I am ready. Because I would say this to the gentlewoman, while there is a June 30 date in the bill which says we must authorize by June 30, or the funds revert, the funds start being subject to this restriction on October 1.

So I would ask the gentlewoman from New Jersey (Mrs. ROUKEMA), could she then schedule a hearing and markup? We probably cannot pass it by October 1, and we are about to go out. But I would hope as soon as we come back in session we could have such a markup so we could get this.

Mr. Chairman, the reason is this: This will be going to conference in September. I would hope the conference committee, which will have to ultimately decide whether to earmark it or not, would have the benefit of at least some committee deliberation on this substance.

Mrs. ROUKEMA. Mr. Chairman, reclaiming my time, I will make that commitment to the gentleman, regarding expediting a markup as soon as possible. But I do not believe that it is a reason for us to eliminate this provision in this appropriations bill.

As I pledged in my statement during general debate, I will move to expedite consideration for legislation. I believe the President's program is an important one that allows low-in-

come families to share in the American dream of homeownership. This is evidence of the President's commitment to compassionate care for all our people.

Mr. MOLLOHAN. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I would like to bring this debate back to where it started. We were in the midst of a very important debate on drug elimination grants. I rise in support of the Kaptur amendment and want to emphasize how important this program has been.

This program provides resources for public housing authorities to fight crime and drug use, an incredibly targeted and flexible program for that purpose. Many will say that that is not the proper role of public housing authorities. And while this may be true in the ideal world, the practical experience shows that local law enforcement authorities are not always up to the job. We know that housing authorities have crime problems that are indigenous, that are rooted, and we need programs which focus on that and go to those roots.

□ 1015

Why do we propose reducing funds that they receive to fight crime, to hire law enforcement, to construct fences, to remove debris from alleys and to help residents break drug addiction? If we have problems with how some of the funding has been used, then we should address the inappropriate use of the program. Eliminating the entire program is not the answer. We really should be adequately funding drug elimination grants. This amendment, the Kaptur amendment, is an excellent start.

By supporting this amendment, I do not want to give the impression that the homeownership initiative she seeks to reduce is unworthy. It is not unworthy. It is a good proposal and should be considered. It is a new start, it is a new initiative, it is the President's. It has not gone through the authorizing process *per se*, but localities are already permitted to undertake downpayment assistance programs with funds that they receive through the normal HOME program allotment process.

This is simply a case of priorities. Drug use in public housing is a problem so great that it merits priority attention. The drug elimination grants program merits support.

I remember when Secretary Martinez appeared before our committee, he did not say, or I do not remember him saying, that this program was a bad program, the drug elimination program. He did not say that there was not the problem in housing authorities. What he said, as I remember it, was that this is not the right jurisdiction, this is not the proper place to fund this program, maybe it should be in the Justice Department.

Mr. Chairman, I serve on the subcommittee that funds the Justice Department. The Justice Department

says that they are not into prevention programs, they are into solving crimes. So they say that Justice is not the proper place to fund drug elimination grant programs. So this bill is where the program is. This is where the program has been funded. This is where the program has been successful, however many hiccups it has had.

The problem still remains. We hope that the program has been successful so that the problem is on a downward trend line. But it still remains, the program is still viable, and the program should be funded.

Mr. Chairman, I rise in support of the gentlewoman's amendment and commend her for her efforts in this area.

Ms. KAPTUR. Mr. Chairman, will the gentleman yield?

Mr. MOLLOHAN. I yield to the gentlewoman from Ohio.

Ms. KAPTUR. First of all, I would like to thank the ranking member for his strong support in clarifying why HUD is the proper administering authority for this program and the distinction between the Department of Justice and the Department of Housing and Urban Development.

I thought I would also like to place on the record a comment made by the gentleman from Massachusetts (Mr. FRANK) a little bit earlier. His time expired, but in other comments that Secretary Martinez made before the Subcommittee on Housing that the gentleman from Massachusetts is the ranking member of, he mentioned that Mr. Martinez said that, in terms of money available to HUD this year, that the Department of Energy estimated that utility costs would be going down; that before the Subcommittee on Housing he actually stated that the Department of Energy had told him to tell us that utility costs would be going down.

I find that incredible. The operating funds that exist in this bill will not be sufficient if you look at what is happening to utility rates across this country.

So this program is even more necessary in order to keep the cap on crime, keep arrests up, keep neighborhoods more safe and help with the prevention programs that the gentleman from West Virginia has so aptly described.

I thank him for yielding to me and for his support of this program.

Mr. FRELINGHUYSEN. Mr. Chairman, I move to strike the requisite number of words, and I yield to the gentleman from New York (Mr. WALSH).

Mr. WALSH. I thank the gentleman for yielding. I just wanted to address some comments that were made earlier.

I have the greatest respect for every Member who has spoken. I think these are heartfelt statements that are being made, but I wanted to just add some additional data to the arguments.

The gentleman from Chicago, who represents a very large public housing authority that he spoke about, their

budget for drug elimination is approximately \$8 million per year. Based on our analysis and HUD's audits, the Chicago Public Housing Authority has right now close to \$19 million on hand to provide for future drug elimination programs. We do not say you cannot use existing funds. What we are saying is that, from this bill forward, we are not going to specifically appropriate funds for drug elimination. That means they can use those \$19 million.

We provided an increase in funds for operating expenses across the board to public housing authorities, an 8 percent increase. In the case of Chicago, that would mean about a \$15 million increase. That means they could take half of that operating fund increase and dedicate that for drug elimination if they saw fit for the future.

The gentlewoman who is about to speak I believe represents the Cleveland area. The Cuyahoga County Public Housing Authority has about \$7.5 million available for drug elimination. They spend about \$2.5 million per year. That would provide about 3 years' worth of drug elimination funds; and the operating fund increase for Cuyahoga County would be about \$3.5 million per year, which is in excess of what their annual operating expenses are for drug elimination.

Mrs. JONES of Ohio. Mr. Chairman, will the gentleman yield?

Mr. FRELINGHUYSEN. I yield to the gentlewoman from Ohio.

Mrs. JONES of Ohio. Would the gentleman repeat that, since he was talking about my congressional district? I did not quite hear what he said. Would he say it again?

Mr. WALSH. I would be happy to. In Cuyahoga County, which encompasses Cleveland, I believe, the public housing authority funding for drug elimination in 1999 was \$2.4 million. That will not be spent out until next year. Those are 1999 funds. In 2000, \$2.5 million was appropriated. That has not been spent, either. In 2001, another \$2.5 million has not been spent. So there is approximately \$7.5 million of unexpended funds in the drug elimination program.

Mrs. JONES of Ohio. This is as of today, what he is reporting from?

Mr. WALSH. As of today.

Mrs. JONES of Ohio. I would like to see it when he is done.

Mr. WEINER. Mr. Chairman, will the gentleman yield?

Mr. FRELINGHUYSEN. I yield to the gentleman from New York.

Mr. WEINER. I would point out that many housing authorities around the country have a similar situation where drug elimination funds appear not to be spent because a large number of those dollars are used to recruit and hire police officers.

As the gentleman knows, right now in the country we have a phenomenon from coast to coast that there is a decline in the number of people that are coming forward to take these positions. In most cases, New York City being one of them, those funds have already been allocated.

Mr. WALSH. For example, New York City receives in the neighborhood of \$40 million a year in drug elimination funds. Half of that money is going to pay salaries for police officers. Under the crime bill and the COPS AHEAD bill, New York City has received a half billion dollars to hire police officers. The drug elimination funds were not a supplement to the budget of the New York City Police Department. These funds were supposed to go for public housing authorities.

So the fact is, Mr. Chairman, there are lots and lots of dollars in the pipeline for drug elimination. If public housing authorities wish to use their operating fund balance to continue these programs, as my public housing authority in Syracuse has chosen to do, they can.

But what we are saying is we are not going to continue to fund this program because the Secretary of HUD, our new Secretary, has asked us to say we want to stick to our core business; we do not want to be in the criminal justice system; let the Justice Department fund this. And they do fund juvenile crime programs into the hundreds of millions of dollars. We think that these funds for the HOME project are far more important and far more in line with the core business of HUD. Let us help Americans to buy homes with these funds.

Mrs. JONES of Ohio. Mr. Chairman, I move to strike the requisite number of words.

(Mrs. JONES of Ohio asked and was given permission to revise and extend her remarks.)

Mrs. JONES of Ohio. Mr. Chairman, to the people of the United States, the argument that you are hearing this morning is the real reason why we should not have had a tax cut. We should not be standing here arguing about whether we fund a drug elimination program or we fund a homeless downpayment assistance program. The reality is that both of these programs need funding, and there are dollars in the U.S. budget to fund them both. But, instead, the United States policy on housing is such that we have to argue over \$20 million for each of these programs.

Let me just switch for a moment to a discussion as to whether or not we should fund drug elimination programs in public housing. Before I came to Congress, I served for 8 years as the Cuyahoga County prosecutor. Many of you can stand up here and say what you think works. I can tell you what I know works. I know it works because it was my responsibility to have oversight over the Cleveland Police Department as well as oversight over the Cuyahoga County Metropolitan Housing Police Department. It took the effort of both of those departments to diminish and eliminate the drug problem at the Cuyahoga Metropolitan Housing Authority.

See, when we start talking about the importance of law enforcement, it is

important to understand that the people get to know who the police officers are. You can stand in a vacuum and say that the City of Cleveland or the City of New York or the City of Chicago ought to fund police departments, but we as a government, the City of Cleveland is part of the United States Government. The City of Chicago is part of the United States Government. HUD housing is Federal housing. It is public housing. And the people there, regardless of who funds it, need to be able to live in safe housing.

Let me talk a little bit more about how law enforcement has moved from "lock them up and throw away the key" to some point talking about prevention. Part of prevention is using innovative programs to be able to talk to young people, to talk to older people about how you eliminate an addiction and begin to live in a wholesome housing situation. In fact, the public housing neighborhoods across this country have begun to be able to do that. It would seem to me that it would really be in the best interests of these United States, of the Federal Government, to talk about saving programs that are working.

Mr. Chairman, I appreciate the gentleman from New York letting me know that Cuyahoga County has \$2.5 million in the pipeline and \$2.5 million that might be available next year. I would like to ask him to give me more than \$2.5 and to suggest to him, after having talked to the director of the Cuyahoga Metropolitan Housing Authority less than an hour ago, that maybe as of today's record there is not showing an expenditure but those funds are in fact ready and have been expended for purposes of that program. I am not sure how their accounting works.

Let me further say that some of the programs may not be what you traditionally believe are programs to deal with drug elimination, but I find it hard to believe that any of us who have not had the experience of working in drug elimination can stand on the floor of the House of Representatives and talk like we are experts. Those of you who have not had the experience owe it to yourself to go visit a housing authority to understand what you may in fact be funding.

I am heartened because, when we did in fact have a Subcommittee on Housing hearing and the Secretary of Housing came before the Subcommittee on Housing, I was dismissed as being out of line when I said to the Secretary of Housing, after he said there are no drug problems in elderly public housing in the United States, to ask him what country he had lived in in the past 10 years. I meant no disrespect. Mr. Secretary, if you are listening this morning, I mean no disrespect this morning. But what I need you to be able to understand is the problem that exists.

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN. The Chair will remind Members that remarks need to be

addressed to the Chair, not to the listening audience and not to anyone else observing this proceeding.

Mrs. JONES of Ohio. I apologize to the Chair.

Mr. SABO. Mr. Chairman, I move to strike the requisite number of words.

Before my comments, might I ask a question of the ranking member?

□ 1030

I am just curious. I hear lots of discussion that communities can use their operating subsidy to fund this program. If we look at the current year's budget for the operating subsidy and the drug elimination program, and compare it to the projected request for operating subsidy for next year, including all the increases in energy costs, does that amount exceed what we appropriated this current year for these two programs of operating subsidy and drug elimination?

Mr. MOLLOHAN. Mr. Chairman, will the gentleman yield?

Mr. SABO. I yield to the gentleman from West Virginia.

Mr. MOLLOHAN. Mr. Chairman, I understand what the gentleman is asking. He is asking is there a net increase or decrease of the funds out of which the drug elimination grants could be funded last year, as compared to this year.

Mr. SABO. That is right.

Mr. MOLLOHAN. There is a net decrease of \$47 million as I compute it. The drug elimination program was funded at \$310 million in 2001, and eliminated this year. \$263 million was added to the Public Housing Operating Fund, and that resulted in a net decrease, or a net cut. And drug elimination grants were authorized to be activities to be funded out of the public housing operations up to \$110 million. So the overall net cut is \$47 million.

Mr. SABO. Mr. Chairman, reclaiming my time, that is an actual cut in funding from what is appropriated for this current year, at the same time that these housing agencies are also going to be required to pay significantly higher energy costs?

Mr. MOLLOHAN. Yes.

Mr. SABO. Mr. Chairman, reclaiming my time, the answer is obvious what we should do with the amendment proposed by the gentlewoman from Ohio: we should support it. But let me make a few other comments.

I think this debate is very useful, because it highlights the importance of housing. Over the last several years, I have been disappointed to the degree that housing has been off the agenda for both parties, and if there is any area where the Federal Government has played a primary role for decades, it has been in the development of housing policy in this country, whether it is through tax programs, through insurance programs, or through direct expenditures.

We have a crisis in the availability of low- and moderate-income housing in this country today, and I would suggest

to my friends that while we have our extensive debates on education policy, that the Federal role in providing for low- and moderate-income housing in this country, in my judgment, is of greater importance to education policy in this country than many of the things we are doing in the education bill.

But if we have limited resources, what should be our priority? Clearly the first priority has to be that we are funding and operating in a decent and efficient manner the housing that exists. That means that we have to have sufficient appropriations for operating subsidies, that we deal with unique programs and problems, like the drug problem in public housing throughout this country. Next we should move to make sure that the housing that we have today is maintained through our rehab programs. Again, we find that those programs are funded at a grossly inadequate level in this bill.

Then we should move on to production, and we desperately need a production program in this country. We are not close to beginning to deal with that problem. I would love to see us doing it. But if we have to make choices, the first choice has to be that we fund in a sufficient fashion those programs that simply keep the existing housing supply operating in a safe manner for its residents, where they can enjoy life.

For some people to suggest that as part of that process of running large public housing projects we should not provide for security, I think flies in the face of reality.

Mr. Chairman, I hope we adopt the amendment offered by the gentlewoman from Ohio.

Mrs. MEEK of Florida. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I have the highest respect for my chairman. I think he is a very fair man. He has operated this committee in a fair manner. But he is faced with a daunting task, which I do not think is defensible. He cannot defend the fact that the drug elimination grants have been worked out of the program.

Mr. Chairman, I stand to support the amendment offered by my good sister from Ohio. Her position is one of a white woman who has come to this arena to defend a program which has been eliminated which pretty much helps low-income people. The gentlewoman is not a lower income person. There are very few of them in this Congress.

I stand today to represent those neighborhoods which many of you have never seen. I stand today to talk about Peaches, who was killed in the housing project. I stand to talk about Little Bit, who was killed in the housing project, by drug dealers who live in the housing projects, who come in the housing projects and prey on the children, because they know they are hopeless residents of these areas.

Now, it is pretty good to talk about what is in the pipeline, and that is the argument which my good chairman has used. But it is a specious argument, in that it cannot be made for public housing, in that last year this Congress, of which I am a Member, appropriated \$1.3 billion for Plan Colombia, the anti-drug program that was supposed to stop the flow of drugs from South America to this country. \$1.3 billion. Yet I stand today trying to defend a program which we know is needed for the young people of our country.

Our good President wants to leave no child behind, but if he eliminates this program, he has already left behind the many youngsters in public housing who will be unprotected from the drug dealers that our police department overlooked for years because they did not have the manpower nor the ability to come in to public housing and fight this real ominous enemy we have in there, the drug dealers.

Now they have their own situation, where they can collaborate with the police department, where they can work with local agencies and bring a network to work against drugs in public housing. Public housing is good. It is the people that come into public housing and the people who come off the street and come in to hurt our children that are bad.

The Washington Post also reported that only about 5 percent of Plan Colombia's money has been spent, only about 5 percent. Yet we argue against \$175 million which this good gentlewoman has asked for. Does the Congress zero the amount for Plan Colombia out of this year's funding bill? I repeat that question. It is not a rhetorical question, it is a true question.

Does the Congress zero them out, Plan Colombia, in this year's funding bill? No. Earlier this week we voted to add another \$676 million to the program of Plan Colombia. That shows that the argument is specious that is used by my good chairman. So all this money that is supposed to be in the pipeline, it remains in there for Plan Colombia, but it does not remain in there for the poor residents of public housing. We must begin to respect these people. We must begin to note that it is the Government's job to respect them.

So I must say, if you do not fund this program, you are showing this Nation that you have turned around a program that works. Regardless of the party that you are in, you are doing the wrong thing for the American people, and it is indefensible. So anyone who stands up to defend this knows it is wrong.

It is so important that we understand, these are very small grants. They are not large. If one reads the report of our committee, you will see very large grants. But these grants, some are less than \$25,000. A few million dollars they get for public housing. They are a small amount compared to the problem in New York, a small

amount compared to the problem in California, a small amount compared to the public housing in Dade County-Miami. It is a small amount of money. Some of them are as small as \$25,000.

We must slow the relationship of violent crime in public housing. You do not need a statistical report to see this. You read the paper every day, you listen to the radio. You see how it is rampant.

There is no report, and this again goes against something my chairman said, there is no report, statistical or not, that supports the claim that the drug elimination program is not effective. There are no reports. But there is a body of information that points to the success of the program, including the Best Practices Award given to them by HUD and organizations like public housing that recognize that the person-to-person, life-to-life success of this program is successful.

My point is, it is a specious argument. Let us pass this amendment offered by the good gentlewoman from Ohio, and let us go on with this good program.

Mr. WEINER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I have the greatest respect for the chairman of the subcommittee, and I believe if we had an allocation that was sufficient this subcommittee would not have chosen to make this cut.

In the 1980s, we had a debate in this House and in this country about ways to make housing programs more efficient. I thought often that debate was mean-spirited. But the mantra was over and over again throughout those years, let us keep what is working and let us eliminate what is not. As a result, unfortunately, that meant cuts in the modernization program. It meant cuts in operating assistance.

In 1988, Ronald Reagan famously said our bare responsibility to the residents of public housing is their safety, and the drug elimination program was born. Since that time, we have had nearly a 30 percent reduction in crime in public housing. The program has been a success.

Now, you should not take my word for it, although when I was in the New York City Council I was the chairman of the Committee on Public Housing. Listen to what some Republicans have said.

Listen to what Secretary Martinez said earlier this year in response to a question from a Member of the other body. "HUD's Public Housing Drug Elimination Program supports a wide variety of efforts. Based on this core purpose, I certainly support the program."

A short while ago the gentleman from California (Mr. GARY G. MILLER) stood up to oppose this program. Let me tell you what he said on April 6 of the year 2000. "If the public housing are unable to continue the drug prevention efforts, the problems will return.

Will we only allow a doctor to give enough medicine to reduce illness, or will we give enough medicine to cure the disease?" This is what he said in support of the program that supports public housing in Upland, California.

We have also heard from the former chairman of the Committee on Banking and Financial Services, the gentleman from Iowa (Mr. LEACH.) "This type of program is necessary if we are to make public housing developments decent and safe communities."

Mr. Lazio, the former Member of this House from my State, also said, "The drug elimination program has funded many important and worthwhile items that have resulted in protecting people in public and assisted housing."

For a moment I would like to address some of the criticisms to this program raised by the opponents of the gentlewoman from Ohio. First, it is that crime reduction is not the primary mission of HUD. True enough. But that does not mean we do not fund modernization programs for better security systems. It does not mean we do not fund modernization programs and operating assistance for security guards. It is absurd to say that simply because it is not our primary mission, that we should walk away from a program that works.

Secondly, there is this weird Alice in Wonderland argument that says we are reinforcing the perception that drug problems are bad in public housing by having a program that has reduced crime problems in public housing.

I can tell you as a matter of fact, in New York City we have something called the COMSTAT program where you can see block by block, address by address, where the crime problems are.

Before the drug elimination program came into effect, there was a 30 percent difference the moment you crossed the street into public housing as opposed to the other way, and the reason is we used to have police precincts that were divided from the housing authority police division so we could see that.

If you think that the program is not working, all you have to do is look at the State of Texas. In the State of Texas, in the Austin Housing Authority, they had a 10 percent reduction compared to outside the housing authority because of the drug elimination program. In San Antonio, there was a 31 percent reduction in crime in the housing authorities, while the crime outside the housing authorities went up. So we not only know as a matter of fact that there is a problem, but we also know as a matter of fact that the problem is being solved by the drug elimination program.

Finally, because New York City has been mentioned so many times in a pejorative sense here, let me explain why it is that New York City is a slightly different creature than other places as it relates to the drug elimination program.

Unlike other places that throughout the eighties were tearing down their

public housing, New York City was investing in it, so much so that it not only did not neglect housing authorities, it created its own police department specifically for the housing authority projects, unlike other municipalities in this country.

□ 1045

Later on, a decision was made under Mayor Giuliani, and, frankly, when I served on the city council, to merge the police departments; and the Housing Authority and HUD said, under Republicans and Democrats alike, that that does not mean that New York City should then have to walk away from the assistance it was getting, simply because it made its police department more efficient.

One final point. This is the point about why there is so much money in the pipeline, and I tried to make the point earlier. We have a fundamental problem in this country, and we are seeing it in law enforcement programs throughout, that there is a backlog in the money we are allocating to police officers and when those dollars are hitting the streets. We saw that same spurious argument used against the COPS program, but every city supports it and, frankly, every Housing Authority supports this program.

Mr. MEEKS of New York. Mr. Chairman, I move to strike the requisite number of words.

I want to thank the gentlewoman from Ohio for this amendment, but, most importantly, I want to thank the gentlewoman of Ohio for thinking about me.

Mr. Chairman, as I hear people talking about the drug elimination program and hear people talking about those who live in public housing and I hear people talking about the American dream, let me tell my colleagues, I lived in public housing. I lived in public housing until I graduated law school. I have a relative that lives in public housing. Just because I am a Member of Congress does not mean I can get all of my relatives and friends out of public housing who live there on a daily basis. I visit them every time that I go home.

Not only do I represent public housing, I have relatives, I have lived there, and I would not be here if it was not for public housing.

We can build all the prisons we want, and they will come. They will fill up if we do not do anything.

When we talk about medicine today, we talk about preventive care. We talk about how we have to stop it early. We can stop them and kill diseases early so that we do not have to worry about disease.

What the drug elimination program is, it is preventive care. If we are talking about preventive care everywhere else, why can we not take care of America's poor? Because America's poor, like I, want to live the American dream; and the first thing in public housing that we see young people

today, what they want to do is, indeed, that: just live. They are worried about their lives, when we talk to 15-, 16-year-olds; and they say they may not live until they are 18, 19, 20 years old. They just want to live. And what the drug elimination program does is give them the opportunity to have hope to live for tomorrow.

Why are we playing reverse Robin Hoodism? Why are we taking away from the poor to give to the rich? What makes this country great, or what should make it great, is how we take care of the least of these.

The drug elimination program and the money that we are talking about really is just a drop in the bucket. We have got to have a conscience in this body.

When we talk about security and I think about my childhood, security happens in two ways. Security happens when, in fact, one has law enforcement there. One puts up gates. They put up these gates that help prevent crime. But it also beautifies the area for the people, the residents that are living there, and that presence helps, and it gives a relationship between the individuals who live in the complexes and the police officers.

But, most importantly, let me tell my colleagues why I could be a Member of the United States Congress today, because without certain programs of public housing, I doubt that I would be here. But it has programs that teaches and encourages young people and gives them hope and keeps them out of trouble. It has programs that has the opportunity and the ability to transcend one who is living among drugs and keeping drugs out of public housing. That is what this is all about.

So when we talk about a mere \$175 million when we have over \$7 trillion budget, a mere \$175 million to save lives.

Mr. Chairman, there has been a big discussion about people receiving these tax cuts of \$300 or \$600 in a few weeks or a few months or whenever it comes. Do we know that that \$300 or \$600 will not save one life? It will not save one life. And what we are talking about here is saving lives, something that no one can ever recover. We must save lives so that people have the opportunity to live so that they can have hope for the American dream. And taking this money away, we are taking away people's hope, we are taking away their dream, and that is wrong.

Ms. WATERS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I had not intended to speak this morning. I know that people are all poised to go home, and we wanted to see if we could expedite the proceedings today so that we can get out as early as possible. But I could not help but come to the floor to speak on this issue.

I cannot believe that my friends on the opposite side of the aisle who define themselves as law and order, who

would have us believe that they have some values that are better than others, who would have us believe that they are the only ones who care about crime in America, who would have us believe that we do not pay enough attention to crime, would dare come to this floor and support the elimination of a drug program in America's public housing projects.

America's public housing projects, for the most part, are poor people and some working people who are living basically in congested areas on top of each other, having to deal with some of the most difficult problems any human being could ever envision.

We have a lot of young people who are attracted to the lifestyles they see on television, who want to go to the concerts; a lot of young people who want the cars; a lot of young people who want what we tell them America can afford. No, they do not have the kind of support oftentimes that will ensure that they keep going and they get educated. Many of them are dropouts. Many of them are coming from families who are in trouble. But they are all stacked into many of America's public housing projects; and, yes, the dope dealers and others come into these places.

Mr. Chairman, we need the opportunity to educate, to prevent, to teach, to say to young people, there is another way. But Members on the other side of the aisle will tell us on this floor that we do not need to have a drug elimination program. Drugs are not a problem in the housing project, is that what they are telling us? No, what they are saying is, it is a problem, we know it is a problem, but we do not want the public housing project management to take the responsibility for the elimination of the drugs in public housing. What we would rather do is have the police run in, catch a 19-year-old with one rock crack cocaine and send him to the Federal penitentiary for 5 years on mandatory minimum sentencing. No prevention, no rehab, no inclusion of drug elimination in the management.

It is so outrageous to say this is not our core program. This is not what we do. We would not tell a high-paid co-op in New York, we would not tell the resident, we do not have anything to do with your security and drug elimination; we do not have anything to do with making sure this building is safe and you are not at risk. And we are not going to allow you to say that here today. It is absolutely hypocritical to talk about eliminating this drug program in public housing.

We know that many of us can talk from experience. We heard the previous speaker, the gentleman from New York, talk about his life, his experiences. Well, I want my colleagues to know many of us in the Congressional Black Caucus represent most of the public housing projects in America. They are part of our districts. We work there. We advocate for them. We try to

make them safer. We try to give people hope. We try to give them a way by which they can get up and get out.

But when our colleagues come to the floor and they tell us that they do not care enough to support the idea that we can eliminate drugs, we can eliminate crime, that we can provide some security in public housing, then we must come to this floor and we must take our colleagues on and take our colleagues on our will.

Mr. Chairman, I am going to ask the Members of Congress from both sides of the aisle on this vote to forget about the fact that somebody told them they do not want to do this job. I do not know this new Secretary, but I am hopeful that is not the message that he sent to this floor. I am hopeful that somehow the gentleman is a little bit confused about the message.

I would ask that we support the amendment, and I thank the gentlewoman from Ohio (Ms. KAPTUR) for putting this back on this floor so that we could have this debate.

Ms. LEE. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, first, let me thank the gentlewoman from Ohio for offering this amendment and really allowing us the time to debate this issue and to talk about those that we never have a chance to talk about, those individuals in our districts who are really just hanging from a cliff in terms of the basic substance and in terms of their income and in terms of the housing conditions in which they live.

This is just another example, this elimination of the public housing, drug elimination program, is just another example of really how shortsighted both in terms of policy and in terms of funding that this bill really is.

Mr. Chairman, now one-third of all residents who live in public housing, I want to remind our colleagues that a third of our residents are elderly. They are elderly. Local police officers do not patrol public housing. So if one does not support this amendment, one is really also in fact allowing thousands of elderly people to live in unsafe environments. How ironic, Mr. Chairman, that as my colleague so eloquently laid out and so clearly laid out, my colleague from Florida, how this Congress will support billions of dollars to be spent on drug interdiction in Colombia and in Peru, a policy that many of us know does nothing to stop drug abuse in this country, but this Congress just this week sent a message and now again, unless we support this amendment, will be sending another message, unfortunately, that we do not support a few hundred million dollars for drug elimination and patrol right here in our own country, in our own communities.

This is just downright wrong. This hypocrisy is really unjustified. I do not know how my colleagues go home and explain this to their constituents. I just do not know how they do it.

Mr. Chairman, I want to reiterate also that this bill cuts a total of over

\$1.7 billion from our national housing programs. This is no time to cut any funds to the HUD budget, because the Federal Government of the richest country in the world should and must provide a safety net at least for decent and safe shelter. When the richest country in the world has a growing homeless population, a working population where individuals work sometimes 80 hours a week to afford just a modest place to live, not spending valuable quality time with their children and families, then we really are not that rich after all.

This is really not the time to cut in real terms funding for community development block grants and home formula grants and public housing capital funds and, now, the drug elimination program. This whole budget really is a sham and a shell game, and it is a disgrace. It places this \$2 trillion plus tax cut for the wealthy square on the backs of the homeless, public housing residents, the working poor. It is a real cynical ploy I think to pit all of these groups against each other so that they cannot come together and demand that this Congress finally stand up for them.

□ 1100

They do not have a lot of lobbyists here. Our public housing residents may not have one representative here to really look out for them the way that they should.

But I thank the gentlewoman from Ohio (Ms. KAPTUR) and Members here today who are fighting drugs in our own country by fighting to restore this drug elimination program. It makes more sense than sending the money to Colombia and Peru for anti-narcotics efforts that really are not working.

Mr. Chairman, this VA-HUD bill cuts \$493 million from public housing programs including the complete elimination of the Public Housing Drug Elimination Program. It is just another example of how short sighted—both in terms of policy and funding—this bill really is. I thank my colleague from Ohio for offering this amendment and for her leadership.

Mr. Chairman, let me remind you that one third of all residents who live in public housing are elderly. Local police officers do not patrol public housing. If you do not support the Kaptur amendment, you are in fact also allowing thousands of elderly people to live in unsafe environments.

How ironic, Mr. Chairman, as my colleague from Florida so eloquently and clearly laid out that this Congress will support billions to be spent on drug interdiction in Colombia and Peru—a policy that many know does nothing to stop drug abuse in this country—but this Congress will not support a few hundred million for drug elimination and patrol right here in our own country. This hypocrisy is unjustified and wrong and I don't know how you explain this back home.

Mr. Chairman, I reiterate, this bill cuts \$1.7 billion from our national housing programs.

This is no time for any cuts to the HUD budget because the federal government of the richest country in the world must provide a safety net, at the very least, of decent and

safe shelter. When the richest country in the world has a growing homeless population and a working population where individuals must work 80 hours a week to afford a modest place to live, not spending valuable quality time with their children and families, then we really aren't that rich after all.

This is not the time to cut in real terms the Community Development Block Grant, HOME formula grants, and public housing capital funds and the Drug Elimination Program. This budget is a sham and a shell game. This bill places the \$2 trillion plus tax cut, of which working families will see pennies on the dollar of the tax cuts realized for the wealthy, square on the backs of the homeless, working poor, middle income, and public housing residents. It is a cynical ploy to pit these groups against each other. Fighting drugs in our own country makes more sense to me than sending billions to Colombia for anti-narcotics efforts that are not working. Support the Kaptur amendment.

Mrs. JONES of Ohio. Mr. Chairman, will the gentlewoman yield?

Ms. LEE. I yield to the gentlewoman from Ohio.

Mrs. JONES of Ohio. Mr. Chairman, I failed to mention, and I thank the gentlewoman from California for yielding, that before I came to Congress, our district was represented by the Honorable Lewis Stokes. Congressman Stokes made a huge effort to see that public housing had the funding that it needed.

One of his real reasons for doing so was the fact that both he and his brother, the former mayor, Carl Stokes, former Ambassador Stokes, were both raised in public housing. At the public housing unit in Cuyahoga County, they made a museum to Carl and Lewis Stokes for the work that they had done in that community, where their mother by herself raised two young men.

We have to think about it like this, there may be another Carl and Lewis Stokes actually residing in public housing across this country. If we do not continue to fund a program such as this so that they can be inspired, so they can have an opportunity to live in a community that is free of drugs, we may be in a dilemma that we do not want to find ourselves in.

Again, I plead to my colleagues to listen to what we are saying, to listen to people who have experience and background and knowledge of what is going on in public housing.

The other thing I plead with them is to not get so caught up to say that the people here do not know what they are talking about, or our function is in a different direction, or our assignment is in a different direction. Our assignment as public officials is to do all on behalf of all the residents of the United States.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, as I have listened to the debate, and I am here for amendments that I intend to offer, but I captured from the collective voices that are raised that we do not want to go back. I rise to support the amendment

of the gentlewoman from Ohio (Ms. KAPTUR), hoping that this Congress does not take us back 10, 15, 20 years.

As we watched the Department of Housing and Urban Development mature and grow in the last 8 years, we saw its vision was a corrective vision, focusing on distressed housing, rebuilding and providing opportunities for mixed units so seniors and single parents and others could live together in harmony.

We watched as we rebuilt not only Northern facilities but Southern facilities. We watched as we recognized that public housing has no neighborhood. It is in the South, the North, the East, and the West.

Now I come to find out that for some reason that the collective voices of the majority believe that our public housing developments, which I have come to know not as projects but as public housing developments, are not neighborhoods.

When I served on the Houston City Council, the public housing developments in my jurisdiction, which was city wide, became my neighborhoods. We worked together to plant community gardens. We talked about after-school programs in the housing developments for the children there. We began to talk about transit systems that would address the needs of the children in the housing developments. In fact, in one of mine, we have a partnership between the Department of Education and a school on the grounds of that public housing development that is one of the best in the city.

What is missing in the vision or the concept of the majority on this idea of eliminating these drug enforcement programs is the fact that these are wholesale entities onto themselves. The Federal Government is the landlord, so in order to make it better, the landlord must provide policing, it must provide extracurricular activities, transportation, rehabilitation, and certainly, it must be able to provide the protection of those residents who live there against drugs.

In my community alone, 3,394 units of public housing will be impacted and 7,840 persons and 799 senior citizens. Multiply that minimally by 200 districts and we see the millions and millions of people that will be impacted.

It is my hope that this amendment passes, not because this is a tension between majority and minority, but because it is the right thing to do; that we made a mistake, that we are misdirected by taking monies and gutting, zeroing out a program that involves crime prevention, law enforcement, security, intervention, investigation, improvements in tenant patrols, treatment, and other activities geared toward cleaning up our neighborhoods, which happen to be public housing.

I believe this is a very, very vital program. I would ask that my colleagues protect this program. If there is fraud in this program, we do not throw the baby out with the bath

water. We fix what is broken and we provide the opportunity for this program to work.

Mr. Chairman, I would inquire of the gentlewoman, she is from Ohio, I am from Texas, and I would ask her to explain that this is a regional program and will hurt all of us across the country as we attempt to clean up drugs in these housing developments, creating safe neighborhoods. This is what the vision of this Congress should be.

Ms. KAPTUR. Mr. Chairman, will the gentlewoman yield?

Ms. JACKSON-LEE of Texas. I yield to the gentlewoman from Ohio.

Ms. KAPTUR. Mr. Chairman, I want to thank the gentlewoman from Texas for yielding.

To reaffirm what she has said with me here today, I have documents from over 1,100 public housing authorities in our country and their neighborhoods that are benefiting from this program. Members should know and should check their own districts prior to voting on this amendment. It serves America coast-to-coast. It has made our communities more beautiful and safer places in which to live. It saves lives every day. I thank the gentlewoman for asking for that clarification.

Ms. JACKSON-LEE of Texas. Reclaiming my time, Mr. Chairman, let me join the leadership of the ranking member. I appreciate his leadership on these many, many issues.

Mr. Chairman, I ask this Congress today to make a stand for not taking us back, I do not want to go back, and creating a vision of America that assumes that those who live in public housing developments are our neighbors, as well, and would want to have clean and safe places to live, and want the degradation of drugs to be taken away from them, lifted up from them so children can grow, elderly can be safe, and families can thrive.

I ask my colleagues to envision a future where all of us are united behind a new day, and that we vote for this amendment.

Mr. RANGEL. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of the amendment offered by the gentlewoman from Ohio (Ms. KAPTUR).

Mr. Chairman, I come from a city that I am so proud of, but we have more than our share of problems when it comes to crime and drug addiction. The reason I have such a heavy heart is because from these poor communities, those that have access to a decent education and are able to get the tools to be able to negotiate through life, some have been able to make some major contributions to our communities, our city, our State, and indeed, our country. So many of us that come from these very same communities have been able to have the privilege to serve right here in the House of Representatives. I have heard a lot of that testimony here today.

One of the greatest things in being an American is not how much money one has, not how much wealth one has, but how much hope one has. When one comes from a poor community and is forced, through racism and economic circumstances, to see poverty every day, and one does not have hope nor believe one has an opportunity to get out of it, then sometimes one looks at drugs and abuses drugs and alcohol, figuring that one has nothing to lose.

Our young people really deserve better than that. That is what these programs are all about, to give kids enough hope to know that there is something to lose by making the mistakes and abusing drugs.

Mr. Chairman, I cannot understand why this great Nation and this Congress is prepared year after year to invest billions of dollars in the building of jails and penitentiaries, and yet refuses to recognize not only the money that we would be saving in education and prevention, but the contribution we are making to our great country by increasing the productivity, increasing the competition. If we say that we respect the people living in public housing, why can we not give them the support that they need in the communities to make certain that the kids can have a productive life?

These are rough times that we are going through because the majority has seen fit to rely on a \$1.3 tax cut, and more is coming. But what good is the tax cut if we are not certain that we are going to be able to maintain economic growth? How can we do this unless we know that the workplace is going to be as productive as it can be, and how can we have this if we know that this great Nation of ours has more people locked up in jail per capita than any nation in the world and that 80 percent of the people who are locked up are there for drug- and alcohol-related crimes and that most all of these crimes are not crimes of violence but crimes where people have abused their own bodies?

So it seems to me that we all can be better Americans and better legislators if we could leave here knowing that we supported legislation to provide the resources to allow our young people to know that there are higher dreams, there are better opportunities than abusing drugs.

I congratulate all of those who have come to the well to try to convince us that we should leave here today saying that we have restored the money to the program.

Mrs. CHRISTENSEN. Mr. Chairman, I rise in strong support of the amendment of my colleague from Ohio, to restore the Public Housing Drug Elimination Grant. I am dumbfounded as to why the President and my Republican colleagues would eliminate this program, which has proved to be an effective tool at combating drugs in public housing communities.

My colleagues, Public Housing faces a devastating cut of \$494 million in cuts in this bill. The modest Kaptur amendment would restore

funding to the Public Housing Drug Elimination Program. I cannot understand, Mr. Chairman, how this Congress can justify providing nearly \$2 trillion to fight drugs in Colombia and yet provide nothing to fight drugs and crime in public housing communities here at home.

Sadly, Mr. Chairman, the public housing communities in all our districts have become a magnet for the purveyors of drugs and death. The Drug Elimination Program has been like a beacon in these communities helping authorities to eliminate drug-related crime. In addition to being used to pay for law enforcement personnel and investigators, it has been used for the development of drug abuse prevention programs that employ residents of public housing, as well as to provide physical improvements that increase security such as lighting and tenant support patrols. Indeed, the residents of public housing communities in the Virgin Islands have benefited from this program and will be hurt if it is eliminated as the underlying bill proposes to do.

I urge my colleagues to support the Kaptur amendment. If you support the residents of public housing communities in your districts having a safe, crime-free place to live, then you must support this amendment.

Ms. MILLENDER-McDONALD. Mr. Chairman, I am compelled to speak on the issue of drug elimination in public housing given the many public housing units in my district and the need to address my constituents' concerns regarding drug trafficking. I am here to support Representative KAPTUR's amendment. It is imperative that we in Congress pay more than lip service to the notion of truly attempting to eradicate drugs and violence in public housing.

Throughout my congressional district there are numerous public housing unit residents who are pleading for help and relief of violence and criminal acts. And I can tell you that those residents want to experience safe and secure lives devoid of drug traffickers and violence. However, it is puzzling to me that my colleagues in the majority fail to see the merits of providing for others what they routinely experience—safe and secure neighborhoods oftentimes devoid of drug trafficking.

We need to be supporting residents of public housing by providing the funds necessary to eliminate the insidious impact of drug use, abuse, and trafficking. It appears that conservative compassion is nowhere to be found on this issue. I call upon my colleagues to support the Kaptur amendment.

Mr. ENGEL. Mr. Chairman, I rise today to support the gentlelady's amendment to restore funding for the Public Housing Drug Elimination Program. I appreciate her compassion, thoughtfulness, and leadership on this important issue.

However, I must reluctantly oppose the bill. I know my good friend, the Chairman, has worked very hard to produce a bill. He is a good man and I cast no stones toward him today. I will just say that this bill wasn't given any where near the proper funding required to meet the pressing needs of public housing, veterans, environmental protection and research. In fact, the President didn't request nearly enough money for the programs in the HUD portion.

The committee's website states this bill increases the HUD budget \$1.4 billion over FY01, bringing FY02 funding to \$30 billion. Yet, even at that level it is \$509 million below the President's request. After factoring out the budgetary impact of rescissions in funding, the bill actually provides just \$449 million or 1.5 percent more than comparable FY2001 appropriations and \$285 million—1 percent more than the request.

The bill before us cuts funding for public housing modernization by 15 percent, community development block grants by 6 percent and homeless assistance by 9 percent. It eliminates funding for public-housing drug-elimination grants, rural housing and economic development, and empowerment zones and enterprise communities. This is just unacceptable.

This bill cuts \$445 million from the Capital Fund. Just weeks ago, I attempted to offer an amendment to the FY01 supplemental bill to provide additional funding to assist those in public housing with their rising utility costs. I said then that Public Housing Authorities were raiding their Capital Funds to pay utility costs. Now, we have a bill before us that takes more money from the Capital Funds.

I also take issue with the complete decimation of the Drug Elimination Program. For years, I have heard complaints that Public Housing was infested with drug dealers—I heard this from residents and from my colleagues on the other side of the aisle. As a result, we created a program to dedicate funds to hire police and get rid of drug dealers. It is very successful. What happens? In comes the new administration and they need to hold to their budget numbers so they propose killing it. The majority says that Public Housing Authorities can use their operating funds for drug elimination—but those funds are empty because of the utility bills. I feel like we are going in circles!

I looked for a way to boost funding in the public housing budget. But where would I find it? The other agencies in this bill are just as starved for funding and just as worthy. I will not steal from Peter to pay Paul.

Finally, I want to take a minute to talk about the perception of public housing. For too long, Congress has looked upon public housing residents as second class citizens. We continue to have the outrageous requirement that residents of public housing do community service. Do we ask that people who take the mortgage interest tax deduction? Do we require the CEO of the major defense contractors to spend 3 hours a week in community service? No, and we never will. I am a product of public housing. Many of the other members of this body from New York City are products of public housing. We should celebrate the success that is public housing. Instead, with this bill we condemn it.

Mr. Chairman, this bill needs billions more. Billions that would be available were it not for the irresponsible tax cut just passed. This is a shame. We should do better. But, instead we have acquiesced our priorities to those of the new administration. The new administration has made it clear—it is more important to give rich Americans a tax cut than meeting our responsibilities to residents of public housing. That is why there is inadequate funds for this bill today.

I urge my colleagues to vote against this bill.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from Ohio (Ms. KAPTUR).

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

Ms. KAPTUR. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Ohio (Ms. KAPTUR) will be postponed.

Mr. PRICE of North Carolina. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise for the purpose of engaging in a colloquy with the gentleman from New York (Mr. WALSH), the chairman of the subcommittee, and also with my friend, the gentleman from Pennsylvania (Mr. FATTAH), who is also a member of the subcommittee, on language in the bill that will reduce the defined reserves available to individual public housing authorities for administering their tenant-based section 8 programs.

During full committee consideration of the bill, the gentleman from Pennsylvania and I expressed some concern that without the cushion of a guaranteed reserve beyond a single month, public housing authorities, when they seek to avoid running out of money before the end of the year, might less aggressively pursue full utilization of their allocation of vouchers.

I understand the committee's intention, through this language, to reduce the amount of unused budget authority that has resided in the section 8 reserve account. I hope to be able to continue talking with the subcommittee chairman between now and conference about ways to accomplish this goal without reducing the ability of public housing authorities to access the funding that is necessary to ensure that housing for families is not put in jeopardy.

In the meantime, I hope we can clarify for the record what is the committee's intent exactly with regard to the language in the bill.

Mr. FATTAH. Mr. Chairman, will the gentleman yield?

Mr. PRICE of North Carolina. I yield to the gentleman from Pennsylvania.

Mr. FATTAH. Mr. Chairman, I want to join the gentleman from North Carolina in again expressing concern about the possible effect of the language in the bill on the availability of supplemental funding for public housing authorities, who, due to unforeseen circumstances, exhaust their 1-month reserves.

I would like to ask the gentleman from New York, the distinguished chairman of the subcommittee, if it is the committee's intention that the lan-

guage in the bill should have no practical affect on the ability of public housing authorities to aggressively pursue maximum utilization of section 8 vouchers within the regulatory guidelines.

Further, I would like to ask the gentleman if it is the committee's intention that HUD should provide additional resources to any public housing authority that exhausts its allocated reserves due to unforeseen circumstances.

Mr. WALSH. Mr. Chairman, will the gentleman yield?

Mr. PRICE of North Carolina. I yield to the gentleman from New York.

Mr. WALSH. I would be happy to respond to the gentleman, Mr. Chairman.

Certainly it is not the Committee's intent, nor do I believe this action will have any negative impact on the ability of public housing authorities to fully utilize their vouchers. It is my understanding that less than \$46 million of the \$1.3 billion in reserve funding was used last year.

□ 1115

I assure the gentleman that it is the Committee's intention that any public housing authority which exhausts its funds be given additional funds to ensure that its legitimate needs are met.

In fact, I have a letter from the Deputy Secretary which indicates that HUD will continue its long-standing policy to provide any public housing authority that has exhausted its funds for legitimate needs with whatever funding is necessary to ensure that all families currently served retain their assistance.

Mr. PRICE of North Carolina. Reclaiming my time, Mr. Chairman, I thank the gentleman from New York for his helpful clarification of the committee's intent. I, too, have seen that letter from the Deputy Secretary and am somewhat reassured by the commitment that letter makes.

I am still a bit concerned, however, about how the bill's statutory reduction in the amount of reserves available to individual public housing authorities might in practice affect their ability to gain access to additional resources for legitimate needs.

I still hope we can come up with another solution that would provide a firmer guarantee to public housing authorities before the conference bill is finalized. But I do appreciate the gentleman's description of the committee's intent, and I look forward to talking further about this issue with both the gentleman from New York and the gentleman from Pennsylvania.

Whatever we do, we do not want to have our public housing authorities stopping short of providing as much

housing as they possibly can to people in need.

Mr. FATTAH. Mr. Chairman, will the gentleman continue to yield?

Mr. PRICE of North Carolina. I yield to the gentleman from Pennsylvania.

Mr. FATTAH. Mr. Chairman, I would also like to thank my chairman and also the gentleman from North Carolina for their interest in this matter, and I also look forward to further discussions as we approach conference on this bill. So I thank the gentleman for yielding.

Mr. PRICE of North Carolina. I thank the gentleman.

AMENDMENT NO. 45 OFFERED BY MR. BONIOR

Mr. BONIOR. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 45 offered by Mr. BONIOR:

At the end of the bill, insert after the last section (preceding the short title) the following new section:

SEC. I-1. None of the funds appropriated by this Act may be used to delay the national primary drinking water regulation for Arsenic published on January 22, 2001, in the Federal Register (66 Fed. Reg. pages 6976 through 7066, amending parts 141 through 142 of title 40 of the Code of Federal Regulations) or to propose or finalize a rule to increase the levels of arsenic in drinking water permitted under that regulation.

Mr. WALSH. Mr. Chairman, I ask unanimous consent that debate on this amendment and any amendments thereto be limited to 60 minutes, to be equally divided and controlled by the proponent and the opponent, myself.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

The CHAIRMAN. The gentleman from Michigan (Mr. BONIOR) is recognized for 30 minutes.

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

My colleagues, years ago, Agatha Christie wrote a story of a wedding cake that was laced with arsenic. It took the world's greatest detective to untangle the mystery and to expose the culprit. Well, today's arsenic threat is not fiction, it is real, and it is no mystery. We do not need a brilliant detective to figure out the danger that this poses to the American people. We cannot continue to allow arsenic to poison America's drinking water.

The scientific evidence, Mr. Chairman, is beyond dispute. The National Academy of Science has determined that current drinking water standards are exposing millions of Americans to dangerous levels of cancer-causing arsenic. Recent tests show that in my home State of Michigan we have roughly 450 wells out of 3,000 community wells that feed drinking water to 376,000 people in my State that have high contaminants of arsenic in them.

There is one family that came to Washington very recently to describe the pain they are having, the Burr fam-

ily. I met Katherine Burr a few months ago. She told me about her little boy, Richard. This boy, this baby, was born at 9 pounds, a healthy baby, but it struggled to keep baby formula down. The doctors did not know what to make of it. Four years later, Richard weighed 18 pounds, and his bones refused to harden. At age 10, he weighed 48 pounds, only half the normal weight of children his age.

His parents were desperate to find out what was going wrong here, and so they turned to another doctor. He suggested they test their drinking water. Of course, it was laced with arsenic. He had essentially been drinking a diluted form of rat poison for a decade. When they took him off, his health started to be restored somewhat. But who knows what lies ahead for Richard down the road.

Now the Bush White House is telling the Burr and millions of other Americans that it will block the tough new arsenic standards established in January. We have had 25 years of research on this. Twenty-five years. This original standard goes back to 1942, almost 60 years ago. We need to move forward.

This is not an isolated problem. A look at this map reveals arsenic concentrations in America. It reflects high levels of arsenic in major populated areas, such as California, New York, Michigan, Minnesota, Ohio, Illinois, North Carolina, and a whole host of other States, Utah, throughout this Nation. We all know that Americans may disagree on a lot of things, but drinking arsenic, Mr. Chairman, is not one of them. When we turn on the kitchen sink, we ought to be able to drink what comes out without worrying about being poisoned or poisoning our family.

This amendment which I am sponsoring with my colleagues, the gentleman from California (Mr. WAXMAN), the gentleman from Wisconsin (Mr. OBEY), the gentleman from Ohio (Mr. BROWN), the gentleman from Michigan (Mr. KILDEE), and many, many others, will prevent this weakening or delaying of tough new standards on arsenic in our water.

I want to show my colleagues one other chart, if I might. Take a look at this chart. Arsenic and drinking water, 10 parts per billion. Most of the developed world has 10 parts per billion, most of the European Union countries, and, in addition to that, Australia, Mongolia, and there are a few others, Namibia, Syria, and a few other places around the world as well. At 50 parts per billion, Bangladesh, Bolivia, China, Indonesia, and the United States. We need to protect our citizens much better than we have.

Ultimately, doing this amendment will help people like the Burr family and protect communities across this country for generations to come. I urge my colleagues to vote "yes" on this amendment. Let us set a high standard for America's drinking water and give American families both peace of mind and healthier lives.

Mr. Chairman, I reserve the balance of my time.

Mr. WALSH. Mr. Chairman, I rise in opposition to the gentleman's amendment.

The CHAIRMAN. The gentleman from New York (Mr. WALSH) is recognized for 30 minutes.

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

I would like to make this as clear as I can at the beginning of the debate. This amendment changes nothing. And, by the way, this is a rider. We try diligently to keep riders off of the appropriations bills. It is a legislative rider. I have heard the gentleman who is offering this amendment rail against riders in the past. This is a legislative rider to the bill; and if it were enacted, it would be the only legislative rider in the bill. So I would urge Members who oppose riders in general to oppose this amendment.

Having said that, whether or not this rider is passed, nothing changes. The law requires that the compliance date is 2006 for the standard for arsenic, regardless of when the rule is promulgated. So whether the standard that the Clinton Administration suggested in the late hours of its administration or the standard that current law requires is promulgated, neither will have to be complied with until the year 2006.

Let me just talk about the substance of the issue a little bit. Arsenic is a naturally occurring contaminant present in drinking water in 3,700 mostly small communities, particularly in the West. The Administration is updating the standard for arsenic to provide safe and affordable drinking water for all Americans. EPA recently began a review of the new arsenic standard that was issued just days before the end of the Clinton Administration to ensure that the standard is based on sound science, accurate cost estimates and is achievable for small communities.

The real concern here, obviously, is the health of Americans and the cost of promulgating a new compliance standard and implementing that standard in each and every town across the United States. And just to give my colleagues an idea what the impact is on small communities, 97 percent of those 3,700 systems affected by this rule are communities serving less than 10,000 people.

Treating water to remove arsenic is much more expensive for small communities than for large systems. The annual cost per household in small communities are projected to range up to \$327 to comply with the regulatory level. Just to give an idea of the degree of difficulty for communities, we put in a small rural drinking water system in south Onondaga County, in my county. Just to provide water for those individuals, a public water system, it cost them over \$300 annually just to get the water, to get the pipeline laid and to do the work. In addition, they will have to pay, obviously, for their consumption.

So to comply with the standard that is proposed under this legislative rider would cost towns and individuals as much as it would cost just to have water. So it doubles the cost, in effect, for water.

EPA's Small Community Advisory Committee recommended a level of no lower than 20 parts per billion, in part because of the potentially high cost of the rule. Additionally, time is needed to fully understand the magnitude of the impact of the standard on small communities. EPA has asked the National Drinking Water Advisory Council to review economic issues associated with the standard. The same organization will consider differences between EPA's cost estimates and those developed by the American Water Works Association Research Foundation.

EPA has estimated the cost of compliance of the rule at \$180 million to \$205 million per year, significantly different than AWWARF's October 2000, estimate of \$690 million. Stakeholders will be provided the full opportunity to review and comment at each step of the review process.

The Safe Drinking Water Act of EPA required EPA to revise the existing 50 parts per billion standard for arsenic in drinking water by January 2001. Last year, Congress extended the deadline for the arsenic rule until June 22, 2001, allowing additional time to develop the final rule. In January 2001, EPA published a new standard for arsenic in drinking water that requires public water supplies to reduce arsenic to 10 parts per billion by 2006. On May 22, 2001, EPA delayed the rule's effective date until February 2002, to provide time for further review.

During May to August of 2001 the EPA is seeking outside expert review of the cost and the science underlying the arsenic standard. The expert panel will review health effect issues, cost issues, and benefit analysis.

We need to have good science. We need to make sure that the standard that is developed and that communities are forced to comply with meets all of those goals, health effect issues, cost issues, benefit analysis and estimates issues.

We all agree that we need safe drinking water. This bill provides hundreds of millions of dollars across the country, in my home State, in the home State of my colleague from West Virginia, in literally every State. Every Member in this body is committed to clean water and safe water in the strictest of standards. But those standards have to be determined by good science. Let us give the EPA the opportunity to develop and promulgate a proper rule based on good science.

But, remember, my colleagues, whether or not this legislative rider is attached to this bill, and I urge my colleagues not to do that, it will change nothing until 2006. So I urge that we reject this amendment and keep this legislative rider off of this bill.

Mr. Chairman, I reserve the balance of my time.

Mr. BONIOR. Mr. Chairman, I yield myself such time as I may consume just to answer the last assertion by the distinguished gentleman from New York about not changing anything until 2006.

□ 1130

That was, in fact, not correct. The new standard was to become effective on March 23, 2001. It would have taken effect immediately, Mr. Chairman, but it allowed eight water systems up until 2006 to install the necessary treatment facilities.

So that statement that the gentleman from New York (Mr. WALSH) has given us is not correct. It will take effect immediately but will allow people up to 2006 to install the facilities. We have waited 25 years for this 60-year-old standard to be lowered to get us in compliance with the rest of the civilized world that recognizes the poison's terrible effect that arsenic has on the human bodies. We are talking about skin cancer, lung cancer, bladder cancer, kidney problems. This is serious, serious stuff. Exponentially, the rate of incidence for these type of illnesses go up dramatically when we go over 10 parts per billion.

I urge my colleagues to look at the science and the data on this and vote accordingly.

Mr. Chairman, I yield 4 minutes to the gentleman from California (Mr. WAXMAN) on this amendment.

Mr. WAXMAN. Mr. Chairman, I thank the gentleman for yielding time to me. I rise to urge a yes vote on this effort to get arsenic out of our drinking water.

It seems to me there could be two reasons for opposing this amendment. If one thinks arsenic in drinking water is a good thing, that would be a legitimate reason to vote against this effort. But I have not heard anyone make that argument.

If there is one thing we all seem to agree on is that we do not want arsenic in our drinking water. It is an extremely potent human carcinogen and it causes lung, bladder, and skin cancer and is linked to liver and kidney cancer. It is this simple: arsenic is a killer.

The second argument one could make against this amendment is that we need more science and that we are rushing a decision. One could make that argument, but the record shows this is not true.

Let me relate the brief history of this problem. For over 50 years, we had a woefully outdated drinking water standard for arsenic. Then in 1996, the House voted unanimously to require EPA to update the arsenic standard for drinking water. We required that EPA act by 2001. Finally in January, 2001 EPA set a new standard for arsenic at 10 parts per billion. Public health and environmental groups thought the standards should be lower. States suggested lower standards as well. Even

Christie Todd Whitman had supported the standard at half this level when she was Governor of New Jersey. But EPA decided to stick to 10 parts per billion because the science supported it and it was a commonsense number.

This was the same standard adopted by the World Health Organization and the European Union. This amendment is based on good science and a comprehensive record and it accomplishes a communions goal. It reduces the amount of arsenic in our drinking water. In addition, we know that no major water company trade association has challenged the rule. In fact, the California/Nevada section of the American Water Works Association has written in strong support of the new arsenic standard.

We can have safe water at a reasonable cost all across the country. I think it is our obligation as a Congress to do that. That is what this amendment will do. I urge my colleagues to vote for the Bonior-Waxman-Obey-Brown-Kildee amendment.

Mr. FRELINGHUYSEN. Mr. Chairman, I yield 5½ minutes to the gentlewoman from New Mexico (Mrs. WILSON).

Mrs. WILSON. Mr. Chairman, I rise in opposition to this amendment because it is wrong and based on bad science. This has nothing to do with politics here in Washington. It has everything to do with public health in the American West.

The Environmental Protection Agency proposed to reduce the arsenic standard in water from 50 parts per billion to something lower. Then right at the last moment before the change in administrations, they set that level at 10 parts per billion. I think it is important to start out by understanding what small amount we are talking about. A part per billion means nothing to me. But this is what it is: in 32 years' time we are talking about the difference between 10 seconds and 50 seconds. That is the kind of levels we are talking about, detecting what the public health effects are in that small a difference.

The fact is we know very little about the effects of arsenic on people at low levels. It is broadly acknowledged that high levels of arsenic cause cancer. But we do not know what happens at low levels of arsenic. There is a terrible public health consequence that will affect rural water systems.

The EPA estimates that there are 3,500 rural water systems that would be effected by this. It is not about the timber industry. It is not about mining. It is about naturally occurring arsenic in the West. Arsenic is organic in the soil in the West because of our volcanic soils. In the State of New Mexico we have about 150 rural water systems where the naturally occurring arsenic level is about 10 parts per billion but below the current standard. They are in small parts, small communities all over New Mexico.

The gentleman wants to ignore the lack of scientific evidence at low levels

of arsenic and just impose this rule without reviewing it. Guess what that means for me in New Mexico? That means the rural water system in San Ysidro, New Mexico will have to take out a loan of \$2 million in order to meet the new standard. There are only 80 families served by that water system.

What that means is they are going to lose their rural water supply in San Ysidro, in Placitas, in Alto, in Cloudcroft. That does not help public health. The thing that is inexplicable about this is we have been living in New Mexico for hundreds and hundreds of years, and yet we have disproportionately low occurrences of the diseases associated with arsenic.

It is naturally occurring in our water and our soil, and yet the things that people are afraid of we have less of in New Mexico than in other parts of the country where there is no arsenic.

When I get up in the morning, I take vitamins. I take vitamins with iron. Most women do. If my daughter were to get into my vitamin bottle and take a lot of those vitamins, she could get really sick. But at low levels, they are healthy and we need them to survive.

We do not know what the health affects are of arsenic in very low levels. We do know that if we set that standard so low, we will force rural water systems to close and we will go back to having untreated water with wells.

There have been a number of scientific studies, some of which are selectively used by the Environmental Protection Agency. Most of them were done abroad. Very few of them deal with arsenic at low levels. There was only one in the State of Utah that looked at naturally occurring organic arsenic and the effect on the population. And while it was a small study, the only one funded by EPA in creating this rule, they ignored it because it was a small population. And yet the results showed that in that town in Utah, even though they have high levels of naturally occurring arsenic, they have very low levels of the diseases associated with arsenic and have for generations.

Mr. Chairman, it does not make any sense. That is why it does make sense to look at the science behind the rules.

Now, we think 20 parts per billion, 10 parts per billion, it does not make a big difference. But it does. It costs twice as much in capital costs to set up a water plant to treat down to 10 parts per billion as it does to 20. In my State of New Mexico, we are talking about a minimum of \$300 million in capital investment, and then it costs more to take care of the water and operate it.

In closing, Mr. Chairman, I would like to read a letter from a gentleman in Cloudcroft, New Mexico. It says,

I am the president, water boss, chief hole digger, fixer of leaks, certified small system operator of Silver Springs Water Association located near Cloudcroft, New Mexico. We are in the Lincoln National Forest, Sacramento Mountains at an elevation of about 9000 feet.

We have no landfills, junk yards, Mafia burial grounds, large cemeteries, nuclear reactors, industry of any kind, sewage disposal plants, or anything which is a threat to our drinking water. Rain falls on our forests, trickles down into cracks and crevices and replenishes our water table. We gather our water from a spring and distribute it to about 25 homes. Before us, the Mescalero Apache Indians did the same.

Mr. Chairman, this is a wrong-headed amendment for policy reasons, and I urge that this House reject it.

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

Mr. Chairman, if I could respond to the comments of the gentlewoman from New Mexico (Mrs. WILSON), number one, the difference in the number of people that are affected between 10 and 20 parts per billion in the State of New Mexico is about 78,000 individuals in that State. The National Academy of Sciences said that drinking water at the current EPA standard could easily result in a total fatal cancer risk of 1 in 100. That is a cancer risk 10,000 times higher than EPA allows for food.

In addition to that, what are we talking about in terms of this risk? We are talking about especially children and pregnant women being vulnerable. We are talking about bladder, lung, skin cancer, kidney, liver and other types of cancers, skin lesions, birth defects, reproduction problems.

Mr. Chairman, this is a real problem. That is why so many countries, so many jurisdictions around the world have moved to this standard of 10 parts per billion.

We have good science dictating that this is a level at which we should move to, as opposed to staying at the old 60-year standard of 50 parts per billion that has caused problems like that which I have recited on the floor affected the Burr family in my own State.

Mr. Chairman, I yield 1½ minutes to the distinguished gentleman from Minnesota (Mr. LUTHER).

Mr. LUTHER. Mr. Chairman, I rise in strong support of this amendment to prevent any further delay or weakening in the arsenic standard for drinking water. As a Minnesotan and as a member of the Energy and Commerce subcommittee that deals with this particular issue, I wrote a letter to President Bush on this precise issue expressing my concerns over his failure to adhere to the lower standard in this area.

Mr. Chairman, we should not even be arguing about this issue today. Over 25 years of scientific research confirms the danger of arsenic. Arsenic is not a good thing. It is not a vitamin, as has been suggested here today, or alluded to.

It is a carcinogen that has been linked to many forms of cancer. As such, the dangers of arsenic warrant an urgent response from our government, and the Bush administration's withdrawal of the revised rule is unnecessarily risking millions of Americans today.

Mr. Chairman, the bottom line is that the United States' standard for ar-

senic should not be amongst the worst in the world. Our country should, in fact, be a leader in the world. And there is simply no excuse for delay.

Mr. Chairman, I submit a copy of my letter to President Bush on this issue, and I urge a "yes" vote on this amendment.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, March 27, 2001.

Hon. GEORGE W. BUSH,
*President of the United States,
The White House, Washington, DC.*

DEAR MR. PRESIDENT: I write this letter to express extreme concern over your Administration's decision to withdraw the recently revised standard for arsenic in America's drinking water. As a member of the Energy and Commerce Committee, which has jurisdiction over the Safe Drinking Water Act, I have requested a Congressional hearing on this matter.

In particular, I have two concerns about your Administration's decision. First, ample scientific evidence indicates that the finalized arsenic standard of 10 parts per billion ("ppb"), promulgated by the Clinton Administration, serves an important public health interest. Indeed, the current standard of 50 ppb was based upon data dating back to 1942; and water utilities, states, scientists, public health officials and environmentalists recommended a significant downward revision of this outdated standard. As I understand it, over 25 years of scientific research confirms the dangers of arsenic—a carcinogen that has been linked to lung, bladder, skin, liver, and kidney cancer—and warrants an urgent and expeditious response to improve the quality of our drinking water. As such, your Administration's withdrawal of the rule raises serious concerns about whether your decision jeopardizes the health of millions of Americans.

Second, Congress directed EPA to promulgate final standards on safe arsenic levels by January 1st of 2001 pursuant to the Safe Drinking Water Act Amendments of 1996. This deadline was extended to June 22nd, 2001, in the HUD/VA Conference Report for FY 2001. Consequently, your Administration's decision to withdraw the final rule is questionable legal fidelity. I would like to know how your Administration justifies its decision to ostensibly defy this legislative directive from Congress.

Mr. President, I look forward to a response from you on this important issue. In general, I believe that we can work together to resolve this issue in a bipartisan manner that best serves the public health interests of the American people.

Sincerely,
BILL LUTHER,
Member of Congress.

Mr. FRELINGHUYSEN. Mr. Chairman, I yield 4½ minutes to the gentleman from Nebraska (Mr. BEREUTER).

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

Mr. BEREUTER. Mr. Chairman, I rise in strong opposition to the amendment. This Member urges his colleagues to look at the facts when it comes to the issue of arsenic in drinking water.

The Bush administration's re-examination of this matter has led to heated rhetoric, wild exaggerations, and sound-bite politics. It is important to get the full story and to listen to those who would have been most affected by the proposed changes.

□ 1145

Many State and local officials as well as water system administrators have expressed concerns about the unnecessary and extraordinary costs which could be caused by the proposed change to 10 parts per billion. Unlike what the gentleman from Minnesota said or implied, no one is suggesting arsenic in drinking water is good. It is a matter of how much we reduce the standards to what the costs and benefits are.

This Member would begin by clearly stating the obvious. Everyone recognizes the importance of providing safe drinking water to all of our Nation's citizens. Also, I will say this. Some change in the arsenic standard may well be justified. However, it makes sense, it is rational, to base these changes on sound science rather than on emotion. The sound science is simply not there to justify a change from 50 parts per billion to 10 parts per billion.

Mr. Chairman, as many of us now know, in the last-minute flurry of activism in the final days of the Clinton administration, a final rule was rushed through which would have reduced the acceptable arsenic level in drinking water from 50 parts per billion to 10 parts per billion. However, new EPA Administrator Christine Todd Whitman quite rationally later announced that the Agency would seek a scientific review of this standard before implementing a new rule. I think everybody understands that arsenic standard is going to come down, and it should.

The Bush administration has made it clear that the arsenic level will be significantly reduced, in fact. However, it wants the final rule to be based upon sound science. It certainly appears that the Clinton administration made a very arbitrary decision based upon questionable studies.

The EPA seems to dismiss the most comprehensive U.S. study on this matter. In 1999, a study in Utah involving more than 5,000 people failed to find an increased incidence of cancer associated with arsenic in drinking water.

I think it is helpful to note that any community in the country now has the authority to lower arsenic in drinking water if they wish. The reason communities have not lowered their levels to 10 parts per billion is that the health benefits have not been shown to justify the enormous costs.

The American Waterworks Association stated in comments last year, "At a level of 10 parts per billion or lower, the health risk reduction benefits become vanishingly small as compared to the costs." The costs, however, are very real. The Association, which supports a reduction in the current arsenic standard, has estimated that the proposed rule would cost \$600 million annually and require \$5 billion in capital outlays.

The gentlewoman from New Mexico made the case about what had happened to her constituents in the State of New Mexico. My State is the most

groundwater-dependent State in the Nation by a wide margin. Of 1,395 public water systems, only six or seven get any of their water from surface water sources. All the rest comes from groundwater. The result is that we put wells down that are not interconnected for treatment. Basically, our water is so good, with a few exceptions, we do not treat. We have no central point of treatment for groundwater that we use in our public water supplies. The costs to us are astronomical. The smaller the community, the larger the cost proportionally by a wide measure.

If there is a justification for moving to a lower standard, our communities will have to bite the bullet; and we will have to help them find a way to do that. But right now just to arbitrarily suggest money cannot be spent with respect to EPA's current examination when there is no sound science to suggest that it is reasonable to reduce it to 10 parts per billion does not make sense.

One of the claims that has been made about the arsenic problem is it is a result of mining. The arsenic in my State's water supply where it is found has nothing to do with mining. We basically have no mining. It is naturally occurring in our soils. Until lately, people in my district lived longer than any part of the country. La Jollans have passed us now, but we still, despite drinking some water that has arsenic levels relatively low in most areas and in other cases not quite as low as 10 parts per billion, it has not had an effect.

The standards that have been proposed here are not based upon good, sound science. I urge defeat of the amendment.

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

Let me just say that this science argument that is being raised, I want to point out to the Members that it was a unanimous decision by the National Academy of Sciences to go to this safer level. This is based on 25 years of science.

Let me also say that for the vast majority affected by this high level of arsenic in their water, over 90 percent, the remedial cost of removing it is about \$3 a month. What a price to pay for the knowledge and the peace of mind and the safety of one's family. It seems to me it is a reasonable thing to do.

With the cost of this, Mr. Chairman, with regard to our own fund to deal with cleaning our drinking water, we appropriated \$800 and some million dollars last year to do that. We have a bill, H.R. 1413 right now, that would assist to improve public water systems, would be doubled to \$2 billion annually. It has 174 Members who have sponsored that bill. I would urge my colleagues and the leadership on the other side of the aisle to schedule it for floor action.

Mr. Chairman, I yield 3 minutes to the gentleman from Wisconsin (Mr. OBEY), the distinguished ranking mem-

ber of the Committee on Appropriations.

Mr. OBEY. Mr. Chairman, I am happy to say that I have two healthy sons. When you look at your kids when they are newborn and you ask yourself, what do you want for them, what you conclude is that you want them to be able to go to a good school, you want them to be able to get a good job, you want them to be able to find a good life's partner, and you hope to God that they live long, happy, healthy lives.

The little things mean a lot. People talk about security for your families. The number one thing you want to know in your own home is that when you turn on that tap water, it is safe, it is reliable, it is not going to do any long-term damage. And people really do not know, they just count on their public authorities to keep their kids from harm. That is what this amendment is trying to do, plain and simple.

You have a choice. You can recognize the standards that were recommended by the scientific community, or you can decide you are going to stick by an outmoded standard which has been on the books since 1942. To any of you who are about to have children or grandchildren, I would suggest that is not even a close call. The Bonior amendment is clearly in the interest of public health, public safety. It is clearly in the interest of every single child and every single family in America.

When people prattle on in political debates about family values, I would suggest that this is a family value that ought to be put at the top of the list. Keeping every kid safe when they pick up a glass of water or when they go to a hamburger stand and get a hamburger or when they walk into a restaurant and get a glass of water, those are the basic issues that really account for quality in life. That is what the gentleman from Michigan is trying to say with this amendment. I am proud to cosponsor it with him. I would urge the House to adopt the amendment.

Mr. WALSH. Mr. Chairman, I yield 5 minutes to the gentleman from New York (Mr. BOEHLERT), chairman of the Committee on Science.

Mr. BOEHLERT. I thank the gentleman for yielding me this time.

Mr. Chairman, let me start with a basic proposition on which I think we can all agree. Arsenic is not very good for us. Ever since I first read "Arsenic and Old Lace" as a kid, I made up my mind I was going to try to avoid it as much as possible throughout the rest of my life. I am absolutely convinced that arsenic would not appear on Martha Stewart's "It's a Good Thing" list. That I think we can all agree with.

But in my capacity as chairman of the Committee on Science, I would like to go over a little history. In 1999, the National Academy of Sciences issued a report on the safety of arsenic in drinking water. The Academy concluded that the arsenic standard for drinking water that we have had for the past 50 years was too high to ensure public safety and should come

down as soon as possible. That standard was 50 parts per billion.

On January 22 of this year, the previous administration issued a regulation to lower the arsenic standard to 10 parts per billion and for the new standard to go into effect by the year 2006. The fact that the regulation was issued on the last day of the previous administration in and of itself does not necessarily mean that the arsenic regulation was rushed. As a matter of fact, it has been cooking for a number of years. A number of people have been legitimately concerned about it.

But regulations issued so late in any administration create at least the appearance of being rushed. That maybe is not necessarily so. But when the new administration came in, the new chief of staff Andy Card immediately issued an order: Hold everything. If I was President, I would have said to Andy Card, if you did not issue that regulation, I would have called you to task, because we want to take a good look at all these regulations. Particularly, we want to look at those that were issued in the waning days of an administration. And so the pause was ordered.

I want to stress this point. Any review of regulations must be fair. It should not simply be an excuse to gut the regulation. I agree, the National Academy of Sciences was absolutely right. We have to lower the arsenic level in our water. Fifty parts per billion is hard for me to even comprehend what that really means in my everyday life as I draw a glass of water from the tap. But if the National Academy of Sciences says it is so, I believe them.

We are in a time where everyone likes to say they are for science-based decision-making until the scientific consensus leads to a politically inconvenient solution, and then we look for an alternative. I like the idea that we are focusing on science.

So I was very pleased when the Administrator of EPA, soon to be the Secretary of EPA, a well-deserved acknowledgement of the importance of that responsibility, when she, unlike, I must admit, a counterpart in the Department of Labor who tried to make us feel good when they rejected the ergonomics rule which I think should not have been rejected and said we are going to deal with it sometime in the future, we did not say sometime in the future. Secretary Whitman said right now, and she is doing it in a very thorough, a very methodical way. She has given us assurance that we are going to meet the same timetable as the Clinton administration wanted to meet, that is, have full compliance by the year 2006.

That makes sense to me. That says no inordinate delay.

She has made certain that we understand the full dimensions of the problem. We have a range of from 3 to 20 parts per billion, and the proposed regulation that will be forthcoming in a timely fashion to meet the deadline will fall within that range. It might ac-

tually be more reduction than some people have called for.

The whole point of this is this: Let us do it right. Let us not decide that it is going to be 10 parts per billion only to find out after this very timely and expedited review that it really should be 7 parts per billion. Shame on us if we did that.

So let us get it right the first time. I have the fullest confidence in the Secretary of the Environmental Protection Agency that she will do it right. I have the fullest confidence that we are dealing with science-based decision-making. That is the right way to go about it.

I will feel a lot more comfortable when this is behind us instead of pending. I share the view of my distinguished colleagues that are advancing this proposal that we have to deal with it in a timely, constructive manner and we have to deal with it so that it gets the issue behind us in a way that we can all point to with a great deal of pride.

I hope one day, when this regulation is issued, Martha Stewart will say, "It's a good thing."

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

I bet Martha Stewart does not drink 50 parts per billion of water. I think she is probably drinking out of a really nice container of filtered water.

But to my friend from New York, whom I do respect enormously on these issues, let me just say a couple of things quickly before I yield to my friend from Ohio.

Number one, this does not preclude the Administrator from going lower than 10 parts, so if she wanted to go to 7 parts per billion she could do that under this amendment.

The second thing I would point out is that there is a dangerous level between 10 and 20 parts per billion, and it seems from everything that we know already that the Administrator is going to have a range, anywhere from 20 down to whatever level she decides.

□ 1200

I would say to my friend from New York, that means that 246,000 people in the State of New York will be at between that 10 and 20 parts per billion level, which the National Academy of Sciences in a unanimous vote in 1999 has said is not safe.

Mr. BOEHLERT. Mr. Chairman, will the gentleman yield?

Mr. BONIOR. I yield to the gentleman from New York.

Mr. BOEHLERT. Mr. Chairman, I want to protect the life of every single New Yorker because we have been losing population. We have been redistricted, we will go down two seats, and I do not want any New Yorker to go away. But I am just as much concerned with the people of Michigan as I am with New York.

Mr. BONIOR. Mr. Chairman, reclaiming my time, I appreciate that.

Mr. Chairman, I yield 3 1/4 minutes to the gentleman from Ohio (Mr. BROWN), a sponsor of the amendment.

Mr. BROWN of Ohio. Mr. Chairman, I thank my friend from Michigan for yielding me time.

Mr. Chairman, we obviously know this issue. In 1942, a standard was set of 50 parts per billion. Science in those days recognized that arsenic was dangerous, they recognized it was a toxic substance. We all knew that. We have seen the play and the movie.

In 1942, when arsenic was set at 50 parts per billion, we did not know so much about arsenic as a potent carcinogen that can cause bladder cancer and lung cancer and skin cancer. We did not know it had been linked to kidney and liver cancer. We did not know in 1942 that it can be linked to birth defects and reproductive problems. We know that today.

The World Health Organization has recommended that that number be brought to 10 parts per billion. The National Academy of Sciences has said the 50 parts per billion is much, much too high. State after State after State in this country has brought the number way down to 10 or less. The State of Washington has recommended a standard of 3 parts per billion. My State of Ohio has recommended a standard of 10 parts per billion. Massachusetts has supported a standard of 5 parts per billion. Alabama supported a standard of 10 parts per billion.

The gentleman from Michigan (Mr. BONIOR) mentioned the number of people in Michigan than in New York. In Ohio, 137,000 residents in my home State may be drinking water with arsenic above the levels recommended by the National Academy of Sciences. Also the World Health Organization, in State after State after State in this country.

We can choose to stay with the 1942 level, the level that was determined 49 years ago, the level that we would continue to share with Bangladesh, the People's Republic of China, Bolivia, and a host of other countries; or we can bring our standard to 10, still exceeded by some countries, some countries are still more strict than 10, but we can bring our levels to 10 and join most of the rest of the industrialized democratic world.

You sit here and think why would this administration want to keep it at 50? Why would this administration, even if it says it wants to bring it down, why would it delay what the EPA, after years of study recommended to come to 10, and you keep asking yourself why would this administration do that?

We have heard this song before, but the administration clearly does not want to bring the standard down. It has delayed the standard, will not come to 10, likely, because all you got to do is look at the kind of people that are influential in this White House.

On energy issues, the energy companies seem to have a major role to play in White House decision making. On the Patients' Bill of Rights, it is the insurance companies that seem to have

a major role in policy in this administration. On prescription drug coverage for seniors, this administration, this Congress has done nothing substantive on this issue, likely because of the influence of the prescription drug companies, the big, huge drug firms in this country, the influence they have on the White House.

Look at this issue. When you look at why won't they bring the standard for arsenic down to 10 parts per billion, why are they delaying this. This Republican Party received \$5.6 million from the mining companies, \$9 million from the chemical companies.

Mr. Chairman, listen to the scientists. Do not listen to the political contributors. Listen to the scientists. Support the Bonior amendment.

Mr. WALSH. Mr. Chairman, I yield 3 minutes to the gentleman from Nevada (Mr. GIBBONS).

Mr. GIBBONS. Mr. Chairman, I thank the gentleman for yielding me time.

For those of my colleagues who seem lost in the haze of rhetoric that we have heard from the other side that seems to surround the issue of arsenic, let me say that arsenic has nothing to do with oil, it has nothing to do with prescription drugs. Arsenic is a naturally occurring component in groundwater, particularly in the Western States, like Nevada, the one I represent.

There are communities in my State that have 100 parts per billion naturally occurring arsenic in the water. People have been drinking it for 5 and 6 generations, living decades into their 80s and 90s, with no ill-effects, like my colleague from New Mexico has said, of the current indicators that have been heard about by the fact that arsenic exists there.

The gentleman from Michigan should know that local communities in the district that I represent in Nevada want nothing more than to provide safe drinking water for everyone, and especially to the citizens of their communities.

But the gentleman should also know that before these small communities in my district can go out and build \$10 million and \$20 million water treatment plants, they want assurance that the EPA's mandated arsenic standards are based on sound science and accurate costs and benefit analysis. I do not know if anyone can tell me whether it is trivalent or pentavalent arsenic which is the high component in anybody's water that has the effect they are talking about.

But, keep in mind, if we implement such strict standards, and it is of such importance, as it is to this administration as well, then why did the previous administration under Mr. Clinton put this in place on his way out the door, and not 8 years ago when he came in prior to that? If this was such an important issue, I do not know and I am not sure anyone knows why they did not implement the new standards 2, 3, 4, 5, 6, 7, 8 years ago.

Mr. Chairman, this administration is committed to a stricter arsenic standard, and I support the implementation of a stricter standard. Mayors in Nevada and small communities, who have high levels of arsenic in their water, support stricter standards. But meeting the 25 parts per billion standard will cost our small communities millions of dollars to comply with; meeting a 15 parts per billion standard will cost even more; and meeting stricter standards will virtually bankrupt every small community.

I commend Administrator Whitman for taking a good, hard look at the politically motivated standard put in place by the outgoing Clinton Administration. Certainly, we should not be undercutting the hard work that she and her agency has put into this important issue.

Let us allow the EPA to complete its science review of arsenic standards, and let us vote no on Mr. BONIOR's amendment.

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

Mr. Chairman, to my friend from Nevada, the Nevada-California American Water Works Association has fully supported the 10 parts per billion standard. So when the gentleman talks about local input, I would say his own State and this association is asking for what we are asking for in this matter. I would like to hear the gentleman's response, if the gentleman from New York (Mr. WALSH) will yield.

Mr. WALSH. Mr. Chairman, I yield ½ minute to the gentleman from Michigan (Mr. BONIOR).

Mr. GIBBONS. Mr. Chairman, will the gentleman yield?

Mr. BONIOR. I yield to my friend, the gentleman from Nevada.

Mr. GIBBONS. Mr. Chairman, I appreciate the gentleman's response to that. Certainly the California and Nevada Water Users Association has endorsed stricter standards, but the fact is that science does not tell us exactly at what level that standard should be and it has not looked at it from a cost-benefit analysis or operating cost.

They do want strict standards, they do want to lower it. As I have said, the mayors and all the water-user communities in my State want to have lower standards, but we also want the science to show exactly what standard we are going to and what the cost is going to be for these people.

Mr. BONIOR. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from California (Mr. GEORGE MILLER).

Mr. GEORGE MILLER of California. Mr. Chairman, I thank the gentleman for yielding me time, and I certainly want to join my colleagues on this side of the aisle who have spoken in support of the gentleman's amendment to preclude this administration from weakening the arsenic standard.

The chairman of the subcommittee suggested that if this amendment passes, nothing changes. Oh, yes, some-

thing changes. What changes is we will stop seeing the EPA administrator, as she did yesterday, suggesting that she may weaken the standard; because if Congress overwhelmingly supports this amendment, the message will come from the House of Representatives that we want the standard to go forward, we want a standard to go forward that protects the American people from increased arsenic in their water supply, and we want the administration to quit fooling around with the special interests for the purposes of weakening this standard. Because that is what the EPA administrator, Ms. Whitman, said yesterday in the newspaper, that quite possibly this standard will be weakened.

That is exactly what the National Academy of Sciences suggested we not do. What the National Academy of Sciences suggested we do is the arsenic had to be reduced, and it had to be reduced as promptly as possible. Now what we see after years of work, after years of scientific study, after years of public comment, after years of the process going forward as it should, now the suggestion is somehow that we need good science.

Nobody has suggested that this is bad science. Nobody has suggested that. But the offering is now somehow we need good science so we can further delay this activity. The suggestion is somehow this amendment should not go forward because it would be a rider. Well, let me say, it would be nice to have a rider once in the public interest, because what we spend most of our time doing around here is fighting off riders that are added on to appropriations bills that are there for the special interests, that attack the environment, that attack the kind of regulation to protect the health and safety of the American people and their families in this country.

So, yes, I would hope finally we support a rider that defends the public interest and seeks to protect children and to protect families from increased arsenic in the water supply.

Mr. BONIOR. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from New Jersey (Mr. PALLONE), who has been a strong leader on this issue.

Mr. PALLONE. Mr. Chairman, I am listening to my colleagues on the other side of the aisle talk about the science; but this is not about science, this is about special interests. If we remember at the time when this decision was made by the administrator of the EPA in March to delay, we read about all the reports and the papers about the chemical and mining industries that were at the White House asking that these arsenic standards, the good standard, be delayed.

One of the worst was the American Timber Industry. There was an article in The Washington Post the day before about how the American timber interests had come to the White House and demanded that the standard be delayed

because they were concerned about wood beams that were treated and used for decks on boardwalks or in beaches or in people's backyards.

Let me tell you, my constituents who are very concerned about drinking water would much rather have the knowledge that they can drink water that is safe, rather than worrying about whether or not a board that is used for the boardwalk or their backyard deck is treated.

This is ridiculous. To suggest somehow that the science is still out there and that we do not know what the science is, we have said over and over again, the European Union, the World Health Organization, used the 10 parts per billion. The National Academy of Science talks about exposure at the current level and how it can result in serious cancer risk. The level of risk is much higher than the maximum cancer risk typically allowed by the Safe Drinking Water Act. Even the EPA administrator, my own former Governor, has said that the standard needs to be reduced. She talks about a reduction of at least 60 percent.

Well, we know the science is out there, and that this level, this standard that we are using now of 50 parts per billion, is going to cause people to have cancer and die.

What are we talking about here? We have statistics that show if you just go from 10 to 20 parts per billion, which maybe is what the EPA could ultimately do, that 3.5 million people would be impacted. It is ridiculous to suggest this standard. We know what the standard is. Let us adopt it. Let us adopt this amendment.

Mr. WALSH. Mr. Chairman, I yield 3 minutes to the gentlewoman from New Mexico (Mrs. WILSON).

Mrs. WILSON. Mr. Chairman, it is amazing to me to watch this debate and see people rise one after the other talking about how important it is to lower this standard, and not one of you comes from a place where there is naturally occurring arsenic. It is real easy for a State to lower a standard to 10 or less, when you do not have any arsenic in the water. Who cares? There is no cost. There is no benefit to calculate. Do whatever you want to do, because you do not have the problem.

We are the ones that have the problem. We want the standard to be set right for public health, and that is what this debate is about.

The National Academy of Sciences did not say the standard should be at 10 parts per billion. It said that they unanimously decided it should be lower; not how low it should be. After the Clinton administration made its decision, the American Society of Civil Engineers in January concluded, "We believe that the Agency's final standard of 10 parts per billion is not supported by an unbiased weighing of the best available science."

□ 1215

These are the chemical engineers, the civil engineers in this country.

The problem with arsenic is not only in the water, though. A quarter of the food we eat has three times as much arsenic in it, 30 parts per billion, as we are setting for the standard for the water. When we eat seafood or mushrooms or rice, that has three times the standard my colleagues are requiring that we take out of the tap. This makes absolutely no sense, based on science.

The EPA was charged with coming up with a science-based standard, and they only funded one study in the State of Utah, and then they ignored the results and relied on others done in foreign countries with less stringent parameters that do not deal with low levels of arsenic exposure. That is what we are talking about, micro levels of arsenic exposure.

Mr. Chairman, I have heard talk today on the floor about plays and about movies and about Martha Stewart and about short stories in high school. But can anyone here answer me this: Why is it that New Mexico has higher naturally occurring arsenic than almost any other State in the Nation, but we have less bladder cancer, less liver cancer, the things associated with arsenic? The answer may be that green chili is the natural antidote, but the other answer may be that the standard is not right, and the science is not right, and we should not take away our water until we have the right answer.

Mr. BONIOR. Mr. Chairman, I yield myself such time as I may consume to respond to the gentlewoman from New Mexico. I want to inform my friend that there are many people on our side of the aisle who have naturally occurring arsenic in our own States and in our own communities. Michigan is a good example of that. We have a doughnut that extends from Washington County to Ann Arbor that runs up to the top of what we call the "thumb," where we have many, many naturally occurring arsenic components in well water.

So the gentlewoman is not the only one that has this particular problem, nor is the gentleman from Nevada.

The second point, in response to my colleague from New Mexico, is this: This is not just one National Academy of Science study. They have had six studies. This has been going on, as we have heard repeatedly now, for 25 years. This science has been looked at not only here in this country but abroad.

Mr. Chairman, I yield 2 minutes to the gentleman from Michigan (Mr. KILDEE), a person who has this in his particular constituency in a naturally forming way.

Mr. KILDEE. Mr. Chairman, I thank the gentleman for yielding me this time.

Mr. Chairman, I rise today in support of the Bonior-Waxman-Obey-Brown-Kildee amendment for the fiscal year 2002 VA-HUD appropriations bill.

This amendment will restore implementation of reasonable arsenic reduc-

tions in drinking water, and it is time to address this very important health problem.

In some areas of my district in Michigan, we have a very high occurrence of unhealthy arsenic content in public drinking water systems and individual wells. I have heard too many stories of the negative health effects suffered by my constituents, and I believe we should move quickly to rectify this problem.

The current arsenic standards of 50 parts per million was developed in 1942, before President Bush was born, and it does not represent a public health standard consistent with our responsibility to ensure the health and welfare of citizens nationwide. We have learned much about arsenic since 1942.

The Clinton administration spent years studying the issue; and, in 1999, the National Academy of Science again affirmed the public health threat of 50 parts per million arsenic levels. Despite National Academy of Science's affirmation of our position, the Bush administration has unwisely delayed implementation of this health protection.

It is inaccurately suggested that the rulemaking was rushed. This is simply not so. This rulemaking is a result of years of study and public comment. The time for studies and delays has passed. The time for healthy drinking water is here. This Congress owes this to our people.

Mr. Chairman, I urge all of my colleagues to support this amendment.

Mr. WALSH. Mr. Chairman, I reserve the balance of my time.

Mr. BONIOR. Mr. Chairman, I yield 2 minutes to the distinguished gentlewoman from Connecticut (Ms. DELAURUO), and a member of our leadership.

Ms. DELAURUO. Mr. Chairman, the Bonior amendment simply prevents the Environmental Protection Agency from further delay or weakening of the arsenic standards for our drinking water. That is it.

We know that there are dangers in arsenic. We have known that for centuries. We know it is toxic. We know it is a carcinogen. It is found in the drinking water of millions of Americans. There have been many studies that show that it endangers our health, our children's health. The National Academy of Science has said it causes several forms of cancer, it causes heart disease and lung disease. In 1999, they further reported that the old standard "requires downward revision as promptly as possible." It could easily result in a total of a fatal cancer rate of 1 in 100.

Mr. Chairman, I say to my colleagues, there is not any question about it, arsenic is a killer.

So, what happened here in 1996? Oftentimes, people say that the Congress never acts to do anything. The Congress acted. It addressed this issue. It required the EPA to issue a safer arsenic standard and to issue a new regulation by January 1, 2001. That standard was put into place by the previous

administration. But facing the pressure from its friends in the chemical industry and in the energy industries, the Bush administration delayed it for another 9 months and requested additional studies.

Mr. Chairman, how many studies do we need? We know what the standards should be. We have been looking at this for years. The fact is that 56 million Americans today drink tap water with excessive levels of arsenic. How many people have to develop cancer before the administration moves on this issue?

Let us strengthen our standards for our drinking water. Let us not delay. Why do we want to jeopardize the health of our children, our families any longer?

It is time for a stringent arsenic standard. I urge my colleagues to vote "yes" on this amendment.

Mr. WALSH. Mr. Chairman, I reserve 1½ minutes for closing.

Mr. BONIOR. Mr. Chairman, I yield the balance of my time to the distinguished gentleman from Washington State (Mr. INSLEE).

Mr. INSLEE. Mr. Chairman, I support this amendment because I think it will help restore Americans' trust in their government.

There is a sad context of this debate which is that, unfortunately, the administration has poisoned the well of environmental consideration in this country.

When an administration tries to make it easier to use cyanide for mining waste, when it makes it easier to clear-cut international forests, when it backtracks on its climate change commitments to the world, when it tries to drill in our national monuments, how can we expect the American people to trust it when it sets an arsenic level for the water we drink?

We need this administration and this Congress to try to heal the breach and the lack of trust of Washington, D.C., right now and the administration policies on environmental measures. There is two ways to do that. Number one, pass this amendment. Number two, next week when our energy bill is on the floor, do not vote for a rule unless it lets a full group of environmental amendments to this energy policy to come to consideration of this House.

I hope that this weekend Members will think about what rule they are going to support. We need to have environmental decisions made by this House.

Mr. WALSH. Mr. Chairman, I yield the balance of our time to the distinguished gentleman from Maryland (Mr. GILCHREST) to close.

Mr. GILCHREST. Mr. Chairman, I thank the gentleman for yielding me this time.

I rise in opposition to this amendment, not because I am opposed to the concept but because I think that the gathering of science needs to be clearly understood as soon as possible in order for us to implement a level of arsenic

that we know beyond a reasonable doubt that is safe for consumers.

I would like to tell the previous speaker that I believe totally that human activity is causing climate change, and we are working with the administration. We have a difference of opinion, but I as a Republican believe that climate change is real. I believe in strong protections for wetlands, strong protections for our national forests, strong protections for all of our environmental issues. But I believe in those issues based on the best available data and the best science that we can gather. It is difficult to get the best available science on the House floor by non-scientists as we continue to debate this issue.

The gentlewoman from Connecticut said it is time that we bring the studies to a conclusion and implement that information. Well, I would say that I would hope that scientific studies never come to a conclusion, that they continue to be ongoing, that when we have what we feel at the end of a particular study is the best available information then we will implement that particular process.

The EPA director, Christine Todd Whitman, is now engaged in a very quick, ongoing analysis of the data from the Clinton administration, from the National Academy of Sciences, and from the scientists that she has put on this particular issue. Christine Todd Whitman said in a very short period of time the level of arsenic that will be acceptable could be down to 5 parts per billion; not 10 parts per billion, but 5 parts per billion.

So let us let the administration move forward. I urge my colleagues to oppose the amendment.

Mr. SMITH of New Jersey. Mr. Chairman, I would like to express my strong support for the Bonior Amendment, which prohibits funds from being used to delay the national primary drinking water regulation for Arsenic, which was published on January 22, 2001. It is clear we have a problem with Arsenic in our water systems, and Congress must act expeditiously to remedy the problem. In 1999, in their report examining the levels of arsenic in drinking water, the National Academy of Sciences recommend that:

EPA Must Immediately Propose and Finalize by January 1, 2001 a Health-Protective Standard for Arsenic in Tap Water. The National Academy of Sciences (NAS) has made it clear, and we agree, that EPA should expeditiously issue a stricter Maximum Contaminant Level standard for arsenic. Based on available scientific literature and NAS risk estimates, this standard should be set no higher than 3 ppb—the lowest level reliably quantifiable, according to EPA. Even an arsenic standard of 3 ppb could pose a fatal cancer risk several times higher than EPA has traditionally accepted in drinking water.

EPA Must Revise Downward its Reference Dose for Arsenic. EPA's current reference dose likely does not protect such vulnerable populations as infants and children. Furthermore, "safe" arsenic intakes in the RfD present unacceptably high cancer risks. To protect children, EPA should reduce this reference dose from 0.3 micrograms per kilogram per day ($\mu\text{g}/\text{kg}/\text{day}$) to at most 0.1 $\mu\text{g}/\text{kg}/\text{day}$.

For concordance with cancer risk numbers, EPA should reevaluate the RfD in more depth as expeditiously as feasible.

EPA Should Assure that Improve Analytical Methods Are Widely Available to Lower Detection Limits for Arsenic. EPA must act to reduce the level at which arsenic can be reliably detected in drinking water, so that it can be reliably quantified by most labs at below 1 ppb, the level at which it may pose a health risk.

Water Systems Should be honest With Consumers about Arsenic Levels and Risks. It is in public water systems' best long-term interest to tell their customers about arsenic levels in their tap water and the health implications of this contamination. Only when it is armed with such knowledge can the public be expected to support funding and efforts to remedy the problem.

Water Systems Should Seek Government and Citizen Help to Protect Source Water. Water systems should work with government officials and citizens to prevent their source water from being contaminated with arsenic.

Water Systems Should Treat to Remove Arsenic, and Government Funds Should be Increased to Help Smaller Systems Pay for Improvements. Readily available treatment technology can remove arsenic from tap water, at a cost that is reasonable (\$5 to \$14 per month per household) for the vast majority of people (87 percent) served by systems with arsenic problems. Very small systems serving a small fraction of the population drinking arsenic-contaminated water, however, will often be more expensive to clean up per household. Assistance to such systems should be a high priority for drinking water funds such as the SRF and USDA's Rural Utility Service programs. The SRF should be funded at least \$1 billion per year to help systems with arsenic problems.

EPA Should Improve its Arsenic, Geographic Information, and Drinking Water Databases. EPA should upgrade its Safe Drinking Water Information System to include and make publicly accessible all of the arsenic and unregulated contaminant data, as required by the Safe Drinking Water Act. EPA also should require water systems to provide accurate lat-long data using GPS systems, which will have widespread use in GIS systems by federal, state, and local officials, and the public, for source water protection, developing targeted and well-documented rules, and for other purposes.

The risk of cancer from arsenic contamination is too great for Congress to further delay the rule. According to the National Academy of Sciences, the lifetime risks of dying from cancer due to Arsenic in tap water is 1 in 100, when the arsenic level in tap water is at 50 parts per billion (ppb), which is the current rate. At 10 ppb, the risk is 1 in 500, and at .5 ppb, the risk is 1 in 10,000. One in 10,000 is the highest cancer risk the EPA usually allows in tap water for any element—why should arsenic be different?

Mr. Chairman, throughout my tenure in Congress I have supported legislation to reduce health risks and inform the public about water safety standards. In 1996, I voted for the Safe Drinking Water Reauthorization Act (PL 104-182), which directed the EPA to propose a new, cleaner, standard for arsenic in drinking water. At that time, Congress also directed the EPA, with the National Academy of Sciences (NAS), to study arsenic's health effects and the risks associated with exposure to low levels of arsenic. Three years later, in 1999, NAS concluded their report, and made the appropriate recommendations. Now, nearly two years later, we are still debating the rule. Mr.

Chairman, the evidence is clear, Arsenic is in our water and poses a serious health risk—the American people can not wait any longer for action. I urge all members of Congress to support the Bonior Amendment.

Ms. MILLENDER-MCDONALD. Mr. Chairman, I rise in support of the amendment offered by Representatives BONIOR, WAXMAN, and BROWN. This amendment will prevent any further delay or weakening the arsenic standard for drinking water.

One of the very first acts of the new Administration was to delay EPA's new drinking water standard of 10 parts per billion for arsenic. The new proposed regulation would have replaced a nearly 60-year old standard adopted in 1942 before arsenic was even known to cause cancer. In 1999, the National Academy of Sciences found that the old arsenic standard of 50 parts per billion for drinking water did not achieve EPA's goal for public health protection and therefore, required a downward revision as promptly as possible.

As statutory deadlines for revision were missed in 1974, 1986, and 1996, we cannot afford to miss another one. The National Academy of Sciences easily estimated that the old standard could result in a total cancer rate of one in 100—a cancer risk 10,000 times higher than EPA allows for food. Questions have been raised as to causes associated with arsenic. As a known carcinogenic substance, arsenic causes bladder, lung, and skin cancer, and is toxic to the heart, blood vessels, and the central nervous system. Who in America is most vulnerable? America's children and pregnant women are more susceptible to this form of poisoning.

Mr. Chairman, we cannot afford any further delay in the implementation of EPA's arsenic standard. The EPA invested time and resources and the new standard is the result of 25 years of public comment and debate. Congress cannot miss this opportunity to improve America's water quality. We owe it to our nation's children.

I urge my colleagues to support the Amendment offered by Representatives BONIOR, WAXMAN, and BROWN.

Ms. ESHOO. Mr. Chairman, after catering to a host of special interests on the issues of tax policy and energy, it's amazing the reasons that the majority have come up with to stop legislation that is clearly in the public interest.

In this case, the majority wants to block efforts to protect citizens from arsenic in drinking water.

Anyone who's read an Agatha Christie mystery knows that arsenic is a poison.

We've spent 17 years extensively reviewing and studying the lethality of this element. We've learned that even low levels of arsenic exposure pose a public health risk.

Earlier this year, the EPA approved an arsenic standard of 10 parts per billion instead of the current standard 50 parts per billion.

The Bush administration rescinded this regulation pending further review by the National Academy of Sciences.

Do we really need more review? The standard has been on the table for decades. In fact, the U.S. Public Health Service first advanced it in 1962.

Is this debate really about sound science? Or is it really setting the public interest aside?

No matter where one lives in this country, we should be assured of safe drinking water. We cannot delay making this a reality. We must adopt the Bonior amendment.

THE CHAIRMAN. All time having expired, the question is on the amendment offered by the gentleman from Michigan (Mr. BONIOR).

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

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

THE CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Michigan (Mr. BONIOR) will be postponed.

The point of no quorum is considered withdrawn.

MR. WALSH. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. BE-REUTER) having assumed the chair, Mr. SHIMKUS, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 2620) making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2002, and for other purposes, had come to no resolution thereon.

LIMITATION ON AMENDMENTS DURING FURTHER CONSIDERATION OF H.R. 2620, DEPARTMENTS OF VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT, AND INDEPENDENT AGENCIES APPROPRIATIONS ACT, 2002

MR. WALSH. Mr. Speaker, I believe an agreement has been worked out to the satisfaction of both parties. I ask unanimous consent that during further consideration of H.R. 2620 in the Committee of the Whole pursuant to House Resolution 210—

One, no amendment to the bill may be offered except:

Pro forma amendments offered by the chairman or ranking minority member of the Committee on Appropriations or their designees for the purpose of debate.

The amendment printed in House Report 107-164.

The amendments printed in the CONGRESSIONAL RECORD numbered 5, 6, 7, 12, 19, 20, 21, 24, 25, 30, 36, 37, 38, 39, 40, 41, 42 and 46.

Two amendments by the gentleman from Massachusetts (Mr. FRANK) and one amendment by the gentleman from Ohio (Mr. TRAFICANT) that I have placed at the desk.

One amendment en bloc by the gentlewoman from Texas (Ms. JACKSON-LEE) consisting of the amendments numbered 31, 33, 34 and 35.

Two, such amendments shall be debatable as follows:

Except as specified, each amendment shall be debatable for 10 minutes only.

The amendments numbered 6, 12, 24, 39 and 42 shall be debatable for 20 minutes each.

The amendments numbered 5 and 37 and one amendment by the gentleman from Massachusetts (Mr. FRANK) shall be debatable only for 30 minutes each.

The amendment numbered 46 shall be debatable only for 40 minutes.

Such debate shall be equally divided and controlled by the proponent and an opponent.

□ 1230

Three, each such amendment shall be offered only by the Member designated in this request, the Member who caused it to be printed, or a designee, shall be considered as read, shall not be subject to amendment, except that the chairman and ranking minority member of the Committee on Appropriations, or a designee, each may offer one pro forma amendment for the purpose of further debate on any pending amendment, and shall not be subject to a demand for a division of the question in the House or in the whole.

Four, all points of order are waived against amendment numbered 25.

Five, the amendment printed in House Report 107-164 may amend portions of the bill not yet read.

The SPEAKER pro tempore (Mr. BE-REUTER). The Clerk will report the amendments.

The Clerk read as follows:

Amendment Offered by Mr. FRANK:

Page 93, after line 25, insert the following new section:

SEC. 427. The amounts otherwise provided by this Act are hereby revised by reducing the aggregate amount made available for "PUBLIC AND INDIAN HOUSING—PUBLIC HOUSING OPERATING FUND", reducing the amount specified under such "PUBLIC HOUSING OPERATING FUND" item for the Inspector General for Operation Safe Home, reducing the aggregate amount provided for "MANAGEMENT AND ADMINISTRATION—OFFICE OF INSPECTOR GENERAL", and reducing the amount specified under such "OFFICE OF INSPECTOR GENERAL" item that is to be provided from the amount earmarked for Operation Safe Home, and none of the funds made available in this Act may be used to fix, establish, charge, or collect mortgage insurance premiums for mortgage insurance made available pursuant to the program under section 221(d)(4) of the National Housing Act (12 U.S.C. 1715(l)(d)(4)) in an amount greater than the cost (as such term is defined in section 502 of the Federal Credit Reform Act of 1990) of such program, by \$5,000,000.

Page 93, after line 25, insert the following new section:

SEC. 427. The amounts otherwise provided by this Act are hereby revised by reducing the aggregate amount made available for "PUBLIC AND INDIAN HOUSING—PUBLIC HOUSING OPERATING FUND", reducing the amount specified under such "PUBLIC HOUSING OPERATING FUND" item for the Inspector General for Operation Safe Home, reducing the aggregate amount provided for "MANAGEMENT AND ADMINISTRATION—OFFICE OF INSPECTOR GENERAL", and reducing the amount specified under such "OFFICE OF INSPECTOR GENERAL" item that is to be provided from the amount earmarked for Operation Safe Home, and none of the funds made available in this Act may be used to fix, establish, charge, or