



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 106th CONGRESS, SECOND SESSION

Vol. 146

WASHINGTON, TUESDAY, JUNE 13, 2000

No. 73

Senate

The Senate met at 9:31 a.m. and was called to order by the President pro tempore [Mr. THURMOND].

PRAYER

The PRESIDENT pro tempore. Today's prayer will be offered by our guest Chaplain, Father Gregoire J. Fluet, Saint Bridget of Kildare Church, Moodus, CT.

We are pleased to have you with us.

The guest Chaplain, Father Gregoire J. Fluet, offered the following prayer:

Let us pray.

We read in the Scriptures: "For the Lord gives wisdom; from His mouth comes knowledge and understanding; He stores up sound wisdom for the upright; He is a shield to those who walk in integrity, guarding the path of justice. . . ."—Proverbs 2:6-8.

Lord God, we beseech You to continue to bless our great Nation. You have from the inception of this Nation been its light and blessed it with Your grace and bounty. The men and women of this Senate again seek Your wisdom and guidance as they exercise their call to leadership. Send Your blessing upon them. Allow them to be filled with Your grace and peace. Allow them to continue to be courageous, self-giving, and dedicated to integrity and right. Allow them to recognize Your presence in this Chamber and in their deliberations.

Lord God, allow all of us never to forget that we profess as a people, as a nation, to be under Your guidance and Your love. We thank You for Your gifts, for our Nation, for the boundless blessings You send us each day. Amen.

PLEDGE OF ALLEGIANCE

The Honorable GEORGE VOINOVICH, a Senator from the State of Ohio, 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.

The PRESIDING OFFICER (Mr. VOINOVICH). The Senator from Connecticut.

FATHER GREGOIRE J. FLUET

Mr. DODD. Mr. President, I am deeply honored this morning to have had Father Gregoire Fluet provide us with the opening prayer in this session of the Senate. It is a particular pleasure because Father Fluet is not just a resident of Connecticut but he is my parish priest. So this morning is a moment of particular pride to welcome him to the Senate.

Father Fluet is someone I have known now for a number of years. We met each other when Father Fluet was the pastor of St. Joseph's Church in North Grosvenordale, CT. I used to, on an annual basis, speak at the communion breakfast of the Knights of Columbus, something which I enjoyed immensely and did for more than 20 years. It was a wonderful experience. The community would get together and Father Fluet would say mass and participate in the breakfast afterwards. We had a wonderful time over many, many years.

Then, to my wonderful surprise, on the retirement of my dear friend and pastor, Father Henry Dziadosz—unfortunately, we just lost Monsignor Dziadosz, a wonderful human being—Father Fluet was assigned to my home parish in East Haddam, CT, a section of Moodus, CT. You have to be very careful; it is really East Haddam. The people of my town would appreciate the distinction I am making here.

Father Fluet is a wonderful man, a spiritual leader; he has counseled and advised me on numerous occasions. He has a wonderful background in history. He is a teacher. He taught at St. Bernard's High School in the diocese of Norwich. He also was a curate at the parish in Lyme, CT. He just received his doctorate in New England studies, the history of New England.

In addition to being a great spiritual leader, he also has a deep interest in the history of this country and particularly the history of New England.

It is truly an honor to welcome my good friend, my pastor, to this wonderful Chamber. We are deeply honored that he is here. We welcome him immensely. We thank him for his wonderful words this morning. I am confident that the parish of Saint Bridget of Kildare, my home parish, is going to be blessed for many years to come with the wonderful spiritual leadership of Father Fluet. He has a wonderful mother who I have gotten to know. She is in a little ill health, but we are praying for her this hour as well. She is a woman of deep, strong French background, a delightful person to be with as well.

Senator LIEBERMAN, who was just here and wanted to stay to greet Father Fluet but had a hearing to run off to, wanted me to express to Father Fluet his deep admiration and respect and extend his words of welcome as well this morning.

With that, Mr. President, I thank the Chair and I yield the floor.

RECOGNITION OF THE ACTING MAJORITY LEADER

The PRESIDING OFFICER. The Senator from Ohio is recognized.

SCHEDULE

Mr. VOINOVICH. Mr. President, today the Senate will be in a period of morning business until 10:30 a.m. Following morning business, the Senate will resume consideration of the Department of Defense appropriations bill, with Senator REID to be recognized to offer his amendment regarding computers, and following debate on the Reid amendment, Senator BOXER will be recognized to offer an amendment regarding medical privacy.

As a reminder, the Senate will recess from 12:30 p.m. to 2:15 for the weekly

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



Printed on recycled paper.

S4973

party conference meetings. Upon reconvening, there will be 2 minutes of debate on the Boxer amendment regarding pesticides, with a vote scheduled to occur at approximately 2:20 p.m. It is hoped that consideration of the Defense appropriations bill can be completed by this evening, and therefore Senators can expect votes throughout the afternoon.

I thank my colleagues for their attention.

RESERVATION OF LEADER TIME

Mr. DURBIN. Mr. President, it is my understanding we are in morning business?

The PRESIDING OFFICER. If the Senator will suspend, we will lay down the orders.

Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, there will now be a period for the transaction of morning business not to extend beyond the hour of 10:30 a.m., with Senators permitted to speak therein for up to 10 minutes each.

Under the previous order, there will now be 30 minutes under the control of the Senator from Illinois, Mr. DURBIN, or his designee.

The Senator from Illinois.

Mr. DURBIN. I thank the Chair.

THIS WEEK'S AGENDA

Mr. DURBIN. Mr. President, I am happy to be in the Chamber this morning to address the issues that are going to be considered before the Congress this week.

One of the most important issues that I found in my home State of Illinois, and I think can be found in virtually every State in the Union, is the prescription drug benefit under Medicare. They are telling us, the people who do this for a living, that when they ask families across America what is one of the major issues you are going to look to when it comes to electing the President of the United States or electing a Member of Congress, one of the major issues that comes forward is the prescription drug benefit. It is understandable because the Medicare program, as good as it is—in fact, it has been there for 40 years as the health insurance program for the elderly and disabled—does not have a prescription drug benefit. You would not buy a health insurance plan for your family today that didn't include one because you never know when you are going to be subjected to an illness that a doctor will need to treat with an expensive prescription drug. They can become very expensive. It is not uncommon to spend \$50, \$100, even several hundred a month to maintain a certain drug that keeps you healthy.

When we constructed Medicare, we didn't put a prescription drug benefit in the plan. That was 40 years ago. Today, seniors are finding themselves extremely vulnerable. They will go to a doctor and say: I have a problem. The doctor says: I know just the thing; here is a prescription. They will find out they can't afford to fill the prescription. So a lot of seniors on limited, fixed incomes, make a hard choice and say, I may not be able to take this prescription or maybe I will fill it and only take half. The net result, of course, is that the senior doesn't get well, doesn't get strong. In fact, they can see their health deteriorate simply because they can't afford to fill their prescriptions.

The irony, of course, is that if a senior can't buy the drugs they need to stay healthy and they end up in the hospital, guess what. The taxpayers step in and say Medicare will pay for that. In other words, if someone gets sick because they don't have prescription drugs, we will pay for it. If seniors have to go to the hospital, taxpayers pay for it.

We on the Democratic side believe that we need to do two things. We need to put a prescription drug benefit in Medicare that gives to senior citizens and the disabled peace of mind that when they need these prescription drugs, they will have help in paying for them. That is something everyone expects from a health insurance plan. It should be the bottom line when it comes to Medicare, as well.

The Democratic side has been pushing this literally for years. We believe that is something this Congress should have done a long time ago. Sadly, we have had no cooperation, none whatever, from the Republican side of the aisle. They do not believe this is a critical and important issue. We have tried our very best to bring this issue to a vote on the floor. We have tried both in the House and the Senate. They have blocked us every single time.

Who would oppose a prescription drug benefit? On its face, why would anybody oppose that? It will help seniors. It will mean they will buy prescription drugs.

There is another issue. If we just passed a prescription drug benefit and did not address the pricing of drugs, the system would clearly go bankrupt in a hurry. In other words, if the drug companies can continue to raise their prices—as they are doing now almost on a monthly basis—and we say we will pay whatever they charge, no program will last.

We have to combine with the prescription drug benefit program a pricing program, as well. Americans know this. I go to senior citizen gatherings in my State and they understand what is going on in the world. They know if they happen to live in the northern part of the United States and can drive across the border into Canada, they can buy exactly the same drug—made in the United States, by the same com-

pany, subject to the same Federal inspection—for a fraction of the cost. What costs \$60 for a prescription in the United States costs \$6 in Canada because the Canadian Government has said to American drug companies: If you want to sell in our country, we are not going to let you run the prices up. There is a ceiling. You have to keep your prices under control. We will make sure you don't gouge the customers in Canada.

We don't have a law such as that in the United States. Therefore, the seniors in this country pay top dollar for prescription drugs. People in Canada, people in Mexico, people in Europe, get the same drugs from the same companies at a deep discount. I might add, as well, in this country the health insurance companies bargain with the same drug companies, saying, if you want to have your drugs prescribed by our doctors in our plan, we will not let you keep raising the prices on them. Of course, that is part of the reality.

Every group in America has a price mechanism, a price competition, except for the most vulnerable in America—the senior citizens and the disabled on Medicare. They pay top dollar for prescription drugs. When they can't pay it and they can't fill the prescription, they can't maintain their health as they should.

We believe, on the Democratic side, that we need a prescription drug benefit plan. We need to also address the question of pricing to make sure these drugs are affordable, so that the drug companies treat Americans at least as fairly as they treat Canadians. I don't think that is unreasonable.

Many times, we taxpayers, through the National Institutes of Health, have put the money on the front side of research to find these drugs. The drug companies profit from the research, as they should, but they also have an obligation to the people of the United States to price these drugs fairly.

We have an obligation to create a prescription drug benefit under Medicare. But this has been a one-sided discussion to this date. The Democrats have pushed this plan, and the Republicans have resisted it.

Lo and behold, the people on the Republican side of the aisle have decided to start asking American families, what do they think is important? I have in my hand polling data provided to the Republican conference in the House of Representatives. They went on to find in the course of their polling that they have been dead wrong on this issue, that the American people consider this to be one of the most important issues in America today and in this election. The Republicans, in resisting the Democratic plan, have missed the most important issue for seniors and their families.

What are they proposing? They want to change it in a hurry. They don't want to come on board and work out a bipartisan plan based on what the Democrats have been pushing for, for

years. No. Their plan is to come forward with a so-called prescription drug plan that buys them enough time to get through the election, a plan that is a sham and a phony, a plan that does not address the real needs for prescription drug benefits for seniors. They are not offering prescription drugs. They are offering sugar pills. They are offering placebos. That will not keep America healthy.

As you read the things they have recommended to the people involved in this on the Republican side of the aisle, they say one of the things you have to do is make sure you keep talking about this issue, make sure you empathize and tell people how much you feel for this issue.

It isn't "feel good" politics that Americans need. They need results. They need a bipartisan plan that really does help seniors. In the next few days, if you see, as we expect, this presentation by the Republican leadership in Congress that they have finally discovered the prescription drug benefit issue and they have finally come up with a plan, you have an obligation, as I do, to ask them to prove it will work, prove it will make certain that senior citizens who need help in paying for prescription drugs get that assistance. Make certain it isn't a phony that is just buying time until the election.

If you hear the Republican leadership, new-found convert to this issue, coming up with rhetoric that we haven't heard for years, don't be surprised. Their polling data has told them they are dead wrong, the Democrats are right on this issue and the Republicans have missed the boat.

It is our obligation in Congress to work with those people who have been involved on this issue for years, to make certain that any prescription drug benefit plan is real, it addresses the needs of seniors and disabled across America, it is affordable, and it will work to maintain the quality of care we expect in this country.

These health care issues will turn out to be the biggest issue in this Presidential campaign. Yesterday, the Supreme Court decided again that managed care companies don't have an obligation to their patients to find out that they get the best quality care as doctors recommend. Their obligation is to profit and bottom line because of existing Federal law. On this case, as well, on prescription drug benefits, the families across America are the ones who are vulnerable.

Mrs. BOXER. Will the Senator yield?
Mr. DURBIN. I am happy to yield to the Senator.

Mrs. BOXER. I thank my friend for again putting this issue of prescription drugs into context.

I am sure my friend would agree it isn't unusual for political parties to take polls. However, I think what my friend is trying to say—and I hope every American can see this document I am holding in my hand, this poll. This so-called "research," done with

the Republicans over on the House side, is a document that says it all. It is the most cynical document I have ever seen since Newt Gingrich had the same thing done when he took over the House, when they told the Republicans what words to use, not what bills to pass, not what would make a good piece of legislation to help the millions of Americans who need help, no, but how to get them reelected and kowtow to their friends in the insurance business, the HMOs, and so on. If the American people could just read this document, things would change around here. I am hoping they will read this document.

I ask unanimous consent to have this document printed in the RECORD.

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

[A Presentation to the House Republican Conference, June 8, 2000]

A PRESCRIPTION DRUG PLAN FOR STRONGER MEDICARE

(By Glen Bolger, Public Opinion Strategies)

PASSING A BILL IS A POLITICAL IMPERATIVE

Prescription drug coverage is one of the Democrats' "Four Corners: offense for winning back the House—along with health care, education, and Social Security.

We have a good messages on the other issues.

It is imperative that Republicans hang together on this issue and pass a bill. It is helpful if we can be bi-partisan in our approach.

On a list of 18 issues that might decide how people plan to vote for president, "helping elderly Americans get access to prescription drugs" might appear to be a mid-tier issue as "only" 73% say it is one of the most important/very important in deciding how they might vote.

However, the issue has enormous appeal for Democrat candidates:

Democrats enjoy a huge generic advantage as the party best perceived as being able to handle this issue.

The prescription drug issue allows the Democrats to not only mobilize key sub-groups that are part of their political base, but the issue also is of importance to key sub-groups who are "up for grabs" in the 2000 election.

Of course, chief among these "up for grab" sub-groups are seniors who rank this issue in the top three or four that they say will determine their vote.

Top issues for the 2000 Presidential election

	Percent
Preserving Social Security and Medicare	83
Stopping insurance companies from making health care decisions	82
Improving the quality of public education	81
The economy and jobs	80
Keeping students safe	76
Crime and illegal drugs	76
Controlling federal spending	76
Improving the access to affordable health care	76
Restoring respect to the office of president	73
Helping elderly Americans get access to affordable prescription drugs	73
Pushing for higher academic standards	73
Keeping taxes lower	66
Reducing the power of big money in Washington	61

Top issues for the 2000 Presidential election—Continued

	Percent
The environment	59
Guns	54
Dealing with moral values	54
Defending America's interests around the world	51
Abortion	38

The issue of "helping elderly Americans get access to affordable prescription drugs" favors the Democrats because the issue is very important to their core base as well as to groups that are "up for grabs" to both parties (swing voters).

TOP SUB-GROUPS ON ISSUE

Core Democratic Base	"Up For Grabs" Voters
HS or Less	Rural Residents.
Women Less Than College	Rural Women.
Conservative Democrats	White Women.
Moderate/Liberal Democrats	South Residents.
Clinton '96 Voters	New England Residents.
Urban Residents	Women.
Urban Women	Working Women.
Democrats	Homemakers.
African Americans	Age 55-64.
Environmentalists	Age 65+.
Not on the Internet	Women 18-34.
	60+ Retired Women.

DEMOCRATS HAVE A CLEAR ADVANTAGE ON THESE ISSUES

[... tell me if you think as President ... the Republican candidates or the Democratic candidates would do a better job of handling this issue, or if there is no difference between them on this particular issue]

Issue	In percent	
	Republican-Democrat	Difference score
Improving the quality of public education	33-39	-6
Reducing the power of big money in Washington	25-37	-12
Stopping insurance companies from making health care decisions	21-41	-20
Preserving Social Security & Medicare	26-47	-21
The environment	18-48	-30
Helping elderly Americans get access to affordable prescription drugs	20-53	-33
Improving the access to affordable health care	19-53	-34

FOCUS GROUP FINDINGS

Seniors trust Medicare. They don't believe it is in financial danger—they perceive that claim to simply be a scare tactic.

Democrats will want to position Republicans as allied with the pharmaceutical companies and insurance companies against senior citizens. That's a positioning you need to aggressively reject.

Upset seniors don't believe politicians (especially Republicans) understand how important and concerning this issue is to them. Message: "I care" (but say it better than that). It is more important to communicate that you have a plan as it is to communicate what is in the plan.

KEY POINTS FROM THE FOCUS GROUPS

The main concern seniors have with a prescription drug plan is the impact on cost. Many seniors know the medicinal equivalent of HMO horror stories—they know other seniors who have to choose between paying for food or for prescription drugs.

"Republicans aren't doing anything to help seniors."

Seniors like the idea of a voluntary plan, and do NOT want to lose their own plan. They also want to have choices.

Catastrophic coverage is very important to communicate. Even seniors who currently have a good plan are worried about what might happen down the road.

DEMOCRATIC ATTACK MESSAGES

We tested multiple messages for the Democrats to attack Republicans on this issue. Here are the most salient attack messages:

"Republicans are putting more seniors into HMOs. HMOs provide terrible care, and this isn't fair to seniors."

"Republicans are in the back pocket of HMOs, insurance companies, and pharmaceutical companies. Republicans are out to protect these special interests, not the real interests of senior citizens."

Don't ignore these charges.

MESSAGES TO ATTACK DEMOCRATS

The Democrat plan has some potentially fatal weaknesses:

It is politicians and Washington bureaucrats setting drug prices.

It is a one-size-fits-all plan that is too restrictive, too confusing, and puts the politicians and Washington bureaucrats in control.

It will take most seniors out of the good private drug coverage they have today.

PHRASES THAT WORK

Too many senior citizens are forced to choose between putting food on the table and being able to afford the prescription drugs they need to stay alive. In our great nation, this is morally wrong.

We must take action to strengthen Medicare by providing prescription drug coverage for all seniors so nobody gets left behind.

While ensuring that all Medicare recipients have access to prescription drug coverage, we must make sure that our senior citizens also maintain control over their health care choices.

We should not force seniors into a federal government-run, one-size-fits-all prescription drug plan that's too restrictive, too confusing, and allows politicians and Washington bureaucrats to make medical decisions.

Our plan gives all seniors the right to choose an affordable prescription drug benefit that best fits their own health care needs.

Our plan protects low-income seniors by giving them prescription drug coverage, and offers ALL other seniors a number of affordable options to best meet their needs and protect them from financial ruin.

By making it available to everyone, we're making sure that no senior citizen or disabled American falls through the cracks.

Because our plan is voluntary, we protect seniors already satisfied with their current prescription drug benefit by allowing them to keep what they have, while expanding coverage to those who need it.

We will not force senior citizens out of the good private coverage they currently enjoy—that's why our plan gives individuals the power to decide what's best for them.

A stronger Medicare with prescription drug coverage is a promise of health security and financial security for older Americans and we're working to ensure that promise is kept. America's seniors deserve no less.

Mrs. BOXER. I ask my friend if he has read the page that says "Focus group findings." Again, focus groups aren't unusual. You bring people together and ask them to respond. I ask my friend about a couple of these points.

They say: Upset seniors don't believe politicians, especially Republicans. They don't believe that, especially Republicans, understand how important and concerning this issue of prescription drugs is to them.

This pollster, I am sure, made a lot of money to produce this document for my friends on the other side says. The pollster says:

Message: I care.

That is the message he wants Republicans to make:

I care (but say it better than that). I care (but say it better than that).

Then he says:

It is more important to communicate that you have a plan as it is to communicate what is in the plan.

What I want to say to my friend is this. After reading this, I expect they are going to come up with some phony deal that looks like a prescription drug plan. My friend has made a point: If that plan does nothing to make these prescription drugs affordable, what does it do for our people other than turn them off?

I say to my friend, he knows people in this country are going to Canada to get prescription drugs. He discussed that. I know some are going on the Internet and trying to get drugs from Mexico, prescription drugs, because they cannot afford them here.

The ultimate question, after making my comments, is this. This document goes through the fact that the Democrats are doing really well on these issues. Do you know why? Because the American people know we have a real plan on this. They don't think we are perfect because nobody is perfect, but we have a plan on this. The Republicans know they are going to lose this election unless they get a plan. So they tell their people to use certain expressions.

Can my friend share with us some of his expressions? It says: How to talk about this issue. Our friends on the other side are told how to talk about the issue, what expressions to say in addition to "I care." Maybe my friend will share some of that with the people?

Mr. DURBIN. I am happy to. I say to the Senator from California, this is not unusual. I don't want to mislead people. Democrats take polls as well. We took polls years ago and found out that families really cared about the issue, and we came up with a plan, and literally for years we have been trying to bring this issue to a vote in the Senate and House of Representatives. The Republican leadership has stopped us. They stopped us because the drug companies want to continue to make the money from the seniors and others across this country who pay top dollar for their prescription drugs.

So as we pushed this, year after year, we could never find cooperation on the Republican side of the aisle. The death-bed conversion we are witnessing here now reflects the fact that an election is looming and the Republicans understand they are in a bad position. They have taken a position that is unpopular, unwise, and just plain wrong.

Take a look at some of the polling data: Preserving Social Security and Medicare is the top issue in the Presidential election campaign.

Stopping insurance companies from making health care decisions is the No. 2 issue in the Presidential campaign, according to Republican polls.

They have been on the wrong side on both of these. In addition, the No. 2 issue for the Republicans in terms of the Presidential election is helping el-

derly Americans get access to affordable prescription drugs. Now that they realize they are wrong on the issue and it is going to be a major issue in every campaign, they are rushing to come up with a strategy.

The American people don't want a political strategy; They want a law passed that will help these families. They understand these seniors go into their pharmacies on a daily basis and make a life-and-death decision about filling a prescription drug. The Republicans have said in this polling document that they have to attack the Democrats. That is part of this. Say you have a plan, even though you don't tell people what it is, and then turn around and attack the Democrats. Say it is politicians and Washington bureaucrats who are trying to set drug prices.

That language is straight out of the pharmaceutical companies' own platform on this issue. They don't want to have their prices affected. When the prices are in any way controlled or regulated, you have a Canadian situation where Canadian citizens pay a fraction of what we pay in the United States for the same drugs. So create this image, according to the Republican strategy, in the minds of Americans, that anytime we talk about pricing, it is just too much of Washington bureaucrats and politicians.

Then they say attack the Democrats plan as a

a one-size-fits-all plan that is too restrictive, too confusing, and puts the Washington bureaucrats in control."

The one-size-fits-all language is because the Democrats believe this should be a universal plan so people really have a chance to receive help in paying for prescription drugs. You will find the Republican plan cuts off people at levels where, frankly, they are vulnerable and cannot afford to pay for prescription drugs. It also says: Attack the Democrats and say most seniors will be taken "out of the good private drug coverage they have today."

Let me concede something. About a third of seniors do have good private drug coverage, a third have mediocre coverage, and a third have no protection at all. I think we can take that into account. But the bottom line is, if you happen to be a fortunate senior because, for example, you worked for a company with a union that gave you good health care benefits when you retired, that is good for you. I have met those folks. But so many others, two out of three, do not have that benefit. We want to make sure everybody in America is protected. Take a close look, a careful look, at the Republican alternative. You are going to find they leave literally millions of seniors behind.

The drug companies want it that way. They don't want prices affected. They don't want a major plan. They believe they can create some kind of insurance protection for the seniors. I can tell you pointblank, insurance

company executives have met with us and said already the Republican proposal will not work. That is the bottom line.

Mrs. BOXER. Will my friend yield further?

Mr. DURBIN. I will be happy to yield.

Mrs. BOXER. The other interesting number here is that the Republicans have found out, much to their chagrin, that Democrats have a 34-percent advantage—in the Republicans' own poll here—on improving the access to affordable health care and a 33-percent advantage on prescription drugs. So they take this information but they don't say, You know what, the Democrats are right on these issues. Let's go over to their side of the aisle. Let's call on President Clinton. He has been talking about protecting Medicare and so has Vice President GORE, and prescription drugs. Let's work together now.

They don't do that. They set out a document here that instead of saying: We just found out President Clinton is right; We just found out the Democrats have been right; We have just found out that AL GORE is right when he says we need a Medicare lockbox. So maybe they cross the aisle? Maybe they come over here and visit us, we join hands, and go down the aisle together here and cast some votes for the people for a change? No. That is not the way they see it.

They get this information and they basically do what my friend suggested. They are going to use the right words. They are going to attack us, they are going to scare people, and they are going to go home and say they have done something.

I hope every American family can see this document today. In a way, I feel badly about it because it will build cynicism, but I will say this: The information in this document could be used to do the right thing. It is quite unfortunate that our friends on the other side of the aisle, instead of taking this information, recognizing they are wrong and joining us and President Clinton and Vice President GORE, they are going to create a sham plan for prescription drugs. They are going to say they are protecting Medicare while doing nothing. Sadly, the American people will lose, unless they make some changes around here.

I thank my friend.

Mr. DURBIN. I say to my friend from California, this phrase says it all. This is the advice given by the pollsters and consultants for the Republican leadership when it comes to the prescription drug issue. It has already been made part of the CONGRESSIONAL RECORD, but it is there for the world to see, and I want to quote one line and one line only to tell you what the bottom line message is:

It is more important to communicate that you have a plan as it is to communicate what is in the plan.

If you talk about the cynicism people feel about politicians and campaigns, that hits the nail on the head. In other

words, don't describe it, don't tell people what it is going to do for families across America, just tell them you care, tell them you have a plan. That is the thing I think turns people off the most.

If the Republicans have a better idea, for goodness' sake, come forward with it. Let's debate it. That is what this is supposed to be about.

We have a plan. We are willing to debate it. We are willing to stand up for it on the floor. I believe in it. I will campaign for it in Illinois and any other place. But to come up with an idea, a few words to try to gloss over this so people forget before the election what this is about, is really a mistake.

Here is something else I want to note in the Republican consultants' document to the Congressional Republican leadership:

Prescription drug coverage is one of the Democrats' "Four Corners: offense for winning back the House—along with health care, education and Social Security.

That is a quote directly. Yes, it is true. I would say that pollster has really hit the nail on the head. This is exactly what we are trying to do. We are trying to focus this election campaign, not on negative slam ads, not on personal attacks, but on four basic issues. For goodness' sake, we are willing to stand up and say this is what our vision of America will be. We look at this country and we feel blessed. We live in one of the greatest nations in the history of the world.

We feel doubly blessed that we are living in such good times for most Americans. This is a period of economic prosperity unparalleled in our history. One cannot find this long a string of good economic progress in the history of the United States.

Who can take credit for it? First and foremost, Americans and families can take credit for it because they work hard every day. They start the businesses. They teach the kids. Those things have paid off. That is where the credit belongs, first and foremost.

From a policy viewpoint, credit also has to be given to those people who make good decisions when it comes to our economy. We made a good decision in the Senate and in the House as well in 1993 when President Clinton said: The first thing we will do is reduce the deficit. Once we bring that deficit under control, we think the economy will move forward.

We could not get a single Republican in the House or the Senate to vote with us on that. Only the Democrats voted for it and Vice President GORE, sitting in the Presiding Officer's chair, cast the tie-breaking vote to reduce the deficit and move us forward. And it worked.

Critics on the other side of the aisle, a Republican Senator from Texas, said this was going to create an economic disaster for America. He has a little egg on his face today because for 7 years it has created just the opposite: economic prosperity. That was a good decision.

Tough decisions from the Federal Reserve Board regarding interest rates, for example, have kept inflation under control.

We are moving forward. We believe on the Democratic side that we cannot stand back and say we deserve election and reelection because of all the good things we did in the past. That is not good enough. If any party deserves election or reelection, it is because they learned the lessons of history and they have a vision of the future.

The vision tells us to take the surplus we are generating in our Treasury and pay down the national debt, a debt of almost \$6 trillion that cost us taxpayers \$1 billion a day in interest payments. That is right, the payroll taxes they are taking out of your paycheck and taking away from businesses and families across America to the tune of \$1 billion a day do not educate a kid, they do not buy anything to enhance the security of America. That money is used exclusively to pay interest on old debt.

Think about it. We are paying interest on the debt for things we bought years ago that we have already built and maybe have used. We on the Democratic side believe that the fiscally prudent thing to do, the responsible thing to do is to take our surplus and reduce that \$6 trillion debt. I want to say to my kids and my grandson: The best legacy I can leave you is less of an American debt so that you do not have to carry my burdens into your generation.

I believe that makes sense, and that is what Vice President GORE has stood for: To reduce America's national debt and to strengthen Social Security and Medicare as we do that to make sure those two systems are there for years to come.

If we just stop at that point, we would not be doing enough. We have to have a vision for this next century and ask, What decisions can we make as leaders of Government in Washington today to create opportunities for tomorrow?

It comes down to the four basic issues already identified by the Democrats and acknowledged by the Republicans.

First, health care in America. It is disgraceful in America that we still have tens of millions of people who have no health insurance. Think about their vulnerability: an accident, an illness, and all the plans they have made for their life just fall apart. They have medical bills they cannot possibly pay. People are in a vulnerable position because we have not addressed health care in America. We believe we need to address health care when it comes to not only coverage of health insurance but prescription drug benefits for the elderly and disabled under Medicare and, most basically to make sure medical decisions are made by doctors and not by insurance companies.

Yesterday, the Supreme Court of the United States ruled in an important

case involving an HMO, a managed care company, in my State of Illinois at the Carle Clinic. A woman called the Carle Clinic in Bloomington, IL, and reported she was having pains in her stomach. They said: We would like to examine you. Why don't you come in in 8 days.

Before she could go to the clinic her appendix burst, and she went through a terrible situation and a terrible recuperation in the hospital.

She came to learn that this plan, as so many other managed care plans, actually rewarded doctors financially if they showed more profit for the company as opposed to providing quality health care. The bottom line was making money. The bottom line said let the lady wait at home for 8 days and see if she still complains instead of bringing her into the office for an examination.

She sued them. She said: I thought I could trust you. I thought that was the bottom line when it comes to the health insurance company. The bottom line was profit, and it was made at my expense. I paid for it in a hospital stay.

The Supreme Court said: You cannot do anything about it. Congress passed legislation that said managed care companies can do that and you cannot sue them. Your right against these companies is extremely limited. That is a Federal decision.

That is a decision that should be changed. That is one Democrats have pushed for on Capitol Hill for years and the Republican leadership has blocked it. These insurance companies are making big dollars. They are big special interest groups. They are big players on the Washington political scene. They do not want anybody changing these rules. That is why they have resisted, and that is why we have done literally nothing in the Senate and the House to deal with these abuses.

Education: Can anyone think of anything in the 21st century more important than education in America? I cannot. We are going to have a debate in the near future on trade. It is a hot issue. There are many who believe globalization and free trade are part of America's future, part of the future of the world. To resist trade is to resist gravity. It is going to happen.

The question is, How will we respond to it? Many workers are concerned that if there is expanded trade, they might lose their jobs. Companies will take their plants and move them overseas, and folks who have good jobs today will not have them tomorrow. Shouldn't we as a nation acknowledge that, whether the jobs are lost to trade or technology? Shouldn't we be putting in place transition training and education so workers do not have to fear this inevitable change in the economy?

We are not hearing any suggestions on this from the Republican side. They do not believe there should be a Federal role when it comes to education and training. They talk about it being State and local. It has been histori-

cally, but we have had Federal leadership that has made a difference on these issues. We believe on the Democratic side we should continue to do that.

I will tell my colleagues about another related issue. We know from the best companies in America that the single biggest problem they have today is not estate taxes; it is not a tax burden under the code. The single biggest problem they have today is jobs they cannot fill with skilled workers.

I hear that in Illinois everywhere I go. I was in Itasca yesterday with the Chamber of Commerce. That is their concern as well. We have to acknowledge the fact there are good paying jobs unfilled in America because we do not have skilled workers to fill them.

What do we do about it? Wait for the market to create an answer? I hope we will do more. In 1957, when the Russians launched Sputnik and we were afraid we were going to lose the space race, this Congress responded and said: We will respond as a nation. We will create the National Defense Education Act. We are going to encourage young people to get a college education to be scientists, to be engineers, to compete with the Russians. We did it. It was an investment that paid off handsomely. We created an engine for growth in the American economy that not only made certain the private sector had the people they needed but also sent a man to the Moon and so many other achievements unparalleled in the history of the world.

Why are we not doing the same thing today? Why are we not acknowledging we need to make an investment at the Federal level to help pay for college education so kids have a chance to become tomorrow's scientists and engineers, leaders of the 21st century so we do not have to import computer experts from India and Pakistan?

The PRESIDING OFFICER (Mr. L. CHAFEE). The Senator's time has expired.

Mr. DURBIN. I yield the floor.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. SANTORUM. Mr. President, I am going to take 15 minutes of the time set aside for the Senator from Wyoming.

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

SOCIAL SECURITY

Mr. SANTORUM. Mr. President, I rise today to address the issue of Social Security. Last week I got up toward the end of our time and did not have a chance to talk about the issue, but I briefly mentioned my strong admiration and support for Gov. George W. Bush's courageous and bold proposal in offering to the American public an opportunity to meet the Social Security crisis head on and deal with it in a responsible way through investment as a way to try to bridge the gap that now exists in the Social Security system—

“the gap” meaning not enough money coming in to pay benefits down the road once the baby boom generation begins to retire.

I have been out for the past 4 years talking about this issue and have talked in front of every conceivable group you can imagine. Yesterday I was in Harrisburg, PA, talking to the State AARP about Social Security and the importance of having politicians face up to the issue and explain to the American public how we are going to fix the problem.

The problem is very simple. Right now, there are about 3.3 people working for every retiree on Social Security. Social Security is a pay-as-you-go system. So those 3.3 working people have to pay enough in Social Security tax to pay for the benefits to that 1 retiree.

Just to give you a comparison, back in 1950 we had 17 workers paying into the system for every 1 retiree. That is why, in 1950, we had a payroll tax of 2 percent on the first \$3,000 you earned, because there were 17 people paying and you could pay a relatively low rate of taxation to pay for the benefits. Now you pay 12.4 percent of every dollar you earn, up to, I believe it is, \$72,000.

So it is a dramatic increase in taxes that has occurred because we went from 17 workers to every 1 retiree to 3.3 workers to every 1 retiree. In the next 20 years, we will go from 3.3 workers to every 1 retiree, to around 2 workers or maybe even a little less than 2 workers to every 1 retiree.

It is pretty obvious what is going to have to happen. We are going to have to make a change in the system because the current flow of revenue from 3.3 workers to support 1 retiree will be dramatically reduced when you only have 2 workers. You cannot keep the current rate of taxation and support that 1 retiree.

So the question is, What do we do about it? Do we wait, knowing it is going to happen? Everybody who is going to be working 20 years from now has been born, and everybody who is going to retire in 20 years from now has been born. So we know what the demographics are going to look like. The question is, What are we going to do about it?

There are three things you can do to fix the Social Security problem and only three things. There are only three things you can do.

No. 1, you can do what we have done 20-some times in the past; that is, increase taxes, from what started out as 2 percent on the first \$3,000 to now 12.4 percent on up to \$70,000 of income. So you can increase taxes.

The second thing you can do is reduce benefits. We have done that in the past, too. We raised the retirement age. We adjusted some of the benefit numbers. You can reduce benefits.

How much would we have to do of either raising taxes or cutting benefits? According to the Social Security trustees, the actuaries there, we are looking at a payroll tax increase, if we wait 15

or 20 years—which is what some here at the national level, the Vice President, for example, and some on the other side of the aisle have suggested; that if we wait, everything is going to be fine, that there will be no problem for another 30 or 35 years. Just wait. What if we wait? If we wait 20 years to fix this problem, we are looking at a payroll tax increase of roughly 40 percent, going from 12.4 to about an 18- or 19-percent payroll tax for the next generation.

So if you are a politician today and you do not plan on being around 20 years from now, I guess the answer of waiting is a pretty good option: Put it on to the next group of politicians and the next generation of people, and let them pay those taxes. They may say: "As for me, I would rather just get elected and not make any tough decisions and not have to tell anybody about what pain is going to be in the future because under my watch there will not be any." That is the kind of leadership we do not need in America, in my opinion. But that is an option.

The first option is to increase taxes dramatically down the road. The second option is to cut benefits. By the year 2035, I think it is, Social Security taxes coming in will cover about 70 percent of what is needed to be paid out in benefits. So what does that tell you? We will have to cut benefits by about a third; that if we do not increase taxes, then we will have to cut benefits by a third. I suspect you will not find one vote in the Senate to do that today. And I do not believe you will find any votes in 20 years to do that. So that option is pretty much off the table, I suspect.

So those are the two options that are available, unless you take the third option. This is where Governor Bush has come out. I give him a lot of credit for doing so. The third option is investment, increase the rate of return on the money that is actually going into the system now to make up the shortfall in the long run. This is not a view that is a partisan viewpoint; this has broad bipartisan support in the Senate.

Many on the other side of the aisle believe in personal retirement accounts. Even more Members on the other side of the aisle and the President agree with investment where the Government actually takes the money and invests it.

So there are two kinds of investments. We can do it two different ways. The way I suggest and Governor Bush suggests is that every individual get a portion of their payroll tax to be put in a personal retirement account, which they own, they control, they invest, but they cannot touch until they retire. That is how I suggest the investment be done: The individual owning it, the individual investing it, the individual controlling it.

The President's suggestion, in two of his budgets in this current term of office, is that, yes, a portion of Social Security trust funds can be invested, but

the Government invests it. There would be no individual ownership. It would be Government ownership. The Government would invest a portion of the Social Security trust funds in stocks and corporate bonds. Why? The President pretty much gave the same speech I am giving where he said there are three options: You can increase taxes, cut benefits, or invest; and the President chose investment.

The President, in his budget, chose investment. But the investment he chose was the Government ownership of that investment. We choose investment and say the individual should own the investment, and the individual should benefit from the investment; that the Government should not "benefit" from the investment.

There are a whole host of reasons the Government should not own corporations or stocks. We already regulate corporations. We tax corporations. Now we have gotten in the business of suing corporations. We should not also own them. That is the Government owning the means of production. For those of you who have not been in your political science class recently, the Government owning the means of production comes right out of the books of Karl Marx. We do not need the Government of the United States owning corporations.

By the way, I think most Americans believe very strongly about that, that Government ownership of stocks and bonds is not something that is particularly desirable, but the idea of investment is desirable.

The biggest criticism I hear from the Vice President, and the critics of Governor Bush's idea, is that this is a "risky scheme." Contrast that with what their proposal is. Their proposal has, I would agree, less risk and more certainty. I would agree with that. There is less risk and more certainty. The certainty, though, is not a particularly desirable one. The certainty is we will have to raise taxes or cut benefits.

So you can argue that the Gore plan is less risky, is much more certain. We will have to raise taxes or we will have to cut benefits, or do a little of both. So in that respect there is certainty. But it is not certainty that I think the American public is looking for.

He suggested the Bush plan is risky because it involves investment. I did not hear that criticism of the President's plan to invest in the equities market. He did not criticize his own President's plan when he suggested that money from Social Security should be invested in the equities market. I guess some believe it is not risky if the Government invests it, but it is risky if you do. I am not too sure that holds a lot of water. Either investment in the market is risky or it is not risky.

Sure, obviously, there are risks in investment in the market. But every other retirement system in America is financed through investment. The people who are doing basically pretty well

in America have 401(k) plans and IRAs and Keogh plans and other plans where they take money that they are earning. Here in the Federal Government, Federal employees have a thrift savings plan, all of which is invested in stocks and bonds. And we use the miracle of compound interest, over time, to be able to then afford to pay the benefits for those retirees once they hit retirement. Every person who is doing pretty well in America has one of those plans at their disposal. It is the folks who are not doing so well who don't get a piece of the American pie. What the Vice President is saying is: For you folks who have these plans, that is OK; we think that is a good idea.

In fact, you will find the Vice President and others who are opposing personal retirement accounts for Social Security are at the same time encouraging people to go out and develop 401(k)s and invest and save for retirement; that it is a good idea. "So if you have your own money and you make enough money, we encourage you to invest it. But if you are low income and you can't put money aside, we don't want you to have a piece of this. We don't want you to have your own personal retirement account within Social Security. We are just going to reserve that for people who have enough money to do it on their own. We will allow you to participate in the growth of the American economy, in the increase in the markets and economy, in the dynamism of the American dream that is going on in our capital markets today. If you have money, you go ahead and participate, and we will encourage you. We will provide tax incentives for you to do that. But if you are lower income and you are making ends meet and all you have for your retirement is Social Security, sorry, we will not allow you. It is too risky for you to do this." How paternal; how discriminatory.

What we support is to give every working American a very small piece at first. Maybe in years to come it will be larger, but at first a very small piece of the American pie, 2 percent, 3 percent of every dollar they earn for low and middle-income people to be put in a personal retirement account for them to invest; so as America grows and prospers, they won't be sitting on the sideline watching the rich get richer while they do not prosper from the growth in America. That is cruel.

We have an opportunity to reach out to moderate and low-income individuals and allow them to participate in the American dream of ownership, of investment, of participating in the growth of America, not just their own growth with respect to their wages. I think it is a tremendous opportunity. It is the first and biggest chance to bridge what I see as one of the biggest problems facing America today, which is the growing gap between the rich and the poor in this country.

I will never forget back in 1992, then-candidate Clinton would talk about the

decade of greed of the 1980s, how the rich got richer and the poor didn't get it. "The 1980s, under Reagan, was the decade of greed." We don't hear President Clinton talking about that now. Does anybody ever wonder why he doesn't talk about that anymore? The reason he doesn't talk about it anymore is because during the 1990s, the rich got far richer than they did in the 1980s, and the poor didn't do that much better than they did in the 1980s. In fact, the gap between the rich and the poor widened more in the 1990s than it did in the 1980s. If the 1980s was the decade of greed, the 1990s, under the Clinton-Gore administration, was the decade of supergreed.

Why did that happen? It is pretty obvious why it happened. It happened because those who were wealthy, who owned and invested as the markets went up, as the value of assets went up, their income went up. Their wealth went up. If you are a worker who doesn't have wealth, doesn't have savings, doesn't have investment, then your wealth only goes up by the wage increase you get, which is 3 or 4 percent. So while the NASDAQ goes up or the Dow Jones goes up 10, 15, 20 percent or higher, your wages go up here at the bottom 2 or 3 percent, the gap grows.

One-third of all income in this country comes from investment. Yet the average person in America, someone right in the middle, has a total savings of \$1,385. Half of America or more is left behind.

What we want to do with personal retirement accounts for Social Security is say to those Americans: Welcome to the American economy; participate in the American dream of growth and ownership of investment. With that, we will not only fix Social Security, but we will begin to do something that is fundamental, which is to bridge the wealth gap in America.

I thank the Chair and yield the floor.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Mr. President, will the Chair advise the Senate with regard to the standing order?

The PRESIDING OFFICER. There are 4 minutes remaining in morning business.

SECURITY BREACH AT LOS ALAMOS

Mr. WARNER. Mr. President, America awakened in the last 24 hours to another very distressing disclosure of an alleged breach of security practices at the Los Alamos Laboratory, again relating to what is the greatest threat every hour, every minute of the day to this Nation; that is, from nuclear weapons. We are not here to prejudge any facts at the moment.

From the standing rules of the Senate, rule XXV, I read:

The Committee on the Armed Services has jurisdiction over national security aspects of nuclear energy.

Clearly, this problem falls within our domain. As chairman, in consultation

with the ranking member, we will move very swiftly. We will establish a hearing date as soon as we can to develop those facts that can be publicly disclosed and such facts as must remain classified. The Armed Services Committee has dealt with this issue for over a year. In the authorization last year, we had a hard fought debate on this floor about establishing a new entity within the Department of Energy. Indeed, we did it. It was signed into law, and it is ready to go.

Our committee also has jurisdiction over the nominees to head this new entity. I refer the Senate to item 1010 in Nominations, Gen. John H. Gordon, United States Air Force, to be Under Secretary for Nuclear Security, Department of Energy. That was May 24.

I am writing a letter to the majority leader today and, indeed, to the distinguished Democratic leader, asking that this nomination be brought up immediately. There are allegations that certain Senators think that the law that was passed last year has to be changed. That is a matter that can be brought up before the Senate at any time. But I do not think this Nation should sit 1 minute, 1 hour, 1 day longer on the nomination of this outstanding American, who has impeccable credentials, to take over this whole problem of security in the Department of Energy and is waiting to do so. Let us act on this nomination. I am certain the distinguished majority leader, in consultation with the Democratic leader, will move to see that this is done at the earliest opportunity. I hope it is done today.

I will advise the Senate later today with regard to the hearing of the Senate Armed Services Committee.

This is a matter of serious concern. At the hearing, we intend to call Secretary Richardson, General Habiger, who is the Chief of Security Operations, and Mr. Ed Curran, Chief of Counterintelligence. It may or may not be a counterintelligence matter. We don't want to prejudge the facts. But action is needed by this body, first on the nomination, and then to look into this situation. There is nothing that poses a greater threat to the United States of America, indeed, to our allies, than that from nuclear weapons.

It is ironic. This particular alleged security breach is basically in the same location of the previous incident involving Wen Ho Lee, as I understand it, probably the same floor, same corridor. We have testimony in the record, which I will add to the record, of the Secretary of Energy, who has appeared repeatedly before the committees of the Congress. This incident is clearly on Secretary Richardson's watch; let there be no mistake about that. He has repeatedly advised the Congress that he has put in place such regulations and other measures as to protect the United States, protect this Department from such alleged security breaches it faces this morning.

Mr. President, I am speaking after consultation, of course, with the ma-

jority leader's office and Senators DOMENICI and KYL, who have worked with me on this matter for some 18 months.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2001

The PRESIDING OFFICER. The Senate will now resume consideration of H.R. 4576, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (H.R. 4576) making appropriations for the Department of Defense for the fiscal year ending September 30, 2001, and for other purposes.

Pending:

Boxer/Reid amendment No. 3308, to prohibit the use of funds for the preventative application of dangerous pesticides in areas owned or managed by the Department of Defense that may be used by children.

The PRESIDING OFFICER. The Senator from Nevada.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. REID. Mr. President, it is my understanding that the unanimous consent agreement that we are now operating under in the Senate means that I am next in order to offer an amendment.

Is that true?

The PRESIDING OFFICER. The Senator is to offer an amendment at 10:40.

Mr. REID. Mr. President, the amendment which I will offer shortly deals with a very unique situation. We certainly control the building of computers in the United States. We are the great superpower. We are also the superpower of computer development. But in spite of that fact, about 60 percent of the computers manufactured in the United States are sold overseas. Only 40 percent of the computers manufactured in this great country are sold internally.

The problem is there is now a provision requiring a 180-day review period to sell a computer, meaning that we are slowly but surely losing our ability to control the computer market. Why is that?

I ask unanimous consent to have printed in the RECORD a letter to me from the Information Technology Industry Council which represents generally the technology industry.

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

INFORMATION TECHNOLOGY
INDUSTRY COUNCIL,
Washington, DC, June 13, 2000.

Hon. HARRY REID,
U.S. Senate, Washington, DC.

DEAR SENATOR REID: I am writing to let you know that ITI strongly supports legislative relief addressing the current 180-day waiting period whenever US computer export thresholds are updated. ITI is the leading association of U.S. providers of information technology products and services. ITI members had worldwide revenue of more than \$633 billion in 1999 and employ an estimated 1.3 million people in the United States.

We are grateful for your efforts to secure relief in the defense bills currently before the Senate and wanted you and your colleagues to know we anticipate that votes pertaining to computer exports will be included in our annual High Tech Voting Guide. As you know, the High Tech Voting Guide is used by ITI to measure Members of Congress' support for the information technology industry and policies that ensure the success of the digital economy.

ITI has endorsed your legislation (S. 1483) to shorten the Congressionally mandated waiting period to 30 days. While we strongly support our country's security objectives, there seems no rationale for treating business-level computers that are widely available on the world market as inherently more dangerous than items being removed from the nation's munitions list—an act that gives Congress just 30 calendar days to review.

Computer exports are critical to the continued success of the industry and America's leadership in information technology. Computers today are improved and innovated virtually every quarter. In our view, it does not make sense to have a six-month waiting period for products that are being innovated in three-month cycles. That rapid innovation is what provides America with her valuable advantage in technology, both in the marketplace and ultimately for national security purposes—an argument put forth recently in a Defense Science Board report on this very subject.

As a good-faith compromise, ITI and the Computer Coalition for Responsible Exports (CCRE) backed an amendment to the House-passed defense authorization bill that established a 60-day waiting period and guaranteed that the counting of those days would not be tolled when Congress adjourns sine die. The House passed that amendment last month by an overwhelming vote of 415-8.

Further, as you know, the current provision in law was understandably aimed at protecting the highest performing computers from being exported to countries of particular foreign policy concern. Yet, just last year, a late threshold adjustment coupled with the six-month waiting period led to American companies Apple and IBM being effectively denied the ability to sell single-processor personal computers in some markets because technology has advanced so rapidly that yesterday's supercomputers had literally become today's personal computers.

We have been heartened in recent weeks by the bipartisan agreement that the waiting period must be shortened. The Administration has recommended a 30-day waiting period. The House, as mentioned above, endorsed a 60-day waiting period. And Gov. George W. Bush has publicly endorsed a 60-day waiting period as well in recognition that commodity computers widely available from our foreign competitors cannot be effectively controlled.

We thank you for your strong and vocal leadership in this matter and look forward to working with you and other Senators to achieve a strong, bipartisan consensus on

this and other issues critical to continuing America's technological pre-eminence.

Best regards,

RHETT B. DAWSON,
President.

Mr. REID. Mr. President, they set forth the problem in this letter. Among other things, this letter says:

...the current provision in law would understandably be aimed at protecting the highest performing computers from being exported to countries of particular foreign policy concern. Yet just last year, a late threshold adjustment coupled with the 6-month waiting period, led to American companies, Apple and IBM, being effectively denied the ability to sell single-processor personal computers in some markets because technology has advanced so rapidly that yesterday's supercomputers had literally become today's personal computers.

It wasn't many years ago that I went to the fifth floor of the Clark County Courthouse in Las Vegas. I took a tour of the fifth floor. On the entire fifth floor of this big building was a big computer that handled all of the processing for Clark County. The temperature had to be perfectly controlled. That floor is now gone. It is used for other things. That same processing of information can now be accomplished with a computer the size of a personal computer.

I was able, fortunately, to work with Congress and obtain a supercomputer for the University of Nevada at Las Vegas. We had a big celebration. At that time, the computer was very large. It was probably the size of two of these Senate desks. That supercomputer is now 10 years old. A supercomputer today is not a big piece of equipment.

We are living in the Dark Ages. We have to change the law.

In an effort to compromise, the House established a 60-day waiting period. It passed by a vote of 415-8.

We worked very hard to get a bill in the Senate. We have been stymied, quite frankly.

There has been a bipartisan effort by Senator GRAMM of Texas, Senator ENZI, Senator JOHNSON, and I. We worked very hard last year.

The amendment that I am going to offer today is cosponsored by Senator BENNETT of Utah, a Republican. This is not a partisan issue. It shouldn't be. But it is being held up for reasons that are so antiquated. The cold war is over. There is no need to have this legislation stymied. We are hurting the American manufacturing base.

We are going to get letters from the Chamber of Commerce. Literally all business in America wants this to pass. But in the Senate, two or three people are holding this up and preventing it from moving forward.

As I indicated, this amendment has the broad support from the high-tech industry.

I would bet, if we get a chance to vote on this, that 90 Senators will vote for it.

This amendment will shorten the congressional review period for high-performance computers from 180 days to 30 days.

On the Appropriations Committee alone, just to pick out one committee, Senators BENNETT, MURRAY, and GORTON are cosponsors of this legislation introduced in the Senate, and there will probably be more today.

We are operating, as I have said, under cold-war-era regulations. If we want to remain the world leader in computers and the high-tech arena, we must make this change immediately.

As I have indicated, I worked for the past year to try to get an amendment up so we could do this. We started debate on one measure. It was pulled from the floor. The congressional review period is six times longer than the review period for munitions.

If there is a company that wants to sell rockets, tanks, warships, or high-performance aircraft under the foreign military sales program, it requires a 30-day review period. But if you want to sell a laptop computer such as the one I have in my office, you have to wait 6 months. In that period of time, American industry could not meet the demand. We are falling behind. Manufacturing is already beginning in other places. We don't have a lock on how to manufacture computers. We are ahead of the world right now.

I repeat that 60 percent of the computers we manufacture in the United States are sold outside the United States. The review period for computers is six times longer than for selling to another country a battleship, a high-performance aircraft, or a rocket.

In February, the President, at the urging of Members of Congress, proposed changes to the controls on high-performance computers, the so-called MTOPS, but because of the 180-day review period, the changes have yet to be implemented. The U.S. companies are losing foreign market share to many different entities. This is a bipartisan effort, and we should pass it. We are stifling U.S. companies' growth.

Last week, I had a meeting in my office with a number of CEOs of big companies—IBM, Compaq, and others. This is their No. 1 agenda item. It is the base of their business. They make computers, and they want to be able to sell them. A strong economy and a strong U.S. military depend on our leadership. U.S. companies have to be given the opportunity to compete worldwide in order to continue to lead the world in technological advances. Our export regulations are the most stringent in the world, giving foreign competitors a head start, to say the least.

U.S. industry faces stiff competition as foreign governments allow greater export flexibility, placing America at a greater disadvantage. Many of the manufacturers have no export controls. The current export control system interferes with legitimate U.S. exports because it doesn't keep pace with technology. The MTOPS level of microprocessors increased fivefold from 1998 to 1999. This is the speed of computers for my base description.

From 1998 to 1999, there has been a fivefold increase. Today's level will

more than double in 6 months because they are introducing something called the Intel Itanium chip. In a period of 2 years, there is going to be a tenfold increase in the ability of these microprocessors. New export controls will not take effect until the completion of the required 6-month waiting period. By then, the thresholds will be obsolete and American companies will have lost considerable market share again to foreign markets. The current export control system doesn't protect U.S. national security.

The ability of American defense systems to maintain technological advantages relies increasingly on the U.S. computer industry's ability to be on the cutting edge of technology. We need to move forward with this legislation. Protection of capabilities and technologies readily available in the world market is, at best, unhelpful for maintenance of military dominance and, at worst, counterproductive, according to the final report of the Defense Science Board Task Force on Globalization Security that came out in December of last year.

It doesn't make sense to impose a 180 waiting-day period for products with a 3-month innovation period that are available for foreign countries. We have to keep changing.

Right now, American companies are forbidden from selling computers in tier III countries, while foreign competitors are free to do so.

The removal of items from export controls imposed by the munitions list, such as tanks, rockets, warships, and high-performance aircraft, requires a 30-day waiting period. We need to put our priorities in order; 180 days is too long. It is way too long.

The new Intel microprocessor will be available very soon, with companies all over America already signed on to use this microprocessor. Foreign countries have signed on to using it, including Hitachi and Siemens. They will be so far ahead of us in sales to other countries that we will never catch up unless we change this law.

The most recent export controls announcements made by the administration on February 1 will therefore be out of date in less than 6 months.

Lastly, a review period, comparable to that applied to other export control and national security regimes, will still give Congress adequate time to review national security ramifications of change in the U.S. computer export control regime.

I urge my colleagues to support this amendment. There is no doubt in my mind that this amendment would pass overwhelmingly. I hope the managers of this bill will allow this amendment to go forward. It would be too bad if we were stymied, once again, from allowing something that has the overwhelming support of the American people, including the American business sector, whether they are in the computer industry or not. It has the total support of the computer industry. It

also has the support of Members of Congress, as I have indicated. It passed the House of Representatives overwhelmingly. The vote was 415-8. In the Senate, it will get 90 votes. It would be a shame that a point of order, some technicality, would prevent the Senate from going forward on this legislation. This is a Defense appropriations bill. There could be no finer vehicle to consider this amendment. I hope some technicality does not prevent me from having this voted upon.

AMENDMENT NO. 3292

(Purpose: To amend the National Defense Authorization Act for Fiscal Year 1998 with respect to export controls on high performance computers)

Mr. REID. I send the amendment to the desk on behalf of Senators REID and BENNETT.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Nevada [Mr. REID], for himself and Mr. BENNETT, proposes an amendment numbered 3292.

Mr. REID. I ask unanimous consent reading of the amendment be dispensed with.

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

The amendment is as follows:

At the appropriate place, insert the following new section:

SEC. ____ ADJUSTMENT OF COMPOSITE THEORETICAL PERFORMANCE.

Section 1211(d) of the National Defense Authorization Act for Fiscal Year 1998 (50 U.S.C. App. 2404 note) is amended—

(1) in the second sentence, by striking "180" and inserting "30"; and

(2) by adding at the end, the following new sentence: "The 30-day reporting requirement shall apply to any changes to the composite theoretical performance level for purposes of subsection (a) proposed by the President on or after January 1, 2000."

Mr. STEVENS. Mr. President, I am constrained to raise a point of order that this amendment contains legislative matter and therefore is in violation of rule XVI.

The PRESIDING OFFICER. In the opinion of the Chair, the amendment is legislation on appropriations and is in violation of rule XVI.

Mr. STEVENS. Therefore, the amendment is not in order; is that correct?

The PRESIDING OFFICER. That is correct.

Mr. STEVENS. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. STEVENS. For the information of the Members of the Senate, we have a list now of the amendments that have been reviewed by the Parliamentarian and have an indication of those

that violate rule XVI. It is our intention to raise rule XVI for those amendments that are in violation of rule XVI. We do have a list that the staff says we may modify so they are not in violation of rule XVI, which we would then be willing to accept, if the sponsors are willing to accept the modification.

There are other amendments that have been offered that are not in violation of rule XVI that we intend to oppose. For those, I urge Senators to have their staffs discuss these amendments with the staff of Senator INOUE and myself. It is my understanding we are in agreement on the position on these amendments that we find unacceptable, even though they are not in violation of rule XVI.

I do think we can proceed in a very rapid fashion to determine how many votes we will have today if Members will state whether or not they are going to accept our modification. If they accept the modification, we will put them in a managers' package that we will offer around 11:30 as being acceptable under the unanimous consent request we obtained yesterday, to give the managers the right to modify amendments to make them acceptable under rule XVI.

It is my understanding the Senator from California is now going to offer an amendment. Could I inquire of the Senator if she intends to ask for a vote on this amendment?

Mrs. BOXER. Yes, I do.

Mr. STEVENS. We are prepared to accept the amendment of the Senator. Does she still want a vote?

Mrs. BOXER. On the medical privacy?

Mr. STEVENS. Yes.

Mrs. BOXER. I need to think about it for a couple of minutes.

Mr. REID. If the Senator from Alaska will yield?

Mr. STEVENS. I am happy to yield.

Mr. REID. We now have 61 amendments not subjected to rule XVI, 25 Democrat, 36 Republican amendments. We want to make sure the majority understands we will do everything we can to cooperate with the majority. We would like to move this bill along as quickly as possible and get back to the Defense authorization bill at an early time. But I suggest, as I have indicated, there are more Republican amendments than Democratic amendments. We are going to do what we can to work on this side. I have spoken to Senator INOUE and he has indicated the two managers would accept a number of these amendments. Throughout the day we will work on these to see what we can do to move this bill along. I hope the same will happen on the Senator's side if we are to complete this legislation.

Mr. STEVENS. I say to my distinguished friend, the Democrat whip, we have reviewed these and there are a series on both sides. It is true there are more on our side than on the Democratic side that we intend to oppose, but the majority of the ones we would oppose are subject to rule XVI.

Mr. REID. None of the 36 are subject to rule XVI, I say to the manager of the bill. Regarding the 36 Republican amendments, the Parliamentarian has preliminarily indicated they are not subject to rule XVI. We, through the efforts of the staffs, working with the Parliamentarian, believe there are some 35 or so amendments that are knocked out because of rule XVI. But we do have 61 remaining, 36 Republican and 25 Democrat.

Mr. STEVENS. Mr. President, I regret to say I have a 5-page list and I didn't have 2 pages in front of me. The Senator is right. We are working on those now, to notify Members on our side that we will oppose the amendments as listed on the basis we do not feel we can accept them because of the provisions of the existing bill and because of the availability of funds.

We will proceed to do just as the Senator has indicated. If Members, however, will accept our modifications—the Senator is aware of the modifications list? We again repeat, if they accept our modifications, although we oppose the amendments in the present form, we will include them in the managers' package. We hope to get a reply back from Members. Of course, Members have the right to offer their amendments and request a vote of the Senate. We are indicating, regarding those that we have not put on the acceptable list, we will oppose those amendments.

Mr. REID. We will also try to work with the manager of the bill to make sure we have people available to offer these amendments so there is not a lot of time in quorum calls.

Mr. STEVENS. I yield the floor.

AMENDMENT NO. 3363

(Purpose: To protect the privacy of an individual's medical records)

The PRESIDING OFFICER. Under the previous order, the Senator from California, Mrs. BOXER, is recognized to call up an amendment.

Mrs. BOXER. Mr. President, I call amendment No. 3363.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from California [Mrs. BOXER] proposes an amendment numbered 3363.

At the appropriate place, insert the following:

SEC. . PRIVACY OF INDIVIDUAL MEDICAL RECORDS.

None of the funds provided in this Act shall be used to transfer, release, disclose, or otherwise make available to any individual or entity outside the Department of Defense for any non-national security or non-law enforcement purposes an individual's medical records without the consent of the individual.

Mrs. BOXER. Mr. President, I believe anyone who listens to us will agree this issue of privacy of medical records is really moving to the forefront of American public discourse. I think we all believe certain things should be private. Certainly our medical records should be private unless we are very willing to

discuss them or have them discussed. I am very pleased Senator STEVENS and Senator INOUE support this amendment, and having received assurances they will work for it in the conference, I am not going to ask for a recorded vote. But I think it is a breakthrough that the managers have accepted this amendment.

I wish to make a point here about privacy of medical records. The Department of Defense is no better or no worse than any other Federal agency because all the Federal agencies have been going by the rules that were set forth in 1974. I do not know how old you were in 1974, Mr. President, but it was a long time ago. That is when we wrote the rules surrounding privacy, the Privacy Act of 1974, that really govern all the rules of privacy surrounding Federal employees, be they in the military or in the nonmilitary.

A cursory reading of the Privacy Act of 1974 will make your hair stand on end. It governs the privacy of medical records, but it says that no one can get your record unless you give prior written consent "unless"—and here is the part you have to hear:

Unless the records are disclosed within an agency to a person who needs it in the performance of the job.

So anyone can get your record if they decide they want to see it as they do a job performance. Then it says an agency can get your record without your approval if it is for a routine use specified in the Federal Register. They can get your record, and listen to this, give it to the Census Bureau with your name attached: BARBARA BOXER, this is her medical record. The Census Bureau needs your record so they can carry out a census survey. Maybe they want to find out which Federal employees had what disease. They can get those records for the census for statistical purposes, but they say the records would not be individually identifiable, so I suppose that is OK.

Listen to this. The National Archives can get your record without your permission if your record has a sufficient historical value. So I say to the Presiding Officer, maybe someone in the National Archives is interested in his dad, the great Senator who preceded him, because they feel his records have sufficient historical value. That is absurd; they could get them if the agency released them.

Then there is a big loophole:

* * * because of a compelling circumstance affecting the health or safety of an individual.

Imagine, someone decides there is a compelling circumstance to know any Senator's or any employee's or any clerk's disabilities, what medicines they are on. Oh, they can get it if there is a compelling circumstance. That is not defined. Congress can get your record. Congress has a right to get the record of every clerk sitting here, any person in any Federal agency, without their consent. Talk about Big Brother or Big Sister, as the case may be. They

have the right to find out anybody's record, their medical record. What a stunning revelation this is, to read the 1974 Privacy Act.

How about this one? The General Accounting Office, the GAO, doing a study—and we know we ask them to do many studies—can, in fact, get the record of any Federal employee with their name attached.

A consumer reporting agency can go ahead and get that information.

So here we have the Privacy Act of 1974. I have gone through it. Out of the 12 provisions, the exceptions, only 2 of them make sense. They have to do with criminality, but everything else makes no sense.

I am very pleased Senators STEVENS and INOUE understand this. I say to my friend from Alaska, under the Privacy Act that applies today, it is not just the military; it is all Federal agencies. I am just doing it here because this bill came out first. The DOD is absolutely no worse than any other agency. They are just following the Privacy Act of 1974. It is chilling to see how Congress can get an individual's medical record with their name attached or how the Census Bureau can get an individual's medical record with their name attached, without approval.

In our amendment we simply say that, in fact, an individual needs to give permission, unless it is for a national security or law enforcement purpose. Then we say: Fine, you give up your rights in that particular case.

Again, I am pleased; we are breaking fine new ground. We should apply what we are doing here to every agency. I will do that, by the way, on every appropriations bill I can because this is absolutely critical.

I am delighted we are going to have a voice vote on this. I would like to have it accepted. A voice vote will be fine. This is not a complicated issue. This is a question of people in the military having peace of mind, knowing their records are secure. I will go away very pleased on this one.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. STEVENS. Mr. President, the Senator from California is correct in regard to the defense operations. I do note the exemption, where necessary, in the interest of national security. There are situations in which a commander has to know the medical conditions of people whom they might dispatch. That exception makes it acceptable for the Department of Defense.

However, I do not think we are going to proceed with having a piece-by-piece amendment to the Privacy Act on the appropriations bills. This is very much acceptable on this bill. With the conditions that are being applied, it is a step in the right direction.

I urge the Senator from California not to consider a piece-by-piece amendment to the Privacy Act on these appropriations bills as they come through because this Senator is not going to

support that. It becomes legislation on an appropriations bill on other matters, I can say that.

With regard to military records, it is an entirely different circumstance. Military records are part of the Department of Defense operation, and this is a step in the right direction. I am happy to accept the amendment on that basis.

I know of no other agency that has access to the medical records of the individuals who are employed by the agency as this one does. The Department of Defense does, and I think the Department of Defense will welcome this guidance. I am pleased to accept it on that basis.

The PRESIDING OFFICER (Mr. ENZI). The question is on agreeing to amendment No. 3363.

The amendment (No. 3363) was agreed to.

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

Mrs. BOXER. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mrs. BOXER. Mr. President, I will not offer amendment No. 3309 which was a backup amendment in case I was unsuccessful. I will be offering this when it is appropriate, not when it is inappropriate. I am absolutely delighted. I make the point, this is the first time we protected medical records. I could not be more pleased. I thank the managers for their support.

Mr. STEVENS. Mr. President, we are awaiting additional amendments. Does the Senator from California intend to offer amendments Nos. 3310 or 3311?

Mrs. BOXER. Mr. President, I do plan to offer amendments Nos. 3310 and 3311, but I need a little more time to get all my ducks in a row on them. I will be back as soon as I can do that.

Mr. STEVENS. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

AMENDMENT NO. 3346

(Purpose: To provide for an additional payment from the surplus to reduce the public debt)

Mr. ALLARD. Mr. President, I have an amendment at the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Colorado [Mr. ALLARD], for himself, Mr. VOINOVICH, Mr. GRAMS, and Mr. ENZI, proposes an amendment numbered 3346.

The amendment is as follows:

At the appropriate place, insert the following:

DEPARTMENT OF THE TREASURY BUREAU OF THE PUBLIC DEBT GIFTS TO THE UNITED STATES FOR REDUCTION OF THE PUBLIC DEBT

For deposit of an additional amount into the account established under section 3113(b) of title 31, United States Code, to reduce the public debt, \$12,200,000,000.

Mr. ALLARD. Mr. President, I thank Senators VOINOVICH, GRAMS, and ENZI for agreeing to cosponsor this particular amendment.

As everybody in the Senate knows, I have been working for some time to put a plan before the Senate that would pay down the debt over a period of time. I have always been a strong proponent of paying down the debt. I believe Congress needs to live within its own spending restraints.

In 1961, Congress established within the Department of Treasury the Bureau of the Public Debt. It is an account for citizens to repay the public debt. Our amendment relates to the surplus from fiscal year 2000. The surplus projected by the Congressional Budget Office has been projected to be \$26.5 billion; that is over and above what was provided for when we passed the budget last year.

There was an emergency resolution that provided for some spending, so we have already spent part of the \$26.5 billion: \$14.3 billion went to reversing the payday delays and moving appropriation spending back into fiscal year 2000, which was a procedural issue early on in the year. It took \$7.2 billion to do that. We took \$5.5 billion for agriculture relief and \$1.6 billion for natural disaster relief, Kosovo, and assistance to the Government of Colombia for drug relief. That totals \$14.3 billion. That leaves \$12.2 billion that has not been obligated that is going to be surplus in this year's budget.

We have another estimate that will be coming in later on in the year. Very likely, there will even be additional dollars at some point in time over and above the \$12.2 billion on which the Senate can make a decision. Basically, what we are asking with this amendment is that the \$12.2 billion ought to go towards paying down the public debt. It is based on figures released by the Congressional Budget Office, and it is within the budget resolution that was passed earlier this year. It takes care of emergency spending needs.

I am asking Members of the Senate to support me in helping to pay down the debt. In recent years, we have had an unprecedented amount of surplus. The surplus has illustrated the importance of showing some fiscal restraint. Actually, the budget resolution we passed earlier, in both the House and Senate, is an agreement between the House and the Senate to stay within certain spending parameters. This falls within those guidelines. The only enforcement mechanism is our willingness to live by our own rules.

We are saying with this amendment that we ought to live by the agreement that was earlier arranged between the

House and the Senate, and passed. And if there is any spending, instead of increasing spending, we ought to be paying down the debt.

The emergency spending is not counted for under the budget caps or the 302(b) allocation. In my view, the spending privilege that we had in the past years has been abused. We have spent more and not worked hard enough to hold down and stay within the caps.

The increased spending may ultimately threaten the Social Security surplus. We have all talked about how important it is to save Social Security. I have been of the view that if you pay down the debt, you can free up resources so that we can work at Social Security reform in future years. Obviously, it is not going to happen this year.

In my view, we cannot, in good conscience, continue to spend when we have such huge obligations that are facing us in future years, particularly in Social Security trust funds. The Congressional Budget Office, again, has scored this as a no-cost transfer.

The amendment appropriates \$12.2 billion to an already existing account at the Bureau of Public Debt, which we set up in past years for taxpayers to pay into because this Congress thought it was important to the American taxpayers.

I am saying to the American taxpayer that you have shown a commitment to want to pay down the public debt. Members of the Senate and the House need to carry forward with their desire and their commitment and show an equal desire to pay down the public debt. This transfers money away from spending and locks it into debt owed to the public.

New estimates will be coming later on in the year and promise to offer similar opportunities for dedicating more of the fiscal year 2000 money to repay debt owed to the public.

I have an article that was written by Peter B. Sperry of the Heritage Foundation entitled "Making Sure Surplus Revenue Is Used To Reduce The National Debt." I ask unanimous consent that it be printed in the RECORD.

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

[From the Heritage Foundation
Backgrounder, June 13, 2000]

MAKING SURE SURPLUS REVENUE IS USED TO REDUCE THE NATIONAL DEBT

(By Peter B. Sperry)

Although most Americans assume that a federal budget surplus in any year is automatically used to reduce the national debt, or at least the debt held by the public, this actually is not the case. The U.S. Department of the Treasury must implement specific financial accounting procedures if it is to use a cash surplus to pay down the debt held by the public. If these procedures are not followed, or if they proceed slowly, then the surplus revenue just builds up in the Treasury's operating cash accounts.

This excess cash could be used in the future to further reduce the debt, but only if it

is protected from other uses in the meantime. Until the excess cash is formally committed to debt repayment, Congress could appropriate it for other purposes. Consequently, the current surplus will not automatically reduce the publicly held national debt of \$3.54 trillion unless Congress acts now to make sure these funds are automatically used for debt reduction and for no other purpose.

There is a parallel to this in household finance. When a family with a large mortgage, credit card debt, and several student loans receives an unexpected financial windfall, it usually deposits the funds in a checking account and takes a little time to consider how best to allocate the revenue—whether to refinance the mortgage, pay off credit cards, or establish a rainy day fund. Meanwhile, the family's debt remains, and will not be reduced until the family formally transfers funds to one or more of its creditors. If the family does not take some action in the interim to wall off the cash, it often ends up frittering away the money on new purchases, and the debt remains.

The federal government faces a similar situation. Surplus revenues are accumulating in the Treasury Department's operating cash accounts faster than the Bureau of the Public Debt can efficiently dedicate them to reducing the public debt. Consequently, surplus balances in these accounts have reached historic levels, and they are likely to accumulate even faster as the size of the surplus grows. Unless Congress takes formal action to protect these funds, they are available to be used or misused at any time in the appropriations process. Fortunately, the House soon will consider a bill (H.R. 4601) that would protect the budget surplus from being raided by appropriations until prudent decisions can be made about its use.

WHY DEBT REDUCTION NEEDS A BOOST

Thanks to unexpected budget surpluses, the U.S. Department of the Treasury issued less new debt than it redeemed each year. It conducted several "reverse" auctions to buy back old high-interest debt. And it successfully reduced the amount of federal debt held by the public in less than three years by \$230 billion, from \$3.77 trillion in October 1997 to \$3.54 trillion in April 2000. *Chart 1* clearly shows that its efforts have been successful and impressive.

[Charts not reproducible in the RECORD.]

Despite this effort, the Treasury still is awash in cash. Examining the Treasury Department's monthly reports over this same period (see Appendix) reveals that, after accounting for normal seasonal fluctuations, the closing balances of its operating cash accounts have grown dramatically and, more important, the rate at which cash is accumulating in them has accelerated. The linear trend line in *Chart 2* shows both the growth in the closing balances in the cash accounts and the projected growth under current conditions. Essentially, if no provisions are made to protect these balances, in August 2002—two months before the midterm elections—appropriators would have access to almost \$60 billion in non-obligated cash.

Unfortunately, even this projection may be too conservative. Examination of month-to-month changes in the closing balances indicates that the rate of cash accumulation has started to accelerate, which will cause the closing balances to grow even faster. The trend line in *chart 3* shows that the amount of positive monthly change in closing cash balances has, after accounting for normal fluctuation, increased since October 1997, and cash balances could start to increase by an average of \$20 billion per month within two years.

The Treasury Department faces extraordinary cash management challenges as it at-

tempts to repay the debt held by the public steadily and without destabilizing financial markets that depend on federal debt instruments as a standard of measurement. By protecting accumulated cash balances from misuse, Congress could provide the Treasury Department with the flexibility it needs to do its job more effectively.

TREASURY'S LIMITED DEBT MANAGEMENT TOOLS

The Treasury relies on three basic debt management tools to reduce the debt held by the public in a controlled manner.

Issuing less debt

As old debt matures and is redeemed, the Treasury Department issues a slightly smaller amount of new debt in return, thereby reducing the total debt held by the public. This is the federal government's most cost-effective and preferred method of debt reduction. However, it is not a simple process to determine how much new debt should be issued. If the Treasury Department returns too much debt to the financial market, it misses an opportunity to retire additional debt. If it returns too little to the markets, the cost of federal debt instruments will rise, driving down their yields and disrupting many private-sector retirement plans.

Reverse auctions

The Treasury Department periodically conducts reverse auctions in which it announces that it will buy a predetermined amount of specific types of debt instruments from whoever will sell them for the best price. This method quickly reduces debt held by the public, but it can be expensive. Investors holding a T-bill that will be worth \$1,000 in 20 years may be willing to sell it for \$995 if they need the money now and believe that is the best price they can get. However, if they know the Treasury Department has made a commitment to buy a large number of T-bills in a short period of time, investors may hold out for \$997—a premium of \$2 million on every \$1 billion of debt the Treasury Department retires.

Purchasing debt instruments

The Treasury Department can use private-sector brokers to purchase federal debt instruments on the open market without having it revealed that the client is the federal government. This method is slow, but it allows the Treasury Department to take advantage of unpredictable fluctuations in financial markets to buy back federal debt instruments for the best possible price. This method must be used carefully and discreetly to avoid having investors, upon realizing that the true buyer is the federal government, hold out for higher prices.¹

WHY TIMING AND FLEXIBILITY ARE IMPORTANT

The Treasury Department needs time and flexibility to use debt management tools effectively. It often will need to allow large balances to accumulate in the operating cash accounts while it waits for the opportunity to buy back federal debt instruments at the best possible price. If these balances are unprotected, they may prove irresistible temptations for appropriators with special-interest constituencies.

A prudent Secretary of the Treasury would not risk disrupting financial markets by recklessly reducing the amount of new debt issued each year, but might increase the number and size of reverse auctions to ensure that surplus revenues are used for debt reduction rather than remain available to congressional appropriators. The taxpayers would, at best, pay more than necessary to retire the federal debt, and they might find that appropriators have spent the surplus before it could be used to pay down debt.

MAKING DEBT REDUCTION AUTOMATIC

Fortunately, Congress has the opportunity to ensure that the Treasury's large cash bal-

ances are not misused in the appropriations process. The U.S. House of Representatives will soon consider H.R. 4601, the Debt Reduction Reconciliation Act of 2000, recently approved by the House Ways and Means Committee. This legislation, sponsored by Representative Ernest Fletcher (R-KY), is designed to give the Treasury Department the time and flexibility it needs to use debt management tools most effectively. It would protect the on-budget surplus revenues collected during the remainder of fiscal year (FY) 2000 and appropriate them for debt reduction by depositing them in a designated "off budget" Public Debt Reduction Account.

Although the surplus revenues could still cause an increase in cash balances, the cash would be dedicated in the Debt Reduction Account rather than in the Treasury Department's operating cash account. Appropriators would be able to reallocate these funds only by first rescinding the appropriation for debt reduction in legislation that would have to pass both houses of Congress and gain presidential approval. Once surplus revenues are deposited in the Debt Reduction Account, appropriators would have very limited ability to increase spending without creating an on-budget deficit, which many taxpayers would perceive as a raid on the Social Security trust fund.

H.R. 4601 would effectively protect the surplus revenues that are collected during the remainder of FY 2000; moreover, it serves as model for how Congress should allocate unexpected windfalls in the future. It does not preclude tax reform because it is limited to the current fiscal year and therefore affects only revenues that have already been collected or that will be collected before any tax reform legislation takes effect. Nevertheless, once the Debt Reduction Account is established, Congress could continue to appropriate funds to the account at any time. Consequently, Congress would retain the option to reduce revenues through tax reform and still have a mechanism to prevent unexpected surplus revenues, once collected, from being used for any purpose other than the debt reduction.

H.R. 4601 would give the Treasury flexibility to use its debt reduction tools in the most effective manner. Surplus revenues deposited in the Debt Reduction Account would remain available until expended, but only for debt reduction. The department would be able to schedule reverse auctions at the most advantageous times, make funds available to brokers buying back debt on the open markets, or decrease the size of new debt issues—depending on which mechanism, or combination of tools, proves most cost effective.

HOW TO IMPROVE H.R. 4601

Although H.R. 4601 demonstrates a real commitment of members of the House to fiscal discipline, the legislation could be improved. Congress should consider requiring the Secretary of the Treasury also to deposit all revenue received from the sale of Special Issue Treasury Bills (which are sold only to the Social Security Administration) in the Debt Reduction Account. This would preclude the possibility of any future raids on the Social Security trust fund.

Congress should also consider adding language to H.R. 4601 to automatically appropriate future real (rather than projected) surplus revenues to the Debt Reduction Account. This would allow Congress the flexibility to implement tax reforms while also guaranteeing that surplus revenues, once collected, could be used only for debt reduction.

CONCLUSION

Many Americans assume that if surplus revenues are not used for spending or tax

cuts, they automatically reduce the national debt. Indeed, this has become an unstated premise in discussions of fiscal policy, whether in the press, academia, or Congress. Unfortunately, the premise is incorrect.

To make the premise true, the Treasury Department should be able to make specific provisions for retiring debt. If it is not given the power and obligation to do so, the surplus revenues accumulating in its operating cash accounts will be subject to misuse by appropriators. Congress has an opportunity and obligation to give the Treasury Department the time and flexibility it needs to utilize its debt management tools effectively when it considers H.R. 4601. This bill offers an effective first step toward the goal of

making sure that budget surpluses do not disappear in new spending programs.

WHAT IS THE NATIONAL DEBT?

The national debt consists of Treasury notes, T-bills, and savings bonds that were sold to raise cash to pay the ongoing operational expenses of the federal government. National debt held by the public consists of debt instruments sold to anyone other than a federal trust fund, such as the Social Security trust fund. Most federal debt held by the public is owned by state and local governments, pension plans, mutual funds, and individual retirement portfolios.

Most investors consider federal debt instruments to be cash equivalents that pay

interest, and they are strongly motivated to hold them until maturity—up to 30 years in the case of T-bills. Many institutional investors, particularly pension funds, are required to maintain a certain portion of their portfolio in cash equivalents, and they depend on the federal government to issue new debt when their old investments mature and are redeemed. In addition, many lenders, particularly mortgage companies, use the market price of federal debt instruments as a measurement device to determine appropriate rates of return on alternative investments. These lenders rely on the federal government to maintain enough federal debt in circulation to make this measurement valid.

APPENDIX

U.S. TREASURY OPERATING CASH AND TOTAL PUBLIC DEBT: OCTOBER 1997—APRIL 2000

[In millions of dollars]

Date	Treasury operating cash: opening balance	Treasury operating cash: closing balance	Change	Total borrowing from the public: opening balance	Total borrowing from the public: closing balance	Change
1997:						
October	43,621	20,261	-23,360	3,771,141	3,777,456	6,315
November	20,261	19,778	-483	3,777,456	3,806,564	29,108
December	19,978	31,885	12,107	3,806,564	3,804,792	-1,772
1998:						
January	31,885	40,307	8,422	3,804,792	3,779,985	-24,807
February	40,307	16,280	-24,027	3,779,985	3,810,549	30,564
March	16,280	27,632	11,352	3,810,549	3,830,686	20,137
April	27,632	88,030	60,398	3,830,686	3,770,099	-60,587
May	88,030	36,131	-51,899	3,770,099	3,761,503	-8,596
June	36,131	72,275	36,144	3,761,503	3,748,885	-12,618
July	72,275	36,065	-36,210	3,748,885	3,732,515	-16,370
August	36,065	36,427	362	3,732,515	3,766,504	33,989
September	36,427	37,878	1,451	3,766,504	3,720,092	-46,412
October	38,878	36,217	-2,661	3,720,092	3,735,422	15,330
November	36,217	15,882	-20,335	3,735,422	3,757,558	22,136
December	15,882	17,503	1,621	3,757,558	3,752,168	-5,390
1999:						
January	17,503	57,070	39,567	3,752,168	3,720,919	-31,249
February	57,070	4,638	-52,432	3,720,919	3,722,607	1,688
March	4,638	21,626	16,988	3,722,611	3,759,624	37,013
April	21,626	58,138	36,512	3,759,624	3,674,416	-85,208
May	58,138	25,643	-32,495	3,674,416	3,673,865	-551
June	25,643	53,102	27,459	3,673,865	3,651,619	-22,246
July	53,102	39,549	-13,553	3,651,619	3,652,812	1,193
August	39,549	36,389	-3,160	3,652,812	3,679,282	26,470
September	36,389	56,458	20,069	3,681,008	3,633,290	-47,718
October	56,458	47,567	-8,891	3,632,958	3,638,712	5,754
November	47,567	6,079	-41,488	3,639,079	3,645,212	6,133
December	6,079	83,327	77,248	3,645,212	3,680,961	35,749
2000:						
January	83,327	62,735	-20,592	3,680,961	3,596,976	-83,985
February	62,735	21,962	-40,773	3,596,976	3,613,071	17,131
March	21,962	44,770	22,808	3,653,701	3,653,447	-254
April	44,770	92,557	47,787	3,653,447	3,540,781	-112,666

Sources: U.S. Department of the Treasury.

ENDNOTE

1. There is no way to know whether this particular debt management tool is being used by the Treasury Department at the time. If such knowledge were available, it would demonstrate a lack of discretion that would make this tool ineffective.

Mr. ALLARD. Mr. President, I think Senator VOINOVICH is going to be on the floor shortly. I would like to be briefed on what our time restraints are. How much time do we have on the amendment?

The PRESIDING OFFICER. There is no time limitation. We have the usual unanimous consent agreement to recess at 12:30 for the policy luncheons.

Mr. ALLARD. Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio is recognized.

Mr. VOINOVICH. Mr. President, I am pleased to join my colleague, Senator ALLARD, in offering this amendment. It is an important amendment if we are ever going to make a dent in our tremendous national debt.

Like all of my colleagues, I am thrilled that the United States is in the midst of the greatest economic expansion in the history of our nation. It

has provided opportunity and prosperity for millions of Americans.

However, even with all of our good fortune, we cannot ignore the tremendous debt that we owe, and we certainly cannot allow the booming economy to blind us to this reality.

For nearly a year and a half now, Mr. President—throughout my service in this body—I have made it my mission to remind my colleagues of the size of our national debt. Right now, the debt of the United States of America stands at \$5.7 trillion. Right now, it costs us more than \$224 billion a year to service that debt—which is more than \$600 million a day in interest costs alone.

Thirteen cents out of every Federal dollar goes to pay interest on the national debt, at a time when 16 cents goes for national defense, 18 cents goes for nondefense discretionary spending and 53 cents goes for entitlement spending. We currently spend more on

interest to the national debt than we spend on Medicare.

I agree with General Accounting Office (GAO) Comptroller General David Walker, who, in testimony before the House Ways and Means Committee last year, said:

This generation has a stewardship responsibility to future generations to reduce the debt burden they inherit, to provide a strong foundation for future economic growth, and to ensure that future commitments are both adequate and affordable. Prudence requires making the tough choices today while the economy is healthy and the workforce is relatively large—before we are hit by the baby boom's demographic tidal wave.

That is a wonderful quote.

We should also listen to other experts, such as CBO Director Dan Crippen, who, earlier this year, testified before the Senate Budget Committee that “most economists agree that saving the surpluses, paying down the debt held by the public, is probably

the best thing that we can do relative to the economy."

And then there is Federal Reserve Chairman Alan Greenspan, who has testified that "my first priority would be to allow as much of the surplus to flow through into a reduction in debt to the public. From an economic point of view, that would be, by far, the best means of employing it."

Logic dictates that the money we are spending for our debt interest payments could be better spent elsewhere, and in my view—as well as the experts' view—the sooner we can pay down that debt, the sooner we will be able to use tax dollars where they are most needed.

In other words, if we pay down the debt and get rid of the interest, we can use that money to reduce taxes or to address some of the priorities that we continue to talk about every day on the floor of the Senate.

That is why I believe our top fiscal priority should be reducing the national debt. It is the best thing we could do with our on-budget surplus. And as I have said a number of times on the Senate floor, if families and businesses use their surplus cash to pay off debts, then our Nation should do the same thing.

If I have big credit card debt, or if I am in business and I owe debt, and I have an opportunity to pay off that debt, most families and most businesses would do so.

It is also interesting to note that if you look at the companies today on the New York stock exchange, the ones whose values have held up are those companies that do not have a substantial amount of debt. I think we know that if families in America were in the same position we are in, they would pay off that debt and get rid of that interest cost.

The amendment that Senator ALLARD and I propose would take the first step in putting us on a course of fiscal responsibility.

According to the latest estimates put forth by the Congressional Budget Office (CBO), the United States is projected to achieve an on-budget surplus of \$26 billion in fiscal year 2000.

We are talking about fiscal year 2000 money. For my colleagues who want to cut taxes, we are talking about the on-budget surplus for the year 2000. We can't use it to reduce taxes. The only thing we can do with it is to spend it or use it to pay down the debt. There is no other alternative. We have already set aside \$14 billion in the budget resolution to pay for military operations in Kosovo, natural disaster relief in the U.S., Colombian drug eradication assistance, and other supplemental spending.

Under the Allard-Voinovich amendment, the remaining \$12 billion on-budget surplus would be applied towards debt reduction, not more spending. In addition, when the CBO releases its re-estimates of the FY 2000 on-budget surplus in July, Senator ALLARD and

I intend to offer another amendment that will allocate any additional on-budget surpluses to debt reduction.

I remind my colleagues that this money can't be used to reduce taxes. It can only be spent. We want to get it off the table before it is spent.

Of the \$26 billion on-budget surplus that we have today, \$22 billion of that is overpayment into Part A of Medicare. This extra money we have is Medicare money that has been paid into Part A.

The concern that I have is if we don't pay down the national debt with whatever on-budget surplus we achieve, Washington will spend the money. Ever since the CBO first projected we would have a budget surplus back in 1998, Congress and the administration have looked for every possible way to spend the money.

I remind my colleagues, if you include the supplemental appropriations, fiscal year 2000 discretionary spending will increase by \$37 billion, a 6.4 percent increase over fiscal year 1999. When compared to the Consumer Price Index, that is nearly three times the rate of inflation. This is tremendous growth in Government spending. We have to stop it. We have to put a lid on our spending.

Our amendment strikes a fair balance that allows us to use a portion of the on-budget surplus for debt reduction instead of just spending the entire on-budget surplus for the sake of spending. We have to show discipline and use our on-budget surplus to pay down our debts.

I am proud we have worked in the last couple of years in the Senate to rein in spending. I believe we must use whatever on-budget surplus that we have to pay down the debt. When we reduce the national debt, we send a positive signal to Wall Street and Main Street. Lowering the debt encourages more savings and investment, the kind that fuels productivity and continued economic growth. It also lowers interest rates, which is a real tax reduction. In addition, it ensures we won't return to deficit spending.

If we can't at this time with the economy booming do something about reducing the national debt, we will have missed a golden opportunity. We will have said to the young people of this country: We don't care about your future; we are going to let you pay for those things that we weren't willing to pay for or do without during the last number of years.

Mr. ALLARD. Will the Senator yield?
Mr. VOINOVICH. I yield.

Mr. ALLARD. I compliment the Senator from Ohio for his hard work on this particular issue. It is a pleasure to work with the Senator on looking at fair alternatives to pay down the debt. This is important to future Americans.

People ask, how will it affect me personally? If you buy a new car, the Government is not competing with you for that money; or if you go to pay for college education, the Government is not

competing with you for that money; if you buy a home, the Government is not competing with you for that money. It tends to hold down interest rates. That means it costs less. It costs less to get a college education, costs less to pay for your home, and it costs less to buy a new car.

It is important not only to the security of this country, but to Americans individually.

I thank Senator VOINOVICH from Ohio for his steadfastness in fighting this issue. It has been a pleasure to work with him and the other cosponsors on this amendment.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. STEVENS. Mr. President, this bill becomes effective on October 1 of this year. I am pleased to accept the amendment. It will affect the budget surplus that is in effect at that time.

We accept the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 3346) was agreed to.

Mr. STEVENS. I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

Mr. STEVENS. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

AMENDMENT NO. 3304, AS MODIFIED

(Purpose: To set aside \$43,000,000 for research, development, test and evaluation for the extended range conventional air-launched cruise missile program of the Air Force)

Mr. ASHCROFT. Mr. President, I call amendment No. 3304 and send a modification to the desk that I believe has been cleared by both sides, and I ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Missouri [Mr. ASHCROFT], for himself and Mr. BOND, Mr. CONRAD, Mr. BREAU, and Ms. LANDRIEU, proposes an amendment numbered 3304, as modified.

Mr. ASHCROFT. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

On page 109 of the substitute, between lines 11 and 12, insert the following:

SEC. 8126. Of the total amount appropriated by this Act for the Air Force for research, development, test and evaluation, up to \$43,000,000 may be made available for the extended range conventional air-launched cruise missile program of the Air Force.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. STEVENS. Mr. President, this is one of the amendments we have indicated, under the authority we received yesterday, Senator INOUE and I have modified, and, as modified, we are prepared to agree with the Senator and ask for him to proceed on that basis.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. ASHCROFT. Mr. President, I thank the chairman for his continuing support for this amendment and his continuing support for our national defense. I also thank my cosponsors, Senators BOND, CONRAD, LANDRIEU, and BREAUX.

This amendment will provide an additional \$23 million, bringing the total to \$43 million, for the development of an extended-range cruise missile, which is the successor to what is known as the CALCM, the Conventional Air-Launched Cruise Missile.

The Defense authorization bill contains \$86.1 million for this project. This amendment increases the appropriation to half of the authorized amount. According to the Air Force and their officials, this new total, \$43 million, is needed to start this program.

This cruise missile will be launched from the B-52 bomber to accurately strike strategic targets deep inside enemy territory without significant risk to our pilots or our planes. It will provide the Air Force its only air-launched, long-range, all-weather, precision weapon with a range of over 600 miles. I believe this amendment has been approved by both sides, and I thank the chairman and ranking member for their support.

It is important we have this kind of capacity. We have found that our ability to have precision capacity for striking the enemy is very important to the maintenance of our own independence and the protection of our own fighting individuals in our Armed Forces. I am grateful for the cooperation in this respect, and I yield the floor.

Mr. CONRAD. Mr. President, I am pleased to rise today to offer with my colleague from Missouri, Senator ASHCROFT, an amendment which increases the appropriation for a new, more advanced cruise missile for the B-52 from \$20 million to \$43 million.

As my colleagues are aware, the B-52 is the sole carrier of the Conventional Air Launched Cruise Missile [CALCM], a conventional variant of the nuclear-capable Air Launched Cruise Missile [ALCM]. Our nation has relied on the CALCM in all recent conflicts and it has become the weapon of choice for theater commanders. The CALCM offers range, payload, and accuracy that are superior to any other conventional stand-off munition in service today, including the Navy's Tomahawk.

A year ago, as Operation Allied Force was underway, we had a tremendous problem. The United States had expended more than 200 CALCMs against Iraq and Yugoslavia and we had less than 100 remaining.

I asked the Pentagon what they were going to do about this situation and they recommended that we convert the remaining, ALCMs not needed by the United States Strategic Command for nuclear missions to CALCMs. I was pleased to work with the Air Force and the defense committees to secure funding to do just that. Today, the remaining unneeded 322 ALCMs are being converted to CALCMs.

However, conversion will only give us around 400 CALCMs, and to meet future threats our nation will require around 1,000 of these missiles. In May 1999 I was informed that there was no plan to make up the shortfall.

I went to Senators WARNER and LEVIN, the chairman and ranking member of the Armed Services Committee, and asked them to adopt my amendment requiring the administration to come up with a plan to replace the CALCM. That amendment passed on May 27, 1999, and I was pleased to have my friend from Missouri, Senator ASHCROFT, as an original cosponsor.

The result of the Air Force's study was inclusion in General Ryan's unfunded priority list of \$86.1 million in fiscal year 2001 and \$689.7 million throughout the future years defense plan for research and development and production of more than 600 extended range cruise missiles (ERCMs), also referred to as extended range CALCMs (CALCM-ERs). The ERCM will offer all of the advantages of the CALCM and dramatically extend its range, to beyond 1,000 miles.

I am pleased that both the Senate and House Defense authorization bills fully support General Ryan's request for \$86.1 million in Fy01. However, the Senate Defense appropriations bill provides only \$20 million and the House Defense appropriations bill includes no funding.

Consequently, I am very pleased that the chairman of the Appropriations Committee, Senator STEVENS, and the ranking member of the Defense Subcommittee, Senator INOUE, have agreed to support the amendment that Senator ASHCROFT and I have brought to the floor today. This amendment will increase the ERCM appropriation to \$43 million, enough for the Air Force to begin work on this important program during the coming fiscal year.

A quick start to ERCM program will ensure that the B-52 remains relevant and our nation retains the capability to strike vital targets with tremendous accuracy at long range in the coming years. I appreciate the cosponsorship of Senators BOND and BREAUX and look forward to continuing to work with Senator ASHCROFT, the Senate's defense committees, and the Air Force to make the ERCM a reality.

I thank the chairman and ranking member again for their support, and yield the floor.

THE PRESIDING OFFICER. If there be no further debate, the question is on agreeing to the amendment.

The amendment (No. 3304), as modified, was agreed to.

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

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

The motion to lay on the table was agreed to.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. INOUE. Mr. President, section 8118 of H.R. 4576, a bill making appropriations for the Department of Defense for the fiscal year ending September 30, 2001, and for other purposes, refers to the National Center for the Preservation of Democracy. What is the National Center for the Preservation of Democracy? What is the rationale and purpose of the National Center for the Preservation of Democracy?

I will do my best to respond to the above questions.

The history of America demonstrates the vision and intent of its Founding Fathers when framing the Constitution. As a living document the Constitution has proven over time its capacity to meet the changing needs of the United States, ensuring the protection of all of its people. The story of Americans of Japanese ancestry represents a complete lesson of democracy in action and exemplifies the American dream. From immigration in the late 1800s, to issues of citizenship in the early 1900s, to the incarceration of citizens and the heroics of Japanese-American soldiers during World War II, and to redress in the 1980s, the Japanese-American story is about the struggles and victories of individual freedoms in the United States. Through their experiences, Japanese-Americans have validated all that is possible and all that is right with our constitutional guarantees. The Japanese-American story celebrates the triumphs of American democracy.

The National Center for the Preservation of Democracy will be headquartered in the renovated and transformed Historic Building of the Japanese-American National Museum in Los Angeles, CA. The Historic Building is a National Historic Landmark as designated by the National Trust for Historic Preservation. This space will keep alive and teach about a remarkable time in U.S. history, a period of shame and sacrifice and insult that ended with a burst of glory demonstrating the majesty of our government to recognize its errors and make a public apology and some restitution.

The Japanese-American story illustrates the splendor of the United States and the magnificence of the Constitution. Since their initial immigration in the late nineteenth century, Japanese-Americans have believed

strongly in the American dream and have sought to make America their home. Although confronted by prejudice and discrimination, Japanese-Americans have utilized that very democratic process in the spirit intended by the Framers of the Constitution. The story of Japanese-Americans is about democracy in action.

Like other immigrants, Japanese journeyed to the United States seeking opportunity and dreams of a better life. From the moment they arrived in the late nineteenth century, however, they were confronted with social prejudice and discriminatory laws already in place. The Naturalization Act passed by Congress on March 26, 1790, which restricted naturalization to "free white men," was unavailable to persons of Japanese ancestry. Designated as "aliens ineligible for citizenship" (the only racialized group so defined until 1952), Japanese immigrants were rendered as perpetual aliens, a condition that prevented their full enjoyment of life, liberty and property. Nonetheless, the Issei—Japanese immigrants—courageously maintained their belief in America and moved forward to establish their new lives in the United States. More than that, through hard work and perseverance, Japanese enterprise prospered in the face of indifference.

Without citizenship, Japanese immigrants were subject to alien land laws, which prohibited ownership of land by "aliens ineligible for citizenship." Although denied full participation as Americans, Japanese immigrants consistently sought, through non-violent legal efforts, to undo the intent of discriminatory laws through public campaigns, litigation, and other peaceful strategies. Their hopes in becoming citizens were further hindered, however, when on November 13, 1922 the U.S. Supreme Court ruled on the *Ozawa* case, definitively prohibiting Japanese immigrants from become naturalized citizens on the basis of race. Moreover, the future of the Japanese in the United States was further restricted when President Calvin Coolidge signed the Immigration Law of 1924, which was based on race and omitted Japanese from the quota system.

When Japan bombed Pearl Harbor on December 7, 1941, America was stunned and angered. For Japanese Americans, who had been subject to discrimination because of their ancestry, the whole world turned dark. However, as the United States confronted the threat of fascism in Asia and Europe, American democracy itself was put to a challenge and, for Japanese Americans, it fell short. Because they "looked like the enemy" and were thought to be a military threat, 120,000 individuals of Japanese ancestry, two-thirds of whom were American born citizens, were excluded from the West Coast, forcibly removed, and incarcerated in concentration camps. These prison camps were at first operated by the Army, and then the War Relocation Authority. This

event has become the largest violation of constitutional rights in American history.

For Japanese-American males, the beginning of the war was especially humbling and painful as the Selective Service designated them as, IV-C, enemy aliens. Although they were loyal to the United States, these American born citizens were rendered ineligible to enlist in the armed services. Nonetheless, when the government announced the formation of the 442nd Regimental Combat Team, a segregated unit of Japanese-Americans, thousands of young Japanese-American men enthusiastically volunteered to serve. Stigmatized by the classification as enemy aliens, they were eager to prove their loyalty to the United States. Government officials were surprised by the overwhelming response. While family and friends were incarcerated behind barbed wire, the soldiers of the 100th Infantry Battalion and the 442nd Regimental Combat Team, as well as the Military Intelligence Service fought and died for the United States and for the preservation of democracy with no guarantee that their civil rights would be restored. There service demonstrates the ultimate in patriotism and love of country.

In 223 days of combat, the 100th Infantry Battalion and 442nd Regimental Combat Team became one of the most decorated units in United States military history. Among the many awards and decorations received by the men of the 100th Infantry Battalion and the 442nd Regimental Combat Team are 20 Congressional Medals of Honor, 354 Silver Star Medals, 33 Distinguished Service Crosses and over 3600 Purple Heart Medals. Their distinguished record includes the rescue of the "Lost Battalion" and participation in the assault that cracked the Gothic Line of Nazi strongholds. Affirming the unending truth that loyalty to one's nation is not modified by racial origin, these soldiers fought two wars, one for democracy overseas and the other for racial discrimination back home in the United States. As President Harry Truman said, "You fought not only the enemy but you fought prejudice—and you have won." Indeed, these brave and courageous young men believed that their sacrifices would make life better not only for Japanese-Americans but for all Americans. The privileges of democracy that Americans enjoy today are the result of the blood shed by these American heroes. The sacrifices of officers and men of the 442nd Regimental Combat Team, the 100th Infantry Battalion, the Military Intelligence Service, and others have helped to make America a more democratic nation, and their valiant service continues to be a source of pride for all Americans.

In response to their heroic achievements, President Harry Truman challenged "Keep up the fight and we will continue to win and to assure that this republic stands for what the Constitu-

tion says it stands for: the welfare of all of the people, all of the time." Many members of the 442nd Regimental Combat Team took President Truman's words to heart. Several soldiers went on to fight for democracy through their service as elected officials while others continued to serve in the armed forces. Eventually Japanese-Americans went on to fight in the Korean War and later the Vietnam War. Unlike Japanese-American soldiers during World War II who, after being designated as "enemy aliens," served to prove their loyalty, Japanese-American soldiers in the Korean war and the Vietnam war served in the Armed Forces as Americans, full-fledged citizens of the United States. Without the need to prove their status as Americans, the reason for these courageous men to serve was purely for the love of country.

Inevitably, the impact of the heroic service of Japanese-American soldiers during World War II went on to enhance the civil liberties of all Americans. In 1948, segregation in the armed services ended in large part from the efforts of the 442nd and in 1952 the Walter-McCarran Act made all races eligible for naturalization and eliminated race as a bar to immigration. Thus, Japanese immigrants, many of whom were parents of World War II veterans, were able to finally attain their citizenship as Americans.

One of the more magnificent examples of American democracy at its most powerful form is the passage of the Civil Liberties Act of 1988, signed into law by President Ronald Reagan, in which the United States recognized its grave and fundamental injustice of violating the civil liberties of its own citizens. Advanced by many Japanese-American war veterans, the law makes a formal apology and provides token restitution to former internees. No other country in the world can make the claim of acknowledging and apologizing for its mistakes—a point that further illustrates the grand majesty of the United States. More importantly, to demonstrate its commitment of assuring that similar events do not happen, the Civil Liberties Act of 1988 provided funds to educate all Americans about the lessons from the incarceration.

While \$50 million was authorized in the Civil Liberties Act of 1988 for educational purposes, the appropriations were significantly reduced because of the lack of funds available to pay the eligible individual claimants. The Civil Liberties Public Education Fund received only \$5 million to fulfill its congressional mandate to educate the public about the lessons learned from the incarceration. With limited funding, the education of the exclusion, forced removal, and incarceration of Japanese-Americans during World War II was dramatically compromised and the government's commitment to educating the public has yet to be effectively fulfilled. The National Center

for the Preservation of Democracy established in the Historic Building of the Japanese-American National Museum will achieve that objective.

Through their efforts since the late 19th century, Japanese-Americans have secured the civil rights of all Americans, contributing to the most basic tenets of America's foundational ideals and promises—of life, liberty, and property. Although clearly denied many of those freedoms at various times throughout history, Japanese-Americans consistently sought, through non-violent legal efforts, to secure Constitutional guarantees and the promise of the American dream. With that, they deepened and enriched the meaning of the American identity—the notion of who is an American—and the rights, privileges, and obligations that comprise the Republic's very core.

The National Center for the Preservation of Democracy will be assisted by the Japanese-American National Museum in the examination of the rights and freedoms of Americans in the United States through the Japanese-American experience. Because its mission is dedicated to the study, preservation, and interpretation of democratic issues, the National Museum maintains extensive expertise that will enable the National Center for the Preservation of Democracy to:

Develop and exhibit nationwide programs about the issues of democracy;

Have ready access to significant collections relating to these issues, especially the legacy of Japanese-American military service, including artifacts of the 442nd Regimental Combat Team and other military units;

Benefit from the relationships established and maintained by the National Museum, especially with federal institutions and related community organizations; and

Provide a dynamic visitor experience in a historic building.

The National Center for the Preservation of Democracy will be created as a dedicated space where visitors can learn about the enduring fragility and ultimate success of individual and constitutional rights. The headquarters will be established in a renovated and transformed historic building provided by the Japanese American National Museum.

Some of the historical highlights of the building, which was constructed in 1925, include:

Served as the first Buddhist temple in Southern California and as a center for social and religious life for the immigrant community;

Site where priests, who lived in the building, were arrested without due cause immediately following the bombing of Pearl Harbor;

Used as one of the sites where the Army instructed "aliens and non-aliens of Japanese ancestry to assemble for transportation to Santa Anita Race-track, which had been transformed into an Assembly Center;

Served as a storage site for personal articles that could not be taken by those forced to leave; and

Served as a hostel for many returning from camp and had no where to go.

The National Center for the Preservation of Democracy will provide educational programming that includes exhibitions, media arts presentations, public programs, conferences, and civic dialogue/public forums. The National Center for the Preservation of Democracy will:

Present a permanent, audience-focused exhibition addressing American democracy through the Japanese-American experience, including the military service of Japanese-Americans (in World War I, World War II, the Korean war, and the Vietnam war);

Maintain and pursue key civil and military materials for a comprehensive collection;

Create and establish new opportunities for civil and military research, especially through collaboration with federal institutions such as the National Archives and the Smithsonian Institution to make documents more accessible;

Conduct education and public programs examining democracy in action; and

Produce educational media arts productions that present and interpret related issues of democracy for broad national and international broadcast and distribution as well as for on-site exhibitions.

I respectfully believe that the National Center for the Preservation of Democracy is most worthy of our support.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

AMENDMENTS NOS. 3175, AS MODIFIED, 3284, AS MODIFIED, 3288, 3289, 3291 AS MODIFIED, 3298, 3299, 3300, AS MODIFIED, 3301, AS MODIFIED, 3305, 3312, 3314, AS MODIFIED, 3315, AS MODIFIED, 3316, 3321, 3323, 3324, 3325, 3326, 3329, 3331, 3332, AS MODIFIED, 3334, 3335, AS MODIFIED, 3336, AS MODIFIED, 3337, 3338, 3339, AS MODIFIED, 3342, 3343, 3344, 3352, 3357, AS MODIFIED, AND 3293, AS MODIFIED, EN BLOC

Mr. STEVENS. Mr. President, I am now prepared to present the first managers' package that we worked out with my good friend from Hawaii. These amendments have now been cleared in a modified form, or in the original form. But I call attention of the Chair to the numbers of the amendments that are included in our package.

It is: 3175 by Senator COLLINS; 3284 by Senator BINGAMAN; 3288 and 3289 by Senator SHELBY; 3291 by Senator KYL; 3298 and 3299 by Senator HELMS; 3300 and 3301 by Senator ROBB; 3305 by Senator ABRAHAM; 3312 by Senator LEAHY; 3314, 3315, and 3316 by Senator KENNEDY; 3321 by myself; 3323 by Senator ROBERTS; 3324 and 3325 by Senator SNOWE; 3326 by Senator LANDRIEU; 3329

by Senator GREGG; 3331 and 3332 by Senator FEINSTEIN; 3334 and 3335 by Senator WARNER; 3336 and 3337 by Senator NICKLES; 3338 by Senator ALLARD; 3339 by Senator COVERDELL; 3342 by Senator BINGAMAN; 3343 and 3344 by Senator INHOFE; 3352 by Senator ROTH; 3357 by Senator ROBERTS; 3293, as modified, by Senator LANDRIEU.

I send a modification to the desk of the last item, amendment No. 3293, which I just mentioned, of Senator LANDRIEU.

Mr. President, I believe all of those amendments are before the desk. To the extent they be modified, they have been agreed to by Senator INOUE and myself pursuant to the unanimous consent agreement last night.

I ask unanimous consent that these amendments be considered en bloc.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. STEVENS. I ask unanimous consent that they be agreed to en bloc.

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

The amendments (Nos. 3175, 3284, 3288, 3289, 3291, 3298, 3299, 3300, 3301, 3305, 3312, 3314, 3315, 3316, 3321, 3323, 3324, 3325, 3326, 3329, 3331, 3332, 3334, 3335, 3336, 3337, 3338, 3339, 3342, 3343, 3344, 3352, 3357, 3293, and 3293, as modified) were agreed to, as follows:

AMENDMENT NO. 3175, AS MODIFIED

(Purpose: To provide for the continued design and analysis under the reentry systems applications program for the advanced technology vehicle)

At the appropriate place in the bill, insert the following new section:

SEC. . Of the funds made available in Title IV of this Act under the heading "Research, Development, Test and Evaluation, Navy", up to \$2,000,000 may be made available for continued design and analysis under the reentry systems applications program for the advanced technology vehicle.

AMENDMENT NO. 3284, AS MODIFIED

(Purpose: A substitute to amendment No. 3284, offered by Mr. Bingaman that provides for the conversion of the configuration of certain AGM-65 Maverick missiles)

At the appropriate place in the bill, insert the following new section.

SEC. . Of the funds made available in Title III of this Act under the heading "Missile Procurement, Air Force", up to \$5,000,000 may be made available for the conversion of Maverick missiles in the AGM-65B and AGM-65G configurations to Maverick missiles in the AGM-65H and AGM-65K configurations.

AMENDMENT NO. 3288

(Purpose: To increase funding for carrier modifications)

At the appropriate place in the bill, insert the following:

SEC. . Of the funds available under the heading "Weapons and Tracked Combat Vehicles, Army" in Title III of this Act, up to \$10,000,000 may be made available for Carrier Modifications.

AMENDMENT NO. 3289

(Purpose: To increase funds for End Item Industrial Preparedness)

At the appropriate place in the bill, insert the following:

SEC. . Of the fund available under the heading "Research Development Test and Evaluation, Army" in Title IV of this Act, under "End Item Industrial Preparedness" up to \$5,000,000 may be made available for the Printed Wiring Board Manufacturing Technology Center.

AMENDMENT NO. 3291, AS MODIFIED

(Purpose: To provide, with an offset, \$6,000,000 for research, development, test, and evaluation Defense-Wide for the Arrow Missile Defense System (PE603875C) for enhanced interoperability of the system between the United States and Israel)

On page 109, between lines 11 and 12, insert the following:

SEC. 8126. Of the amount appropriated under title IV under the heading "RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE", up to \$6,000,000 may be made available for the Ballistic Missile Defense Organization International Cooperative Programs for the Arrow Missile Defense System in order to enhance the interoperability of the system between the United States and Israel.

AMENDMENT NO. 3298

(Purpose: to provide funding for the Display Performance and Environmental Evaluation Laboratory Project of the Army Research Laboratory)

At the appropriate place in the bill, add the following new section:

Of the funds made available in Title IV of this Act under the heading "Research, Development, Test and Evaluation, Army", up to \$3,000,000 may be made available for the Display Performance and Environmental Evaluation Laboratory Project of the Army Research Laboratory.

AMENDMENT NO. 3299

(Purpose: to provide funding for the Innovative Stand-Off Door Breaching Munition (ISODBM) technology)

At the appropriate place in the bill, add the following new section:

Of the funds made available in Title IV of this Act under the heading "Research, Development, Test and Evaluation, Navy", up to \$4,500,000 may be made available for the Innovative Stand-Off Door Breaching Munition.

AMENDMENT NO. 3300, AS MODIFIED

(Purpose: To make available \$3,000,000 for high-performance, non-toxic, intumescent fire protective coatings aboard Navy vessels)

At the appropriate place in the bill, insert the following new section:

SEC. . Of the amount appropriated under title II under the heading "OPERATION AND MAINTENANCE, NAVY", up to \$3,000,000 may be available for high-performance, non-toxic, intumescent fire protective coatings aboard Navy vessels. The coating shall meet the specifications for Type II fire protectives as stated in Mil-Spec DoD-C-24596.

AMENDMENT NO. 3301, AS MODIFIED

(Purpose: To make available \$2,000,000 for advanced three-dimensional visualization software with the currently-deployed, personal computer-based Portable Flight Planning Software (PFPS))

At the appropriate place in the bill, insert the following new section:

SEC. . Of the amount appropriated under title II under the heading "OPERATION AND MAINTENANCE, AIR FORCE", up to \$2,000,000 may be available for advanced three-dimensional visualization software with the cur-

rently-deployed, personal computer-based Portable Flight Planning Software (PFPS).

AMENDMENT NO. 3305

(Purpose: modification of H.R. 4576, Department of Defense Appropriations Bill, 2001)

At the appropriate place, insert the following:

SEC. . Of the funds appropriated in title IV under the heading RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY; up to \$15,000,000 may be made available to continue research and development on Silicon carbide research (PE 63005A).

AMENDMENT NO. 3312

(Purpose: To make available \$5,000,000 for Other Procurement for the Army for the development of the Abrams Full-Crew Interactive Skills Trainer)

On page 109, between lines 11 and 12, insert the following:

SEC. 8126. Of the amount appropriated under title III under the heading "OTHER PROCUREMENT, ARMY", \$5,000,000 shall be available for the development of the Abrams Full-Crew Interactive Skills Trainer.

AMENDMENT NO. 3314, AS MODIFIED

(Purpose: To make available \$5,000,000 for the Environmental Security Technical Certification Program (PE603851D) for technologies for the detection of unexploded ordnance from live-fire activities)

On page 109, between lines 11 and 12, insert the following:

SEC. 8126. (a) AVAILABILITY OF FUNDS.—Of the amount appropriated under title IV under the heading "RESEARCH, DEVELOPMENT, TEST, AND EVALUATION, DEFENSE-WIDE", up to \$5,000,000 may be available for the Environmental Security Technical Certification Program (PE603851D) to develop and test technologies to detect unexploded ordnance at sites where the detection and possible remediation of unexploded ordnance from live-fire activities is underway.

AMENDMENT NO. 3315, AS MODIFIED

(Purpose: To make available \$5,000,000 for the Strategic Environmental Research and Development Program (PE603716D) for technologies for the detection and transport of pollutants resulting from live-fire activities)

On page 109, between lines 11 and 12, insert the following:

SEC. 8126. (a) AVAILABILITY OF FUNDS.—Of the amount appropriated under title IV under the heading "RESEARCH, DEVELOPMENT, TEST, AND EVALUATION, DEFENSE-WIDE" up to \$5,000,000 may be available for the Strategic Environmental Research and Development Program (PE6034716D) for the development and test of technologies to detect, analyze, and map the presence of, and to transport, pollutants and contaminants at sites undergoing the detection and possible remediation of constituents attributable to live-fire activities in a variety of hydrogeological scenarios

AMENDMENT NO. 3316

(Purpose: To make available \$5,000,000 for Surface Ship & Submarine HM&E Advanced Technology (PE603508N) for continuing development by the Navy of the AC synchronous high-temperature super-conductor electric motor)

On page 109, between lines 11 and 12, insert the following:

SEC. 8126. Of the amount appropriated under title IV under the heading "RESEARCH, DEVELOPMENT, TEST, AND EVALUATION, NAVY", up to \$5,000,000 may be available for

Surface Ship & Submarine HM&E Advanced Technology (PE603508N) for continuing development by the Navy of the AC synchronous high-temperature super-conductor electric motor.

AMENDMENT NO. 3321

(Purpose: To provide \$1,000,000 from Operation and Maintenance, Navy to continue a public service initiative)

At the appropriate place, insert the following:

SEC. . Of the funds provided in Title II under the heading "OPERATION AND MAINTENANCE, NAVY", up to \$1,000,000 may be available to continue the Public Service Initiative.

AMENDMENT NO. 3323

(Purpose: To provide research and development funds for a chemical and biological defense program)

In the appropriate place in the bill, insert the following new section:

SEC. . Of the funds made available in Title IV of this Act under the heading "RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE", up to \$3,500,000 may be made available for Chem-Bio Advanced Materials Research.

AMENDMENT NO. 3324

(Purpose: to set aside \$3,000,000 for the Navy for operation and maintenance of a Navy benefits center)

At the appropriate place in the bill, insert: SEC. 8126. Of the total amount appropriated by title II under the heading "OPERATION AND MAINTENANCE, NAVY", up to \$3,000,000 may be available only for a Navy benefits center.

AMENDMENT NO. 3325

(Purpose: To clarify that the authority to enter into contracts for LPD-17 class ships on an incrementally funded basis is to provide for two such ships)

On page 25 of the substituted original text, line 9, insert "two" after "and".

AMENDMENT NO. 3326

(Purpose: to add funding to the Navy Information Technology Center)

At the appropriate place in the bill, insert the following:

SEC. .Of the funds available in Title IV under the heading "RESEARCH, DEVELOPMENT, TEST, AND EVALUATION, NAVY", up to \$8,000,000 may be made available for the Navy Information Technology Center.

AMENDMENT NO. 3329

(Purpose: To provide research and development funds for the Solid State Dye Laser project)

In the appropriate place in the bill, insert the following new section:

SEC. . Of the funds made available in Title IV of this Act under the heading "RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE", up to \$7,000,000 may be made available for Solid State Dye Laser project.

AMENDMENT NO. 3331

(Purpose: To make available \$1,000,000 for Middle East Regional Security Issues)

At the appropriate place, insert:

SEC. . Of the amount available in Title II under the heading "OPERATIONS AND MAINTENANCE, DEFENSE-WIDE", \$1,000,000 shall be available for Middle East Regional Security Issues.

AMENDMENT NO. 3332, AS MODIFIED

(Purpose: To make available \$5,000,000 for research, development, test, and evaluation for the Navy for continuation of the Compatible Processor Upgrade Program (CPUP))

At the appropriate place in the bill, insert the following new section:

SEC. . Of the total amount available under title IV under the heading "RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY", up to \$5,000,000 may be made available for continuation of the Compatible Processor Upgrade Program (CPUP).

AMENDMENT NO. 3334

(Purpose: To provide, with an offset, funds for five additional Weapons of Mass Destruction Civil Support Teams (WMD-CST) and for additional equipment for the Weapons of Mass Destruction Civil Support Team program)

At the appropriate place, insert the following:

SEC. . (a) ADDITIONAL FUNDS FOR WEAPONS OF MASS DESTRUCTION CIVIL SUPPORT TEAMS.—The amount appropriated under title II under the heading "OPERATION AND MAINTENANCE, ARMY" is hereby increased by \$3,700,000, with the amount of the increase available for the activities of five additional Weapons of Mass Destruction Civil Support Teams (WMD-CST).

(b) ADDITIONAL FUNDS FOR EQUIPMENT FOR WEAPONS OF MASS DESTRUCTION CIVIL SUPPORT TEAM PROGRAM.—(1) The amount appropriated under title III under the heading "OTHER PROCUREMENT, ARMY" is hereby increased by \$11,300,000, with the amount of the increase available for Special Purpose Vehicles.

(2) The amount appropriated under title III under the heading "PROCUREMENT, DEFENSE-WIDE" is hereby increased by \$1,800,000, with the amount of the increase available for the Chemical Biological Defense Program, for Contamination Avoidance.

(3) Amounts made available by reason of paragraphs (1) and (2) shall be available for the procurement of additional equipment for the Weapons of Mass Destruction Civil Support Team (WMD-CST) program.

(c) OFFSET.—The amount appropriated under title II under the heading "OPERATION AND MAINTENANCE, DEFENSE-WIDE" for the Defense Finance and Accounting Service is hereby reduced by \$16,800,000, with the amount of the reduction applied to the Defense Joint Accounting System (DJAS) for fielding and operations.

AMENDMENT NO. 3335, AS MODIFIED

(Purpose: To add \$30,000,000 for information security initiatives; and to provide offsets)

On page 109 of the substitute, between lines 11 and 12, insert the following:

SEC. 8126. (a) Of the funds available in title II under the heading "OPERATION AND MAINTENANCE, DEFENSE-WIDE", \$30,000,000 may be available for information security initiatives: *Provided*, That, of such amount, \$10,000,000 is available for the Institute for Defense Computer Security and Information Protection of the Department of Defense, and \$20,000,000 is available for the Information Security Scholarship Program of the Department of Defense.

AMENDMENT NO. 3336, AS MODIFIED

(Purpose: To provide funds for a live-fire side-by-side test of the air-to-air Starstreak and Stinger missiles)

At the appropriate place in the bill, insert the following new section:

Of the funds provided in Title IV of this Act under the heading "RESEARCH, DEVELOP-

MENT, TEST AND EVALUATION, ARMY" up to \$12,000,000 may be made available to commence a live-fire, side-by-side operational test of the air-to-air Starstreak and air-to-air Stinger missiles from the AH64D Longbow helicopter, as previously specified in section 8138 of Public Law 106-79.

AMENDMENT NO. 3337

At the appropriate place in the bill, insert the following new section:

Of the funds appropriated in the Act under the heading "OPERATIONS AND MAINTENANCE, DEFENSE-WIDE" up to \$5,000,000 may be made available to the American Red Cross for Armed Forces Emergency Services.

AMENDMENT NO. 3338

(Purpose: To set aside for the XSS-10 micro-missile technology program \$12,000,000 of the amount appropriated for RDTE, Air Force)

On page 109 of the substitute, between lines 11 and 12, insert the following:

SEC. 8126. Of the amount appropriated by title IV under the heading "RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR FORCE", up to \$12,000,000 is available for the XSS-10 micro-missile technology program.

AMENDMENT NO. 3339, AS MODIFIED

(Purpose: To provide for a demonstration project for the development of a chemical agent warning network to benefit the chemical incident response force of the Marine Corps)

At the appropriate place in the bill, insert the following new section:

SEC. . Of the funds made available in Title IV of this Act under the heading "RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY", up to \$3,000,000 may be made available for the development of a chemical agent warning network to benefit the chemical incident response force of the Marine Corps.

AMENDMENT NO. 3342

(Purpose: To provide support for the Bosque Redondo Memorial)

On page 109, between lines 11 and 12, insert the following:

SEC. 8126. Of the amounts appropriated under title II under the heading "OPERATION AND MAINTENANCE, DEFENSE-WIDE", \$2,000,000 may be made available for the Bosque Redondo Memorial as authorized under the provisions of the bill S. 964 of the 106th Congress, as adopted by the Senate.

AMENDMENT NO. 3343

(Purpose: To make available, with an offset, \$300,000 for research, development, test, and evaluation Defense-Wide for Generic Logistics Research and Development Technology Demonstrations (PE603712S) for air logistics technology)

On page 109, between lines 11 and 12, insert the following:

SEC. 8126. (a) INCREASE IN AMOUNT.—Of the amount appropriated under title IV under the heading "RESEARCH, DEVELOPMENT, TEST, AND EVALUATION, DEFENSE-WIDE", \$300,000 shall be available for Generic Logistics Research and Development Technology Demonstrations (PE603712S) for air logistics technology.

(b) OFFSET.—Of the amount appropriated under title IV under the heading referred to in subsection (a), the amount available for Computing Systems and Communications Technology (PE602301E) is hereby decreased by \$300,000.

AMENDMENT NO. 3344

(Purpose: To make available, with an offset, \$5,000,000 for research, development, test, and evaluation Defense-Wide for Explosives Demilitarization Technology (PE603104D) for research into ammunition risk analysis capabilities)

On page 109, between lines 11 and 12, insert the following:

SEC. 8126. (a) INCREASE IN AMOUNT.—Of the amount appropriated under title IV under the heading "RESEARCH, DEVELOPMENT, TEST, AND EVALUATION, DEFENSE-WIDE", \$5,000,000 shall be available for Explosives Demilitarization Technology (PE603104D) for research into ammunition risk analysis capabilities.

(b) OFFSET.—Of the amount appropriated under title IV under the heading referred to in subsection (a), the amount available for Computing Systems and Communications Technology (PE602301E) is hereby decreased by \$5,000,000.

AMENDMENT NO. 3352

(Purpose: to make available \$92,530,000 for C-5 aircraft modernization)

On page 109, between lines 11 and 12, insert the following:

SEC. 8126. Of the amount appropriated under title IV under the heading "RESEARCH, DEVELOPMENT, TEST, AND EVALUATION, AIR FORCE", \$92,530,000 may be available for C-5 aircraft modernization, including for the C-5 Reliability Enhancement and Reengining Program.

AMENDMENT NO. 3357, AS MODIFIED

(Purpose: To increase by \$2,000,000 the amount available for Military Personnel Research (PE61103D); and to offset that increase by reducing the amount available for the AFCC engineering and installation program (PE65123D) by \$2,000,000)

On page 110 of the substituted original text, or at the appropriate place, insert the following:

SEC. . Of the total amount appropriated by title IV under the heading "RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE WIDE", up to \$4,000,000 may be made available for Military Personnel Research.

AMENDMENT NO. 3393, AS MODIFIED

(Purpose: To make available an additional \$21,000,000 for the Information Technology Center and the Human Resource Enterprise Strategy)

At the appropriate place in the bill insert the following new section:

SEC. . Of the amounts appropriated under title II under the heading "OPERATION AND MAINTENANCE, NAVY" up to \$7,000,000 may be available for the Information Technology Center.

Mr. STEVENS. Mr. President, I ask unanimous consent that it be in order to move to reconsider the vote en bloc.

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

Mr. STEVENS. Mr. President, I move to reconsider the vote, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. STEVENS. Mr. President, I ask unanimous consent that Senators LOTT and COCHRAN be added as original cosponsors to the Leahy amendment, No. 3312.

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

Mr. STEVENS. Mr. President, we are going now to our respective party

luncheons. We expect to have additional items to present to the Senate upon our return.

I again call attention of Members to the report of the Parliamentarian on those amendments that are subject to rule XVI. It will be my intention when we return to ask that the Chair rule that rule XVI applies to those amendments, and that they be declared out of order.

RECESS

Mr. STEVENS. Mr. President, pursuant to the previous order, I ask that we stand in recess.

The PRESIDING OFFICER. Under the previous order, the Senate will stand in recess until the hour of 2:15 p.m.

Thereupon, the Senate, at 12:39 p.m., recessed until 2:16 p.m.; whereupon, the Senate reassembled when called to order by the Presiding Officer (Mr. INHOFE).

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2001—Continued

AMENDMENT NO. 3308

Mr. STEVENS. Mr. President, I believe the pending business is the Boxer amendment, with 4 minutes equally divided.

The PRESIDING OFFICER. Four minutes equally divided.

Mr. STEVENS. Senator BOXER.

Mrs. BOXER. I thank the chairman for his graciousness. I urge my colleagues to vote affirmatively on this. I hope we can get a very overwhelming vote.

My amendment simply protects children at the Department of Defense housing or playgrounds, day-care facilities, schools, from poisonous and toxic materials. It is consistent with the DOD guidelines. Frankly, it seems to me we should all support it. Basically, the guidelines say they will stay away from these poisons when they do routine spraying.

We ought to codify this because there is a little bit of ambiguity. I am very proud of the Department of Defense in so many areas that deal with children. For example, child care centers at the Department of Defense are the best in the world, truly, and certainly are a model for so many other child care centers in our country. However, it did take some horrible mistakes before that was straightened out. We don't want to have a horrible mistake, a mistaken spraying. We want to make sure it is done right.

I am very pleased that the EPA is supporting this amendment. They helped with it. We spoke a number of times with Colonel Driggers who said he believed this was, in fact, consistent with the DOD written guidelines. It could be that they would rather not have us do this. I think it would be good for this Senate to go on record stating that for routine spraying against pests in these areas, let's use the less toxic materials. If there is an emergency, an outbreak of something

horrible such as encephalitis, we make room for that. We certainly have a clear exception in emergency situations. We are talking about routine situations.

We have seen Administrator Brown, with bipartisan support, ban some of the very harsh pesticides. I think we can work very well together in a bipartisan way to stop the routine spraying of these dangerous toxins.

Mr. STEVENS. Mr. President, last evening I did offer to accept this amendment. It does have some problems, and in conference we will try to work out those problems.

I do believe that the use of pesticides approved by the U.S. Environmental Protection Agency should be assured so that military children and those on military bases can have the same protections, protecting the food supplies of the commissaries and populated facilities on a military base. I think the preparation of homes, for instance, before they are occupied certainly requires the type of spraying approved by the EPA.

We will make certain there is full protection for those in the military. As I understand it, this is an amendment that is designed to prevent the use of the pesticides that would not be subject to approval by the EPA. I intend to support the amendment.

I yield back the remainder of my time.

The PRESIDING OFFICER. The question is on agreeing to the amendment. The yeas and nays have been ordered. The clerk will call the roll.

The legislative clerk called the roll.

Mr. NICKLES. I announce that the Senator from Pennsylvania (Mr. SPECTER) is necessary absent.

Mr. REID. I announce that the Senator from West Virginia (Mr. ROCKEFELLER) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 84, nays 14, as follows:

[Rollcall Vote No. 124 Leg.]

YEAS—84

Abraham	Dorgan	Lincoln
Akaka	Durbin	Lott
Ashcroft	Edwards	Lugar
Baucus	Feingold	Mack
Bayh	Feinstein	McCain
Bennett	Fitzgerald	McConnell
Biden	Frist	Mikulski
Bingaman	Gorton	Moynihan
Boxer	Graham	Murkowski
Breaux	Grams	Murray
Brownback	Grassley	Reed
Bryan	Gregg	Reid
Bunning	Harkin	Robb
Burns	Hatch	Roberts
Byrd	Helms	Roth
Campbell	Hollings	Santorum
Chafee, L.	Hutchinson	Sarbanes
Cleland	Inouye	Schumer
Cochran	Jeffords	Shelby
Collins	Johnson	Smith (OR)
Conrad	Kennedy	Snowe
Coverdell	Kerrey	Stevens
Craig	Kerry	Thomas
Crapo	Kohl	Thurmond
Daschle	Lautenberg	Torricelli
DeWine	Leahy	Warner
Dodd	Levin	Wellstone
Domenici	Lieberman	Wyden

NAYS—14

Allard	Hutchinson	Sessions
Bond	Inhofe	Smith (NH)
Enzi	Kyl	Thompson
Gramm	Landrieu	Voinovich
Hagel	Nickles	

NOT VOTING—2

Rockefeller	Specter
-------------	---------

The amendment (No. 3308) was agreed to.

Mr. COCHRAN. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mrs. BOXER. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. COCHRAN. Mr. President, we are awaiting the offering of other amendments on the Defense appropriations bill. There is no order, as I understand it, agreed upon between the leaders for another amendment to be offered at this time. So for any Senator who has an amendment to this bill, this is a good time to come and offer the amendment. We can have a debate on it.

The leadership has announced—at least the Republican leader has announced he wants to complete action on this bill tonight. To do that, we are going to have to make progress with the amendments. There are several pending amendments on both sides. So we urge Senators to come and cooperate with the managers of the bill so we can dispose of this legislation by the end of this session tonight.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. I say to my friend, we have done a pretty good job on our side of the aisle. We literally only have a handful of amendments left. I think you should spend more time urging Members on your side of the aisle. We only have one amendment that is going to take any amount of time. The Senator offering that amendment has been tied up in hearings all day and has been unavailable.

Senator BOXER has offered three amendments. She has said she will be back in an hour to offer her last one. As I say, we have just a few amendments. So I think if you can get rid of a lot on your side, we might be able to make some more progress. We are literally down to maybe seven or eight amendments on our side.

Mr. COCHRAN. Mr. President, I thank the Senator for his explanation and his cooperation with the managers in the handling of the bill. We are equal opportunity expeditors here. We want to expedite action on both sides of the aisle. I am sure the Senator understands that.

So we are working hard to try to get Senators to come to the floor now to continue the presentation of amendments, if they have them, on the bill.

In the meantime, Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

AMENDMENT NO. 3366, AS MODIFIED

(Purpose: To reduce the total amount provided for procurement by \$1,000,000,000 in order to provide \$922,000,000 for grants under part A of title I of the Elementary and Secondary Education Act of 1965)

Mr. WELLSTONE. Mr. President, I send a modified amendment to the desk, and I ask unanimous consent I be allowed to modify amendment 3366.

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

The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Minnesota [Mr. WELLSTONE] proposes an amendment numbered 3366, as modified.

Mr. WELLSTONE. Mr. President, I ask unanimous consent reading of the amendment be dispensed with.

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

The amendment is as follows:

On page 109 of the substituted original text, between lines 11 and 12, insert the following:

SEC. 8126. The total amount appropriated by title III for procurement is hereby reduced by \$1,000,000,000.

(b) There is hereby appropriated for the Department of Education for the fiscal year ending on September 30, 2001, \$922,000,000 to enable the Secretary of Education to award grants under part A of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311 et seq.).

Mr. WELLSTONE. Mr. President, this Defense appropriations bill before us is a \$3 billion increase over the administration's request. It is almost \$20 billion more than we appropriated last year. Although for the past 2 years we have been focused on the readiness crisis—I think an important focus—the largest increase this year is not for personnel or operations or maintenance but for the procurement of weapons. This bill increases the amount of money for procurement of weapons almost 11 percent over last year. Let me just remind my colleagues that at the end of the cold war, a somewhat different era, this appropriations altogether is 2.5 times the military budgets of Russia and China and the six countries deemed to be the greatest threats to our Nation.

At a time when others recognize that the potential military threats to national security have declined dramatically, we have not. At a time when others want to put more emphasis on not just military readiness, which we must have, but other diplomatic solutions, multilateral efforts, we have not.

What I am doing in this amendment altogether is calling for a transfer across the board from this additional money for procurement, the 11-percent increase—a budget, again, that is \$3 billion above what the President himself requested. I am saying we ought to take about \$922 million, not quite \$1

billion—I am trying to keep this amendment consistent with budgetary rules—and transfer that to education for kids. It is not a lot of money, but it would make a huge difference. Part of what I am talking about is basically a transfer of a little less than \$1 billion from the Pentagon to the Department of Education, specifically focused on the title I program.

By transferring to title I this \$1 billion, which ends up to be about \$922 million after taking into account the costs of this reduction, this amendment is one step toward restoring some Federal funding for education that I think is very consistent with the definition of national security.

I define national security as, for sure, military readiness. But I also define national security as the security of our local communities. That includes making sure we do the very best by our children. That includes making sure that we as a nation do everything we can to live up to our national vow of equal opportunity for every child.

This amendment is all about our priorities. I look at the budget and I see a mismatch between some of our national ideals and goals in the speeches we give of what we say we care about and our actual spending priorities. The Senate committee reported out an education bill that would increase overall appropriations for education by \$4.65 billion from fiscal year 2000 to fiscal year 2001. At the same time, the Department of Defense appropriations bill increased spending by \$20 billion—Education, \$4.65 billion; Department of Defense, \$20 billion.

We lead the world in our spending on defense, which is fine, but at the same time, we rank tenth in the world when it comes to education spending. Over the past 20 years, the Department of Education share of the Federal budget has shrunk from 2.5 to 2 percent. During the same time, the Federal share of education dollars has shrunk from 12 cents to 7 cents on the dollar. This is not the direction in which we need to be moving.

People we represent in our States are focused on education. They think we ought to be doing better. I understand full well, I say to my colleagues, Democrats and Republicans, much of K-12 is State government spending. But we can be and should be a real player in certain decisive areas. We should be putting much more into early childhood development so children come to kindergarten ready to learn. We should be doing much better by way of funding the IDEA program. There is probably not a school board or school district in the country that does not believe this is an unfunded mandate, where they are called upon to meet children's special needs or called upon to support children with special needs but they do not get the Federal funding to which they are entitled.

The other critical program is the title I program. Actually, there is not a more important program than title I.

We had an amendment to double the authorization for title I, part A, to \$15 billion. Senator HARKIN was one of the leaders on that. It passed the HELP committee with the support of every Democrat and every Republican Senator, but I think we were only able to raise the appropriation by several million dollars, as I remember it, I say to my colleague Senator HARKIN.

I want to transfer \$1 billion to the title I program, and I want to talk about why. But first of all, when it comes to our priorities, when it comes to our commitment to education as opposed to just a commitment on the Pentagon budget, let me remind my colleagues, in a recent bipartisan poll: 60 percent of the American people say we spend too little on education; 40 percent of the people in our country say education should be the top funding priority in this year's budget; 75 percent of the American people say they would be willing to pay higher taxes to improve education; and 83 percent of Americans say we should equalize funding across districts, even if it means we should transfer funds from wealthy to poor districts.

It is absolutely amazing, the support that is out there. The title I program is a key investment, and we ought to be doing much better. Title I provides assistance to students who face the greatest educational barriers. They are the students whose parents have not had the educational opportunities or the luck in their life that many of us have had. Many of their parents are illiterate. Many of the parents of the students are poor. These are the students struggling to meet academic challenges. These are the children, the most vulnerable children, who need and deserve the support. Title I is used to fund the types of programs for these kids, for just such youth. We know they work.

As an example, 100 percent of major city schools use title I funds to provide professional development and new technology for students. We have been saying on the floor of the Senate and back in our States that the most important thing we can do to improve education is to have good teachers. That also includes good teachers for these children who are in the title I program.

We have been talking about the digital divide. We have been saying it is not right that in this country, those school districts, those wealthy communities, can be wired; they have access to the best technology. Those students will be equipped and they will be ready to do well. Students who come from poor districts and come from lower-income families, in those lower-income districts with less property wealth, they do not have access to this kind of technology. Title I money is used for that. Mr. President, 97 percent of the major city schools use title I money to support afterschool activities.

We have been through this debate. You can go to any neighborhood. I do

not think, I say to Senator HARKIN, it is just in the cities. I think it also applies to the smaller towns and rural communities. You can talk to the religious community; You can talk to the law enforcement community; You can talk to parents; You can talk to teachers; You can talk to support staff; You can talk to youth workers; They will all say: We need to have some positive programs and activity and support for kids after school, especially when many of them go home and both parents are working. We need to do that. Ninety percent of these schools use title I funds to support family, literacy and summer school programs, and 68 percent use title I funds to support preschool programs. Title I has shown some strong success, despite its underfunding.

I point out to my colleagues that this amendment is a matter of priorities.

Again, there is an 11-percent increase in procurement, \$3 billion more in this budget than the administration even asked. I am not talking about readiness programs. I am talking about a different world in which we live. When are we going to reorder some of our priorities and put just a little bit more of this investment in our children? When are we going to do better by children in our country?

Right now this title I program—which can be so important for educational development, can be so important in making sure these kids get the help they need, can be so important in making sure their parents become literate so they can help them read at home, can be so important for after-school programs, can be so important in trying to make sure that when these kids come to kindergarten they are ready to learn—right now we fund the title I program at a 30-percent level. That is to say, over 70 percent of the kids who could benefit do not benefit because there is no money. In my State of Minnesota, in our cities, after you get to schools that do not have 65 percent of the kids who are low income but only have 60 percent of the kids who are low income, they do not get title I money whatsoever because we have run out of funds.

Yet consider this: The largest gains in test scores over the past 30 years have been made by poor and minority students. One-third to one-half the gap between affluent whites and their poor minority counterparts has closed during this time—again because of the special help from the title I program.

A study by the Rand Corporation linked these gains to title I and other investments in these programs that give these kids more assistance. The final report of the "National Assessment of Title I" by the U.S. Department of Education showed that the NEAP, National Assessment of Educational Progress, scores for 9-year-olds in the Nation's highest poverty schools have increased over the past 10 years by 9 points in reading and 8 points in math. The Council of Greater

City Schools shows that 24 of the Nation's largest schools were able to decrease the number of fourth grade title I students achieving in the lowest quartile by 14 percent in reading and 10 percent in math in part due to the support of title I dollars.

In my State of Minnesota, for example, the Brainerd Public School District has a 70- to 80-percent success rate in accelerating students in the bottom 20 percent of their class to the average of their class following 1 year of title I-supported reading programs.

This is a successful program that directs resources to the poorest school districts in America. Forty-six percent of title I funds go to the poorest 15 percent of all schools in our country, according to a GAO report. Seventy-five percent of title I funds go to schools where the majority of children are poor, according to the U.S. Department of Education report.

The General Accounting Office estimates that title I has increased funding to schools serving poor children by 77 percent, and yet we fund this at about one-third of the level that is needed and it is unconscionable.

Yesterday I was in New York City. I went to a school, P.S. 30, in the Mott Haven community in the south Bronx, one of the poorest communities in the United States of America. I went there because I have such great respect for the work of Jon Kozol. Jon Kozol wrote a book called "Amazing Grace: The Lives of Children and the Conscience of a Nation." Now he has written another book, "Ordinary Resurrections." It is a book full of hope. It is about three children and it is about this special school. The principal's name is Miss Rosa, Aida Rosa, who came from Puerto Rico 3 years ago. Her friends keep telling her to retire, but this woman will not give up on these children.

When one visits such a school, part of the trip is inspiring and part of it is indignation swelling inside, which is why I am here.

It is inspiring that Miss Rosa will not give up on these kids. I say to my colleagues, not one child in the classes I visited was white. Not one child I met comes from a family with an income over \$10,000 a year. There are families in America—maybe some of our families—who spend that much on one vacation. These children come from families with incomes of less than \$10,000 a year. They are Latino Latina. They are African American. They are poor. About 30 percent of these children suffer from asthma. One can see the pumps they carry because they have these asthma attacks. Thirty to 35 percent of these children suffer from asthma. It is no wonder. There is an incinerator a block away. The air is so polluted. This happens in a lot of poor communities.

Miss Rosa does not give up on these children, the teachers do not give up on these children, and Jonathan Kozol does not give up on these children. My point is it is inspiring, but these chil-

dren could do much better if we would get the resources to the schools.

In my state of Minnesota, it is the same thing with Jackson Elementary School in St. Paul. I can think of elementary schools, junior high schools, and high schools I have visited. I visit a school every 2 weeks in my State. Over and over what these teachers say and what these principals say is: We are doing our best. Do not give up on any of these children. We know what works. We make sure when these children come to school they know they are loved. We hold them to high standards and expect them to do well. Never give up on them. Make sure that teachers are free to teach, and make sure we have an environment that emphasizes education and does not sell one child short.

We sell these children short. I do not understand our priorities. I do not understand why our commitment to education is such a small percentage of our Federal budget.

I do not understand how we can take a program such as the title I program—which is so important for low-income children and could make such a positive difference in their lives, would get more resources to some of these schools and some of these men and women who are teachers and principals and should be famous for the work they do—and fund it at a 30-percent or 35-percent level. I do not think it does any harm to who we are or what we are about as a nation to take less than \$1 billion out of the procurement budget across the board and put it into the title I program.

We ourselves, as I said, in the Health, Education, Labor, and Pensions Committee, voted to double the amount of money for title I. Yet we barely added any additional dollars to this critically important program.

The Nation's poorest schools are dramatically underfunded, they are dramatically understaffed, and they are dramatically under resourced. Title I helps get some of those resources to these communities. If title I was fully funded, Minnesota would receive about \$160 million more to educate needy students and almost 240,000 more students could be served. I am on the floor of the Senate to fight for these children in my State. Whatever the final vote is, if I can speak for a program that could make a difference in the lives of 240,000 more students in the State of Minnesota who are low-income kids, then I am going to do so, whether there is 1 vote for this amendment or whether there are 100 votes for this amendment.

I do not understand our priorities. Whatever happened to our national vow of equal opportunity for every child? How can we be talking today about how we are going to have tests and we are going to hold everybody accountable, but we do not make sure these children have the same opportunity to do well on these tests?

Why are we not investing in the achievement and the future of all the

children in our country? It is heart-breaking to visit these schools. It is inspiring but, at the same time, I come back to the Senate and say to myself: What can I do? When I visit these schools and meet these kids in any given class—yesterday I said to a lot of the teachers, to Miss Rosa, and others in the Mott Haven community in south Bronx, New York City: In the State of Minnesota—they did not believe it—in the cities of St. Paul and Minneapolis, we have many of the same populations.

The majority of our students are not white, Caucasian. In any given class, kids come from homes where different languages are spoken. Four or five different languages are spoken in the homes from which these kids come. There are some 90 different languages and dialects that are spoken in children's homes in Minneapolis and 70 in St. Paul. These children are also disproportionately low income, and they need the additional support if they are going to make it. It would seem to me we ought to make sure of that.

I am heavily influenced by the work of Jonathan Kozol. I love Jonathan's work over the years. He said something in his book that I am going to say on the floor of the Senate in my own words because I do this all the time. I will come to the floor of the Senate, and I will say: Come on, less than \$1 billion to the title I program, which is so underfunded in all of our States and, I say to my colleague from Montana, the rural communities.

I made a big mistake of not talking about greater Minnesota or rural America. We do not have the funding. Every teacher and every educational assistant and every principal and every parent who cares about education in these communities will tell you they do not have the funding and that we should do better.

But here is my point today. I could come out here on the floor and say: With this additional money for title I, if we make the investment in these children, who are, by definition, low-income children, then we will save money later on because fewer of them will drop out of school—and that is true—and we will save money because fewer of them will turn to alcohol and drugs—and that is true—and we will save money because they will be more economically successful and more productive—and that is true—and we will save money by investing a little more money in the title I program because fewer of these children will wind up dropping out of school and ending up in prison—and that is true. But you want to know something. We ought to spend this additional money, \$1 billion, or a little less than \$1 billion, in title I for another reason: Many of these children are little children; They are under 4 feet tall, and we should be nice to them. We should care about them. We should get some resources into these schools, even if it is not in our self-interest. We should do it because it is the right thing to do. That is why we should do this.

Forget all the arguments about investment and how it will help our economy. I came out here earlier and said: We should consider this in a national security framework. No. I scratch everything I said, though keeping it in the CONGRESSIONAL RECORD. We should transfer this small amount of money from this Pentagon budget to the title I program because we should care about these children. We should care about them. We should be nice to them. We should want them to do well.

Many of them come from neighborhoods with some pretty difficult circumstances in their lives. I say to my colleagues, you might have wanted to spend a little time in the Mott Haven community yesterday. It is incredible, some of the difficult conditions in which children not only survive but flourish. Why don't we just give them a little more assistance?

I really believe this is an important amendment. I want to again summarize for my colleagues a little bit of what I am trying to say. Again, please remember that it is one thing to talk about a readiness crisis. The big increase was in procurement. Less than a \$1 billion cut in procurement is hardly anything when it comes to the Pentagon budget. This appropriations bill is \$3 billion more than the administration's budget request.

This year, the education bill has an overall appropriation for education of \$4.65 billion—an increase. At the same time, the Pentagon budget goes up \$20 billion.

I say to all of my colleagues, I think this is an important amendment. All of us know of the title I program. All of us know the difference it can make in children's lives. All of us say we care about these children. This is an opportunity to basically match our vote with our rhetoric. This is, I will admit, a reordering-of-priorities amendment on a small scale because, after all, this is \$3 billion the administration didn't want. This bill is close to \$300 billion. Can't we take \$1 billion of this and do a little bit better by way of title I?

I will not end my remarks because I want to wait to hear what my colleagues say. But I will kind of finish up this part of my statement with a point that I do not like to make but I believe strongly about. So I am going to do it. I will say, some of my colleagues that I see on the floor—Senator INOUE and Senator BURNS—and Senator INOUE I especially believe I know well and know what he cares about—I do not think this applies to either one of my colleagues, regardless of how they vote; it can't because I know what Senator INOUE, in particular, is about. But, in general—so let me say this is not exactly just in relation to this amendment—I find that people in politics, in both parties, will relish having a chance to have a photo taken of them reading with a child. We are all for the children, and we say they are 100 percent of our future, but we are a dollar short when it comes to making the investment in their lives.

In particular, the unfinished agenda is poor children in America. It is incredible, but we have some 14 million poor children in our country today with its booming economy. Many of them, disproportionately, are of color. Many of them are in our inner cities. Some are in our inner suburbs, and some are in our rural areas. Many of the parents of these children didn't have the money to put them into the best developmental child care. They didn't have the great prekindergarten teachers. Some children did. And their parents—a single parent or both parents—are both working long hours. They don't have the money.

They can't spend \$10,000, \$12,000, \$14,000 a year for great child care. They come to kindergarten behind. They have not had some of the benefits that come from a family where your parents have more of an education and a much higher income. But you want to know something. I saw it yesterday in P.S. 30. I saw it yesterday in the Mott Haven community. I see it in Minnesota. Those children have the most beautiful eyes. They have the greatest determination. They are full of excitement and they are full of hope. They believe in the American dream, even though they never say it that way. By the time they are in high school, most of it is gone. I think we ought to be doing better. I think these children ought to figure into our priorities.

We all know the title I program is vastly underfunded. It is an embarrassment. Can't we at least put another \$922 million in this next year? Can't we do a little bit better by these children?

Mr. President, for now, I yield the floor.

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

The PRESIDING OFFICER (Mr. SESSIONS). The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. WELLSTONE. Mr. President, I ask unanimous consent that Senators BOXER and HARKIN be added as cosponsors of my amendment.

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

Mr. WELLSTONE. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. WELLSTONE. Mr. President, I ask for the yeas and nays on my amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The Senator from Texas.

Mrs. HUTCHISON. Mr. President, I have a parliamentary inquiry. If Senator STEVENS wishes to make a motion to table, that would still be in order; is that correct?

The PRESIDING OFFICER. The Senator is correct.

Mrs. HUTCHISON. I thank the Chair.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. HARKIN. Mr. President, I ask unanimous consent that the pending amendment be set aside temporarily so I may offer my amendment.

Mrs. HUTCHISON. Reserving the right to object, I didn't hear the request.

Mr. HARKIN. I ask unanimous consent that the pending amendment be set aside so I might offer another amendment.

Mrs. HUTCHISON. Mr. President, I object. I would like to work with the Senator, but I suggest the absence of a quorum.

The PRESIDING OFFICER. Objection is heard.

The Senator from Iowa maintains the floor.

Mr. HARKIN. Mr. President, is the pending amendment the Wellstone amendment?

The PRESIDING OFFICER. That is correct.

Mr. HARKIN. Mr. President, I ask unanimous consent that it be set aside and I call up my amendment.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from Iowa is recognized.

AMENDMENT NO. 3355

(Purpose: To limit the use of funds for purchase and modification of Army High Mobility Trailers, and for modification of High Mobility Multipurpose Wheeled Vehicles (HMMWVs) to tow the trailers, until the trailers are fully tested)

Mr. HARKIN. Mr. President, I send an amendment to the desk.

The PRESIDING OFFICER (Mr. GORTON). The clerk will report.

The bill clerk read as follows:

The Senator from Iowa (Mr. HARKIN) proposes an amendment numbered 3355.

Mr. HARKIN. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

On page 109 of the substituted original text, between lines 11 and 12, insert the following:

SEC. 8126. (a) None of the funds appropriated by this Act may be obligated or expended for the purchase or modification of high mobility trailers for the Army before the Secretary of the Army has determined that the trailers have been thoroughly tested as a system with the High Mobility Multipurpose Wheeled Vehicles that tow the trailers, satisfy the applicable specifications, are safe and usable, do not damage the vehicles that tow the trailers, and perform the intended functions satisfactorily.

(b) None of the funds appropriated by this Act may be obligated or expended for the modification of Army High Mobility Multipurpose Wheeled Vehicles to tow trailers before the Secretary of the Army has determined that, with respect to the towing of trailers, the vehicles have been thoroughly tested as a system, satisfy the applicable specifications, are safe and usable, are not damaged by the towing of the trailers, and perform the intended functions satisfactorily.

Mr. HARKIN. Mr. President, I am proposing a very simple amendment. All it says is the Department of Defense thoroughly test its trailers and the trucks that pull them before they spend more money to modify them or to buy new ones.

I understand there is a rule XVI point of order against the amendment. So I will ask that it be withdrawn. But I wanted to take the time to at least let Senators know about and become aware of a very interesting problem in the Department of Defense which I think is indicative of some larger problems that we have in terms of testing and making sure that our weapons systems actually work before we spend our taxpayers' hard-earned dollars to buy them.

For the next several minutes, I would like to tell the story of the Army trailers and why this amendment basically just says we ought to test them to make sure they work before we buy them.

You would think this would be common sense. But 6,550 trailers that the Army has purchased for more than \$50 million are sitting in storage right now. That is right, 6,550 trailers are now in storage because the Army never bothered to make sure they worked. The fact is that this amendment, which I think is necessary, says a lot about how waste and abuse continues to thrive at the Pentagon. I get nervous about some of these skyrocketing procurement budgets when I think about how some of the money gets thrown away. Let's go through the story of the trailers.

Most of what I am about to relate is in a GAO report, which I requested last year and which was published last year.

In the 1980s, the Pentagon decided it needed some trailers. I am talking about trailers that you load up with equipment, goods and stuff, and you pull them behind a truck. In 1980, the Pentagon decided that it needed some trailers for its high mobility multipurpose wheeled vehicles, otherwise known to all of us as humvees. That is all these are—trailers to be pulled behind some all-terrain trucks. I wouldn't think that would be too difficult. The Army found that the older M101 trailers they had were unstable with the humvees. So they set out to buy some new trailers. In 1993, they signed a contract for \$50.6 million to buy 7,563 new trailers.

In 1995, after a couple of years, they tested the trailers and found a serious problem. The trucks, as it turns out,

were never designed to pull trailers. When they tested the trailers, the rear crossmembers of the trucks tended to crack. They refer to this as "catastrophic failure." Despite this problem of the trucks' rear crossmembers cracking, the Army decided that the trailers had successfully completed testing.

You may wonder: How could that possibly be? Well, it was because they met the contract performance requirements. Mind you, they didn't work. They destroyed the trucks that pulled them. But they met the contract performance requirements. So the Army agreed to pay the contractor for the trailers and to pay for the modifications that would be needed. You would think in the contract specifications they would have said that the trailers should not damage the trucks pulling them. But evidently they didn't.

Then in late 1996, the Army faced a dilemma. The contractor was more than a year behind schedule in delivering them, and the Department decided not to buy more trailers in fiscal year 1997—not because they didn't work, which they didn't, but because they said they were now a lower priority.

In the contract that the Army negotiated, there was an escape clause which provided that during the fourth and fifth years, if the Army didn't want any more trailers, all they had to do was pay \$1 million in liquidated damages and they would be out of the contract. Did the Army pay the \$1 million and get out of the old contract? No. They renegotiated the contract and extended it another year. Not only that but the Army also agreed to pay the increased costs of the contractor and agreed also to increase the profit margin of the contractor in spite of the poor performance of these trailers. The net result was a 57-percent increase in the cost of the trailers. Instead of getting the 7,563 trailers for \$50.6 million, which was agreed upon in the contract, the Army ended up getting 6,700 trailers for \$57 million—\$6 million more for 900 fewer trailers.

That is not the end of it. From there, the story continues downhill.

In 1997, the Army modified the truck crossmembers—the one that was cracking all the time, and the bumpers—so the trucks could pull the trailers. But as they were modifying the truck, the trailer drawbar broke. They discovered that the drawbar design had no margin of safety; it bent every time the humvee went over a bump. Nonetheless, since the Army had already accepted the design, the Army figured it was their own problem and they let the contractor off the hook.

The Army continued to accept more of these trailers that they couldn't use. They couldn't use them. So the contractor kept making them and the Army kept accepting them; and they just put them in storage.

In 1998, they tested the trailers a third time with a new steel drawbar.

But now they found that the new, stiffer drawbar damaged the brakes on the trailers and again damaged the trucks.

In 1999, they made more modifications and tested the trailers a fourth time. Again, the trailers didn't work. Meanwhile, the units still don't have the trailers they have needed for more than a decade.

Now, the Army thinks they finally have the solution. They will use the steel drawbar on the trailers. They will install a more durable brake actuator on the trailers, and they will modify the trucks with reinforcement for this towing pintle. But they haven't even tested these modifications yet. So they don't even know if they will work.

Furthermore, their "conservative cost estimate" for the modification is \$22 million.

Let's add it up. We were going to pay \$50 million. We have already paid \$57 million. Now we are going to pay \$22 million on top of that. That would pay to modify only 6,700 trucks, one for each of the trailers.

I can only assume that the Army does not want to dedicate a truck for each trailer. That means the Army will have to modify all 19,564 trucks that are in the units to get the trailers. The 22 million they want is only for 6,700 trucks. But they are going to need another 13,000 trucks modified.

So are we looking at another \$44 million, maybe another \$50 million on top of it? I don't think they will dedicate one truck to each trailer. That would be foolish. I don't think we are through with the price increases yet. Somewhere down the line, the Army says, they will need another 18,412 high mobility trailers on top of the 6,700 they already have.

This is a story of mismanagement, a story of misprocurement, a story of whacky contracts, a story of piling one mistake upon another, a story of letting contractors off the hook, all at the expense of taxpayers and the expense of readiness and mobility for our troops in the field.

My amendment simply requires that before we dump more money down this rathole, before we modify the trailers and trucks or buy more trailers, we test them. We test the final product to see if it will meet the requirements for the all-terrain vehicles that are pulling them. We should make sure that they work, that they are safe, that they don't damage the truck, and that they can perform their intended mission.

I don't know when the end is in sight. We have already spent \$57 million. They want another \$22 million. That is \$79 million. If they are going to modify all the trucks, we are probably looking at another \$44 million on top of that, and they say they want 18,000 more of them. I don't know if there is an end in sight. Whether \$57 million or \$79 million or \$100 million, that may not in a \$300 billion budget for defense seem to be a lot but it is a lot of money to me. It is a lot of money to the taxpayers in my home State of Iowa.

I am afraid it is a symptom of a larger problem. If we cannot design a simple trailer that works, and test it adequately, how can we expect to build an advanced fighter plane that works or a missile defense that will hit a bullet with a bullet?

We never seem to learn our lesson. Today we are buying 10 F-22 fighter planes, the most advanced and most expensive in the world, even though they haven't been fully tested and have shown problems in the tests that have been done. We are talking about spending \$1 billion a year for national missile defense, even though it has had only two flight tests—one lucky strike and a near miss—and has never been tested against countermeasures that it would surely face.

If we are going to spend all this money, the public should at least demand weapons that work. My amendment would set that demand in writing for the trailers. I am not getting into the fighter planes and missile defense. I am only talking about simple trailers, so that never again will we pay three times for trailers—once to buy them, again to store them, and a third time to try to make them work right.

I wanted to take this time to talk about the trailer problem. I have been involved in this for some time. I think it is indicative of a larger problem. We should make sure we test all of our systems, make sure they work and are safe and meet the requirements we need before we shell out our taxpayers' dollars to buy them.

AMENDMENT NO. 3355 WITHDRAWN

Mr. HARKIN. Having said that, I understand there is a rule XVI point of order against my amendment, so I withdraw my amendment.

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

The amendment (No. 3355) was withdrawn.

AMENDMENT NO. 3366, AS MODIFIED

The PRESIDING OFFICER. The Senator from Texas.

Mrs. HUTCHISON. Parliamentary inquiry: Are we now back to the Wellstone amendment numbered 3366?

The PRESIDING OFFICER. The Senator is correct.

Mrs. HUTCHISON. Mr. President, I rise to speak against the Wellstone amendment.

I think it would be the height of irresponsibility to reduce this defense budget by \$1 billion, for any purpose. Obviously, for the Elementary and Secondary Education Act, which has not yet been reauthorized, there will be billions spent—correctly so—for the improvement of the education of our children. To withdraw the funds from the Department of Defense and put money into a bill that has not yet been reauthorized, I think would be shirking our responsibility to support our troops in the field and make sure they have the equipment they need to do the job we are asking them to do.

Whether it be the missile defense system, the F-22, the F-16, the ships that

we need so badly, or whether it is a quality-of-life issue, we are trying to increase the pay levels and the quality of housing for our military. We are trying to provide the health care that is deserved for the people in the service and for their families.

Where would we take the \$1 billion? Which part of our military budget that is already underfunded would we withdraw? I think it is very important we continue to finish this bill, that we allocate the resources we need to stop the flight from our military that we see occurring as we speak. We are having a very hard time retaining the good people who are serving in the military. They are leaving the military. They are leaving the military for a variety of reasons, some of which we can do something about: pay, types of housing, health care, and making sure they have the training and the equipment they need to do the job we are asking them to do. We need to make sure we do retain our best people.

Second, I think it is very important we let potential recruits know we are going to take very seriously these quality-of-life issues. That is exactly what this bill, the underlying appropriations bill for the Department of Defense, is designed to do.

I object to any reduction of the Department of Defense bill to reallocate resources to other areas that have already had their budgets approved by this Congress. We have set the levels of spending in Congress. We have allocated money for the Elementary and Secondary Education Act. We have allocated money for all of the other agencies to be able to do their jobs. We need to set up a firewall in defense. We need to say we are going to put the money into defense to keep our security in this country.

If we start adopting amendments such as the Wellstone amendment that would start taking \$1 billion out and allocating it to some other cause, I think we would be walking away from our responsibility to strengthen our national defense. When we are 6,000 below the congressionally mandated troop strength level, as we are today, I think it is most certainly the responsibility of Congress to say, why do we have 6,000 fewer troops than we have allocated to do the job of keeping the security of the United States? I think once we determine the cause, we need to address that cause and we need to correct the problem. The way we do it is to make sure we are fully funding the equipment, the training, and the quality-of-life issues for our military personnel. We are asking them to do a pretty tough job. We need to give them the tools to do it.

I am very fortunate to be able to visit so many of our troops around the world. I am very privileged to be on the Appropriations Defense Subcommittee and, before that, on the Armed Services Committee. I have visited our troops in Saudi Arabia, Italy, Bosnia, Kosovo, Germany, as well as, of course,

throughout the United States of America. It lifts your heart to go to a base or to an outpost and talk to our military personnel. They are dedicated. They believe in our country. They believe in what they are doing. They are out there and they are going to do the job given to them to do.

In the 7 years that I have been in the Senate and have made it a point to visit our troops wherever they may have been, I have never yet met one who did not inspire me, who did not make me believe that the security of our country was being handled by these young people and these generals and these admirals. They are dedicated and they are doing a terrific job. But it is the responsibility of Congress, it is the responsibility of the Senate, it is the responsibility of this body to make sure every one of those young men and women out in the field, who are patrolling as we speak, who are walking along the lines between Kosovo and the former Yugoslavia, who are in Bosnia trying to keep Bosnia in a peaceful condition, who are in the deserts of Saudi Arabia right now, or in Kuwait, trying to keep some stability in the Middle East, get the support and the equipment and the training they need to do the job.

If we start voting for amendments that take \$1 billion out of an already short defense budget and start allocating that to other programs—worthy programs, but we have already set the spending limiting for those programs—we would be shirking our responsibility to support those who are supporting us. That is why I oppose the Wellstone amendment and why I hope this Senate will take the responsible action and reject any effort to take \$1 billion out of the funds for the defense budget. It has emergency money in it to replenish the coffers where we have taken from the basic defense budget to fund the peacekeeping missions in Bosnia and Kosovo. It is essential we get on with our responsibility and reject the Wellstone amendment.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. STEVENS. Mr. President, I understand the Senator from California has an amendment. Senator HARKIN is joining her. I would like to see if we can get a time agreement on this amendment. I ask unanimous consent the time be limited to not more than 45 minutes on each side. Is that agreeable?

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

Mr. STEVENS. I thank the Chair.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. Mr. President, I am wondering if the manager of the bill would be kind enough to notify the Senate when there will be some votes. We have about an hour and a half now on this amendment, if all time is used, and there then would be two votes; is that correct? I think that is what the leaders are talking about.

Mr. STEVENS. Mr. President, the Senator is correct. I do not anticipate using the full amount of time on our side. I understand there has been one amendment put aside. I hope to have the votes occur somewhere around 6 o'clock.

Mr. REID. Then after that, it is my understanding the bill is in the process of being able to be wound up?

Mr. STEVENS. Mr. President, we still have the procedure to follow to apply rule XVI to the amendments that have not been withdrawn. We are compiling that list now. As soon as this amendment is finished, we will do that. The Senator would understand, I am sure, that some Senators may wish to appeal that or deal with it in some way. I hope not. We hope to conclude the rule XVI procedure and then vote at 6 o'clock.

The PRESIDING OFFICER. The Senator from California.

AMENDMENT NO. 3311

(Purpose: To strike Section 8114 regarding Operational Support Aircraft Leasing Authority)

Mrs. BOXER. Mr. President, I call up my amendment No. 3311.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from California [Mrs. BOXER] proposes an amendment numbered 3311.

The amendment is as follows:

Strike section 8114.

Mrs. BOXER. Mr. President, I thank the managers. I have had a few amendments. I think this one is not one they support. They have been very supportive of my others. I am very proud that the Senator from Iowa, Mr. HARKIN, has once again teamed up with me. We have been the team on this particular subject for awhile.

When I was in the House of Representatives, I served on the Armed Services Committee. It was a great honor to do so. There is nothing more important than our national security. What I found was that we were wasting many dollars. I thought we had cured some of those problems. For awhile I really didn't bring these issues before the body because I was convinced we were moving in the right direction. Suddenly, I am afraid, we see a reversal.

For example, in this bill, the military asked us for \$3 billion less than the committee actually voted out. This particular bill that is before us is \$3 billion more than the Defense Department requested. Why would we do that? Why would we not go along with what they say they need, and why would we pad this particular area, our

national defense? And why do I say that? Because if we look through the bill, we will find instances of waste.

We understand why this bill is padded when we particularly look at one area that Senator HARKIN and I joined forces on last year. That is the area of operational support aircraft. These are aircraft used for travel by the upper echelons of the military. What we do with our amendment is strike the section that allows nine of these operational support aircraft to be leased. In this bill, they are not specified as what they are, how much they each cost. We know nothing except that the Army can have three, the Navy can have three, and the Marine Corps can have three.

What do I suspect they are going to do with this? I think we have to learn from history and look back to last year's Defense appropriations bill. I offered an amendment with Senator HARKIN then that would have struck this same exact language that was used by the Air Force to lease six operational support aircraft. Senator HARKIN and I lost that fight. I thought we made a valiant effort, but we are back for this reason: A lot has happened since Senator HARKIN and I brought this matter before the body.

First, we know the Air Force plans to lease the most luxurious jets there are, despite the fact we had people here telling us they weren't going to lease these big, beautiful jets; they were going to go smaller.

Let's take a look at the Gulfstream. It is pretty slick. We are told if one were to buy this, it costs \$50 million a copy—luxurious travel. The Air Force has leased six. The Air Force took the same language they had in the appropriations bill last year and leased six of these.

Let's take a look at the interior of this plane. Senator HARKIN has a little different view. It is beautiful. This plane is used by billionaires. This plane is used by the top echelon of wealthy people in this country. We wonder why this bill has been padded with \$3 billion. I think it is to do things such as this that, with all due respect, were not spelled out in this bill.

If I were to read—I don't have time because I have agreed to a tight time limit—the language, all one would know about it is, it is the same as was put in for the Air Force. But they couldn't find anywhere listed a Gulfstream. Yet last year we were told, at this very same time in the debate, that the Air Force was not going to go for these Gulfstreams: "There is nothing in this language that says that." Yet that is, in fact, what they did.

We were right last year, and it is costing taxpayers a fortune to lease these jets. Let me say, it is cheaper to buy them than to lease them.

I ask unanimous consent to print in the RECORD a New York Times article that discusses the fact that it is actually cheaper to lease these jets than to buy them.

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

[From the New York Times, May 11, 1999]

NATO SPENDING BILL INCLUDES EXECUTIVE
JETS FOR 9 GENERALS

(By Tim Weiner)

An urgent request from the Air Force is buried in the multibillion-dollar emergency bills that will finance NATO's air war in Yugoslavia.

Smart bombs? F-16 fighters?

Not exactly. The Air Force wants to lease Gulfstream executive business jets to ferry four-star generals around the world. The cost could run to half a billion dollars over a decade.

The Air Force is asking for top-of-the-line Gulfstream V's to replace the Boeing 707's, some as much as 30 years old, that transport nine of the nation's top military commanders.

The Gulfstreams can fly eight passengers nonstop for 7,500 miles, wrapping them in sweet silence and comfort, the company says.

The Air Force already has two Gulfstream V's for the very highest Government officials. Moguls from the movies and Microsoft fly them. Why not the military's most powerful commanders, men like Gen. Wesley Clark, who is running NATO's air war?

So the Pentagon and the Senate Appropriations Committee chairman, Senator Ted Stevens, Republican of Alaska, worked out a deal that would let the Air Force lease six Gulfstreams for the military's nine unified and regional commanders-in-chief, Congressional staff members said.

Those in the Air Force and in Congress who support the request—none of whom would be quoted by name—say leasing could be cheaper than maintaining the 707's. And the Gulfstreams cost less than the planes some of the commanders originally sought: a fleet of Boeing 767's, which run upwards of \$100 million each.

The new fleet would give the commanders "the capability to travel within the full length of their theaters or to Washington, D.C., without an en route stopover," the Air Force said in a "fact sheet" submitted to Congress two weeks ago to underscore the commanders' needs.

Only one of the nine commanders-in-chief, or Cincs, General Clark, is based overseas. The others work in Virginia, Illinois, Colorado, Nebraska, Hawaii and Florida, where three of them have headquarters. But with the United States playing the role of the world's sole superpower, their responsibilities are global, the Pentagon says.

The Air Force noted that the Gulfstream V is "the single aircraft most capable of performing the Cinc support role, at significantly reduced costs."

One new Gulfstream was included in this year's Pentagon budget. But the Gulfstream V can carry only a small contingent. So the Air Force said it might also consider two Gulfstreams and four specially equipped 737-700's, which carry at least 126 passengers in their commercial configuration.

The Senate's emergency spending bill includes a measure aiding Central American hurricane victims, which is where the leasing arrangement originated. The measure goes to conference on Tuesday with the \$13 billion measure passed by the House last week.

The Gulfstream measure includes only the legal authority to sign a lease—no money. It does not mention the money at all.

But the leasing deal, if carried out, could cost \$476 million or more over 10 years, according to Air Force documents and Congressional staff members.

It would actually cost less to buy each of the nine commanders his own Gulfstream V—\$333 million. But that might be a harder sell, said a Congressional staff member working on the Senate's still evolving emergency bill.

"You don't want to look like you're buying the Cincs executive jets," he said.

Mrs. BOXER. First of all, we are not buying them. We are leasing them, and that costs money. If we were to buy these nine, it would cost a half a billion dollars. I am embarrassed to say it. That amount of money could put 5,000 police on the streets. That amount of money could double the number of children we have in after-school. That amount of money could take care of a lot of veterans' health care.

The other plane that is in the same category is called Bombardier. It is made in Quebec. I don't have a photo of it. It is just as luxurious, just as expensive. It goes for about the same. I say to my friends who want to make sure our generals have what they need: Why do we have to go to the top of the line?

If the answer comes back that we are not necessarily doing that and we are not spelling it out, then why not preclude them from going to the top of the line? Two things have happened that are important since this debate last year.

No. 1, those who said the Air Force would never buy the top of the line were proven wrong. We said they would do it, and they will leased these top of the line jets.

No. 2, Senator HARKIN, Congressman DEFAZIO, and I wrote to the General Accounting Office. Because we respect our friends who said these operational support aircraft were necessary, we said to the GAO, which is our investigative arm, Will you do a study? They did. Guess what they titled this study. The title of this study comes back: "Operational Support Airlift Requirements are not Sufficiently Justified."

Let me reiterate sort of the partridge and the pear tree about why we should strike this language. Last year, we were told they needed the aircraft. Here is the GAO report, the investigative arm of Congress, coming back saying we do not need any more right now because we don't know what we have. I will share the quotes from that study.

Second, the Air Force proved they were going to go to the top of the line. This is the same exact language. After all, I guess if the Air Force has it, the Army needs it, the Marines, and the Navy, then we are going to allow them to have the same latitude.

Mr. President, how much time do I have remaining?

The PRESIDING OFFICER (Mr. SMITH of Oregon). The Senator from California has 45 minutes.

Mrs. BOXER. Will the Presiding Officer let me know when I have used 20 minutes?

The PRESIDING OFFICER. Yes.

Mrs. BOXER. I thank the Chair.

I want to share with my colleagues the results of this GAO study.

GAO report: "Operational Support Airlift Requirements are not Sufficiently Justified."

The processes that DOD uses to identify its requirements for operational support airlift have a number of weaknesses that make it difficult to assess whether the current inventory meets the wartime needs.

That is one statement. We will go through the statements with you.

The next statement:

Although DOD directive 4500.43 states that operational support airlift requirements should be based solely on wartime needs, the methodology that DOD used in 1995 and 1998 does not draw a clear link to the scenario for two major regional conflicts specified by the National Military Strategy.

In other words, the operational support aircraft have to be linked to what military needs in case of war—not that it is comfortable for generals in time of peace.

I understand that it is comfortable to go on a plane such as this, but that is not what taxpayers should be paying for. We should be paying for what we need in time of war. That is what the DOD is supposed to do.

What else do they tell us in this report?

The lack of clear linkage to wartime requirements raises questions about whether the support aircraft fleet is appropriately sized to meet short-notice mobility needs in wartime.

My friends, this is serious. We are going ahead with this appropriations—this green light—to lease all of these airplanes when the GAO is saying to us that the "lack of clear linkage to wartime requirements raises questions about" the fleet and whether it is appropriately sized. It may be terribly overly sized.

Let's see what else we have.

This is the one I think says it all.

The joint staff . . . has not maintained records documenting its previous requirements reviews, so it is not possible to determine whether some options for reducing requirements were examined.

I have to say to my colleagues who I hope are watching this from their offices that there is a need here to defend the United States of America, and we should do everything we can to do that. If we are going under the scenario of being prepared to fight two major conflicts—some people think that is outmoded, but if that is what we are doing—then everything we do in this budget should reflect that need. And we are being told that the Joint Chiefs do not maintain records documenting their requirements for these aircraft.

How on Earth can we possibly justify this kind of open-ended language in this bill?

The GAO sums up:

For all these reasons, we believe a more rigorous process is needed to better ensure that support aircraft requirements accurately reflect wartime needs.

I think if you really believe that supporting our military is one of the most important things we can do in making sure we have dollar for dollar the best military in the world, then you should vote for the Boxer-Harkin amendment.

There is no reason given in any of the documentation in the Department of Defense as to why they need this aircraft. There is no rationale. The GAO has studied this. They are nonpartisan. They are the investigative arm of Congress. They have come back and told us they can't even find their records. Yet we are going blindly ahead, it seems to me, and providing this open-ended language, which will result, I predict to you, in nine more of these aircraft, and they could be the most luxurious in the world.

We already know that the Defense Department has 144 jets in its fleet of operational support aircraft. This includes 71 Learjets, 13 Gulfstreams, the one Gulfstream V, and 17 Cessna Citations.

We know the GAO has studied all of this, and they are saying to us: Time out. What is the rush?

When I take a look at these luxury jets, I can only say this: We know there are cheaper luxury jets that would have to make just one stop—I have a photo of that—just one stop. This plane is about \$18 million compared to \$50 million, which would have to make one stop to refuel.

I have to say to my friends that it is a beautiful plane. It is a comfortable plane. For a general to stop and stretch his or her legs, as the case may be, and fill up the tank once on the way to a meeting in peacetime—

Mr. STEVENS. Mr. President, will the Senator yield right there?

Mrs. BOXER. I would be happy to yield.

Mr. STEVENS. Will the Senator put that photograph back up.

Mrs. BOXER. Certainly. I will finish my sentence, and then I will yield. Then I am happy to yield. I have to finish my thought.

Mr. STEVENS. The Senator yielded to me.

Mrs. BOXER. This is a smaller aircraft. We were hoping that the Air Force was going to look at this. But they came back with the Gulfstreams.

I yield for a question.

Mr. STEVENS. If I am correct, that is a UC-35 that the Senator put up there, and that is what we are going to lease. That is exactly what this provision covers, the UC-35s.

Mrs. BOXER. This is not a UC-35. This is not.

Mr. STEVENS. What is it?

Mrs. BOXER. That is a Citation X.

The point I am making is there is nothing in the language, I say to my dear friend, that suggests exactly what plane they are going to use. There is nothing in this language. Last year, under the same language, the Air Force leased the Gulfstream. That is the point we are making. We are not limiting them to this.

I have to say that I know we are in a surplus situation. But we have a lot of needs for our military personnel. I know my friends fought for that. We are looking at military personnel who are not living in adequate housing. We

know that Senator MCCAIN has taken the lead in trying to get our people off food stamps. We have an unfunded priority of veterans' health.

I think what Senator HARKIN and I are simply saying is this: It is unnecessary to have this many planes when we now have a quite unbiased report that says, "Operational Support Airlift requirements are not sufficiently justified."

Why would we run off and buy more when we don't know what we have? We have seen with vague language we could wind up with top-of-the-line jets.

Mr. President, I reserve the remainder of my time and yield 20 minutes to the Senator from Iowa.

Mr. HARKIN. Mr. President, I thank Senator BOXER for yielding me this time.

I am proud to be a cosponsor of her amendment. We have worked hard on this over the last couple of years to try to bring sense and rationality to this procurement of luxury jets for the military.

I was going to ask my friend from California if we might engage in a little colloquy to let our fellow Senators know where we are coming from. It is not the intention of the Senator from California, nor mine, to say that there should be no smaller corporate-type jets within the Department of Defense. We are not trying to say "none." We are not trying to cut them out. There are 364 support aircraft in the inventory right now.

I ask the Senator, is it, the intention of the Senator to do away with all these types of jets?

Mrs. BOXER. Not at all.

As my friend knows, we don't even really know how the jets they have now are meeting our needs in a situation such as during wartime, which is the directive that they have to go by. The DOD has to rationalize and tell us, under their own directive, how their support meets the needs in wartime.

Clearly in this report it is stated there is no rationale for what they have now, let alone what they have to have.

Furthermore, we are saying that if they got these nine additional planes, which we don't even know if they need, under this language they would be able to buy the fanciest jets in the world, despite the fact that Senator STEVENS doesn't think they will.

The Senator of Alaska wasn't positive that the Air Force was going to lease the six Gulfstreams last year, yet they did. It is the same language.

Mr. HARKIN. What happened to the six airplanes last year that we fought against? Have they started leasing those airplanes yet?

Mrs. BOXER. They put out an RFP. The only two companies that qualified for the RFP happened to be the two companies that made a \$50 million luxury jet.

The Air Force is moving forward and doing exactly what we said they were going to do.

Mr. HARKIN. If the Senator is correct, the request for proposal that delineated the requirements, the GAO said there is no real basis for those requirements. They just plucked them out of thin air. They devised, if I am not mistaken, an RFP to get the jets they wanted. But there is no basis for the RFP requirement.

That is what I read in the GAO report. For example, I say to the Senator from California, in the GAO study on page 7, "One military officer involved in the 1995 study said that using an assumption of four flights a day yielded a requirement deemed to be too high and that using an assumption of two flights a day yielded a requirement deemed to be too low." So it came out at three.

Listen to this: "Operational support airlift requirements are significantly affected by this single assumption of how many flights a day you have. For example, our review of support aircraft found that 55 fewer aircraft were required when assumptions of two flights a day were used rather than three for overseas theaters."

Again, the GAO is saying there is no real rational basis for this. They say four is deemed too much, two is deemed too little. So, voila, they decided on three. But again, there is no rational basis for why they needed three flights a day.

We didn't have this study last year. This study just came out in April of 2000. Last year, we offered the amendment that dealt with six aircraft, and our worst fears were realized. They put out an RFP, limited to the most luxurious jets. So we requested the study. In light of the fact that we have the GAO study that basically says we have no basis on which to procure these aircraft, now we will lease nine aircraft.

Let's get this straight. Last year, we did not have the GAO study. Our amendment was defeated. The bill said they could lease up to six aircraft. This year, we have the GAO study that says there is no basis for the requests, but now nine are requested this year.

Please, someone tell me what kind of sense this makes.

Again, I have been a pilot all my life. I enjoy flying. I know airplanes pretty darned well. We are not trying to say that commanders in the field, theater commanders, don't need long-range airplanes. They do. What I am saying is we are playing a game here. It is sort of a game of, I am a general and guess what. I have got a nice big fancy jet to ferry me around. Well, Admiral Smith over here looks at General Jones and says, hey, he's got a big old jet that flies him around. How come I don't have one? And then the general over in the Marine Corps says, well, I have to have one, too. I am as high ranking as that other general or admiral. And the Air Force general says, I have to have one, too.

Come on. There is a lot of this game involved here. I don't mind some perks for our military officers. They don't get paid a lot of money. They do a

great job of defending our country. We call upon them in wartime and they lay down their lives. If you are just honest about it, this is a perk, a perquisite.

But how much of a perk? Do they really need a Gulfstream V that can carry up to 19 passengers so they can put four or five people on board and travel in luxury? No, they don't need that. CINCPAC operates out of Hawaii and needs a longer range plane to go from Hawaii to Guam, Okinawa, Japan, or Korea. I understand that. But commanders in the United States don't need those. They can land at any airport in the United States and get refueled. They don't need those longer range planes. You may need one for Europe. Already in the inventory we have 13 Gulfstream III's that have a 3,500-mile nautical range. Now the Gulfstream V has a 5,500-mile nautical range.

We already have one of those in inventory. I don't know where it is. I don't know who operates it. But we already have one. We have 13 Gulfstream III's with a 3,500-mile nautical range. That is not too shabby. And a Gulf-

stream III is a very luxurious plane, I can assure you. The GAO says it can carry up to 26 passengers, but that is maximum loading. Actually, a Gulfstream III would probably carry about 10 or 12 people at most on any flight. They already have 13 of them. Is that enough? We don't even know. The GAO says we don't even know if that is enough.

I am not saying we do not need some of these planes. But I think we need a really thorough study of these inventories, to justify the requirements.

The GAO said:
The Department of Defense has not clearly explained the basis for the key assumptions it is using to justify the requirements or identified the assumptions that should be updated in each succeeding review.

What does it mean? The Pentagon has no clue about how many planes they need; no clue.

Mrs. BOXER. Will the Senator yield for a question?

Mr. HARKIN. Let me just finish this.

The GAO found there is no justification for how many times a day airports are connected. There is no criterion for why some airports are key airports and others are not. There is no consider-

ation of how large different planes need to be. Nobody could even tell the GAO whether the requirement for 85 aircraft in the continental United States had been considered in the 1998 review or who was supposed to look at it in the current review. So how do they come up with their assumptions? Here is what GAO said. I will repeat it:

One military officer said using an assumption of four flights a day yielded a requirement deemed to be too high, using an assumption of two yielded a requirement deemed to be too low by the commanders in chief.

What does that mean? They cooked the books. That is all they are doing, they are cooking the books. They are saying I would like to have this Gulfstream V, so write it up so that I need it. That is all that is happening.

I am glad to yield to my colleague.

Mrs. BOXER. I wanted to make sure my friend was aware we have a copy of the RFP done by the Air Force. I ask unanimous consent this document be printed in the RECORD.

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

Aircraft Capabilities and Characteristics	Thresholds	Objective
4.1.1.1.* Range	Aircraft shall be able to fly no-wind range of 5000 NM carrying a full passenger and crew complement, plus their baggage using AFI 11-202, Vol. III, Chapter 2 procedures. Fuel reserves consist of fuel required to descend to 10,000 feet MSL at destination airfield, climb to optimum altitude for diversion to an alternate airfield 250 NM away, descend to 10,000 feet, hold for 45 minutes, and then make a penetration/approach and landing.	Aircraft shall be able to fly no-wind range of 6000 NM carrying a full passenger and crew complement, plus their baggage
4.1.1.2. Flight Characteristics	Cruise speed 0.80 Mach, cruise ceiling after gross weight takeoff equals 31,000 ft minimum after 30-minute direct climb. Be able to operate out of a 5,000-foot runway. FAR landing distance shall not be greater than 5,000 ft at maximum landing weight.	A minimum of 10 minutes at takeoff power.
4.1.1.3.* Payload Capabilities	Small aircraft shall carry 5 crew, 12 passengers. Medium aircraft shall carry 11 crew, 26 passengers. Maximum payload requirements to determine range calculations shall consist of all items (food, water, toiletries and non-consumables such as blankets and pillows) in sufficient quantities to support crew and passengers for four days. Assume 1.5 (1 light, 1 full) first class type meals per person, per sortie. (Assume 2 lbs. per full meal) The weight and volume of passenger support items are separate from the personal baggage allowance. Assume a weight allowance of 275 lbs. per person for individual body and baggage (175 lbs. per person plus 100 lbs. baggage).	
4.1.1.4. Mission Planning	Standard commercial system, provisions for generating the information found on a DD Form 365-4, Weight and Balance Clearance Form F—Transport. Automated capability to do aircraft performance analysis (takeoff and landing data) and flight planning. Shall include performance data for all climatic conditions. Computer flight plan able to be uploaded into the flight.	Integrated with aircraft systems. Incorporation of a unique planning component on the Joint Mission Planning System (JMPS) architecture.

* Denotes Key Performance Parameter.

Mrs. BOXER. What it shows is exactly what my friend is saying, aircraft should be able to fly no-wind range of 5,000 nautical miles. Only two aircraft, this one called the Global Express—that is made in Canada, and then the Gulfstream V, which, as my friend pointed out, the Air Force has put out this proposal, it is in the 5,000 nautical mile range. So this is the characteristic. If you look at this and other characteristics, it can only be these luxury jets.

But I wanted to ask my friend if he saw the letter from the Department of Defense to the General Accounting Office on page 27 of this report. I ask him to take a look at it because it seems to me, any thinking person would read this and say the Department of Defense agrees with HARKIN and BOXER. If you look at this letter in the second paragraph, it says:

The department agrees with many of the findings in the GAO report. Accordingly, it will take the GAO's findings into consideration in future determinations of operational support airlift.

That is very nice. When will they take it into consideration? After they have sprung for half a billion dollars of the taxpayers' money? What we are saying is we have this report, folks. Yet in this particular bill before us, I

wonder if my friend is aware, in order to take effect these leases must be done before 2004. So they are essentially rushing to run out and lease these aircraft so, as my friend says, they can have the same aircraft as the Air Force.

Mr. HARKIN. Frankly, I say to the Senator from California, if we have to swallow this, they ought to at least buy the airplanes, not lease them. The taxpayers are going to get stung, big time, for leasing these aircraft, but it looks as if it is less in the beginning. Over the years, we are going to pay probably, what would the Senator say, three to four times as much for these aircraft?

Mrs. BOXER. Hundreds of millions of dollars more, according to the New York Times.

Mr. HARKIN. That is if we lease them rather than buying. So we are compounding it, adding insult to injury. The taxpayers are getting socked for airplanes the military doesn't really need, and then they are leasing them, which means we are paying even more money for airplanes we do not even need. Again, you would think with this GAO study we would say: Wait, we don't need these nine. Let's wait until we see what the requirements really are.

The requirements are always couched in terms of wartime necessity. We are not at war. It doesn't look as if there is anything bubbling up on the horizon that is going to be a major war for the United States in the next couple of years. So we have time to do an assessment to find out what our requirements really are. Does Admiral or General so-and-so really need a Gulfstream V? We don't know that. Maybe they could get by with a C-21.

I want to be perfectly honest. I have used these aircraft. As Senators, sometimes we travel to remote areas of the world. Because of time requirements and when we have to go, we have to utilize these aircraft. Last year, Senator REID and I utilized a C-21. We flew commercially to Jakarta, Indonesia, and then we flew a C-21 from Jakarta to East Timor. There were no commercial flights we could take over there at that time. Then we had to fly back. Then I went in that up to Okinawa, Okinawa to Shanghai, and over to Japan, all on routes that would have been very difficult commercially to do.

This is a C-21. You are cramped. There is no bathroom. You can't stand up; you can't stretch out, and there

was room for about five passengers on that and we were loaded. Flying those long distances, we would have to land and refuel, and get up and go, land and refuel.

I am saying, if that is good enough for a Senator, why can't a general do that? I didn't say I have to have a Gulfstream V with all the luxury and the bathroom and a chef on board and a glass of champagne—no, we don't need all that stuff. I just need basic transportation to get me from point A to point B to C to D to E.

Yet I come back to the United States and look around, and I see nice luxury jets being used by generals and admirals, people flying around the United States in these luxury aircraft. I wonder, do they really need to travel that way? Why don't they fly in a C-21? It is cheaper. We have a lot of them. Lord knows, we have a lot of C-21s. We have probably 71 of them. They are cheap. They are efficient. They are fast. They are not very comfortable, but they serve the purpose.

So I just say what we have here is a game of one-upmanship. General so-and-so has a nice plane. Admiral so-and-so wants one, too. Another general wants one.

Again, I say to my friend from Alaska, I am not saying we don't need a number of these aircraft. Some of them we do. Some of them have to be larger for longer flights, as in the Pacific, maybe the European theater. But we do not need them here in the continental United States, and that is what we are getting stung with.

We ought to come to our senses. This is waste, pure and simple. I do not even mind, as I said earlier, a little perk of office for the generals, if they have to get in a plane and fly someplace. But they don't need this kind of perk. A C-21 is fine enough to fly around the continental United States for any general or admiral, for any member of the Joint Chiefs of Staff. And a Gulfstream III is more than adequate for any Chairman of the Joint Chiefs of Staff, or any admiral or general to fly from here to Europe.

I would say to the Senator from Alaska, a Gulfstream III can fly from here, land in Gander, land in Iceland, it can refuel, or it can land over in Shannon, Ireland, and refuel and make any city in Europe with one-stop refueling—one stop. They do not need the Gulfstream V. Corporate executives fly all the time from the United States to Europe in Gulfstream IIIs. They don't need Gulfstream Vs.

Of course, some of the bigger corporations, may have a Gulfstream V, but that is the private sector. If they want to do that, that is fine. We are talking about public servants here. Generals and admirals are no more or less public servants than the Senator from Hawaii, Iowa, Alaska, or California. They do not need to be mollycoddled. They do not need to be babied and pampered like some corporate executive.

If a corporate executive wants to be babied and pampered, that is up to their board of directors and their stockholders. The American people are the stockholders of the Department of Defense. I do not believe our constituents want to spend their hard-earned tax dollars so some general or admiral can fly around in a Gulfstream V in luxurious comfort while we have troops on food stamps and while we are trying to raise the pay of those on the bottom.

So I say let's take a little time here. Let's take a breather. They do not need to lease the nine aircraft right now.

Let's take a look at the GAO report. Let's give the Department of Defense 1 year to come back, and let's see their justification.

I ask the Senator from California again for that justification for the RFPs that just went out:

Aircraft should be able to fly no-wind range of 5,000 nautical miles.

Why?

The PRESIDING OFFICER. The Senator's time has expired.

Mr. HARKIN. Why?

Mrs. BOXER. How much time remains on our side?

The PRESIDING OFFICER. Seven and a half minutes.

Mrs. BOXER. I yield my friend 4 minutes.

Mr. HARKIN. Mr. President, I will not take 4 minutes, but I appreciate the Senator from California yielding me time.

Why? Why 5,000 miles? That is the threshold. The objective is the "Aircraft shall be able to fly no-wind range of 5,000 nautical miles carrying a full passenger and crew complement, plus their baggage." Why? We do not know why, but that is what they said.

The GAO report says, as the Senator from California said, there is no justification for it. They plucked the numbers out of thin air. They cooked the books, and I do not like it.

Mrs. BOXER. Will my friend yield on the remaining time he has? I thank my friend for joining me. This is someone who knows what it is to fly military aircraft. I could not have a better partner on this amendment than TOM HARKIN.

I want to close this particular portion, and then we will have a few minutes left to respond to the criticism that I am sure will now be leveled at us from some very astute people.

Here is the point: Last year when we got in this fight, they told us: Oh, no, they were not going to go out and get these Gulfstreams. We said we thought they were; nothing in this language precludes it. They went out with an RFP. We were right: Luxury planes, \$50 million a copy if you were to buy it.

Secondly, we said OK to our friends, you don't believe us; we will have a GAO report, the nonpartisan arm of Congress, investigate. That is what they do, they investigate. Guess what they said. "Operational support airlift requirements are not sufficiently justi-

fied." Guess what else. The Department of Defense says they agree. So why are we in this bill allowing for leases of nine jets which are not defined? They can well be these luxury jets. I thank my friend and ask for his final comments.

Mr. HARKIN. I say to anyone who is watching this debate, get on your computer, get on the Internet and dial up www.gulfstream.com. Dial up gulfstream.com and take a look at the Gulfstream V and Gulfstream III, I say to my constituents, or anyone who is watching—gulfstream.com. Dial it up and take a look at the Gulfstream V and ask yourself: Does a general or an admiral or anyone who is a public servant really need this kind of luxury? The answer, I think, will be obvious.

I reserve any remaining time.

Mr. STEVENS. How much time remains, Mr. President?

The PRESIDING OFFICER. The Senator from California has 4½ minutes, and the Senator from Alaska has 45 minutes.

Mr. STEVENS. Mr. President, I am going to yield 10 minutes to the Senator from Kansas and 10 minutes to the Senator from Hawaii. I want to start off by saying we are talking about UC-35 support aircraft under a pilot lease program. I do not know what this business is about someone saying last year—I do not know the straw man. Last year, I said we expected them to lease intercontinental aircraft of a large size, and they did. This time we are telling you we expect them to lease UC-35-type aircraft for operational and support utility purposes.

There are nine planes authorized to be leased—three for the Army, three for the Navy, and three for the Marine Corps—to replace planes that are aging, many of them more than 30 years old, older than the pilots who are flying them.

It is time we woke up to the fact that it costs so much to operate them, so much to maintain them that it is too expensive. We are trying to modernize without buying so many airplanes. We want to lease them.

This is a pilot program, as was the one last year, to see what the cost will be as we have to replace this fleet. It is an aging fleet. As a matter of fact, we bought the first G-3 the first year I was the chairman of the subcommittee in 1981. Those planes are now over 20 years old, the 21s are over 30 years old, and we have to replace them.

We have two pilot projects: One is to lease the larger ones and one is to lease these smaller ones. We are going to see what it costs us, what the maintenance costs are.

I am getting tired of these GAO reports written by people who do not know what they are talking about, and we are going to do something about that, too. That same person who has been writing these reports has condemned every airplane we have bought in the last 5 years. It is time we stopped listening to the people who do not know what they are talking about.

These are pilot programs to lease aircraft, instead of replacing them, to determine what the maintenance costs will be, what will the cost to the Government be if we pursue a leasing program, which most major businesses do now, rather than buying aircraft. I think it will be cost effective. But above all, this is a program to determine the cost, whether there is a choice for us, instead of buying replacements, to lease these aircraft. Until we put the pilot programs in place, we will not know.

I think this is the rational thing to do. I have seen a lot of straw people, but you get on the www.gulfstream.com all you want and look at the beautiful airplanes. They are not what we are talking about. We have not bought any of those either. We have not bought planes such as those they will see advertised for commercial purposes. We bought them for military purposes. They are stripped down, and they are functional aircraft. The ones we leased last year are functional now. I invite my colleagues to take a ride on one and look at them.

As a practical matter, right now, I yield to my friend—

Mrs. BOXER. Will my friend yield for a question?

Mr. STEVENS. No, you wouldn't yield to me. I am not going to yield.

Mrs. BOXER. I yielded to my friend.

Mr. STEVENS. You didn't yield to me.

Mrs. BOXER. I did certainly yield to you.

Mr. STEVENS. No, you didn't.

Mrs. BOXER. I did; I did.

Mr. STEVENS. On your time. If you want to spend your time, I am happy to use it. Mr. President, on her time I yield to her.

The PRESIDING OFFICER. The Senator from Alaska has the floor.

Mr. STEVENS. I yield on your time.

Mrs. BOXER. Fine. I yielded to you on my time, but if that is how you want to do it, fine. I will say this: There is nothing in this language that says you are leasing a particular type of aircraft. This is the same language that was used which gave the Air Force the ability to get the Gulfstreams.

If my friend wants to change the language, that is great, but the language is the same. The Air Force took that language and is buying luxury jets, and besides which the GAO says do not get any more because they do not even know what they have they are so disorganized over there when it comes to the operational airlift.

Mr. STEVENS. Mr. President, the language is exactly the same; the Senator is right. It is for leasing aircraft for operational support and utility airlift purposes, and it specifically says it is a multiyear pilot program. There is not an expanded program as has been represented. It is nine planes total to see what the costs will be of operations under this pilot-type program as compared to the cost of buying such an aircraft and flying it for military purposes.

I yield 10 minutes to the Senator from Kansas.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. ROBERTS. Mr. President, I thank the chairman for yielding. The way I understand the amendment, as crafted by the distinguished Senator from Iowa and the distinguished Senator from California, it is that they would strike the appropriations process to lease UC-35 aircraft. We are not talking about—I took some notes—either Gulfstreams or Boeing 727s or Learjets and, as a matter of fact, I do not think, with all due respect to my colleagues, we are talking about pampering or mollicoddling or glasses of champagne in regard to this aircraft.

We are talking about basically the operational support airlift aircraft, and the capability and the importance that these aircraft have in performing the missions as deemed appropriate by the Secretary of Navy, the Commandant of the Marine Corps, and the Secretary of Army, all three of which have put these particular aircraft—nine UC-35s—on their unfunded list.

So if we are going to go to "gulfstream.com"—I don't know if the Commandant of the Marine Corps has a dot com or the Secretary of the Navy or the Secretary of the Army, but they certainly had these aircraft on the unfunded list.

Now, let me talk a minute about the GAO report. The Senator from California was exactly right when she stated the response from the Department of Defense to the GAO and all the criticism of the GAO. As a matter of fact, let me say something about the GAO. It is a lot like an economist. I hope someday to find an expert witness from the General Accounting Office with one arm so he can't say "on the other hand." I don't know how many times, when I had the privilege of being the chairman of the House Agriculture Committee in the other body, we would have GAO reports that were highly critical of many of the programs that we had under our jurisdiction.

I am finding out in the Intelligence Committee, the Armed Services Committee, and, yes, the Agriculture Committee—we ought to have it before the Ethics Committee—but, at any rate, in these three committees, we still have expertise in the GAO. Sometimes it is very helpful and other times I think a little myopic.

But at any rate, this is what the Department of Defense says in regards to the GAO report. They agree.

The Department agrees with many of the findings in the GAO report. Accordingly, it will take the GAO's findings into consideration in future determinations of operational support airlift requirements.

So they agree that this inventory should be based solely on joint wartime readiness requirements of the commands as opposed to any kind of personal use, as described in great detail by my two friends and colleagues.

The Department appreciates the opportunity to comment on the GAO draft report.

I do not think that is the issue. The issue is whether or not we will lease nine. And they would go three to the Army, three to the Navy, and certainly three to the U.S. Marine Corps. They are on the unfunded list.

Now, if this amendment is successful, they will not be leased and they will not replace, as the distinguished chairman has pointed out, aging aircraft, C-12s. I think, over the long term, this will provide a greater test to see, under a cost-benefit standard, as to whether or not this is in the best interests of the taxpayer, as we provide this aircraft.

Mr. HARKIN. Will the Senator yield?

Mr. ROBERTS. I don't have time. I will see at the end, if I can ask for more time, and I would be delighted to yield to my good friend.

In war, this fleet—I am talking about operational support airlift aircraft—is maintained and ready to provide the commander quick transportation and to remote locations.

The distinguished Senator from Iowa said—if I can find my notes—that we are not at war. Well, we are not at war. Some people in Kosovo might challenge that. But we are involved in 141 nations. We have U.S. troops—men and women in uniform—in 141 nations. Fifty-five percent of all the nations in the world have U.S. troops stationed in those countries. The operational airlift capacity that is provided by these nine UC-35 aircraft is absolutely vital on those missions.

What am I talking about? Joe Ralston is the new Supreme Allied Commander. He took the place of Wesley Clark. The first obligation, as he told me in a courtesy call, is to pay as many courtesy visits as he can to his counterparts in Russia. How is he going to get there?

What happens if something breaks out in Kosovo? How does he get there? No, we are not at war, but in terms of our obligations and in terms of our military being stretched and stressed and hollow, it seems to me we ought to be very careful when we talk about operational support airlift aircraft.

Let me give you another example.

I have a congressional fellow in my office. He is an F-15 pilot. I know one case where his aircraft, in support of Operation Southern Watch—that is to prevent drugs from coming into this country—had to divert due to a massive fuel leak. Again, in regards to this operational support airlift aircraft, basically what happened, it was dispatched with maintenance crews and the very critical parts to fix the aircraft very quickly and return it to mission ready status.

That is what these aircraft are used for. As a matter of fact, I have here a statement that only 5 percent of these aircraft, in terms of missions, were ever even used by generals.

Here it is: In fiscal year 1999, less than 5 percent of the operational support missions were for generals or admirals. What does the 95 percent do?

The operational support airlift mission does provide—as determined by the Secretary of the Navy, the Secretary of the Army, and the Commandant of the Marine Corps—efficient and effective transportation of commanders, key staff personnel, couriers, critical spare parts, and equipment in support of both peacetime and wartime operations.

These missions, according to the people who fly them, are typically unpredictable, high priority, and require very short notice in regards to the airlift of the people, the cargo, and the mail. These lifts are normally in support of contingency deployments—goodness knows, we have those today in 141 nations—not compatible with commercial transportation or larger aircraft.

The critical delays in the transportation of senior leaders, key staff personnel, urgently needed parts, supplies, and software could ultimately impact unit effectiveness and combat readiness.

I want to say, in closing, that my distinguished friend from Iowa referred to a so-called—I know he was not being specific in regards to the Marine Corps—“General Smith” in the Marine Corps who would look around to other generals who might have a Gulfstream or a 727 or a Learjet, or whatever, and say: Gee whiz, I would like to have that perk.

I just want to set the record straight. I asked the Marine Corps, I asked the Commandant: What about this statement, Mr. Commandant? I am talking about “General Jim Jones.” And this is the statement that worried me because it is very similar to the statements that have been made on the floor by the proponents of this amendment. The response was:

The Pentagon already has enough aircraft to taxi Generals and Admirals around the world. In fact, they have more than 300 executive aircraft, including more than 100 jets suitable to transport high-ranking officers.

I asked the Commandant, I said: Will you please comment about this statement. And the response was:

The 3 UC-35s are for Active Marine Corps forces, not the Navy.

The Marine Corps does not provide executive airlift.

Let me repeat that: The United States Marine Corps, according to the Commandant of the Marine Corps, does not provide executive airlift.

[The Marine Corps has] a small fleet (24) of Operational Support Airlift aircraft that are tied directly to a Joint Staff validated war-time requirement. . .

These aircraft support Marine Forces deployed [around the world].

The need to replace—

And this is what the chairman of the committee was trying to point out—aging/obsolete CT-39G aircraft has been accelerated by the transfer of 2 of the Marine Corps 3 remaining CT-39s to the Navy. . .

We do not even have the obsolete aircraft. That is nothing new for the Marine Corps. We do not even have that.

I continue with the answer in regards to that statement that has been stated by the Commandant:

The increased performance and short field capability of the UC-35 will ensure OSA support to forward deployed Marine Corps forces remains viable well into the 21st century.

Again, I am quoting from the Commandant:

The Marine Corps has placed 3 UC-35s on the Commandant's FY00 APN Unfunded Priority List in order to accelerate delivery to the West Coast and Okinawa to support Marine forces.

[These] Missions are typically unpredictable, high priority, and require short notice airlift of people, cargo, and mail. These lifts are normally in support of contingency deployments not compatible with commercial transportation, common user airlift, or other organic airlift.

That is a long way from being mollycoddled or thinking that you must have a perk aircraft because some other admiral or general might have a perk aircraft.

I agree with the Senators from Iowa and California, we must make sure that the Department of Defense, as is indicated by their response, adheres to the GAO report, without question.

Nobody wants to soak the taxpayer for any kind of generals' special fleet. That is not what this does. This amendment would strike nine unfunded priority requests by the Secretary of the Army, the Secretary of the Navy, and the Commandant of the Marine Corps. I will put that dot com at the end of my remarks and hope people will pay attention to the people who have that responsibility.

I hope my colleagues will oppose the amendment.

The PRESIDING OFFICER. The Senator from Hawaii is recognized for 10 minutes.

Mr. INOUE. Mr. President, I am not a pilot. However, I believe that in this body I spend more time on aircraft than other Members.

My home is in Hawaii. Whenever I leave the city of Washington to return home, I must prepare myself for 11 hours and 15 minutes of flight time. In that sense, I believe I am an experienced person when it comes to flying. However, in my case, because of the uncertainty of the schedule in the Senate, we cannot make reservations 3 or 4 months ahead of time. I have had a reservation for this Friday, but I just canceled that because I think we are going to be handling appropriations measures. As a result, if something should come about making it possible for me to fly back to Hawaii this Friday, I may be able to get a flight, leaving at some strange hour, economy class, which I don't mind. But at the end of the trip, I usually can get home to my apartment and spend an evening of rest.

The men who fly these planes have special responsibilities. When they get on a flight to go to Russia, they are not going to be escorted to a fancy hotel as soon as they land. They are expected to go to a meeting at that point. The

least we can provide our commanders is some rest and some comfort before they get into some big business.

Secondly, these are not just any old aircraft. They have to be specially equipped. In wartime and in peacetime, these planes are their headquarters. They make command decisions on these flights. They are expected to be in contact with the men and women under their command at all times. We are fortunate. In a sense, we are 8-to-8 employees. We get to work about 8 o'clock and we leave work about 8. A military commander is like a police officer. He is on duty 24 hours a day. These aircraft must be equipped to be able to provide support for his 24-hour-a-day responsibility.

Yes, we do have 71 Learjets in the inventory at this time. That is a large fleet, 71 Learjets. But they are getting pretty old and inadequate for the assignments. Within 5 years, about 45 are going to be retired. Within 10 years, we will find that all of these will be gone.

We have 707s. I don't know how many of my colleagues have been flying on 707s recently, but they are considered pretty old, 35 years old. Whether we like it or not, we will have to retire these aircraft. Yes, we have C-22s, the 727. They are 25 years old. They can't last forever. They are going to be retired pretty soon.

A third consideration: This provision in our bill does not specify the name of the aircraft. We do this deliberately because we don't want to favor one company over another. If we put in the G-5 that we are favoring one company, the Grumman, or if we put in something else, we are going to be favoring another company. That is not our wish. We want this to undergo a competitive system. I think we have fulfilled that requirement by this amendment.

Overall, there is another consideration. We have been speaking of admirals and generals. Much of the time you will find that these aircraft are being used by our civilian leaders, Cabinet people. Just 2 days ago, the Secretary of State went to Syria, to Damascus, to attend the funeral of President Assad. She did not go on Pan American or TWA. She went on a military aircraft. I would hope that we Americans would want our Secretary of State to travel in an aircraft worthy of her position. We can easily say United Airlines is good enough for me, why is it not good enough for general so-and-so? Well, if he is going home for vacation, he should take United Airlines or Delta, whatever airlines he wants to take. But these aircraft are not being used for personal purposes. They are being used for military purposes. I hope we will understand this. I hope when the vote is called, we will vote against this.

I would support my colleagues from Iowa and California if I at any time thought these aircraft were perks. They are not perks. Any person who is willing to command troops and stand in harm's way in my behalf and in behalf of the people of the United States,

I say a G-5 is good for them. If we get something better than that, so be it. Nothing is too good for them.

I hope my colleagues will support the leadership and managers of this measure and vote against this amendment.

Mr. STEVENS. Mr. President, how much time remains?

The PRESIDING OFFICER. The Senator from Alaska has 23 minutes remaining, and the Senator from California has 4 minutes.

Mr. STEVENS. Mr. President, I will yield to the Senator from California 2 minutes and apologize. She did recognize me for a four-line comment.

I yield myself what time I use to make this statement: The issue has been raised about large aircraft. That is a different issue. We have gone back and checked what this issue is. This is support aircraft. The Air Force told us today they will have to add \$900 million to the budget to maintain and upgrade the existing support aircraft for the next 10 years. Leasing these smaller aircraft to replace them will cost \$525 million over the next 10 years. If our pilot program works, these aircraft in what we call the CINC Support Pilot Program will save \$275 million. I think that is a good idea. It makes sense to try it for the UC-35s, and I hope the Senate will support that.

I reserve the remainder of my time.

The PRESIDING OFFICER. Who yields time?

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mrs. BOXER. Mr. President, I thank my friend from Alaska for giving me a little bit of time. I began to doubt my own memory, but I am glad that he agreed that I did, in fact, yield to him. Of course, I have tremendous respect for him, but I don't agree with him on this particular issue.

I want to address what one of my dearest friends in the Senate, Senator INOUE said. He said: I don't want to see our generals and people who put their lives on the line for their country flying around in a commercial jet.

I totally understand that. I didn't disagree with him on that. I say to my friend from Hawaii that I personally don't want the generals traveling around via United or TWA.

That is not what this is about. I want to make sure we have the appropriate number of operational support aircraft in the fleet. We know—because the GAO took a long time investigating—that in fact the joint staff has not maintained records documenting its previous requirement reviews, so it is not possible to determine whether some options for reducing requirements were examined.

I say to my friend from Hawaii that the issue isn't that we shouldn't have operational support aircraft. Of course, we have to and we must. But why on Earth do we go ahead in this appropriations bill with language identical to that which we saw last year which resulted in the Air Force going out with a proposal for six of the most expensive luxury jets? We now have the same language for nine jets. There is no limit on language that the Navy or the Army can come back with. That is why we are structuring it. We are simply saying it would be fiscally responsible.

I am one of the people who, years ago when I was in the House, found—I forget how much it was—I think it was an \$11,000 coffeepot, something like that, and the expensive wrenches and spare parts the military was using. Every time I got up on the floor of the House I was truly lectured: You don't know what you are saying. There is no backup for this. Eventually they believed we were right. They weren't going out for competitive bids for these spare parts.

I question no one in this Senate in terms of their wanting the best defense we can have. But I don't think we get the best defense when we waste dollars.

I am suggesting that the language in this appropriations bill, believe it or not, doesn't have a cap. Am I right on that point? It has no cap. It has no dollar figure. It only caps the number of aircraft to nine. But if they do what the Air Force did—Senator STEVENS says they won't, and perhaps they won't—but if they did do what the Air Force said, it would be almost one-half billion dollars.

Our amendment says strike that language. Let's have more of a review. Let's not waste money.

We weren't born yesterday. We know people love to travel in luxury. There is not one person listening to this debate who wouldn't enjoy kicking back on this type of luxury jet.

Let's show a picture of it. That is not the question. But the issue is whether taxpayers have to spend that much money when we don't know what is in the requirements. We don't know what planes are in the Air Force, the Marines, or the Army. We do not have a study. It simply says operational support airlift requirements are not sufficiently justified. We don't know what is in the garage. Let's put it that way. That was the verb I was looking for. We don't know what is in the garage. Let's not go out and willy-nilly allow them to get an additional nine aircraft. These are beautiful aircraft. There is no question they are wonderful. But we were told: Oh, well. Maybe the Senator from Alaska believed that he said he fully expected them to get the Gulfstream. I remember the debate a little differently. The debate was that we were not sure what they were going to wind up getting. They were going to wind up getting these. Just because the Air Force has them doesn't mean we have to have them in the Army. It

doesn't mean we have to have them in the Navy.

I think Senator HARKIN was right. He said he knows airplanes. He knows aircraft. This is about luxury. What the military should be about is mission. What is the mission? What do we need and what do we have? The GAO report clearly is telling us they do not know what they have.

I think it is rather embarrassing; they do not know what they have. Yet we are going ahead as if everything was wonderful. No one on our side of the argument—we had over 30 people last time—has ever said that we don't have anything but the greatest respect for our generals and our admirals. But we have respect for the taxpayers. Senators can argue with one another. I don't know what we appropriate for the GAO every year, but they have some very smart investigators. They made an investigation and said: We don't know what they have.

Why should we get any more until we really know for sure?

Thank you very much.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. STEVENS. Mr. President, the operational support airlift fleet has decreased from 520 in 1995 to 364 today. We are reducing the number of these aircraft. Now we are starting a pilot project of leasing them to see if we can save even more money. But we must go through the concept of replacing these aging aircraft.

By the way, one last comment as a pilot: People say: Well, they can land and take off, and they can land and take off, and they can land and take off. I am also a pilot. Every time you let down and land and take off again, you use more fuel than if you fly straight through. These planes are designed to save us money by having "the legs," as we call it, to go the distance and not have to stop and burn more fuel as they land and take off.

Does the Senator wish any more time?

Mr. President, I yield the remainder of my time. I serve notice that I intend to move to table the amendment of the Senator from California.

Mrs. BOXER. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

Mr. STEVENS. Mr. President, I need to find out whether it is proper for us to go ahead and have this vote now. We had intended to complete the Wellstone amendment. Does it meet with the approval of both sides to proceed with this amendment now? I want to make a statement before we have the rollcall.

The PRESIDING OFFICER. The yeas and nays have been asked for.

Mr. STEVENS. I agree with the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. STEVENS. Mr. President, following this vote, I ask unanimous consent that there be 4 minutes equally divided on the Wellstone amendment so the Senator can explain his amendment and we can respond.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. STEVENS. Following that, it is my intention to move to go to third reading and have final passage on this bill. I serve notice on all those involved that we will have a managers' package following the vote on this amendment before taking up the Wellstone amendment. If there is no further objection, after the Wellstone amendment, we will go to third reading and have final passage immediately after that.

Mr. President, I ask unanimous consent that there be no further second-degree amendments to any amendment on this bill.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The question is on agreeing to the motion to lay on the table amendment No. 3311. On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. NICKLES. I announce that the Senator from Pennsylvania (Mr. SPECTER) and the Senator from New Mexico (Mr. DOMENICI) are necessarily absent.

Mr. REID. I announce that the Senator from West Virginia (Mr. ROCKEFELLER) is necessarily absent.

The result was announced—yeas 65, nays 32, as follows:

[Rollcall Vote No. 125 Leg.]

YEAS—65

Akaka	Enzi	Lugar
Allard	Fitzgerald	Mack
Ashcroft	Frist	McCain
Bennett	Gorton	McConnell
Biden	Gramm	Moynihan
Bingaman	Gregg	Murkowski
Bond	Hagel	Nickles
Breaux	Hatch	Reed
Brownback	Helms	Roberts
Bunning	Hollings	Roth
Burns	Hutchinson	Santorum
Campbell	Hutchison	Shelby
Chafee, L.	Inhofe	Smith (NH)
Cleland	Inouye	Smith (OR)
Cochran	Jeffords	Snowe
Collins	Kerrey	Stevens
Coverdell	Kerry	Thomas
Craig	Kyl	Thompson
Crapo	Landrieu	Thurmond
Daschle	Leahy	Voinovich
DeWine	Lieberman	Warner
Dodd	Lott	

NAYS—32

Abraham	Feinstein	Mikulski
Baucus	Graham	Murray
Bayh	Grams	Reid
Boxer	Grassley	Robb
Bryan	Harkin	Sarbanes
Byrd	Johnson	Schumer
Conrad	Kennedy	Sessions
Dorgan	Kohl	Torricelli
Durbin	Lautenberg	Wellstone
Edwards	Levin	Wyden
Feingold	Lincoln	

NOT VOTING—3

Domenici	Rockefeller	Specter
----------	-------------	---------

The amendment (No. 3311) was rejected.

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

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

The motion to lay on the table was agreed to.

The PRESIDING OFFICER (Mr. BROWNBACK). The Senator from Alaska.

Mr. STEVENS. Mr. President, I ask unanimous consent that the next votes in this series be limited to 10 minutes each.

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

Mr. STEVENS. Mr. President, I ask unanimous consent that Senator BURNS be added to the Baucus amendment No. 3372 as an original cosponsor.

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

Mr. STEVENS. Mr. President, I ask unanimous consent that Senator MCCAIN be added as an original cosponsor to amendment No. 3361.

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

AMENDMENTS NOS. 3177, AS MODIFIED, 3178, AS MODIFIED, 3282, AS MODIFIED, 3285, AS MODIFIED, 3287, AS MODIFIED, 3290, AS MODIFIED, 3294, AS MODIFIED, 3295, AS MODIFIED, 3297, AS MODIFIED, 3313, AS MODIFIED, 3333, AS MODIFIED, 3340, AS MODIFIED, 3345, 3347, AS MODIFIED, 3359, AS MODIFIED, 3361, 3372, AS MODIFIED, 3376, AND 3377, EN BLOC

Mr. STEVENS. Mr. President, I send to the desk the second managers' package with the amendments that have been agreed to on both sides, as modified. I ask unanimous consent that these amendments be considered en bloc.

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

Mr. STEVENS. I ask unanimous consent that the amendments be agreed to en bloc.

The PRESIDING OFFICER. Is there further debate on the amendments?

Without objection, the amendments are agreed to en bloc.

The amendments (Nos. 3177, As Modified, 3178, As Modified, 3282, As Modified, 3285, As Modified, 3287, As Modified, 3290, As Modified, 3294, As Modified, 3295, As Modified, 3297, As Modified, 3313, As Modified, 3333, As Modified, 3340, As Modified, 3345, 3347, As Modified, 3359, As Modified, 3361, 3372, As Modified, 3376, and 3377) were agreed to en bloc, as follows:

AMENDMENT NO. 3177, AS MODIFIED

(Purpose: To set aside \$6,000,000 to support smart maps and other intelligent spatial technologies)

At an appropriate place in the substituted original text, insert the following:

SEC. . Of the funds appropriated in title IV under the heading "RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE", up to \$6,000,000 may be made available to support spatio-temporal database research, visualization and user interaction testing, enhanced image processing, automated feature extraction research, and development of field-sensing devices, all of which are critical technology issues for smart maps and other intelligent spatial technologies.

AMENDMENT NO. 3178, AS MODIFIED

(Purpose: To set aside \$7,000,000 for the procurement of the integrated bridge system for special warfare rigid inflatable boats under the Special Operations Forces Combatant Craft Systems program)

On page 109 of the substituted original text, between lines 11 and 12, insert the following:

SEC. 8126. Of the funds appropriated in title III under the heading "PROCUREMENT, DEFENSE-WIDE", up to \$7,000,000 may be made available for the procurement of the integrated bridge system for special warfare rigid inflatable boats under the Special Operations Forces Combatant Craft Systems program.

AMENDMENT NO. 3282, AS MODIFIED

(Purpose: To state the sense of the Senate regarding the payment by the Secretary of the Air Force of \$92,974.86 to the New Jersey Forest Fire Service as reimbursement for costs incurred in fighting a fire resulting from a training exercise at Warren Grove Testing Range, New Jersey)

On page 109, between lines 11 and 12, insert the following:

SEC. 8126. (a) SENSE OF SENATE.—It is the sense of the Senate that the Secretary of the Air Force should, using funds specified in subsection (b), pay the New Jersey Forest Fire Service the sum of \$92,974.86 to reimburse the New Jersey Forest Fire Service for costs incurred in containing and extinguishing a fire in the Bass River State Forest and Wharton State Forest, New Jersey, in May 1999, which fire was caused by an errant bomb from an Air National Guard unit during a training exercise at Warren Grove Testing Range, New Jersey.

(b) SOURCE OF FUNDS.—Funds for the payment referred to in subsection (a) should be derived from amounts appropriated by title II of this Act under the heading "OPERATION AND MAINTENANCE, AIR NATIONAL GUARD".

AMENDMENT NO. 3285, AS MODIFIED

(Purpose: To set aside \$18,900,000 to meet certain unfunded requirements for MH-60 aircraft of the United States Special Operations Command)

On page 109 of the substituted original text, between lines 11 and 12, insert the following:

SEC. 8126. Of the funds appropriated in title III under the heading "PROCUREMENT, DEFENSE-WIDE", up to \$18,900,000 may be made available for MH-60 aircraft for the United States Special Operations Command as follows: up to \$12,900,000 for the procurement of probes for aerial refueling of 22 MH-60L aircraft, and up to \$6,000,000 for the procurement and integration of internal auxiliary fuel tanks for 50 MH-60 aircraft.

AMENDMENT NO. 3287, AS MODIFIED

(Purpose: To provide for the conveyance of an Emergency One Cyclone II Custom pumper truck to the Umatilla Indian Tribe, the current lessee)

Under the heading CHEMICAL AGENTS AND MUNITIONS DESTRUCTION, DEFENSE insert before the period the following: "Provided further, That the amount available under Operation and maintenance shall also be available for the conveyance, without consideration, of the Emergency One Cyclone II Custom Pumper truck subject to Army Loan DAAMO1-98-L-0001 to the Umatilla Indian Tribe, the current lessee".

AMENDMENT NO. 3290, AS MODIFIED

At the appropriate place in the bill, add the following new section:

"SEC. . (a) PROHIBITION.—No funds made available under this Act may be used to transfer a veterans memorial object to a foreign country or entity controlled by a foreign government, or otherwise transfer or convey such object to any person or entity for purposes of the ultimate transfer or conveyance of such object to a foreign country or entity controlled by a foreign government, unless specifically authorized by law.

(b) DEFINITIONS.—In this section:

(1) ENTITY CONTROLLED BY A FOREIGN GOVERNMENT.—The term "entity controlled by a foreign government" has the meaning given that term in section 2536(c)(1) of title 10, United States Code.

(2) VETERANS MEMORIAL OBJECT.—The term "veterans memorial object" means any object, including a physical structure or portion thereof, that—

(A) is located in a cemetery of the national Cemetery System, war memorial, or military installation in the United States;

(B) is dedicated to, or otherwise memorializes, the death in combat or combat-related duties of members of the United States Armed Forces; and

(C) was brought to the United States from abroad as a memorial of combat abroad."

AMENDMENT NO. 3294, AS MODIFIED

(Purpose: To make available \$5,000,000 for research, development, test, and evaluation for the Air Force for Advanced Technology (PE603605F) for the LaserSpark countermeasures program)

On page 109, between lines 11 and 12, insert the following:

SEC. 8126. Of the amount appropriated under title IV under the heading "RESEARCH, DEVELOPMENT, TEST, AND EVALUATION, AIR FORCE", up to \$5,000,000 may be made available under Advanced Technology for the LaserSpark countermeasures program.

AMENDMENT NO. 3295, AS MODIFIED

(Purpose: To make available \$3,000,000 for research, development, test, and evaluation, Defense-Wide for Logistics Research and Development Technology Demonstration (PE603712S) for a Silicon-Based Nanostructures Program)

On page 109, between lines 11 and 12, insert the following:

SEC. 8126. Of the amount appropriated under title IV under the heading "RESEARCH, DEVELOPMENT, TEST, AND EVALUATION, DEFENSE-WIDE" for Logistics Research and Development Technology Demonstration, up to \$2,000,000 may be made available for a Silicon-Based Nanostructures.

AMENDMENT NO. 3297, AS MODIFIED

(Purpose: To make available \$50,000,000 for research, development, test and evaluation, Defense-Wide for directed energy technologies, weapons, and systems)

On page 109, between lines 11 and 12, insert the following:

SEC. 8126. Of the amount appropriated under title IV under the heading "RESEARCH, DEVELOPMENT, TEST, AND EVALUATION, DEFENSE-WIDE," up to \$50,000,000 may be made available for High Energy Laser research, development, test and evaluation (PE 0602605F, PE 0603605F, PE 0601108D, PE 0602890D, and PE 0603921D). Release of funds is contingent on site selection for the Joint Technology Office referenced in the Defense Department's High Energy Laser Master Plan.

AMENDMENT NO. 3313, AS MODIFIED

(Purpose: To modify the funds available to offset the effects of low utilization of plant capacity at the Arsenals)

On page 109, between lines 11 and 12, insert the following:

SEC. 8126. Of the amount appropriated under title II under the heading "OPERATION AND MAINTENANCE, ARMY" for Industrial Mobilization Capacity, \$56,500,000 plus in addition \$11,500,000 may be made available to address unutilized plant capacity in order to offset the effects of low utilization of plant capacity on overhead charges at the Arsenals.

AMENDMENT NO. 3333, AS MODIFIED

(Purpose: To make available up to \$3,000,000 for Other Procurement for the Air Force for certain analyses of the restart of the production line for the U-2 aircraft)

In the appropriate place in the Bill, insert the following:

SEC. 8126. Of the amounts appropriated in title III under the heading "OTHER PROCUREMENT, AIR FORCE", \$3,000,000 shall be made available for an analysis of the costs associated with and the activities necessary in order to reestablish the production line for the U-2 aircraft, at the rate of 2 aircraft per year, as quickly as is feasible.

U-2 AIRCRAFT

Mr. BYRD. Mr. President, I thank the managers for accepting my amendment making up to \$3 million available to analyze the cost and feasibility of restarting the production line for the U-2 aircraft at a production rate of two aircraft per year.

The U-2 has proven itself to be the workhorse of our airborne intelligence reconnaissance system. We saw the value of its capabilities graphically demonstrated during the Kosovo air operation, where it was an integral part of the air strike mission. Unfortunately, the Kosovo air operation also revealed how bare the cupboard is in terms of U-2 aircraft. The scarcity of U-2 aircraft in our inventory—fewer than three dozen operational aircraft—was sharply accentuated by the Kosovo crisis. To move our U-2 assets into Kosovo, we were forced into the difficult position of drawing down our U-2 capabilities in other theatres.

Would the Chairman agree that U.S. commanders-in-chief around the world, including the Southern Command, which is in charge of intelligence relating to the drug war in Colombia, rely extensively on the U-2 and yet lack the assets needed to completely fulfill their requirements, so that even in the absence of a regional crisis such as Kosovo, our U-2 resources are thinly stretched?

Mr. STEVENS. The Senator is correct. We do, of course, have satellites that provide regular intelligence, but in terms of special missions and real-time needs on the ground, the reconnaissance capabilities provided by aircraft such as the U-2 and UAV are irreplaceable.

Mr. BYRD. Given the current attrition rate of U-2 aircraft, approximately one a year, the situation will only worsen. Moreover, I understand that the research and development effort to develop unmanned aerial vehicles such as Global Hawk, while promising, is still immature. Yet we do not now have a U-2 production line in place to replace the aircraft that we lose through attrition. In the interests of ensuring

that we have an adequate inventory of reconnaissance aircraft to meet the needs of the commanders-in-chief, would the Chairman agree that it would be prudent for the Defense Department to keep its options open and, at a minimum, prepare an analysis of the cost and feasibility of restarting the U-2 production line?

Mr. STEVENS. I concur with the Senator. This is a matter on which the Committee should seek more thorough analysis.

Mr. BYRD. I am hopeful that my amendment will provide that analysis. It is my intent, and I hope the Chairman would agree, that the findings of this analysis should be provided to Congress in an unclassified report prior to next April, when the next budget will be considered, so that we will have the necessary information on which to base our decisions.

Mr. STEVENS. I agree that such a report would be useful and timely, and I look forward to receiving it.

Mr. BYRD. I thank the chairman for his attention and his support.

AMENDMENT NO. 3340, AS MODIFIED

(Purpose: To provide for the operation of current Tethered Aerostat Radar System (TARS) sites)

On page 109, between lines 11 and 12, insert the following:

SEC. 8126. (a) Congress makes the following findings:

(1) Failure to operate and standardize the current Tethered Aerostat Radar System (TARS) sites along the Southwest border of the United States and the Gulf of Mexico will result in a degradation of the counterdrug capability of the United States.

(2) Most of the illicit drugs consumed in the United States enter the United States through the Southwest border, the Gulf of Mexico, and Florida.

(3) The Tethered Aerostat Radar System is a critical component of the counterdrug mission of the United States relating to the detection and apprehension of drug traffickers.

(4) Preservation of the current Tethered Aerostat Radar System network compels drug traffickers to transport illicit narcotics into the United States by more risky and hazardous routes.

(b) Of the funds appropriated in title VI under the heading "DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE", up to \$23,000,000 may be made available to Drug Enforcement Policy Support (DEP&S) for purposes of maintaining operations of the 11 current Tethered Aerostat Radar System (TARS) sites and completing the standardization of such sites located along the Southwest border of the United States and in the States bordering the Gulf of Mexico.

AMENDMENT NO. 3345

(Purpose: To set aside funds for maintaining the industrial mobilization capacity at the McAlester Army Ammunition Activity, Oklahoma)

On page 109 of the substituted original text, between lines 11 and 12, insert the following:

SEC. 8126. Of the amount appropriated by title II under the heading "OPERATION AND MAINTENANCE, ARMY", up to \$3,800,000 may be available for defraying the costs of maintaining the industrial mobilization capacity at the McAlester Army Ammunition Activity, Oklahoma.

AMENDMENT NO. 3347, AS MODIFIED

(Purpose: To provide \$5,000,000 to support a tropical remote sensing radar)

At the appropriate place in the bill, insert the following:

SEC. . Of the funds appropriated in title VI under the heading "COUNTER-DRUG ACTIVITIES, DEFENSE", up to \$5,000,000 may be made available for a ground processing station to support a tropical remote sensing radar.

AMENDMENT NO. 3359, AS MODIFIED

(Purpose: To repeal the prohibition on use of Department of Defense funds for the procurement of a nuclear-capable shipyard crane from a foreign source)

On page 109, between lines 11 and 12, insert the following:

SEC. 8126. Section 8093 of the Department of Defense Appropriations Act, 2000 (Public Law 106-79; 113 Stat. 1253) is amended by striking subsection (d), relating to a prohibition on the use of Department of Defense funds to procure a nuclear-capable shipyard crane from a foreign source.

AMENDMENT NO. 3361

(Purpose: To establish a special subsistence allowance for certain members of the uniformed services who are eligible to receive food stamp assistance)

At the appropriate place in the bill, insert the following new section:

SEC. . Of the funds provided within Title I of this Act, such funds as may be necessary shall be available for a special subsistence allowance for members eligible to receive food stamp assistance, as authorized by law.

AMENDMENT NO. 3372, AS MODIFIED

(Purpose: To set aside for preparation and training for the digitization of FA-18 aircraft technical manuals, \$5,200,000 of the amounts appropriated for the Navy for RDT&E for the Navy technical information presentation system)

On page 109 of the substituted original text, between lines 11 and 12, insert the following:

SEC. 8126. Of the total amount appropriated by title IV under the heading "RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY" for the Navy technical information presentation system, \$5,200,000 may be available for the digitization of FA-18 aircraft technical manuals.

AMENDMENT NO. 3376

(Purpose: To add funding to the Title II, Defense-wide, Research, Development, Test, and Evaluation, for the Virtual Worlds Initiative)

At the appropriate place in the bill, insert the following:

SEC. . Of the funds available in Title II under the heading "RESEARCH, DEVELOPMENT, TEST, AND EVALUATION" (DEFENSE-WIDE) up to \$2,000,000 may be made available to the Special Reconnaissance Capabilities (SRC) Program for the Virtual Worlds Initiative in PE 0304210BB.

AMENDMENT NO. 3377

(Purpose: To add funding to the Procurement of Ammunition, Marine Corps for procurement of ROCKETS, ALL TYPE, 83mm HEDP)

At the appropriate place in the bill, insert the following:

SEC. . Of the funds available in Title III under the heading "PROCUREMENT OF AMMUNITION, NAVY/MARINE CORPS, up to \$5,000,000 may be made available for ROCKETS, ALL TYPE, 83mm HEDP.

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

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

The motion to lay on the table was agreed to.

AMENDMENT NO. 3366, AS MODIFIED

Mr. STEVENS. Mr. President, I ask unanimous consent that there now be 4 minutes equally divided on the Wellstone amendment.

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

Mr. STEVENS. Mr. President, parliamentary inquiry: Can I go to third reading now?

The PRESIDING OFFICER. There is an order for 4 minutes of debate on the Wellstone amendment, followed by a vote on the Wellstone amendment.

Mr. STEVENS. Following that, I will move to go to third reading.

The PRESIDING OFFICER. Who yields time on the Wellstone amendment?

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. WELLSTONE. Mr. President, this is a \$290 billion budget altogether. This amendment takes \$1 billion from procurement, not from readiness. This takes \$1 billion. This overall budget is \$3 billion more than the President requested. It puts the money into the title I program.

This is a matter of priorities. This is a program that helps poor children in America, never mind that it helps them do better in school, never mind that it helps them graduate, never mind that it helps them contribute to our economy, never mind that it leads to less high school dropout, never mind it leads to less children winding up incarcerated and in prison.

Vote for this because most of these children are under 4 feet tall and they are all beautiful and they deserve our support.

The title I program is funded right now at a 35-percent level. This is a matter of priorities.

People in the country believe we should do better by these children. We should do better by these children. It is \$1 billion out of all the procurement—\$57 billion—that goes to children in title I.

I hope Senators will vote for this.

I yield the floor.

The PRESIDING OFFICER. Who yields time?

The Senator from Alaska.

Mr. STEVENS. Mr. President, this is a strange circumstance. The Senator's amendment, really, would be subject to a point of order if we had already raised the caps. We have not raised the caps, so this is not the time to make a point of order. But it is the time to point out that the Senator's amendment would move money from defense into education, and it would violate the principle of the wall that we put up between defense and nondefense.

I do hope that the Senate will support the committee in voting to table, and I do move to table this amendment and ask for the yeas and nays.

The PRESIDING OFFICER. Does the Senator yield back his time?

Mr. STEVENS. I do.

The PRESIDING OFFICER. Does the Senator from Minnesota yield back his time?

Mr. WELLSTONE. I yield back my time.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The question occurs on agreeing to the motion to table Wellstone amendment No. 3366, as modified.

Mr. STEVENS. Mr. President, this is a 10-minute vote; is that correct?

The PRESIDING OFFICER. I remind the body, this is a 10-minute vote.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. NICKLES. I announce that the Senator from Pennsylvania (Mr. SPECTER) is necessarily absent.

Mr. REID. I announce that the Senator from West Virginia (Mr. ROCKEFELLER) is necessarily absent.

The result was announced—yeas 83, nays 15, as follows:

[Rollcall Vote No. 126 Leg.]

YEAS—83

Abraham	Edwards	Lieberman
Akaka	Enzi	Lincoln
Allard	Feinstein	Lott
Ashcroft	Fitzgerald	Lugar
Baucus	Frist	Mack
Bayh	Gorton	McCain
Bennett	Graham	McConnell
Biden	Gramm	Mikulski
Bingaman	Grams	Moynihan
Bond	Grassley	Murkowski
Breaux	Gregg	Nickles
Brownback	Hagel	Robb
Bryan	Hatch	Roberts
Bunning	Helms	Roth
Burns	Hollings	Santorum
Byrd	Hutchinson	Sarbanes
Campbell	Hutchison	Sessions
Chafee, L.	Inhofe	Shelby
Cleland	Inouye	Smith (NH)
Cochran	Jeffords	Smith (OR)
Collins	Johnson	Snowe
Conrad	Kennedy	Stevens
Coverdell	Kerrey	Thomas
Craig	Kerry	Thompson
Crapo	Kohl	Thurmond
DeWine	Kyl	Voinovich
Domenici	Landrieu	Warner
Dorgan	Levin	

NAYS—15

Boxer	Harkin	Reid
Daschle	Lautenberg	Schumer
Dodd	Leahy	Torricelli
Durbin	Murray	Wellstone
Feingold	Reed	Wyden

NOT VOTING—2

Rockefeller	Specter
-------------	---------

The motion was agreed to.

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

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

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senator from Alaska.

AMENDMENT NO. 3176, AS MODIFIED

(Purpose: To add \$6,000,000 for research, development, test and evaluation, Defense-wide, for the initial production of units of the ALGL/STRIKER to facilitate early fielding of the ALGL/STRIKER to special operations forces)

Mr. STEVENS. Mr. President, I apologize to the Senate. There is one

amendment we left out of the managers' package. I would like to present it at this time. It is amendment No. 3176, as modified.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

The amendment (No. 3176), as modified, was agreed to as follows:

On page 109, between lines 11 and 12, insert the following:

SEC. 8126. Of the amounts appropriated in title IV under the heading "RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE", up to \$6,000,000 may be made available for the initial production of units of the ALGL/STRIKER to facilitate early fielding of the ALGL/STRIKER to special operations forces.

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

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

The motion to lay on the table was agreed to.

Mr. STEVENS. Mr. President, for the information of the Senate, I was just asked why we didn't raise rule XVI to the amendments that were on the list. Although they were introduced, they were not called up. So the point of order has not been raised because they were not called up. I now ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. STEVENS. I now ask for third reading.

The PRESIDING OFFICER. The question is on the engrossment of the amendments and third reading of the bill.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read a third time.

NAVAL ACADEMY BOARD OF VISITORS

Mr. COCHRAN. Mr. President, at the Naval Academy Board of Visitors meeting this week I learned that the Naval Academy is required to use funds generated by the Visitor's Center to repay a long-term government loan. I believe that these funds would be better utilized by the Midshipmen Welfare Fund that supports extra-curricular activities not covered by appropriated funds. Knowing of the strong leadership of the chairman and the Senator from Hawaii and support of our Service Academies, I inquire as to whether they would be willing to review this repayment program in conference, and if the facts merit, work to eliminate this requirement?

Mr. STEVENS. Mr. President, I want to assure the Senator that I will work with him and the other interested members to ensure that this matter is addressed in our conference in a manner that will provide a favorable resolution for the Academy.

Mr. INOUE. Mr. President, I join with my chairman and will work to favorably resolve this item in conference.

C-5 AVIONICS MODERNIZATION PROGRAM

Mr. BIDEN. Mr. President, first, I want to thank the Chairman for taking

the time to discuss an issue that is very important to my colleagues, myself, and national security—the modernization of our strategic airlift fleet.

In this year's Defense Appropriations report, there is a restriction on using procurement funds for avionics upgrades of the C-5As. The Report also appears to restrict the High Pressure Turbine Replacements. I do not believe that was the Committee's intent.

Mr. STEVENS. That is correct. The Committee does not believe this report language limits replacing C-5 High Pressure Turbines. Those replacements should occur to the entire C-5 fleet based on Defense Department requirements.

Mr. BIDEN. I understand, however, that the Committee is concerned about the Avionics Modernization Program (AMP) for the C-5 As. Just to clarify, there are two models of C-5s in the Air Force, 76 of the older A-model and 50 of the newer B-model. The C-5's mission is to take heavy loads over a long-distance. It is capable of carrying more cargo farther than any other plane in the United States' military.

In particular, the C-5 regularly runs missions to and from Europe and the Pacific and the United States. For this reason, compliance with the International Civil Aviation Organization's rules in high-density flight areas is important for the entire fleet of C-5s. The AMP will bring C-5 aircraft into compliance with the new Global Air Traffic Management (GATM) standards established by the International Civil Aviation Organization. Compliance with GATM is important because it allows aircraft to use more operationally efficient airspace and lowers operational costs.

This is one of the reasons that the Senate Committee on Armed Services specifically requested that the Secretary of the Air Force proceed to test AMP upgrades on both A and B models in its Fiscal Year 2001 Defense Authorization Report and that both defense committees in the House of Representatives supported this program for the entire C-5 fleet.

Mr. STEVENS. The Committee is aware of the new standards, but is concerned that the Air Force is not investing in the proper mix of modernization and new aircraft to meet our strategic airlift needs.

We are still waiting to receive the long overdue Mobility Requirements Study 2005 (MRS '05) that will clearly lay-out what our strategic airlift needs will be for the foreseeable future. In addition, once that requirement is clear, we will get the Air Force Analysis of Alternatives for Outsized/Oversized Airlift (AoA). This study will provide a clear understanding of what mix of aircraft will most efficiently and effectively meet the operational requirements of the military.

When the Chairman of the Joint Chiefs of Staff, General Shelton, testified before our Committee, he expressed reservations about making further investments in the C-5A fleet.

Mr. BIDEN. I share the Senator's concern that we have still not received MRS '05 and the AoA. However, my conversations with the Air Force lead me to believe that both A and B model planes are expected to be flown by the Air Force for 20 to 40 years to come, whether in Active-duty, Reserve, or Guard units.

While I know that no one in the Senate cares more about the safety of our military personnel than my colleague from Alaska, I remain concerned that some increased risk will be incurred by aircrews flying planes that have not had AMP upgrades. AMP also includes the installation of important safety features like Traffic Alert and Collision Avoidance System and an enhanced all weather navigational system, the Terrain Awareness and Warning System. Some of these systems were mandated by Congress after the tragic death of Secretary Ron Brown.

Mr. STEVENS. The Senator is correct, I do not believe that the Committee's language endangers any of our aircrews. Instead, it is a delaying mechanism to prevent investing in these planes before we are sure that they will be flying for the next 20 years. If, in fact, these studies suggest that, then we will take another look at the needs of the A-models.

Mr. BIDEN. I appreciate that commitment by my colleague. I would also like to clarify with the Senator from Alaska that he supports proceeding with AMP for the B-models.

Mr. STEVENS. The Senator is correct.

Mr. BIDEN. In that case, I think it important to consider the difficulty of proceeding with upgrading the C-5Bs without A models available to do regular missions to Europe where the compliance issues could become a problem.

In addition, if I am correct about the continued use of the C-5As for decades to come, then not proceeding with the AMP for the A models will create a set of new problems.

First, efficient use of aircrew members and crew interfly will be prevented because of the dissimilarities that would exist between A and B model avionics and navigation systems. This is particularly problematic when additional aircrew members are needed to meet Major Theater War requirements.

Second, by attempting to maintain two separate avionics and navigation systems within the relatively small C-5 fleet (126 airplanes), additional spares and support equipment will be necessary with increased unit costs.

Already, the C-5 has been particularly hard-hit by the lack of necessary parts. This is likely to exacerbate that problem.

Last, the language will also create changes in the existing contracts for these on-going programs. Until we know for sure what MRS '05 and the AoA will say, creating this new difficulty does not make sense.

Mr. STEVENS. Again I say to the Senator that I think Chairman

Shelton's testimony was very persuasive. He urged against using our scarce airlift resources on the A-model upgrades. However, my friend makes a good point that changing the program at this point, before we receive MRS '05 and the AoA may be premature. I am willing to re-examine this issue when we go into the Conference with the House.

Mr. BIDEN. I thank the Senator for taking another look at this critical issue and again say that I agree with him on the need to get the Joint Chiefs of Staff and the Air Force to submit their overdue studies.

Mr. ROTH. Mr. President, I would like to follow-up on what my colleague from Delaware has just mentioned.

First and foremost, I would like to thank the Chairman of the Appropriations Committee for accepting my amendment No. 3352, which was cosponsored by Senator BIDEN. This amendment restores full funding (\$92.5 million) for Research, Development, Test and Evaluation funds for C-5 modernization programs, including the C-5 Reliability Enhancement and Re-engineering Program. This amendment, in addition to the Committee recommendation of \$95.4 million requested by the Pentagon in procurement funds for C-5 modernization programs, will allow the current C-5 Galaxy modernization programs to continue for the upcoming Fiscal Year.

I would like to point out the only question that we are discussing now is which C-5 Galaxies will be modernized. I would like to thank the Chairman of the Appropriations Committee for clarifying the committee's position on the C-5 High Pressure Turbine modernization. I also thank the Chairman for agreeing to consider allowing the expenditure of procurement funds for the Avionics Modernization Program (AMP) on the C-5A models.

Just yesterday, I was at Dover Air Force Base, home to 26 C-5Bs and 10 C-5As. Each year, the community leaders, the base leadership, and the Delaware congressional delegation meet to discuss issues important to the Air Base. During a presentation by Colonel S. Taco Gilbert III, the commander of the 436th Airlift Wing at Dover, he mentioned the importance of this program for safely and efficiently operating the Galaxy.

The AMP will allow the C-5 to operate safely, effectively and more reliably. Features like the Traffic Alert and Collision Avoidance System (TCAS) and the Terrain Awareness and Warning System are important safety measures for the crews flying our C-5s. Bringing the C-5 into compliance with the Global Air Traffic Management standards will allow the C-5 to use advantageous flight paths and reduce fuel consumption and other costs. Finally, the new equipment will increase the reliability rates for the C-5 Galaxy and allow off-the-shelf replacements for hard to replace parts.

Mr. COVERDELL. Mr. President, my three colleagues have discussed in

great detail the issues surrounding C-5A modernization efforts. I understand the Chairman's concern with modernizing the C-5A and believe that we must take a serious look at how it fits into our nation's airlift requirements—an effort that is currently underway. At the same time, I believe it is important for us to keep our options open and slowing C-5A modernization efforts now might prove costly in the future, for the very reasons given by the Senator from Delaware.

I am pleased that the Chairman is willing to re-examine this issue in conference. I am also thankful to the junior Senator from Delaware for his leadership on this issue. I thank the Chair.

CASA C-212

Ms. COLLINS. I would like to take a moment to discuss with the distinguished Chairman of the Senate Committee on Appropriations the potential needs of the Army National Guard and the Special Forces Groups, in particular the 10th and the 20th Special Forces Groups, for a short take-off and landing, fixed wing aircraft to meet their training and mission requirements. Special Forces units, in particular, require such aircraft to get in and out of "hot spots" and other situations and areas where no landing field exists.

Mr. STEVENS. I appreciate the distinguished Senator from Maine addressing the utility of a multi-function short take-off and landing fixed wing aircraft for the Army National Guard and the Special Forces Groups.

Ms. COLLINS. I am concerned that the Special Forces Groups and the Army National Guard do not have sufficient aircraft available to meet their needs. In fact, I have been informed that, between October of 1998 and September of 1999, the 10th and the 20th Special Forces Groups could not support 23 missions because of the lack of aviation support available. As such, I would ask that the Army National Guard and the Special Forces Groups assess their needs for a short take-off and landing fixed wing aircraft and, in particular, the C-212 STOL fixed wing aircraft. I ask further that the Army National Guard and the Special Forces Groups report to Congress on the results of their assessments within six months so that we can determine whether funds should be appropriated in fiscal year 2002 for the purchase of such aircraft. Mr. Chairman, do you support such an assessment and report to Congress?

Mr. STEVENS. I do and will be interested in personally reviewing the reports in advance of the fiscal year 2002 appropriations cycle. I thank my colleague for her dedication and commitment to the armed forces.

Ms. COLLINS. I thank the distinguished Chairman for his continued support for our nation's national defense.

TITLE III: SHIPBUILDING AND CONVERSION, NAVY

Ms. SNOWE. Mr. President, I seek recognition with the distinguished

chairman of the Appropriations Committee, the senior Senator from Alaska to discuss a very important matter to our national security. Both the House and Senate versions of the FY2001 national Defense authorization bill contain provisions that supported the President's budget request and authorized \$1.51 billion for Navy procurement of two LPD-17 amphibious ships in FY2001.

The LPD-17 program is a critical ship for the modernization of the Navy's amphibious force. It will carry more than 700 Marines and the equipment and means for them to get ashore and perform their mission—whether that mission is combat related, peace-keeping or in response to crisis throughout the world. It is a Commandant of the Marine Corps, before the Senate Armed Services Committee that "there are no underutilized amphibious ships," and the testimony by Lieutenant General Rhodes before the Seapower Subcommittee where he stated that "the operational flexibility and forward presence our Amphibious Ready Groups represent will be significantly enhanced with the FY03 delivery of the first of 12 LPD-17 amphibious ships." He further stated, "these ships will overcome amphibious lift shortfalls."

Mr. STEVENS. Mr. President, I would like to join my colleague, the senior Senator from Maine, in recognition of the importance of the LPD-17 program and the importance of these ships to the overall modernization program of the Navy and Marine Corps. During consideration of the FY2001 Defense appropriations bill, concern regarding delays in the design and construction of the lead LPD ship at the lead shipyard led to a decision by the Committee to defer funding for the fifth and sixth ship of the class. The Committee did, however, recommend a total of \$485 million for this program.

Ms. SNOWE. Mr. President, I appreciate my colleague from Alaska's support for the LPD-17 program, and would like to take a few minutes to discuss with the distinguished chairman the critical need for these ships.

Mr. STEVENS. I have always been a supporter of the LPD-17 program and the Committee very much appreciates the need for the lift capacity of this ship. In fact, it is my understanding that the *San Antonio* and her 11 sister ships will be the functional replacement for four classes of older amphibious ships. And in 2008, when the last LPD-17 class ship is scheduled to join the fleet, the amphibious force will consist of 36 ships or 12 three-ship Amphibious Ready Groups (ARGs) consisting of one LHA or LHD, one LPD and one LSD.

Ms. SNOWE. Thank you, Mr. Chairman, for making that point. As I discussed during the debate last week on the fiscal year 2001 Defense Authorization bill, the Armed Services Committee is working hard to come to terms with the force levels necessary

to accomplish the many missions our Navy and Marine Corps are called on to accomplish.

The increase to war fighting capability that LPD-17 brings is critical to our naval force's future success. The LPD-17's ability to accommodate new equipment, such as the Advanced Amphibious Assault Vehicle (AAAV), the Landing Craft Air Cushioned Vehicle (LCAC) and the vertical lift MV-22, and the remarkable communications, integrated computer technology and quality of life improvements are the qualities of the ship that the Marine Corps and Navy need to support the National Strategy and the Marine Corps' doctrine of Operational Maneuver From The Sea.

Mr. STEVENS. I thank the Senator from Maine for her work to establish and hold the necessary shipbuilding rate for the nation's defense. I also recognize that the sustained investment of \$10 to \$12 billion in the shipbuilding account is necessary to maintain a minimum shipbuilding rate of 8.7 ships per year.

Specifically, in regard to the LPD-17 program, the committee recognizes that the Navy has never employed such a rigorous new approach for a new class of ships—wherein the goal is to have 95 percent of the design work completed before construction begins, rather than much lower levels in previous designs. This is an important fact, because it means the design work will lead to efficient construction of these ships, and set the standard for the next generation ship designs.

Ms. SNOWE. As always I am impressed by the chairman's knowledge and his grasp of the issues. We have worked closely over the past few weeks to determine how the Navy and industry stand in regard to their progress with this new ship class, and I appreciate that we are in agreement as to the value and need for this critical ship. I look forward to our continued work together in support of this program.

Mr. STEVENS. I thank my colleague for her dedication to this issue. During our trip to the shipyard in her state to examine new facilities and to meet with company officials first hand, I was impressed with the level of leadership, innovation, workmanship and coordination. I am also encouraged by information that has been forthcoming from the Navy and industry regarding their progress in resolving possible LPD-17 program management issues. It is my intent that should additional funding become available, it will be applied to the uninterrupted construction of these necessary ships.

Ms. SNOW. Again, I thank the chairman for his forthrightness, his knowledge and his desire to keep American strong. I would also like to commend him for his continued dedicated efforts to our men and women in uniform and the efforts he has undertaken in this most important appropriations bill to provide them with the compensation,

tools and equipment they need to maintain America's pre-eminence in the world.

SUSTAINABLE GREEN MANUFACTURING

Mr. LAUTENBERG. Mr. President, I rise in support of the Sustainable Green Manufacturing initiative. This is an important effort to help the Army reduce pollution in its key manufacturing processes by introducing clean technologies and techniques onto production lines. Partners in this initiative include the TACOM Armament Research and Development and Engineering Center at Picatinny Arsenal, the National Defense Center for Environmental Excellence, The New Jersey Institute of Technology, and the Physical Science Laboratory of New Mexico State University.

Mr. President the objectives of this initiative include the promotion of sound environmental principles in design, material selection and manufacturing of Army products; the reduction of Army costs throughout the product life-cycle by efficient use of resources; the development of sound and environmentally benign manufacturing practices by using the highest quality science and technology and applying these practices, methods and materials to the acquisition process. The House provide \$7 million for this program in its Appropriation Bill and I urge the distinguished Chairman and Ranking Member Senator STEVENS and Senator INOUE to work during conference to provide this level of funding for this important program.

Mr. STEVENS. Let me assure my colleague from New Jersey that I am aware of this important effort and I will do what I can in conference to ensure that the Sustainable Green program receives funding in FY2001.

Mr. INOUE. I too want to tell my friend from New Jersey that I will work with our chairman in conference to ensure funding for this important program.

CONFIGURATION MANAGEMENT INFORMATION SYSTEM

Ms. LANDRIEU. Mr. President, I rise today to bring the Senate's attention to an important initiative called the Configuration Management Information system. CMIS was developed in an effort to provide the Department of Defense with a standard system that addresses the configuration structure and management requirements of complex military weapons systems, to include their hardware and software. Originally developed in 1990 to support Military Sealift Command's configuration management requirements, the CMIS architecture was identified as the best CM database structure across all DOD. CMIS has progressed through a series of incremental development cycles to include demonstrating compliance with Y2K requirements. Currently, responsibility for the CMIS database architecture is assigned to the Naval Air Systems Command for deployment into the operational environment.

Xeta International Corporation has been tasked by the CMIS Program

Management Office to identify platforms of weapons systems data for migration into CMIS. These platforms include the EA-6B, F-14, H-60, DD-21, DDG-51, F-15, and F-16. Additionally, Xeta has been tasked with the responsibility to liaise and collect this data from various DOD Program Management Offices throughout the military. Xeta extracts the configuration management data from existing legacy databases, engineering drawings and other technical documentation in an effort to accurately populate data fields within the CMIS architecture. Once populated, this "cradle-to-grave" configuration management repository is utilized in many ways by a variety of DOD offices as well as contractors in order to accurately configure the product and to support life cycle maintenance of the weapons systems platforms. Additionally, Xeta has been tasked to develop a CMIS security capability (to include a multilevel secure computer environment) when operating in a Local or Wide Area Network (LAN/WAN).

Unfortunately, Mr. President, no additional funds were included in the Senate bill for this project. I would like to ask my friend from Alaska, Senator STEVENS, whether he is aware of these potential shortfalls?

Mr. STEVENS. Mr. President, I appreciate being made aware of the importance of the CMIS project, and that this program's goal will ultimately lead to great savings to the services by decreasing life cycle costs of a variety of weapon systems.

Ms. LANDRIEU. Mr. President, I thank the gentleman from Alaska for those remarks. I concur that this is a project important for both Louisiana and the services. For that reason, I hope the Senator from Alaska would agree that the funding of this project should be a priority within the Navy's Operations and Maintenance accounts.

Mr. STEVENS. Mr. President, CMIS needs support to be fully realized. The Department of the Navy should ensure that the funds within the President's budget are applied to this priority. I am hopeful that additional funds can be made available to fully implement CMIS.

Ms. LANDRIEU. Mr. President, again, I thank the chairman, and I look forward to working with him on this project.

DEFENSE HEALTH PROGRAM

Mr. HATCH. Mr. President, I want to commend the chairman, the senior Senator from Alaska, and the ranking minority, the senior Senator from Hawaii, for their long and effective leadership in evolving the Defense Health Program. The Senate bill added nearly \$700 million to the President's request, funding the total Defense Health Program at \$12.1 billion for FY01. And, of great importance to me and many other members of this body, the Committee has once again committed the Department of Defense's medical science capabilities to the management

of a major cancer research program, extending to breast, prostate, cervical, lung, and other cancers. There is over \$330 million in this bill dedicated to cancer-related research.

I would like to bring to the attention of the distinguished chairman and the ranking minority member an important area of cancer research—the investigation of genealogical and genetic databases that can uncover medical precursors to cancer in humans. My state of Utah has a history of genealogical research that is known to the millions of Americans who routinely visit the family history websites that originate from Utah. But millions of Americans are also potentially benefiting from a lesser known program. This program is currently developing a genealogical database that will help identify and predict genetic structures associated with the development and, hopefully, prevention of, cancer.

Mr. President, I wish to make you aware of the Utah Population Database which is a very promising development in the area of genealogical research related to cancer. This data base is housed at the University of Utah where scientists are learning to use this unique comprehensive genealogical set of data to help predict, detect, treat, and prevent cancer. I am therefore asking the distinguished chairman and ranking minority member to support the continued development and use of the Utah Population Database by increasing the University of Utah's program for genealogical cancer research in the coming fiscal year by an additional \$12.5 million.

Mr. STEVENS. Mr. President, I thank the senior Senator from Utah for his kind remarks. The ranking member and I remain fully committed to continuing DOD participation in the national cancer research program. I want to assure the Senator that National Cancer Institute-designated comprehensive cancer centers, like the Huntsman Cancer Institute of Utah, are an important part of cancer research and a necessary element to the DOD effort. I find the Senator's request entirely reasonable and intend to assist this anticancer effort.

Mr. INOUE. Mr. President, I, too, commend the Senator from Utah for his continuing support of this committee's effort to expand and improve cancer research. This is an important topic in my state of Hawaii, where the Cancer Research Institute at the University of Hawaii has been long committed to finding treatments for the many varieties of cancer common not only to Hawaii but to the rest of the nation. I strongly support the commitment of the chairman to the request made by the Senator from Utah.

NAVY INFORMATION TECHNOLOGY CENTER

Ms. LANDRIEU. Mr. President, I rise today to express my thanks for the manager's package that provides an additional fifteen million dollars in Navy O&M and RDT&E funding for the Navy Information Technology Center (ITC) in New Orleans.

This additional funding represents an important portion of the request made by myself and the senior Senator from Louisiana, Senator BREAUX. The Appropriations Committee's action ensures that the Navy and Defense-wide Human Resource Enterprise Strategy programs will continue at the Navy's Information Technology Center (ITC) in New Orleans.

This funding provides for the further consolidation of Navy active duty and reserve personnel legacy information systems and enables the continuing transition of all Navy manpower and personnel systems into the enterprise-wide human resource strategy. However, I should stress that this is not simply a Navy program, but has taken on defense-wide significance under the leadership of the Program Executive Officer for Information Technology, Joe Scipriano, and his team located at the ITC in New Orleans.

I want to express deep gratitude to Chairman STEVENS and our ranking member of the Senate Defense Appropriations Subcommittee, DANIEL INOUE. Thanks also go to professional staff Steven Cortese, Charles Houy, Tom Hawkins, Gary Reese, and Craig Siracuse.

Mr. BREAUX. Mr. President, we are excited in Louisiana that the "enterprise strategy" we are developing for human resources systems is recognized by the Appropriations Committee as a model for other service and DOD wide information systems. All of these legacy systems need to be modernized to become cost effective and interoperable. The committee's support for our efforts, and for other information technology additions to this bill, confirm the need to restructure and coordinate all of our service and DOD wide information systems. Only by doing so can we provide real-time information to our warfighters that improves both readiness and effectiveness of our troops.

The ITC in New Orleans was just recently chartered as part of the Navy's year old Program Executive Office for Information Technology and Enterprise Management (PEO/IT). Specifically, the ITC is designated by the Navy's PEO/IT as the "primary support command for enterprise software development."

The PEO/IT is the Navy's only PEO for Information Technology and has been delegated authority for the Navy Marine Corps Intranet, Enterprise Acquisition Management, the ITC, the Defense Integrated Military Human Resources System (DIMHRS), and other information technology programs. The PEO/IT's authority over these programs was chartered in November 1999, well after the FY 2001 DOD budget process had commenced.

Interim and additional funding for the ITC in New Orleans is critical in FY 2001. This funding will ensure that the ITC can continue to provide the Navy and DOD's unique enterprise strategy integration efforts. Only by

pursuing this strategy can we guarantee that current human resources information systems and future systems are developed, integrated and managed in accordance with the Clinger-Cohen Act of 1996 and other OMB initiatives based on the Government Performance Results Act. This enterprise strategy develops and integrates new and current legacy information systems so that they will all be interoperable and provide our service personnel and commanders in the field real-time, usable, human resource data about training, experience, and other human resource data from which our commanders can make deployment decisions, fulfill combat mission requirements, and improve readiness.

Again Mr. President, I thank the chairman, and our ranking member, the senior Senator from Hawaii, for recognizing the importance of this effort. I look forward to working with them in future years to provide for its continued success.

NONLINEAR ACOUSTIC LANDMINE DETECTION RESEARCH AND DEVELOPMENT AT STEVENS INSTITUTE OF TECHNOLOGY

Mr. LAUTENBERG. Mr. President, I rise today to discuss with Senator INOUE and Senator STEVENS an important Army research and development effort in nonlinear acoustic landmine detection being done at Stevens Institute of Technology in New Jersey.

Mr. President, let me begin my thanking Chairman STEVENS and Senator INOUE for their leadership last year in working with me to obtain \$1 million in funds to initiate this very promising effort, in which engineers at the Stevens Institute of Technology are applying expertise in non-linear acoustic phenomena to develop a new method for detection of mines and other buried man-made objects. The technology can differentiate between rocks, other solid objects, and actual land mines. This will improve landmine removal safety and speed, and contribute to our efforts to save lives and prevent injuries. With an additional \$3 million the Stevens Institute can fully land this technology's development, which has so much promise for protecting our military personnel as well as civilian populations.

Although the allocation's situation we faced in the Appropriations Committee in considering the DOD Appropriations measure made it very difficult to fund this effort, I look forward to working with Chairman STEVENS and Senator INOUE in conference to continue this research effort. It is my understanding that the House has included \$1.4 million related to this effort, half of which is intended specifically for the research and development at Stevens. But given the great life-saving promise of this technology, I hope to work with Chairman STEVENS and Senator INOUE in achieving an increase of \$3 million for the Stevens Institute of Technology effort. In this regard, I yield to Senator STEVENS for his thoughts on this effort.

Mr. STEVENS. Mr. President, Senator LAUNTENBERG's point is well taken regarding research and development effort for nonlinear acoustic landmine detection research. I worked with Senator LAUTENBERG and Senator INOUE on getting this effort started last year. Although this year's allocation prevented us from providing the necessary funding during the committee consideration, I am committed to working in conference towards the goal of an additional \$3 million for the Stevens Institute effort for FY 2001. This could be an important breakthrough that can save lives, both among our service men and women and civilian populations. I yield to Senator INOUE for his thoughts on the initiative.

Mr. INOUE. Mr. President, last year I was pleased to work with Senator LAUTENBERG and Senator STEVENS to provide the startup funds for research and development effort for nonlinear acoustic landmine Detection research, which is being done at Stevens Institute of Technology in New Jersey. This work promises to dramatically improve mine detection, and in so doing prevent serious injury and save lives. I am committed to working with Senator LAUTENBERG and Chairman STEVENS towards the goal of a \$3 million increase for the Stevens Institute effort during conference with the House.

CLOSED DISPOSAL TECHNOLOGIES

Mr. REID. I thank my colleagues and good friends from Alaska and Hawaii for their hard work on this bill. This is an important bill, a good bill, and I commend their efforts.

I rise to engage the senior Senator from Alaska in a colloquy on an important issue. Recent studies have suggested that civilians living near Army Depots which dispose of munitions through open burning and open detonation (OB/OD) suffer from cancer and other maladies at rates higher than would normally be expected. I have asked the Secretary of the Army to study whether open burning represents a health risk to civilian communities, and he has agreed to do so. This study will not be completed for some months.

In the meantime, the Army should be studying possible alternative disposal methods to open burning that are environmentally sealed and are not open to the atmosphere, and evaluate whether open burning should eventually be phased out over time in favor of other, safer approaches. In the event that evidence shows open burning to be dangerous to civilians, these alternatives would give the Army and the Congress a range of alternatives that they will be able to quickly consider and rapidly implement in order to minimize the danger to the public.

I would ask the Senator from Alaska if he would seek to include language in the conference report to accompany this bill directing the Army to conduct such a study?

Mr. STEVENS. I thank the senior Senator from Nevada. I believe that Congress has a responsibility to ensure

that the military conducts its operations in a manner that does not pose an undue health and safety risk on the population. I support your proposal, and will seek to include this language in the conference report to the FY01 Defense appropriations bill.

Mr. REID. I thank the Senator, and look forward to working with him on this important matter.

MOTBY

Mr. LAUTENBERG. Mr. President, I rise today to discuss with Senator STEVENS and Senator INOUE the situation at the Military Ocean Terminal Bayonne (MOTBY). As the distinguished chairman and ranking member of the Defense Subcommittee recall this military facility was closed as a result of the 1995 round of the BRAC Commission closings resulting in the loss of 3,000 jobs and economic hardship in Bayonne and Hudson County. The environmental and infrastructure problems existing at the base at the time of its closure were enormous and not completely disclosed or maybe not completely known by the Army.

I thank Senator STEVENS and Senator INOUE for their help in providing \$7 million for MOTBY last year for demolition and removal of facilities, buildings and structures. This funding was critical for MOTBY as it struggles to deal with the substantial environmental and infrastructure problems left by the Army when it left the base. But, Mr. President, there is so much left to be done. Among the problems remaining are significant amounts of friable asbestos in dozens of buildings, major leaks in the water and sewer systems, contamination of the land and ground water and piers that are structurally unsafe and in danger of collapsing into the water.

Mr. President, \$5 million is contained in the House appropriations bill for stabilization of the South Berths at MOTBY. I strongly urge the distinguished chairman and ranking member to uphold the House position of \$5 million for the MOTBY South Berths in conference.

Mr. STEVENS. Mr. President, let me say to the Senator from New Jersey that I am aware of the environmental and infrastructure problems at MOTBY and I was pleased to join last year with the ranking member, Senator INOUE, and the Senator from New Jersey to be able to provide funding to address some of these problems last year. I understand that the other body has \$5 million for stabilization of the South Berths at MOTBY. Let me assure my friend from New Jersey that I will do what I can in conference to provide significant additional funding for FY 2001.

Mr. INOUE. Mr. President, I ask my colleagues from Alaska and New Jersey for support of additional funding for MOTBY and will join with Senator STEVENS to ensure that we do what we can in conference to enable this to happen.

LPD 17

Ms. COLLINS. Mr. President, I rise today to discuss with the distinguished

chairman of the Appropriations Committee the provision of the FY 2001 Defense appropriations bill that defers full funding for two LPD 17 class vessels. The Landing Platform Dock (LPD) 17, *San Antonio* class, is the latest class of amphibious force ship for the United States Navy. This ship shoulders the critical mission of transporting marines, helicopters, and air-cushioned landing craft to trouble spots around the world. Moreover, the LPD 17 is a model of acquisition reform.

Mr. Chairman, I am very concerned about the deferral of funds that would have been used to procure two LPD 17 class ships in fiscal year 2001. As chairman of the Senate Committee on Appropriations, what is the nature of your commitment to this program?

Mr. STEVENS. Let me state at the outset, unequivocally, that I fully and strongly support the LPD 17 program, a program for which the distinguished junior Senator from Maine has been an effective advocate. As I stated in my opening remarks to this bill, I am committed to seeing the program progress and delivery to the Navy of no fewer than the required twelve ships. The recommendation the committee has made and the language in bill is intended to stabilize the design of the program fiscal year 2001. It does not reflect a lessening of our commitment to the program itself, in its entirety.

I agree with my dear friend and colleague that the LPD 17 is a critical program for the Navy and Marine Corps service members and that it continues to provide our marines essential transport to troubled areas around the world.

Ms. COLLINS. Mr. Chairman, shipbuilders in my home State and others have stressed the criticality of the LPD 17 Program to their workforce over the next six to eight years as they strive to transition successfully between maturing programs and the construction of the next generation of ships. I am concerned that any delay in the LPD 17 schedule may, in fact, affect the rates and costs of the various Navy shipbuilding programs and cause workers to lose their jobs. How have you addressed these concerns in this bill?

Mr. STEVENS. My friend has raised excellent points. I have been briefed on these technical and programmatic concerns and have discussed them with both the Department of Defense (Navy) and the industry teams. They have both presented their projected impacts of the appropriations provision and mark on the program. However, the recommendation of the committee is to get the program back on a stable track with a stable design. This bill provides some \$200 million in order to ensure that there will be no interruption in work at the affected shipyards.

Ms. COLLINS. I thank the distinguished chairman of the Appropriations Committee for his clarifications. Let me also express my deep admiration for the chairman's outstanding

leadership and for his steadfast support for our nation's national defense.

HURRICANE FLOYD

Mr. HELMS. Mr. President, during the past week, there has been a great deal of misinformation emanating from the ivory towers of liberal newspaper editors in North Carolina. They have made futile attempts to place blame for what they describe as the "stalled" aid to Eastern North Carolina victims of Hurricane Floyd. The tone and the substance of those editors are mystifying when we consider that North Carolina has been specified by the federal government to receive more than \$2 billion in federal aid.

There are some politicians who are feeding the editors false and misleading information while they themselves know better. They complain about politics, even though their actions clearly suggest they themselves are practicing politics in its very worst form. I am dismayed that much of the false and unfair criticism has focused on some distinguished Senate colleagues, who have done far more for North Carolina's flood victims than the political finger-pointers.

One in particular who has done much for North Carolina is the distinguished Chairman of the Senate Appropriations Committee, Mr. STEVENS, who has been deeply and consistently concerned with the plight of the flood victims. Since the day Hurricane Floyd struck North Carolina, nobody has shown more concern or been more willing to help than Ted STEVENS. He has stood with us every step of the way, and I shall never forget his friendship and his compassion.

And if I may impose Senator STEVENS one more time, may I engage him in a colloquy to set the record straight? First, is it not correct that the Senate, under the leadership of the Appropriations Committee, directed more than \$800 million in federal aid to go to flood victims this past fall not long after the flood hit Eastern North Carolina?

Mr. STEVENS. The Senator is correct.

Mr. HELMS. Is it not correct that this 1999's aid package of more than \$800 million was in addition to nearly \$1 billion of federal disaster aid directed to North Carolina through established federal disaster programs?

Mr. STEVENS. The Senator is correct.

Mr. HELMS. Is it not correct that the Senate, with only one dissenting vote, approved, in October 1999, \$81 million in payments to farmers, but the House refused to follow the Senate's action because North Carolina tobacco farmers would benefit?

Mr. STEVENS. The Senator is correct.

Mr. HELMS. Is it not correct that the Chairman of the Appropriations Committee, along with the Majority Leader, Mr. LOTT, have made clear their intent to include additional emergency natural disaster aid—in-

cluding the aforementioned \$81 million for farmers—in the Military Construction Conference Report?

Mr. STEVENS. The Senator is correct. That is our intention.

Mr. HELMS. Is it not correct that the Military Construction bill is likely to be the first appropriations bill to reach the President's desk for signature?

Mr. STEVENS. The Senator is correct. That appears to be a likely outcome.

Mr. HELMS. I thank the Chairman. He is always candid, always helpful, and an outstanding Chairman of the Senate Appropriations Committee. I am genuinely grateful for his concern for the flood victims of North Carolina.

Mr. STEVENS. I appreciate the comments of the senior Senator from North Carolina. He has been diligent in reminding us of the plight facing the flood victims of North Carolina, and I appreciate his strong interest in making sure that additional aid is forthcoming as quickly as possible.

Mr. KOHL. Mr. President, I just wanted to briefly comment on this year's Defense bill, and my decision to support it. Last year I came to the floor and was forced to oppose the bill after the Budget Committee engaged in some accounting hijinks in order to squeeze an extra \$7 billion into the Defense budget. Even though the Congressional Budget Office estimated that the bill would exceed the Budget Resolution, the Budget Committee used an accounting gimmick to get around the rules. Budget gimmicks do more damage than just allowing the Congress to engage in irresponsible spending. Gimmicks delude the American people, and destroy their faith in the process.

Last year we crowed loudly about the savings in the Budget Resolution, and then quietly added extra money back into the budget all year long. One of the biggest offenders was the Defense Appropriations bill.

This year, however, things are different. While I did not support the Budget Resolution, at least this year the Defense bill is abiding by the level set out in the Resolution. At least this year we are being honest about how much will be spent on Defense. There are no gimmicks, no smoke and mirrors. I applaud Chairman STEVENS and Senator INOUE for their efforts this year to stay within their budget allocation. It was not easy, it never is, but they were successful.

The bill before us is still three billion dollars above the President's request, but I reluctantly support the bill. It is a more responsible bill than years past. Not only do we strengthen our commitment to our soldiers and their family through improvements in the housing allowance and a 3.7 percent pay increase, but we also face up to our overseas commitments. For the first time Congress and the Department of Defense have included funding, roughly \$4.2 billion, for our operations in Iraq and Bosnia. Next year we will not be

called on to furnish emergency funding for an operation that is not a surprise, not unplanned, and while dangerous, it is not an emergency. I am pleased that we are including these funds in the bill.

Like all my colleagues, I am very concerned about how much we spend on our defense and where we spend it. I believe that the greatest assets funded in the Defense budget are our people, and that we need to do more to let them know how much their country values them. This bill moves in that direction, and it does that in an honest and aboveboard manner.

Mr. MCCAIN. Mr. President, I rise once again to address the issue of wasteful spending in appropriations measures, in this case the bill funding the Department of Defense. A careful review of this bill reveals that the obvious deleterious implications of pork-barrel spending on our national defense continue to be ignored by Congress. I find it absolutely unconscionable that I have had to fight so hard to secure \$6 million per year to eliminate the food stamp Army while the defense appropriations bill before us today includes over \$4 billion in wasteful, unnecessary spending that was not included in the Pentagon's budget request and, in most instances, is not reflected in the ever-expanding unfunded requirements lists.

In point of fact, it would appear from this bill that there is no sense of propriety at all when it comes to spending the taxpayers' money. With the armed forces stretched thin as a result of 15 years of declining budgets while deployments have expanded exponentially, how can we stand before the public with a collective straight face when we pass a budget funding those very same armed forces that includes language "urging" the Secretary of Defense "to take steps to increase the Department's use of cranberry products in the diet of on-base personnel and troops in the field." "Such purchases," the language goes on to say, "should prioritize cranberry products with high cranberry content such as fresh cranberries, cranberry sauces and jellies, and concentrate and juice with over 25 percent cranberry content."

Mr. President, what heretofore shall be referred to as "the cranberry incident" must be an attempt at humor on someone's part. When I read through a defense spending bill, I see hundreds of millions of dollars earmarked for such programs and activities as the development of a small aortic catheter, marijuana eradication inside the United States, and the recovery of Civil War vessels on the bottom of Lake Champlain. I see every single year money earmarked for the Brown Tree Snake. I see a list of unrequested programs added to the budget that includes such items as the Alaska Federal Health Care Network, the Hawaii Federal Health Care Network, the Pacific Islands Health Care Referral Program, the Pacific Missile Range Facility, Fort Wainwright utilidor, and Fort Greely runway repairs. Was the \$300

million in the budget for the Pearl Harbor shipyard so inadequate that an additional \$24 million had to be added, four times the amount needed to remove military families from the rolls of those eligible for food stamps?

Fifteen million dollars was added for the Maui Space Surveillance System—\$15 million—to improve our ability to track asteroids. I do not intend to minimize the importance of such activities, but only the cast of Star Trek could conceivably have looked at a list of military funding shortfalls and concluded that a total of \$19 million had to be in the fiscal year 2001 budget for this purpose. And whether \$9.5 million should be earmarked for the West Virginia National Guard is, of course, open to question.

Mr. President, I voted against the defense authorization bill in committee because of my frustration at that measure's failure to include vital quality of life initiatives for our active duty military—initiatives that were thankfully accepted when the bill moved to the Floor. And that bill included less than the companion appropriations bill does in unneeded and wasteful spending. I dislike the annual earmarks for hyperspectral research in the authorization bill as much as the ones in the appropriations measure, and the authorizers similarly demonstrate an absence of fiscal restraint in throwing money at chem-bio detectors of questionable merit, and the \$9 million in the authorization bill for the Magdalena Ridge Observatory is every bit as deserving of skepticism as the money in the appropriations bill for the aforementioned Maui program, but, on the whole, the authorizers adhered more closely to the unfunded requirements lists than did the appropriators, who seem to have missed the idea.

Mention should also be made of the growing corruption of the integrity of the process by which the budget request and the unfunded priority lists are assembled. To the extent that repeated efforts at shining a light on pervasive and damaging pork-barrel spending has borne fruit, it further cannot be denied that the problem, to a certain degree, has merely been pushed underground. Like the speakeasies and bathtub gin of an earlier era, the insatiable appetite in Congress for pork has been increasingly reflected in the amount of political pressure placed on the services to include unneeded projects in the budget request and on the unfunded priorities lists. The integrity of the budget process is under increasing assault, and the national defense cannot help but suffer for our weakness for pork.

Mr. President, I look forward to the day when my appearances on the Senate floor for the purpose of deriding pork-barrel spending are no longer necessary. There have been successes along the way, but much more needs to be done. There is \$4 billion in unrequested programs in the defense appropriations bill. Combine what that

\$4 billion could buy with the savings that could be accrued through additional base closings and more cost-effective business practices and the problems of our armed forces, be they in terms of force structure or modernization, could be more assuredly addressed. The public demands and expects better of us. It remains my hope that they will one day witness a more responsible budget process. For now, unfortunately, they are more likely to witness errant asteroids shooting through the skies like tax dollars through the appropriations process.

Mr. DOMENICI. Mr. President, I rise in strong support of the bill before us today. I would like to sincerely thank Senators STEVENS and INOUE for their strong leadership on the Defense Subcommittee. I also would like to recognize the diligence and professionalism of the staff on this Committee.

Every year this Committee goes through the difficult exercise of trying to allocate sufficient funds to provide for our nation's defense. These decisions require balancing carefully between present and future, people and technologies.

This year, despite the fact that this appropriations bill provides over \$3.1 billion more than was in the President's budget request and \$20 billion more than the FY 2000 appropriation, the decisions to fund the wide array of critical Defense priorities were just as difficult as in the past. Despite these challenges the Committee has put together a comprehensive bill that meets many of the most pressing needs of the National Defense and remains within the constraints of the budget authority and outlay limits established in the 302(b) allocation.

I would like to briefly mention some of the most important aspects of our defense addressed in this spending package.

The bill provides \$287.6 billion in new spending authority for the Department of Defense for FY 2001. In parallel with the Defense Authorization, the bill funds a 3.7 percent pay raise, new increases in recruiting and retention benefits, strengthens our missile defense program, boosts the Army Transformation Initiative, and provides a long awaited pharmacy benefit for our military retirees.

The bill also provides approximately \$4.1 billion in the Overseas Contingency Operations Transfer Fund, almost double the funding provided in last year's bill. It is our hope that the Department of Defense will now have ample resources to conduct unforeseen contingencies and protect the resources we provide in this bill for training and combat readiness.

There is good news for the Research and Development appropriation. The Committee approved \$39.6 billion, an increase of \$1.74 billion over the budget request. The Ballistic Missile Defense Program alone received an additional \$4.35 billion. These resources will help prevent erosion of the scientific and

technological foundation of our armed forces.

The Committee also provided for items that will ensure that New Mexico based defense installations and programs remain robust. I would like to briefly highlight some of the items that received funding in the appropriations bill.

Of the increase in Operation and Maintenance funding provided by the committee an additional \$5.1 million is included to maintain and upgrade the Theater Air Command and Control Simulation Facility. This is the largest warfighter-in-the-loop air defense simulation system in operation and proudly operated by the 58th Special Operations Wing at Kirtland Air Force Base. Another \$8 million will upgrade the MH-53J helicopter simulator to include Interactive Defensive Avionics System/Multi-Mission Advanced Tactical Terminal capability. Both of these projects will strengthen and support our Air Force's readiness and capabilities.

American dominance relies heavily on our technological superiority. The Committee recognizes this and, therefore, supported substantial increases to Research and Development funding above the President's request. Of this, an additional \$24.4 million will go to the High Energy Laser Systems Test Facility at White Sands Missile Range to support advanced weapons development and transformation initiatives for solid state laser technology. The Theater High Energy Laser anti-missile program, successfully tested last week at White Sands also received an additional \$15 million. Finally, the Airborne Laser program's budget was fully restored with an increase of \$92 million. ABL is the Air Force's flagship program in directed energy weapons systems. Keeping this missile defense potential on track is vital to our demonstration of the role lasers can play in future defense capabilities.

The Committee also recognized the active and reserve Army's need for lighter, more mobile command and control vehicles. Therefore, the bill funds a \$63 million increase to the Warfighter Information Network program to produce these communications shelters; Laguna Industries manufactures these shelters.

The bill includes many other New Mexico defense activities. An additional \$16 million will be provided for the Information Operations Warfare and Vulnerability Assessment work of the Army Research Laboratory at White Sands. The Committee also provided \$10 million for the Magdalena Ridge Observatory and \$5.3 million to combat the threat of terrorism with radio frequency weapons.

With the help of my colleagues new technology has a strong foothold in New Mexico and I thank them for supporting us in our endeavors. There are more hurdles ahead of us but each step takes us closer to our ultimate goal of being a major source of support to the

military technological transformation in the 21st century.

I believe this bill demonstrates the balance required to best fund our armed forces. Again, I am pleased by the hard work of my colleagues on this Committee and express, once again, my admiration for the hard work of Chairman STEVENS and Senator INOUE in achieving an appropriate spending package for our military men and women.

Mr. INOUE. Mr. President, shortly before Memorial Day, an excellent analytical piece was printed in the Washington Post under the headline For Pentagon, Asia Moving. I am afraid that not many of my colleagues had an opportunity to read that piece, because they were preparing to go home to visit their constituents over the Memorial Day recess. I would like to draw their attention to this thoughtful analysis of events and circumstances that will shape American defense policies for the next several decades.

In essence, the article suggests that, of necessity, the focus of American defense planning, our strategy and tactics—our deployments—will shift from Europe to Asia. Current events in Korea, the rise of China as a modern military power, the spread of nuclear weapons to South-Asia, all of these dictate a re-examination of our defense policies. We must attend to how we train and where we may someday fight.

To me, the article suggests the importance of Hawaii to our Nation's defense posture in the twenty-first century. The Washington Post article notes that, to many Americans, Hawaii appears to be well out in the Pacific, but it is another 5,000 miles from there to Shanghai. "All told, it is about twice as far from San Diego to China, as it is from New York to Europe."

We need to think about what this means. As U.S. economic interests in Asia come to dominate our economy, so too will U.S. security interests in Asia come to dominate our military policies. We must think about the distances involved and the need to be able to strike distant targets swiftly and with precision. The Air Force will need more long-range bombers and refueling aircraft. I have long advocated the acquisition of more B-2 bombers. The war in Kosovo showed that they could strike at long range and with precision. The Post article suggests to me that we may at some time need them in Asia and that we had better be prepared by making those investments soon.

Similarly, the Navy will have to put more of its resources into the Pacific. Already the Navy has placed a larger percentage of its attack submarines in the Pacific. Surely, this will be followed by decisions to forward position carriers and other elements of carrier task forces. I believe Pearl Harbor will become even more important to the Navy. I know the people of Hawaii are prepared to welcome additional ships.

The Army, too, is faced with the need to be able to respond quickly to deter

future threats in Asia. We need to look to more joint training exercises and even the possibility of keeping some of our forces in Korea after peace takes hold on the Peninsula.

Mr. President, I commend this May 26, 2000 Washington Post article to my colleagues. I ask unanimous consent that it be reprinted in full in the RECORD.

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

[From the Washington Post, May 26, 2000]

FOR PENTAGON, ASIA MOVING

(By Thomas E. Ricks)

When Pentagon officials first sat down last year to update the core planning document of the Joint Chiefs of Staff, they listed China as a potential future adversary, a momentous change from the last decade of the Cold War.

But when the final version of the document, titled "Joint Vision 2020," is released next week, it will be far more discreet. Rather than explicitly pointing at China, it simply will warn of the possible rise of an unidentified "peer competitor."

The Joint Chiefs' wrestling with how to think about China—and how open to be about that effort—captures in a nutshell the U.S. military's quiet shift away from its traditional focus on Europe. Cautiously but steadily, the Pentagon is looking at Asia as the most likely arena for future military conflict, or at least competition.

This new orientation is reflected in many small but significant changes: more attack submarines assigned to the Pacific, more games and strategic studies centered on Asia, more diplomacy aimed at reconfiguring the U.S. military presence in the area.

It is a trend that carries huge implications for the shape of the armed services. It also carries huge stakes for U.S. foreign policy. Some specialists warn that as the United States thinks about a rising China, it ought to remember the mistakes Britain made in dealing with Germany in the years before World War I.

The new U.S. military interest in Asia also reverses a Cold War trend under which the Pentagon once planned by the year 2000 to have just "a minimal military presence" in Japan, recalls retired Army Gen. Robert W. Riscassi, a former U.S. commander in South Korea.

Two possibilities are driving this new focus. The first is a chance of peace in Korea; the second is the risk of a hostile relationship with China.

Although much of the current discussion in Washington is about a possible military threat from North Korea, for military planners the real question lies further ahead: Who to do after a Korean rapprochement? In this view, South Korea already has won its economic and ideological struggle with North Korea, and all that really remains is to negotiate terms for peace.

According to one Defense Department official, William S. Cohen's first question to policy officials when he became Defense Secretary in 1997 was: How can we change the assumption that U.S. troops will be withdrawn after peace comes to the Korean peninsula? Next month's first-ever summit between the leaders of North and South Korea puts a sharper edge on this issue.

In the longer run, many American policymakers expect China to emerge sooner or later as a great power with significant influence over the rest of Asia. That, along with a spate of belligerent statements about Taiwan from Chinese officials this spring, has

helped focus the attention of top policymakers on China's possible military ambitions. "The Chinese saber-rattling has gotten people's attention, there is no question of that," said Abram Shulsky, a China expert at the Rand Corp.

THE BUZZWORD IS CHINA

Between tensions over Taiwan and this week's House vote to normalize trade relations with China, "China is the new Beltway buzz-word," observed Dov S. Zakheim, a former Pentagon official who is an adviser on defense policy to Republican presidential candidate George W. Bush.

To be sure, large parts of the U.S. military remain "Eurocentric," especially much of the Army. The shift is being felt most among policymakers and military planners—that is, officials charged with thinking about the future—and least among front-line units. Nor is it a change that the Pentagon is proclaiming from the rooftops. Defense Department officials see little value in being explicit about the shift in U.S. attention, which could worry old allies in Europe and antagonize China.

Even so, military experts point to changes on a variety of fronts. For example, over the last several years, there has been an unannounced shift in the Navy's deployment of attack submarines, which in the post-Cold War World have been used as intelligence assets—to intercept communications, monitor ship movements and clandestinely insert commandos—and also as front-line platforms for launching Tomahawk cruise missiles against Iraq, Serbia and other targets. Just a few years ago, the Navy kept 60 percent of its attack boats in the Atlantic. Now, says a senior Navy submariner, it has shifted to a 50-50 split between the Atlantic and Pacific fleets, and before long the Pacific may get the majority.

But so far the focus on Asia is mostly conceptual, not physical. It is now a common assumption among national security thinkers that the area from Baghdad to Tokyo will be the main location of U.S. military competition for the next several decades. "The focus of great power competition is likely to shift from Europe to Asia," said Andrew Krepinevich, director of the Center for Strategic and Budgetary Assessments, a small but influential Washington think tank. James Bodner, the principal deputy undersecretary of defense for policy, added that, "The center of gravity of the world economy has shifted to Asia, and U.S. interests flow with that."

When Marine Gen. Anthony Zinni, one of the most thoughtful senior officers in the military, met with the Army Science Board earlier this spring, he commented offhandedly that America's "long-standing Europe-centric focus" probably would shift in coming decades as policymakers "pay more attention to the Pacific Rim, and especially to China." This is partly because of trade and economics, he indicated, and partly because of the changing ethnic makeup of the U.S. population. (California is enormously important in U.S. domestic politics, explains one Asia expert at the Pentagon, and Asian Americans are increasingly influential in that state's elections, which can make or break presidential candidates.)

Just 10 years ago, said Maj. Gen. Robert H. Scales Jr., commandant of the Army War College, roughly 90 percent of U.S. military thinking about future warfare centered on head-on clashes of armies in Europe. "Today," he said, "it's probably 50-50, or even more" tilted toward warfare using characteristic Asian tactics such as deception and indirection.

WAR GAMING

The U.S. military's favorite way of testing its assumptions and ideas is to run a war

game. Increasingly, the major games played by the Pentagon—except for the Army—take place in Asia, on an arc from Tehran to Tokyo. The games are used to ask how the U.S. military might respond to some of the biggest questions it faces: Will Iran go nuclear—or become more aggressive with an array of hard-to-stop cruise missiles? Will Pakistan and India engage in nuclear war—or, perhaps even worse, will Pakistan break up, with its nuclear weapons falling into the hands of Afghan mujaheddin? Will Indonesia fall apart? Will North Korea collapse peacefully? And what may be the biggest question of all: Will the United States and China avoid military confrontation? All in all, estimates one Pentagon official, about two-thirds of the forward-looking games staged by the Pentagon over the last eight years have taken place partly or wholly in Asia.

Last year, the Air Force's biggest annual war game looked at the Mideast and Korea. This summer's game, "Global Engagement 5," to be played over more than a week at Maxwell Air Force Base in Alabama, will posit "a rising large East Asian nation" that is attempting to wrest control of Siberia, with all its oil and other natural resources, from a weak Russia. At one point, the United States winds up basing warplanes in Siberia to defend Russian interests.

Because of the sensitivity of talking about fighting China, "What everybody's trying to do is come up with games that are kind of China, but not China by name," said an Air Force strategist.

"I think that, however reluctantly, we are beginning to face up to the fact that we are likely over the next few years to be engaged in an ongoing military competition with China," noted Princeton political scientist Aaron L. Friedberg. "Indeed, in certain respects, we already are."

TWIN EFFORTS

The new attention to Asia also is reflected in two long-running, military-diplomatic efforts.

The first is a drive to renegotiate the U.S. military presence in northeast Asia. This is aimed mainly at ensuring that American forces still will be welcome in South Korea and Japan if the North Korean threat disappears. To that end, the U.S. military will be instructed to act less like post-World War II occupation forces and more like guests or partners.

Pentagon experts on Japan and Korea say they expect that "status of forces agreements" gradually will be diluted, so that local authorities will gain more jurisdiction over U.S. military personnel in criminal cases. In addition, they predict that U.S. bases in Japan and South Korea will be jointly operated in the future by American and local forces, perhaps even with a local officer in command.

At Kadena Air Force Base on the southern Japanese island of Okinawa, for example, the U.S. military has started a program, called "Base Without Fences," under which the governor has been invited to speak on the post, local residents are taken on bus tours of the base that include a stop at a memorial to Japan's World War II military, and local reporters have been given far more access to U.S. military officials.

"We don't have to stay in our foxhole," said Air Force Brig. Gen. James B. Smith, who devised the more open approach. "To guarantee a lasting presence, there needs to be a private and public acknowledgment of the mutual benefit of our presence."

Behind all this lies a quiet recognition that Japan may no longer unquestioningly follow the U.S. lead in the region. A recent classified national intelligence estimate concluded that Japan has several strategic op-

tions available, among them seeking a separate accommodation with China, Pentagon officials disclosed. "Japan isn't Richard Gere in 'An Officer and a Gentleman,'" one official said. "That is, unlike him, it does have somewhere else to go."

In the long term, this official added, a key goal of U.S. politico-military policy is to ensure that when Japan reemerges as a great power, it behaves itself in Asia, unlike the last time around, in the 1930s, when it launched a campaign of vicious military conquest.

SOUTHEAST ASIA REDUX

The second major diplomatic move is the negotiation of the U.S. military's reentry in Southeast Asia, 25 years after the end of the Vietnam War and almost 10 years after the United States withdrew from its bases in the Philippines. After settling on a Visiting Forces Agreement last year, the United States and the Philippines recently staged their first joint military exercise in years, "Balikatan 2000."

The revamped U.S. military relationship with the Philippines, argues one general, may be a model for the region. Instead of building "Little America" bases with bowling alleys and Burger Kings that are off-limits to the locals, U.S. forces will conduct frequent joint exercises to train Americans and Filipinos to operate together in everything from disaster relief to full-scale combat. The key, he said, isn't permanent bases but occasional access to facilities and the ability to work with local troops.

Likewise, the United States has broadened its military contacts with Australia, putting 10,000 troops into the Queensland region a year ago for joint exercises. And this year, for the first time, Singapore's military is participating in "Cobra Gold," the annual U.S.-Thai exercise. Singapore also is building a new pier specifically to meet the docking requirements of a nuclear-powered U.S. aircraft carrier. The U.S. military even has dipped a cautious toe back into Vietnam, with Cohen this spring becoming the first defense secretary since Melvin R. Laird to visit that nation.

The implications of this change already are stirring concern in Europe. In the March issue of *Proceedings*, the professional journal of the U.S. Navy, Cmdr. Michele Consentino, an Italian navy officer, fretted about the American focus on the Far East and about "dangerous gaps" emerging in the U.S. military presence in the Mediterranean.

WHERE THE GENERALS ARE

If the U.S. military firmly concludes that its major missions are likely to take place in Asia, it may have to overhaul the way it is organized, equipped and even led. "Most U.S. military assets are in Europe, where there are no foreseeable conflicts threatening vital U.S. interests," said "Asia 2025," a Pentagon study conducted last summer. "The threats are in Asia," it warned.

This study, recently read by Cohen, pointedly noted that U.S. military planning remains "heavily focused on Europe," that there are four times as many generals and admirals assigned to Europe as to Asia, and that about 85 percent of military officers studying foreign languages are still learning European tongues.

"Since I've been here, we've tried to put more emphasis on our position in the Pacific," Cohen said in an interview as he flew home from his most recent trip to Asia. This isn't, he added, "a zero-sum game, to ignore Europe, but recognizing that the [economic] potential in Asia is enormous"—especially, he said, if the United States is willing to help maintain stability in the region.

"TYRANNY OF DISTANCE"

Talk to a U.S. military planner about the Pacific theater, and invariably the phrase

"the tyranny of distance" pops up. Hawaii may seem to many Americans to be well out in the Pacific, but it is another 5,000 miles from there to Shanghai. All told, it is about twice as far from San Diego to China as it is from New York to Europe.

Cohen noted that the military's new focus on Asia means, "We're going to want more C-17s" (military cargo planes) as well as "more strategic airlift" and "more strategic sealift."

Other experts say that barely scratches the surface of the revamping that Asian operations might require. The Air Force, they say, would need more long-range bombers and refuelers—and probably fewer short-range fighters such as the hot new F-22, designed during the Cold War for dogfights in the relatively narrow confines of Central Europe. "We are still thinking about aircraft design as if it were for the border of Germany," argues James G. Roche, head of Northrop Grumman Corp.'s electronic sensors unit and a participant in last year's Pentagon study of Asia's future. "Asia is a much bigger area than Europe, so planes need longer legs."

Similarly, the Navy would need more ships that could operate at long distances. It might even need different types of warships. For example, the Pentagon study noted today's ships aren't "stealthy"—built to evade radar—and may become increasingly vulnerable as more nations acquire precision-guided missiles.

Also, the Navy may be called on to execute missions in places where it has not operated for half a century. If the multi-island nation of Indonesia falls apart, the Pentagon study suggested, then the Navy may be called upon to keep open the crucial Strait of Malacca, through which passes much of the oil and gas from the Persian Gulf to Japan and the rest of East Asia.

The big loser among the armed forces likely would be the Army, whose strategic relevancy already is being questioned as it struggles to deploy its forces more quickly. "At its most basic level, the rise of Asia means a rise of emphasis on naval, air and space power at the expense of ground forces," said Eliot Cohen, a professor of strategic studies at Johns Hopkins University.

In a few years, Pentagon insiders predict, the chairman of the Joint Chiefs of Staff will be from the Navy or Air Force, following 12 years in which Army officers—Generals Colin L. Powell, John Shalikashvili and Henry H. Shelton—have been the top officers in the military. Perhaps even more significantly, they foresee the Air Force taking away from the Navy at least temporarily the position of "CINCPAC," the commander in chief of U.S. forces in the Pacific. There already is talk within the Air Force of basing parts of an "Air Expeditionary Force" in Guam, where B-2 stealth bombers have been sent in the past in response to tensions with North Korea.

PARALLEL WITH PAST

If the implications for the U.S. military of a new focus on Asia are huge, so too are the risks. Some academics and Pentagon intellectuals see a parallel between the U.S. effort to manage the rise of China as a great power and the British failure to accommodate or divert the ambitions of a newly unified Germany in the late 19th century. That effort ended in World War I, which slaughtered a generation of British youth and marked the beginning of British imperial decline.

If Sino-American antagonism grows, some strategists warn, national missile defense may play the role that Britain's development of the battleship *Dreadnought* played a century ago—a superweapon that upset the

balance by making Germany's arsenal strategically irrelevant. Chinese officials have said they believe the U.S. plan for missile defense is aimed at negating their relatively small force of about 20 intercontinental ballistic missiles.

If the United States actually builds a workable antimissile system, former national security adviser Zbigniew Brzezinski predicts, "the effect of that would be immediately felt by the Chinese nuclear forces and [would] presumably precipitate a buildup." That in turn could provoke India to beef up its own nuclear forces, a move that would threaten Pakistan. A Chinese buildup also could make Japan feel that it needed to build up its own military.

Indian officials already are quietly telling Pentagon officials that the rise of China will make the United States and India natural allies. India also is feeling its oats militarily. The Hindustan Times recently reported that the Indian navy plans to reach far eastward this year to hold submarine and aircraft exercises in the South China Sea, a move sure to tweak Beijing.

Some analysts believe that the hidden agenda of the U.S. military is to use the rise of Asia as a way to shore up the Pentagon budget, which now consumes about 3 percent of the gross domestic product, compared to 5.6 percent at the end of the Cold War in 1989. "If the military grabs onto this in order to get more money, that's scary," said retired Air Force Col. Sam Gardiner, who frequently conducts war games for the military.

Indeed, Cohen is already making the point that operating in Asia is expensive. He said it is clear that America will have to maintain "forward" forces in Asia. And that, he argued, will require a bigger defense budget. "There's a price to pay for what we're doing," Cohen concluded. "The question we're going to have to face in the coming years is, are we willing to pay up?"

SECTION 8014

Mr. STEVENS. Mr. President, may I engage in a colloquy with my good friend and colleague, the senior Senator from Hawaii?

As Senator INOUE knows, the Manager's amendment currently before the Senate includes an amendment to section 8014. That section addresses the procedures that must be followed by Department of Defense agencies which seek to outsource certain civilian functions to private contractors. Since 1990, this provision has been included in the Defense appropriations bills for each of the last ten years. Throughout that time, section 8014 has provided for certain exceptions to the procedures, including an exception when the private contractor is a Native American-owned entity. This exception has been included in furtherance of the Federal policy of Indian self-determination and the promotion of economic self-sufficiency for the native people of America.

The exception for a private contractor that is a Native American-owned entity is an exercise of the authority that has been vested in the Congress by the U.S. Constitution in Article I, Section 8, Clause 3, often referred to as the Indian Commerce Clause. As the senior Senator from Hawaii and vice chairman of the Senate Committee on Indian Affairs knows, this is by no means the only Federal legislation that recognizes the special

status of Native Americans in commercial transactions with the Federal Government which is based upon the trust relationship the United States has with its indigenous, aboriginal people. There are, in fact, numerous examples of provisions of Federal law that seek to provide competitive assistance to businesses that are owned by Indian tribes or Alaska Native regional or village corporations. Congress has enacted such laws because they have been found to be the most effective and appropriate means of ensuring and encouraging economic self-sufficiency in furtherance of the Federal policy of self-determination and the United States' trust responsibility. There is considerable judicial precedent recognizing such laws as a valid exercise of Congress' constitutional authority, perhaps the most significant of which is the United States Supreme Court's 1974 ruling in *Morton versus Mancari*.

It has come to my attention that a lawsuit has been filed challenging the Native American exception in section 8014 as a racially-based preference that is unconstitutional. That challenge is simply inconsistent with the well-established body of Federal Indian law and numerous rulings of the U.S. Supreme Court. The Native American exception contained in section 8014 is intended to advance the Federal Government's interest in promoting self-sufficiency and the economic development of Native American communities. It does so not on the basis of race, but rather, based upon the unique political and legal status that the aboriginal, indigenous, native people of the America have had under our Constitution since the founding of this nation. It is a valid exercise of Congress' authority under the Indian commerce clause. While I believe that the provision is clear, we propose adoption of the amendment before us today to further clarify that the exception for Native American-owned entities in section 8014 is based on a political classification, not a racial classification.

Because my colleague was Chairman of the Subcommittee on Defense Appropriations in 1990 and involved in the drafting of section 8014, I would like to know whether my understanding of the purpose and intent of section 8014 is consistent with the original purpose and intent, and whether the amendment before us today is consistent with the original intent of section 8014.

Mr. INOUE. My Chairman is correct in his understanding. The Congress has long been concerned with the ravaging extent of poverty, homelessness, and the high rates of unemployment in Native America. The Congress has consistently recognized that the economic devastation that has been wrought on Native communities can be directly attributed to Federal policies of the forced removal of Native people from their traditional homelands, their forced relocation, and later the termination of the reservations to which the government forcibly relocated them. In

1970, President Nixon established the Federal policy of self-determination, and that policy has been supported and strengthened by each succeeding administration.

The Congress has sought to do its part in fostering strong Native economies through the enactment of a wide range of Federal laws, including a series of incentives that are designed to stimulate economic growth in Native communities and provide economic opportunities for Native American-owned businesses. Native American-owned businesses include not only those that are owned by an Indian tribe or an Alaska Native corporation or a Native Hawaiian organization, but those businesses that are 51 percent or more owned by Native Americans.

As the U.S. Supreme Court has made clear, time and again, the political and legal relationship that this nation has had with the indigenous, aboriginal, native people of America is the basis upon which the Congress can constitutionally enact legislation that is designed to address the special conditions of Native Americans. In exchange for the cession of over 500 million acres of land by the native people of America, the United States has entered into a trust relationship with Native Americans. Treaties, the highest law of our land, were originally the primary instrument for the expression of this relationship. Today, Federal laws like section 8014, are the means by which the United States carries out its trust responsibilities and the Federal policy of self-determination and economic self-sufficiency.

I thank my Chairman for proposing this clarifying amendment which I believe is fully consistent with the original purpose and intent of section 8014.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall the bill pass? The yeas and nays have been ordered. The clerk will call the roll.

The legislative clerk called the roll.

Mr. NICKLES. I announce that the Senator from Pennsylvania (Mr. SPENCER) is necessarily absent.

Mr. REID. I announce that the Senator from West Virginia (Mr. ROCKEFELLER) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 95, nays 3, as follows:

[Rollcall Vote No. 127 Leg.]

YEAS—95

Abraham	Byrd	Durbin
Akaka	Campbell	Edwards
Allard	Chafee, L.	Enzi
Ashcroft	Cleland	Feinstein
Baucus	Cochran	Fitzgerald
Bayh	Collins	Frist
Bennett	Conrad	Gorton
Biden	Coverdell	Graham
Bingaman	Craig	Gramm
Bond	Crapo	Grams
Breaux	Daschle	Grassley
Brownback	DeWine	Gregg
Bryan	Dodd	Hagel
Bunning	Domenici	Harkin
Burns	Dorgan	Hatch

Helms	Lieberman	Santorum
Hollings	Lincoln	Sarbanes
Hutchinson	Lott	Schumer
Hutchinson	Lugar	Sessions
Inhofe	Mack	Shelby
Inouye	McCain	Smith (NH)
Jeffords	McConnell	Smith (OR)
Johnson	Mikulski	Snowe
Kennedy	Moynihan	Stevens
Kerrey	Murkowski	Thomas
Kerry	Murray	Thompson
Kohl	Nickles	Thurmond
Kyl	Reed	Torricelli
Landrieu	Reid	Voinovich
Lautenberg	Robb	Warner
Leahy	Roberts	Wyden
Levin	Roth	

NAYS—3

Boxer	Feingold	Wellstone
-------	----------	-----------

NOT VOTING—2

Rockefeller	Specter
-------------	---------

So the bill (H.R. 4576), as amended, was passed.

(The bill will be printed in a future edition of the RECORD.)

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

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

The motion to lay on the table was agreed to.

Mr. STEVENS. Mr. President, I ask unanimous consent that the Senate insist on its position on this bill with the House and that the Chair be authorized to appoint conferees.

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

The PRESIDING OFFICER (Mr. BROWNBACK) appointed Mr. STEVENS, Mr. COCHRAN, Mr. SPECTER, Mr. DOMENICI, Mr. BOND, Mr. MCCONNELL, Mr. SHELBY, Mr. GREGG, Mrs. HUTCHISON, Mr. INOUE, Mr. HOLLINGS, Mr. BYRD, Mr. LEAHY, Mr. LAUTENBERG, Mr. HARKIN, Mr. DORGAN, and Mr. DURBIN conferees on the part of the Senate.

Mr. STEVENS. Mr. President, I believe that we completed action on this bill in almost record time.

I want to personally thank Steven Cortese, majority staff director, and Charles Houy, minority staff director, for their very intense work, and their respective staffs. Since last Friday we have been working to try to eliminate some problems in this bill. Without question, they are responsible for the speed and dispatch with which we have been able to handle this bill.

There are many amendments we are now taking to conference that may be subject to later modification. We will do our very best to defend the Senate position as represented by the vote that has just been taken in the Senate.

I thank my distinguished friend and colleague from Hawaii for his usual cooperation. Without it, passage of this bill would have been impossible.

I yield the floor.

MORNING BUSINESS

Mr. STEVENS. Mr. President, I ask that the Senate proceed to a period of morning business with Senators permitted to speak therein for 10 minutes each.

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

VICTIMS OF GUN VIOLENCE

Mr. REED. Mr. President, it has been nearly 14 months since the Columbine tragedy, and over a year since the Senate passed common sense gun safety legislation as part of the Juvenile Justice bill, and still the Republican majority in Congress refuses to act on sensible gun legislation.

Since Columbine, thousands of Americans have been killed by gunfire. Until Congress acts, Democrats in the Senate will read the names of some of those who lost their lives to gun violence in the past year, and we will continue to do so every day that the Senate is in session.

In the name of those who died, we will continue this fight.

Following are the names of a few Americans who were killed by gunfire one year ago, on June 13, 1999:

Robert Ayala, 21, Chicago, IL.
Timothy Croft, 39, Detroit, MI.
Warner Freeman, 21, Philadelphia, PA.

James Harley, 40, Baltimore, MD.
Rico Perry, 27, Charlotte, NC.
Wesley Rodenas, 19, San Bernardino, CA.

Thoyce Sanders, 45, Dallas, TX.
Charles Stewart, 32, Dallas, TX.
Mario Taylor, 23, Chicago, IL.
Renardo Wilson, 38, Dallas, TX.
Unidentified male, 49, Portland, OR.
Mark Pierce, 36, Providence, RI.

Mr. Pierce was killed in a late-night drive-by shooting after a confrontation between one of his friends and two young men, one 18 and one 21, at a marina on the Providence River waterfront. After an initial scuffle, the two young men departed and returned within an hour in a car. One of them opened fire with a handgun, killing Pierce. It's another example of a quarrel that, in another time in America, might have resulted in a bloody nose and a bruised ego, but instead took the life of Mark Pierce.

And, Mr. President, the gun violence continues every day across America. Three weeks ago, a 15-year-old girl in Providence, who was a key witness for the prosecution in an upcoming murder trial, was shot with a handgun at point blank range in her front yard on a Sunday evening. She died the next day. She was to testify in the trial of a 19-year-old charged with shooting to death a 17-year-old last August.

Just this past Friday, in Providence, Rhode Island, two college students were carjacked at gunpoint, robbed, taken to a nearby golf course, and shot execution style with a .40 caliber semi-automatic handgun. The handgun was stolen from the car of a freelance photographer while he shopped at a local convenience store in February. This case makes a strong argument against concealed carry laws and other liberal gun laws that encourage citizens to bring their handguns out of their homes and into the streets of our cities. It also underscores the need for aggressive research into smart gun technology to ensure that a weapon can only be fired by its legitimate owner.

Finally, although in this instance the police were able to trace the gun relatively quickly because it was stolen in Providence and reported by the owner, in many cases crime guns cannot be traced because law enforcement is completely dependent upon the record keeping of gun manufacturers and gun dealers, and post-retail private sales are usually unrecorded. If we registered handguns and licensed handgun owners, the police could put out an immediate alert when a weapon is reported stolen, and they could trace a weapon more quickly upon its recovery after a horrible crime like this one. In addition, the assailants would face yet another felony charge for illegal possession of a weapon not registered to them.

Mr. President, twelve young Americans lose their lives to gun violence every day. That's a new Columbine tragedy every 24 hours. It is time for Congress to do its part to reduce gun violence by passing sensible gun safety legislation to keep firearms out of the hands of children and convicted felons. We should do so without further delay.

I yield the floor.

REMEMBERING THE ISRAELI MISSING IN ACTION

Mr. SCHUMER. Mr. President, I rise today to ask my colleagues to join me in remembering the Israeli soldiers captured by the Syrians during the 1982 Israeli war with Lebanon.

On June 11, 1982, an Israeli unit battled with a Syrian armored unit in the Bekaa Valley in northeastern Lebanon. The Syrians succeeded in capturing Sgt. Zachary Baumel, 1st Sgt. Zvi Feldman and Cpt. Yehudah Katz. Upon arrival in Damascus, the crew and their tank were paraded through the streets draped in Syrian and Palestinian flags.

Since that terrible day in 1982, the Israeli and United States Governments have been working to obtain any possible information about the fate of these missing soldiers, joining with the offices of the International Committee of the Red Cross, the United Nations, and other international bodies. According to the Geneva Convention, the area in Lebanon where the soldiers first disappeared was continually controlled by Syria, therefore deeming it responsible for the treatment of the captured soldiers. To this day, despite the promises made by the Syrian Government and by the PLO, very little information has been forthcoming about the condition of Zachary Baumel, Zvi Feldman, and Yehudah Katz.

June 11 marks the anniversary of the day these soldiers were reported missing in action. Eighteen pain-filled years have passed since their families have seen their sons, and still the Syrian Government has not revealed their whereabouts.

One of these missing soldiers, Zachary Baumel, is an American citizen from Brooklyn, NY. An ardent

basketball fan, Zachary began his studies at the Hebrew School in Boro Park. In 1979, he moved to Israel with other family members and continued his education at Yeshivat Hesder, where religious studies are integrated with army service. When the war with Lebanon began, Zachary was completing his military service and was looking forward to attending Hebrew University, where he had been accepted to study psychology. But fate decreed otherwise, and on June 11, 1982, he disappeared with Zvi Feldman and Yehudah Katz.

Zachary's parents Yonah and Miriam Baumel have been relentless in their pursuit of information about Zachary and his compatriots. I have worked closely with the Baumels, as well as the Union of Orthodox Jewish Congregations of America, the American Coalition for Missing Israeli Soldiers, and the MIA Task Force of the Conference of Presidents of Major American Jewish Organizations. These groups have been at the forefront of their pursuit of justice. I want to recognize their good work and ask my colleagues to join me in supporting their efforts. For eighteen years, these families have been without their children. Answers are long overdue.

TIBET

Mr. FEINGOLD. Mr. President, last year I delivered a statement for the record commemorating the 40th anniversary of the 1959 Tibetan uprising, during which His Holiness the Dalai Lama and more than 100,000 Tibetans were forced to flee their homeland as a result of brutal suppression by the Chinese government. Unfortunately, the human rights situation in Tibet has not improved, and has if anything deteriorated over the past year.

U.S. Administration officials and Congressional supporters of Permanent Normal Trade Relations with China often claim that more open trade with the West will expose ordinary Chinese to new ideas, new ideals, and a new independence from the State. This will awaken their desire for more freedom, paving the way for democracy in China. I have often voiced skepticism about these claims.

We do not have to wait for the people of Tibet to express their yearning for freedom. They have continuously struggled for their rights for over forty years, and have paid dearly for their actions. Their efforts so far have failed, not because they do not yearn to be free, but rather because their efforts are brutally suppressed and we are apparently little able to help them. Even our efforts in March to introduce at the annual meeting of the UN Commission for Human Rights a resolution condemning PRC officials' human rights practices in China and Tibet were blocked by the PRC and most of the industrialized nations.

If the Administration and Congress are serious about their efforts to pro-

mote human rights in China, surely Tibet should be the bellwether. We need to find concrete ways to demonstrate this commitment, and to encourage other countries to do the same.

TRIBUTE TO COLONEL LES BROWNLEE, USA (RET.)

Mr. WARNER. Mr. President, today the United States Army came to the U.S. Capitol to honor one of its most distinguished retired officers.

Colonel Les Brownlee is currently serving as Staff Director of the Senate Armed Services Committee, having previously served as a staffer on the Committee and in my Senate office. He is known and respected throughout our nation's military and defense industry. This award—for his lifetime of extraordinary leadership in uniform and with the Senate—is well deserved.

I ask that the introduction by the Vice Chief of Staff of the Army, General Jack Keane, and the citation be printed in the RECORD of the U.S. Senate which Colonel Brownlee has served for sixteen years. His record of public service stands as an inspiration for all.

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

SPEECH DELIVERED BY GENERAL JACK KEANE

June 13, 2000.

Senator WARNER, Senator THURMOND, thank you for taking time out of your busy schedules to join us. I would also like to welcome Les' son, John, his wife, LeAnne, and their new daughter, Thompson Ann.

Distinguished guests, friends and fellow soldiers. Thank you all for being here today to help us honor a true American patriot.

Originally, Major General LeMoyne, the Commander of the Infantry Center, was going to present this award during the Infantry Conference at Fort Benning, right there in building number four in the shadow of Iron Mike—a symbol that is so familiar to infantrymen. Unfortunately, scheduling conflicts would not allow that to happen.

The citation that we will present to Les in just a few moments reads that the Order of Saint Maurice is presented for "distinguished contribution to, and loyal support of the Infantry, and demonstrating gallant devotion to the principle of selfless service."

No one fits that description better than Les Brownlee. He is a passionate advocate for soldiers who has devoted his entire life to the service of his country—both in peace and in war.

Les's career of military service is, by any measurement, an extraordinary record of courage, devotion to duty, and love of soldiering.

Les chose the Army's most demanding branch of service—the Infantry. Infantry training and infantry battle demand the very most of the human spirit—where leaders are expected to exercise personal, physical leadership with daring and courage; where soldiers must be willing to give up everything they care about in life; where God-forsaken terrain, foul, miserable weather, extreme cold and extreme heat, can be as challenging as any enemy; where raw, stark fear is personal and normal; where training can be every bit as dangerous and demanding as combat; and where death is always a silent companion.

Les Brownlee volunteered for this life—a life of hardship and challenge, but a life of service in the company of the very best men our nation has to offer.

He volunteered for special skills—airborne, Ranger—skills that required an even greater degree of personal courage and sacrifice, but skills which would enable him to become and even better infantryman.

Les is a veteran of two tours of combat in Vietnam. A decorated Hero who has twice been awarded the Silver Star—our Nation's third highest award for valor. He also has three Bronze Star Medals, and the Purple Heart Medal for wounds received in combat.

Leading soldiers in combat is the most challenging and demanding assignment an officer will ever face . . . it tests the character of a commander . . . it forces him to bare his soul and face his own human frailties like no other experience.

Les Brownlee faced that test, twice in Vietnam, and it has shaped the character of his service ever since. It is where he learned about the bonds that form between soldiers and between soldiers and their leaders; it is where he learned that service to others is more important than service to self.

He is a paratrooper who understands all types of infantry.

He served as a platoon leader in the 101st Airborne Division, a Company Commander in the 173 Airborne Brigade, and he commanded a mechanized Battalion in the 3rd Infantry Division in Germany.

Despite his distinguished combat record, the thing that his friends who served with him will tell you that he is most proud is that, in January of 1965, he was named the distinguished honor graduate of his Ranger class. This prestigious honor is determined by peer and instructor evaluations and is awarded to the soldier who exhibits extraordinary leadership abilities.

Incidentally he was also graduated an Honor Graduate of his Officer Advanced Course and the Command and General Staff College.

Throughout his distinguished Army Career, and certainly in his capacity on the Armed Services Committee, Les has kept the welfare of the common soldier close to his heart.

NECESSARILY ABSENT

Mr. CONRAD. Mr. President, last week I was necessarily absent from the Senate to attend my daughter's graduation from college. As a result, I missed two votes Thursday and one Friday morning as I was returning to Washington.

For the record, had I been present, I would have voted nay on the motion to table the Daschle amendment related to a Patients' Bills of Rights. I would have voted nay on the point of order raised with respect to the McCain amendment related to the so-called Section 527 loophole in our campaign finance laws. I would have voted aye on the Grassley amendment related to accounting practices at the Department of Defense. My vote would not have changed the outcome on any of these votes.

Also for the record, I am extraordinarily proud of my daughter, Jessamyn, who graduated magna cum laude with highest honors from Harvard University last Thursday, June 8.

WARTIME VIOLATION OF ITALIAN-AMERICAN CIVIL LIBERTIES

Mrs. BOXER. Mr. President, today I wish to speak about a little known, but very dark chapter in American history. While many are familiar with the deplorable treatment of Japanese-Americans and others of Japanese ancestry living in the United States during World War II, there is far less discussion and understanding of what Italian-Americans were forced to endure during that period.

Italian-Americans refer to what happened at this time as "Una Storia Segreta," or "A Secret Story." Beginning before the war and until after Italy's surrender in 1943, Italian-Americans and those of Italian decent living in the United States were made suspects simply because of their country of origin. Like Japanese-Americans, they were subjected to all manner of civil rights violations including curfews, warrantless searches, summary arrests, exclusions, relocations and even internment.

The United States must accept responsibility for its grievous treatment of Italian-Americans during World War II. To this end, Senator TORRICELLI has introduced S. 1909, the Wartime Violation of Italian-American Civil Liberties Act, a bill to require the Justice Department to make a full accounting of the injustices suffered by Italian-Americans during World War II. After the Justice Department completes its report, the President would formally acknowledge these injustices.

I am pleased to cosponsor this overdue legislation. Although it may be painful to revisit and admit to the mistakes made during this time, I hope my colleagues would agree that it is the necessary and right thing to do.

THE VERY BAD DEBT BOXSCORE

Mr. HELMS. Mr. President, at the close of business yesterday, Monday, June 12, 2000, the Federal debt stood at \$5,648,173,825,800.99 (Five trillion, six hundred forty-eight billion, one hundred seventy-three million, eight hundred twenty-five thousand, eight hundred dollars and ninety-nine cents).

Five years ago, June 12, 1995, the Federal debt stood at \$4,901,416,000,000 (Four trillion, nine hundred one billion, four hundred sixteen million).

Ten years ago, June 12, 1990, the Federal debt stood at \$3,120,196,000,000 (Three trillion, one hundred twenty billion, one hundred ninety-six million).

Fifteen years ago, June 12, 1985, the Federal debt stood at \$1,766,703,000,000 (One trillion, seven hundred sixty-six billion, seven hundred three million).

Twenty-five years ago, June 12, 1975, the Federal debt stood at \$527,785,000,000 (Five hundred twenty-seven billion, seven hundred eighty-five million) which reflects a debt increase of more than \$5 trillion—\$5,120,388,825,800.99 (Five trillion, one hundred twenty billion, three hundred

eighty-eight million, eight hundred twenty-five thousand, eight hundred dollars and ninety-nine cents) during the past 25 years.

ADDITIONAL STATEMENTS

VIRGINIA TECH'S CLASS OF 2000

• Mr. WARNER. Last month, I had the privilege of addressing the graduating class at Virginia Tech University. During the commencement ceremony, three Virginia Tech students, Class President Lauren Esleeck, Graduate Student Representative Timothy Wayne Mays, and Class Treasurer Rush K. Middleton, addressed the graduating class and those in attendance. The speeches given by these three students were so eloquent and so inspiring, that I felt it was important to share them with my colleagues in the United States Senate and with the people of the United States.

To date, I have been able to obtain copies of Ms. Esleeck's speech and Mr. Middleton's speech. It is my pleasure to ask that these speeches be inserted into the CONGRESSIONAL RECORD.

The speeches follow:

SPEECH OF RUSH K. MIDDLETON, CLASS TREASURER

Only July 4th, 1939, Lou Gehrig, recently diagnosed with a terminal illness that would cripple and kill him in the prime of his life, stood before 60,000 adoring fans at Yankee Stadium and proclaimed, "I consider myself the luckiest man on the face of the earth."

How could a man who was so surely facing death profess that he was more blessed than those who sat around him and viewed their own deaths as nothing more than a distant shadow. The answer is quite simple: Lou Gehrig did not measure his fortune by the number of home runs he hit, the number of games he played, or the sum of money he earned. Instead, confronting his own mortality, he calculated the worth of his life by the people that surrounded him. For, unlike the countless tangible rewards and honors that were bestowed upon him, the friendships and relationships he established would not perish with his physical passing.

How does the Class of 2000 want to measure its worth? Do we wish to be defined by the jobs that we accept, the salaries we earn, or the number of promotions we receive? Or would we rather be characterized by the unbreakable bonds that we established with the people around us? I would challenge our Class to pursue the latter. My challenge is this: That we should leave this amazing institution with high expectations of what we will accomplish in our years as alumni. That we remain true to VPI's motto of *Ut Prosim*, "That I may serve," honorably serving our community, our family, our church, and our alma mater. Let us remember that we have but one chance on earth to dedicate ourselves to the task of helping our fellow man. If we give of ourselves, we give the most appreciated gift, and the one gift which no sum of money can possibly buy.

As we pen these final lines in the collegiate chapters of our lives, surrounded by family, friends, faculty, and peers, let us remember that we should strive to define ourselves by these relationships, and not by those material items that will surely fade into our past. If we can accomplish this goal, we can say with confidence, just as Lou Gehrig did, that

we are luckiest people on the face of the earth. God bless each one of you, and God bless Virginia Tech. Thank You.

SPEECH OF LAUREN ESLEECK, CLASS PRESIDENT

Today, we are here in celebration of a truly significant occasion and may I begin by saying, "Congratulations".

The Class of 2000 Motto is "With Honor there is Power, with Character there is Strength." Recently our Class bestowed a gift to Virginia Tech which certainly reflects this theme. The Class of 2000 has chosen to present the university with a new mace, symbolizing the power and strength Virginia Tech has achieved through both her honor and character. During the Founder's Day celebration the Class of 2000 presented Dr. Charles Steger with the new mace immediately following his installation as President of Virginia Tech. Our university's mace has long been a symbol of our tradition of excellence and our Class is fortunate to have contributed a gift to Virginia Tech which will ensure this tradition continues. The new mace, created by Steve Bickley, is resting here on stage. It is a gold-plated contemporary design bearing 3 different seals of the university:

The official university seal affixed to Hokiestone;

The centennial seal from 1972; and

The earliest seal of the university—dating back to 1872.

It also includes 8 spires representing each of the pylons.

Thank you the Class of 2000 for such a tremendous gift.

During this time of excitement and celebration, I have 2 wishes for the Class of 2000. I hope that:

1. We view our Class motto not as a statement, but as a goal;
2. That we be humble.

Again, the Class of 2000 Motto is, "With Honor there is Power, with Character there is Strength."

I encourage you to view our motto not as a statement, but as a goal because I hope that we strive to achieve personal strength and power by developing both our character and honor.

Character. Please allow me to borrow some thoughts on the importance of character from General Charles Krulak of the U.S. Marine Corp. Character is the moral courage that is within each of us. Everyday we have to make decisions. It is through this decision making process that we show those around us the quality of our character. The majority of decisions we make are "no brainers." Deciding whether to eat at West End Market or Owens is not going to test your character. . . . judgment maybe, but not character. The true test of character comes when the stakes are high, when the chips are down, when your gut starts to turn, when you know the decision you are about to make may not be popular, but it is to be made. That's when your true character is exposed.

Success in life has always demanded a depth of character. Those who can reach deep within themselves and draw upon an inner strength, fortified by strong values, always carry the day against those of lesser character.

Honor. Honor is captured by two essential ingredients—honesty and integrity. I hope that we may each find the courage to be not only true to others, but also true to ourselves—a far more difficult challenge. Such uninhibited self-evaluation will provide endless opportunities for personal growth and development.

Perhaps the most important determinant of integrity is work ethic. Hard work and determination have earned us the degrees we

celebrate today. A wise man once said, "It is amazing how many people who work very hard are damn lucky." While hard work may often go unrecognized, it will undoubtedly further one's integrity. Both integrity and honesty are essential to achieving honor. Likewise, both honor and character are essential to achieving power and strength.

My second and final wish is that we may each be humble.

Two of the simplest words in the English language are too often forgotten. Thank you. At a time when it is also appropriate to offer thanks. None of us have walked this journey alone. Whether it's your parents who offered financial support, the coach who served as a father figure, the professor who spent the extra time, the unknown person who created the scholarship you received, the friends who offered unending support, or the organizations which provided the opportunity for personal growth. When someone says "congratulations" we should each respond with "Thank You," thanking those who have allowed us to achieve our goals.

Thank You.●

HONORING MOKAN KIDS NETWORK

● Mr. ASHCROFT. Mr. President, I stand before you today to recognize the accomplishments of the MoKan Kids Network and to congratulate it for winning the 21st Century Award from the Association of America's Public Television Stations. The 21st Century Award is given to public television stations that demonstrate extraordinary involvement in long-range planning, collaboration with others, experimentation with new technologies or the creation of new services for undeserved communities. The MoKan Kids Network, a service of Kansas City Public Television, Smoky Hills Public Television, and 350 Missouri and Kansas school districts, has helped move classroom instruction into the 21st century.

The MoKan Kids Network provides instructional television, online networking and professional development and teacher training for 30,000 teachers in Missouri and Kansas. The network offers teachers more than 700 hours of educational video materials for classroom use and provides teachers with Internet access and curriculum-based web browsing capabilities. MoKan also makes available to teachers special training through its National Teacher Training Institutes, online conferences, and hands-on training in computer labs. MoKan's generous resources have allowed teachers to offer an enriched learning experience to 350,000 elementary and secondary students in Missouri and Kansas.

Mr. President, please join me in congratulating the MoKan Kids Network for being honored with the 21st Century Award. We thank MoKan for its fruitful efforts supporting educational broadcasting, and we hope its example will influence others around the country to establish similar programs.●

RETIREMENT OF DEE LEVIN FROM THE FBI

● Mr. GRAMS. Mr. President, I would like to pay tribute today to Special

Agent Donald (Dee) Levin on his retirement from the Federal Bureau of Investigation after 29 years of service. In 1967, shortly after graduating from the University of Minnesota, Dee joined the Marine Corps, where he served in Vietnam. Dee began his career with the FBI in 1971, starting out in the Indianapolis and Detroit offices before moving to Minnesota in 1980. Since then, he has worked in the Minneapolis field office as the technical coordinator.

The FBI is a worldwide leader in crime investigation and crime solving. The respect commanded by the FBI is due in large part to the individual agents, like Dee, who serve with honor and integrity in their duty to make the United States a safer place to live.

Dee will be very busy in his retirement. As new grandparents, Dee and his wife Judy look forward to spending time with their family and remaining active in their church, Galilee Lutheran.

I admire Dee's dedication to the FBI and on behalf of all Minnesotans, I thank him for his service.●

DAIRY OF DISTINCTION AWARD

● Mr. JEFFORDS. Mr. President, it gives me great pleasure to pay tribute to the 99 Vermont Farms that have been recognized by the Northeast Dairy Farms Beautification Program and received the Dairy of Distinctions Award.

The Dairy of Distinction Awards are given in New York, Pennsylvania, New Jersey and Vermont. The award was originally designed to help boost confidence in the quality of the milk, therefore increasing the milk sales. This is the fifth year that the honor has been bestowed on Vermont.

The criteria each farm must meet in order to receive this award are extremely stringent. According to the Vermont Department of Agriculture, Food, and Markets, the farms must include: clean and attractively finished buildings; neat landscaping, ditches, roads, and lanes; and well-maintained fences. Also taken into account are the conditions of other aspects of the farm operations such as cleanliness of animals, the barnyard, feed areas and manure management. This is a great feat considering that the average farm in Vermont is 217 acres.

Vermont is fortunate to have so many citizens who hold such pride in the presentation of their farms. I offer my congratulations to all of the farms that received the Dairy of Distinction Award, and may they be a shining example to all of the farms in Vermont. The winners are:

ADDISON COUNTY

Ernest, Earl, and Eugene Audet, Earl, Alan, and Edward Bessette, Herman and Gretta Buzeman, Paul Bolduc, Eric Clifford, Jeffery and Mary Demars, John and Rusty Forgues, Gerardies Gosliga, Dean Jackson, Peter James, Gerrit and Hank Nop, Thomas Pyle, Richard and Jodie Roorda, Tom and Shaina Roorda, Gerald and Judy Sabourin, Raymond Van Der Way, Loren and Gail Wood.

CALENDONIA COUNTY

William and Edith Butler, Paul and Rosemary Gingue, David and Mary Rainey, Bruce and Catherine Roy, Bebo and Lori Webster, Mary Kay and Dennis Wood.

CHITTENDEN COUNTY

June, Charles, and Mark Bean; David and Kate Cadreact; David and Kim Conant; Claude and Gail Lapiere; Donald Maynard; Larry and Julie Reynolds.

ESSEX COUNTY

Hans and Erika Baumann; James Fay; K. Dean and Claudette Hook; William F. and Ursula S. Johnson; Louis and Nancy Lamoureux; Bernard Routhier; Stephen and Carla Russo.

FRANKLIN COUNTY

Kristen Ballard; Robert A. Beaulieu; Scott Bessette; Germain Bourdeau; Robert E. Brooks; Richard and Andrew Brouillette; Ricky Doe and Alan Chagnon; Fournier Family; Wayne and Nancy Fiske; Gary and Olive Gilmond; Patrick Hayes; Paul and Karen Langelier; Robert, David and Sandra Manning; Ronald Marshall; Jacques and Mariel Parent; Philip and Suzanne Parent; Robert and Linda Parent; John Carman and Everett Shonyo; Paul and Linda Stanley; Garry and Eileen Trudell; David Williams.

GRAND ISLE COUNTY

Joyce B. Ladd; Louis E. Sr. and Anna S. Martell; Andrew and Ellen Paradee; Roger and Clair Rainville.

LAMOILLE COUNTY

Frederich B. Boyden; Russell Lanphear.

ORANGE COUNTY

Katherine Burgess; Karen Galayda and Tom Gilbert; Herbert and Beverly Hodge; Alan Howe; Robert and Anne Howe; Linwood Jr. and Gordon Huntington; Paul and Martha Knox; Larry and Sue Martin; Ron Saldi; David P. and Louise B. Silloway; Scott and Fred Smith Steve; Lynn and Alice Wakefield.

ORLEANS COUNTY

Robert and Michelle Columbia; Paul and Nancy Daniels; Bryan and Susan Davis; Andrew and Kathy DuLaBruere; Robert Judd; Roger and Deborah Meunier; Richard and Helen Morin.

RUTLAND COUNTY

Martha Hayward; Neal and Julianne Sharrow; Holly Young.

WASHINGTON COUNTY

David and Susan Childs; Austin C. Cleaves; Everett and Kendall Maynard; Stuart and Margaret Osha; Douglas H. and Sharon A. Turner.

WINDHAM COUNTY

R. Edward Hamilton; Steve and Terry Morse; Alan Smith; Leon and Linda and Roy and Vanessa; Robert Wheeler.

WINDSOR COUNTY

Robert and Elizabeth Kennett Robert A.; and Gail J. Ketchum; James Lewis; Amy M. Richardson.●

THE 60TH BIRTHDAY OF MR. ROBERT GILLETTE

● Mr. ABRAHAM. Mr. President, on June 16th, 2000, a very dear friend of mine, Mr. Robert Gillette, will celebrate his 60th birthday. I rise today to commemorate this occasion, and to honor a wonderful man who has worked extremely hard to improve living conditions for seniors throughout the State of Michigan.

Mr. Gillette is the president of American House, an organization that owns

and operates 24 housing facilities for seniors in the metropolitan Detroit area. American House strives to be the most outstanding affordable senior housing organization in the State of Michigan, and to provide all seniors, regardless of their income, with quality services and care. The organization is founded on the principle that individuals are entitled to living with dignity and with freedom as they enjoy the later years of their lives.

Recently, I have had the privilege of working with Mr. Gillette on an issue that is of utmost importance to the seniors of Michigan—affordable senior housing. At certain American House locations, a program has been developed which utilizes two assistance programs available to seniors. A Michigan State Housing Development Authority tax credit provides qualified applicants with a tax credit and rent subsidies, based on income limitations. In addition, the federally funded Medicaid Waiver Program, which has been in effect since the early 1990's assists qualified applicants in paying for housework, meals, and personalized care services in a home environment.

Mr. President, taking advantage of these two government subsidy programs has the potential to narrow the gap in housing prospects that exists between low, middle, and high-income seniors. It will provide many seniors, who otherwise would be forced to move into publicly-funded nursing homes, with the ability to remain in assisted living programs like that which American House offers. It is a wonderful program with enormous potential.

Combining these programs to assist seniors was the idea of Bob Gillette. This is the kind of work that he does every day. He is always thinking about how to make the lives of people around him better. His enthusiasm for his job and his genuine interest in the people around him make others want to help him.

Anyone who knows Bob will tell you that he is a wonderful person. I consider it a privilege to have him as a friend. He is truly a remarkable man. On behalf of the entire United States Senate, I wish Bob Gillette a happy 60th birthday, and best of luck in the future.●

TRIBUTE TO THE TELEPHONE PIONEERS OF AMERICA

● Mr. L. CHAFEE. Mr. President, I want to take a moment to pay tribute to the Telephone Pioneers of America. This tremendous volunteer organization has provided 40 years of volunteer labor service to the repair of talking-book machines for the National Library Service for the Blind and Physically Handicapped of the Library of Congress, Washington, D.C. Since 1960, the Pioneers have provided over \$70 million worth of volunteer labor and have repaired nearly 2 million machines. More than a half-million blind and physically disabled individuals

benefit from this outstanding volunteer repair service. In Rhode Island alone, Pioneers have volunteered 27,186 hours and repaired 17,146 machines since 1986.

The Pioneers are a good-will organization of a million people. This international organization is led by President Irene Chavira of U.S. West, Senior Vice President, Harold Burlingame of AT&T, and Executive Director and Chief Operating Officer James Gadd of Bell South. The organization is further supported by countless special people who make up the association, headquarters advisory board, and sponsoring companies.

Concerning the talking-book program itself, there are 1,500 Pioneer men and women who work on talking-book repair. They consist of volunteer personnel from AT&T, Bell Atlantic, Bell South, Lucent Technologies, Southwestern Bell Corporation, SBC, Communications, Inc., and U.S. West. They are ably supported by their Pioneer Vice Presidents and are also ably assisted by regional coordinators.

Through the generosity of the sponsoring companies, talking-book repair Pioneers are provided facilities in which they repair the equipment. Further, they are provided funding for tools, while the National Library Service for the Blind and Physically Handicapped provides testing equipment and parts for necessary repairs. The Pioneer organization also ensures talking-book coordinator leadership, including administrative support, management support for the program, and funding for travel to training and for recognition events.

The talking-book machines provided by the National Library Services to blind and visually impaired Americans are nothing less than a lifeline. Profound vision loss and blindness can seem like an insurmountable obstacle to what most of us take for granted, reading. We live in the information age, but for blind and visually impaired individuals, most information would be out of reach if it were not for the availability of specially designed talking-book machines. With talking-book machines, and other forms of assistive technology, blind boys and girls, men and women are reading for pleasure, for academic achievement, and for professional advancement.

Volunteerism is one of the greatest of all American virtues, and most who given their time for the benefit of others, do so without hope of fanfare. The Telephone Pioneers of America truly have sounded a clarion call for all other volunteer organizations to follow by responding to those in need, and I commend them for it.●

DEATH OF JEFF MACNELLY

● Mr. FITZGERALD. Mr. President, readers of the Chicago Tribune and newspapers across America suffered a great loss last Thursday when legendary political cartoonist Jeff

MacNelly lost his battle with lymphoma. He was 52.

Jeff MacNelly was one of the giants of modern political commentary. In this era of multi-media communication, round-the-clock news, and ubiquitous political punditry, Jeff offered a fresh and witty perspective on local and national affairs.

It has been said that a picture is worth a thousand words. But Jeff MacNelly was a master, and his were worth more. No matter what the issue, no matter who the subject of his praise of caustic criticism, Jeff had a way of making his point and making you laugh at the same time. That was his gift.

Born in New York City in 1947, Jeff MacNelly knew he was meant to draw. He left college during his senior year in 1969 to pursue a career as a political cartoonist, and accepted a job with a weekly newspaper in Chapel Hill, North Carolina. Jeff won his first Pulitzer Prize in 1972 at age 24, and two more followed in 1978 and 1985. His legendary comic strip "Shoe," which he continued for the rest of his life, was born in 1977. By the time Jeff passed away last week, "Shoe" was syndicated in over 1,000 publications nationwide. Jeff briefly decided to retire his pen in 1981, but, missing the excitement of politics and the daily news business, was lured back into action in 1982 by the Chicago Tribune. He worked at the Tribune until his death.

For nearly 30 years, Jeff MacNelly entertained and informed us with his unique blend of humor and political insight. He died young, but left his mark—literally and figuratively—on the entire world.●

RECOGNITION OF MARK LAMPING

● Mr. BOND. Mr. President, I rise today to honor Mark Lamping, President of the St. Louis Cardinals. Today, the St. Louis Catholic Youth Council presented its Annual Achievement Award for the year 2000 to Mr. Lamping. His tenure as head of the Cardinals has seen a 1996 Central Division championship, a return to post-season play for the first time since 1987, and a complete renovation of Busch Stadium. In 1999, his dedication as President enabled the Cardinals to receive the honor of Major League Baseball's Fan Friendly team by the United Sports Fans of America for the Cardinals' outstanding efforts at making the ballpark a more enjoyable, affordable, and memorable experience for the paying public.

In February of 1994, after serving for five years as Anheuser-Busch's group Director of Sports Marketing, Mr. Lamping was appointed Commissioner of the Continental Basketball Association. While in this position, Mr. Lamping managed the company's TV and radio sports marketing activities for all Anheuser-Busch beer brands, including sponsorship agreements with the Olympics, World Cup, the National

Hockey League, the National Football League, the National Basketball Association, and all other major professional sports.

Mr. Lamping's accomplishments are not limited to the realm of sports; he also gained experience in the corporate world. In 1981, Mr. Lamping joined the Anheuser-Busch family and began his work as a financial analyst within the company's corporate planning division. He then moved on to serve as the District Manager in Southern Illinois and Central Iowa. In addition to these responsibilities, Mr. Lamping served as the Senior Brand Manager for New Products and the Director of Sales Operations.

Mr. Lamping has also added a number of civic and charitable activities to his resume, including the St. Louis Sports Commission Board of Directors, the St. Louis University Business School Board of Directors, and the SSM Health Care Central Regional Board. He has served on the Board of Directors for the Roman Catholic Orphan Board, the Boone Valley Classic Foundation, the St. Louis Cardinals Community Fund, as well as Chairperson of the Make-A-Wish Foundation Golf Classic in 1997, 1998, and 1999, Chairman of the Old Newsboys Day for Children's Charities, and as the Chairperson for 1999 St. Louis papal visit.

In 1998, Mr. Lamping received the Man of the Year honor from the St. Louis Chapter of Sudden Infant Death Syndrome Resources. That same year he received the James O'Flynn Award from St. Patrick's Center in recognition of his hard work to help fight homelessness in the St. Louis area. Also, Mr. Lamping was recently inducted into the Vianney High School Hall of Fame.

The holder of a bachelor's degree in accounting from Rockhurst College of Kansas City and a master's degree in business administration from St. Louis University, Mr. Lamping is husband to Cheryl and father to three children—Brian, Lauren, and Timothy.

St. Louis is lucky to count as a resident a man so dedicated to his native community. It is my honor and pleasure to congratulate Mr. Mark Lamping on his outstanding success as a Missouri citizen and as this year's recipient of the Catholic Youth Council's Annual Achievement Award. ●

BEST HARVEST BAKERY

● Mr. BROWNBACK. Mr. President, I rise to recognize a significant minority enterprise in my home state of Kansas. The venture is Best Harvest Bakery, and its founders are two highly capable and energetic African-American businessmen, Bob Beavers, Jr. and Ed Honesty. Best Harvest is supplying hamburger buns to 560 McDonald's restaurants throughout the Midwest and will supply a new type of soft roll to the U.S. military. As minority suppliers to McDonald's, Bob and Ed join a growing force that last year provided

over \$3 billion in goods and services to the system.

Bob and Ed got their start as McDonald's employees and rose through the ranks to senior positions. Bob started as crew and attained the rank of senior vice president and a position on McDonald's board of directors. Ed joined the company right out of law school and became managing counsel for the Great Lakes Region. Last year, the two left their secure positions to become independent entrepreneurs and suppliers to the company. Bob and Ed chose to locate in Kansas City, Kansas because, as they said, it is "the heart of the bread basket." I along with many others in my home state welcome them and Best Harvest's contribution to our thriving economy.

Mr. PRESIDENT, I ask that this article on Bob Beavers and Ed Honesty, published in the April 2000, issue of Franchise Times, be placed in the RECORD, and I encourage my colleagues to read the account of these two outstanding African-Americans and their evolving relationship with McDonald's, which has again demonstrated its commitment to diversity.

[From the Franchise Times, Apr. 2000]

FORMER EXECUTIVE SWITCH TO SUPPLY SIDE

(By Nancy Weingartner)

Robert M. Beavers Jr. Started as a part-time McDonald's worker earning \$1 an hour. At his girlfriend's suggestion, he took the job during his junior year at George Washington University, because it was close to where she lived. He became an intricate part of the franchisee's business and when it was sold, corporate asked him to come to Oak Brook. In his 36-year career with McDonald's, he climbed the ladder to a senior vice president position and was responsible for bringing hundreds of minority franchisees into the system. He was also the first African American on the hamburger giant's board of directors.

Edward Honesty Jr. joined McDonald's right out of law school. He worked his way up to managing counsel for the Great Lakes Region, helped start the Business Counsel Program and was a frequent attendee and speaker at the American Bar Association's Forum on Franchising and the International Franchise Association's Legal Symposium.

So why would two men who were at the top of their game decide to give up their expense accounts and their impressive titles to become suppliers?

In one word—entrepreneurship.

It was because of their contacts at McDonald's and the fact that they knew the system so well, they were able to put together a deal where everyone could rise to the top.

"We look at the McDonald's system as a three-legged stool," Beavers said. Each leg—corporate, franchisees and suppliers—are necessary in order to keep the stool on its feet. "No one has been all three," Beavers said. Until now.

Beavers is part of an investment group, including Berkshire Partners, that purchased Fresh Start Bakeries from the Campbell Soup Company in 1999. Fresh Start's 14 bakeries worldwide supply 24 percent of McDonald's restaurants in the U.S., 64 percent of the Latin America restaurants and 14 percent of those in Europe. Beavers will serve as a director of Fresh Start. In addition, Beavers and Honesty purchased a majority interest in the Kansas City bakery and formed a joint venture with Fresh Start. Honesty is

president and chief operating officer and Beavers is chairman and CEO.

They chose buns because it's a core product that McDonald's uses in large quantities, and the Kansas City location because it's in "the heart of the bread basket" and close to the McDonald's restaurants they supply.

While McDonald's is their largest customer, they don't have a written contract. All arrangements with suppliers at McDonald's are by a handshake, Beavers said. That's the way Ray Kroc started doing business in 1955 and the way the company still does it, he said. "We (suppliers) have to do our part, they (corporate) have to do their part. It makes for a powerful relationship," he said.

Structuring the deal with a handshake has served McDonald's well, Beavers said, and "that's the spirit (in which) I want to grow our business."

LEAVING CORPORATE

Part of the reason Honesty was able to join Beavers in the endeavor with a minimum amount of trepidation was that they were able to get McDonald's "blessing" before leaping. Both knew that being a supplier to McDonald's was a win-win deal.

Honesty had put together a blue binder with his mission statement, attributes and financials and took it to McDonald's purchasing department a couple of years before the Fresh Start deal materialized. He let it be known, he said, that he was interested in becoming a supplier for McDonald's.

Meanwhile, Beavers was also looking for a change of pace. When he heard about the bakery opportunity, he spoke to the head of McDonald's, Jack Greenberg, who Beavers said thought it was a great opportunity.

It was a great opportunity for Honesty also, who invested his life's savings and stock options in his quest for the entrepreneurial life. He moved his family, a son, 15, and a daughter, 11, from the Chicago area to Kansas City, necessitating his wife to give up her prestigious job as a medical director for Advocate Health Care.

Was he nervous? "I didn't dwell on the nervousness or the 'what ifs,'" he said. "I hope to remain nervous forever, I don't want to get complacent; I need to maximize my potential. I'm just where I want to be—slightly over my head," he said.

Because of their positive experiences with McDonald's both men knew they wanted to remain in the family. Their training at McDonald's, including sweeping the floors and learning how to make a hamburger, prepared them to build their company based on McDonald's winning recipe.

Beavers' experience on the board for 19 years gave him a "good understanding of how a public company is run and great insight into developing a brand."

Honesty's dealing with the legal side of the business taught him about fairness and how to settle problems at the business table rather than in court. In business, he said, you're in it for the long haul, and the ones you meet on the way up are the same ones you'll meet on the way down," he contends.

While McDonald's will always be their No. 1 customer—"Always dance with the one who brought you." Honesty quips—Great Harvest has room in its production schedule to develop other business. One contract they've won is with the U.S. military to develop a soft roll that can be used as rations during the military's war games. "It's an exotic, tough bun to make," Honesty said, but could prove to be a lucrative one now that they've got the military specs down pat. They're also looking into doing private labeling for supermarkets, Beavers said.

One thing the pair wants to ensure down the road is that the bakery remains a minority venture, Honesty said. Beavers welcomes

the opportunity to bring two of his four grown children into the company. And even though they've left their corporate jobs, they still consider themselves a part of McDonald's extended family. A very important leg on that three-legged stool that keeps McDonald's centered.

"We've got a passion for McDonald's," Honesty said.

THE BUN PART OF THE BUSINESS

Name: Best Harvest Bakeries
Location: Kansas City, Kansas
Production capacity: 3,000 dozen buns an hour, 17 million dozen buns, or soft rolls, a year

Shifts: Five days a week for three shifts

Size: 32,000 square feet

Employees: about 47

Customers: 560 McDonald's restaurants, the U.S. Military, which just awarded Best Harvest a contract to make a bun that serves as rations during military "war games" (all the oxygen is taken out of the package so the bun stays fresh for three years).

Goal: "To become the premier supplier of grain-based products having outstanding quality in a service environment that exceeds our customers' expectations while ensuring that our customers receive unsurpassed value from our relationship."●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Ms. Evans, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

REPORT ENTITLED "THE WEKIVA RIVER ROCK SPRING RUN AND SEMINOLE CREEK"—MESSAGE FROM THE PRESIDENT—PM 113

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Energy and Natural Resources.

To the Congress of the United States:

I take pleasure in transmitting the enclosed report for the Wekiva River and several tributaries in Florida. The report and my recommendations are in response to the provisions of the Wild and Scenic Rivers Act, Public Law 90-542, as amended. The Wekiva study was authorized by Public Law 104-311.

The National Park Service conducted the study with assistance from the Wekiva River Basin Working Group, a committee established by the Florida Department of Environmental Protection to represent a broad spectrum of environmental and developmental interests. The study found that 45.5 miles of river are eligible for the National Wild and Scenic Rivers System (the

"System") based on free-flowing character, good water quality, and "outstandingly remarkable" scenic, recreational, fish and wildlife, and historic/cultural values.

Almost all the land adjacent to the eligible rivers is in public ownership and managed by State and county governments for conservation purposes. The exception to this pattern is the 3.9-mile-long Seminole Creek that is in private ownership. The public land managers strongly support designation while the private landowner opposes designation of his land. Therefore, I recommend that the 41.6 miles of river abutted by public lands and as described in the enclosed report be designated a component of the System. Seminole Creek could be added if the adjacent landowner should change his mind or if this land is ever purchased by an individual or conservation agency who does not object. The tributary is not centrally located in the area proposed for designation.

I further recommend that legislation designating the Wekiva and eligible tributaries specify that on-the-ground management responsibilities remain with the existing land manager and not the Secretary of the Department of the Interior. This is in accordance with expressed State wishes and is logical. Responsibilities of the Secretary should be limited to working with State and local partners in developing a comprehensive river management plan, providing technical assistance, and reviewing effects of water resource development proposals in accordance with section 7 of the Wild and Scenic Rivers Act.

We look forward to working with the Congress to designate this worthy addition to the National Wild and Scenic River System.

WILLIAM J. CLINTON.
THE WHITE HOUSE, June 13, 2000.

MESSAGE FROM THE HOUSE

At 12:25 p.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 3995. An act to establish procedures governing the responsibilities of court-appointed receivers who administer departments, offices, and agencies of the District of Columbia government.

H.R. 4387. An act to provide that the School Governance Charter Amendment Act of 2000 shall take effect upon the date such Act is ratified by the voters of the District of Columbia.

H.R. 4504. An act to make technical amendments to the Higher Education Act of 1965.

The message also announced that the House disagrees to the amendment of the Senate to the bill (H.R. 4425) making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 2001, and for other purposes, and agree to the conference

asked by the Senate on the disagreeing votes of the two Houses thereon.

That the following Members be the managers of the conference on the part of the House:

For consideration of the House bill, and division A of the Senate amendment, and modifications committed to conference: Mr. HOBSON, Mr. PORTER, Mr. TIAHRT, Mr. WALSH, Mr. MILLER of Florida, Mr. ADERHOLT, Ms. GRANGER, Mr. GOODE, Mr. YOUNG of Florida, Mr. OLVER, Mr. EDWARDS, Mr. FARR of California, Mr. BOYD, Mr. DICKS, and Mr. OBEY.

For consideration of division B of the Senate amendment, and modifications committed to conference: Mr. YOUNG of Florida, Mr. REGULA, Mr. LEWIS of California, Mr. ROGERS, Mr. SKEEN, Mr. CALLAHAN, Mr. OBEY, Mr. MURTHA, Ms. PELOSI, and Ms. KAPTUR.

MEASURES REFERRED

The following bills were read the first and second times by unanimous consent; and referred as indicated:

H.R. 3995. An act to establish procedures governing the responsibilities of court-appointed receivers who administer departments, offices, and agencies of the District of Columbia government; to the Committee on Governmental Affairs.

H.R. 4504. An act to make technical amendments to the Higher Education Act of 1965; to the Committee on Health, Education, Labor, and Pensions.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC-9198. A communication from the Chairman of the National Science Board, transmitting, pursuant to law, the report of the Inspector General for the period October 1, 1999 through March 31, 2000; to the Committee on Governmental Affairs.

EC-9199. A communication from the Chairman of the Federal Housing Finance Board, transmitting, pursuant to law, the report of the Inspector General for the period October 1, 1999 through March 31, 2000; to the Committee on Governmental Affairs.

EC-9200. A communication from the Secretary of Labor, transmitting, pursuant to law, the report of the Inspector General for the period October 1, 1999 through March 31, 2000; to the Committee on Governmental Affairs.

EC-9201. A communication from the Chairman of the Board of Governors of the Federal Reserve System, transmitting, pursuant to law, the report of the Inspector General for the period October 1, 1999 through March 31, 2000; to the Committee on Governmental Affairs.

EC-9202. A communication from the Corporation For National Service, transmitting, pursuant to law, the report of the Inspector General for the period October 1, 1999 through March 31, 2000; to the Committee on Governmental Affairs.

EC-9203. A communication from the Chairman of the Board of the Pension Benefit Guaranty Corporation, transmitting, pursuant to law, the report of the Inspector General for the period October 1, 1999 through

March 31, 2000; to the Committee on Governmental Affairs.

EC-9204. A communication from the Secretary of the Interior, transmitting, pursuant to law, the report of the Inspector General for the period October 1, 1999 through March 31, 2000; to the Committee on Governmental Affairs.

EC-9205. A communication from the Administrator of the General Services Administration, transmitting, pursuant to law, the report of the Inspector General for the period October 1, 1999 through March 31, 2000; to the Committee on Governmental Affairs.

EC-9206. A communication from the Secretary of Agriculture, transmitting, pursuant to law, the report of the Inspector General for the period October 1, 1999 through March 31, 2000; to the Committee on Governmental Affairs.

EC-9207. A communication from the Chairwoman of the Equal Employment Opportunity Commission, transmitting, pursuant to law, the report of the Inspector General for the period October 1, 1999 through March 31, 2000; to the Committee on Governmental Affairs.

EC-9208. A communication from the Executive Director of the Securities and Exchange Commission, transmitting, pursuant to law, the report of the Inspector General for the period October 1, 1999 through March 31, 2000; to the Committee on Governmental Affairs.

EC-9209. A communication from the Chairman and Chief Executive Officer of the Farm Credit Administration, transmitting, pursuant to law, the report of the Inspector General for the period October 1, 1999 through March 31, 2000; to the Committee on Governmental Affairs.

EC-9210. A communication from the Comptroller General of the United States, transmitting, pursuant to law, the report of General Accounting Office reports issued or released in April 2000; to the Committee on Governmental Affairs.

EC-9211. A communication from the Administrator of the General Services Administration, transmitting, pursuant to law, the Performance Plan for fiscal year 2001; to the Committee on Governmental Affairs.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. CAMPBELL, from the Committee on Indian Affairs, without an amendment:

S. 1967. A bill to make technical corrections to the status of certain land held in trust for the Mississippi Band of Choctaw Indians, to take certain land into trust for that Band, and for other purposes (Rept. No. 106-307).

By Mr. SHELBY, from the Committee on Appropriations, without amendment:

S. 2720. An original bill making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2001, and for other purposes.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. HUTCHINSON:

S. 2713. A bill to amend title 23, United States Code, to require States to use Federal highway funds for projects in high priority corridors, and for others; to the Committee on Commerce, Science, and Transportation.

By Mrs. LINCOLN (for herself, Mr. HATCH, Mr. HUTCHINSON, Mr. JEFFORDS, and Mr. BREAUX):

S. 2714. A bill to amend the Internal Revenue Code of 1986 to provide a higher purchase price limitation applicable to mortgage subsidy bonds based on median family income; to the Committee on Finance.

By Mr. TORRICELLI:

S. 2715. A bill to amend title 18, United States Code, with respect to ballistic identification of handguns; to the Committee on the Judiciary.

By Mr. CAMPBELL:

S. 2716. A bill to prohibit the Secretary of Transportation and the Administrator of the Federal Motor Carrier Administration from taking action to finalize, implement, or enforce a rule relating to the hours of service of drivers for motor carriers; to the Committee on Commerce, Science, and Transportation.

By Mr. SCHUMER:

S. 2717. A bill to amend the Internal Revenue Code of 1986 to gradually increase the estate tax deduction for family-owned business interests; to the Committee on Finance.

By Mr. SMITH of New Hampshire:

S. 2718. A bill to amend the Internal Revenue Code of 1986 to provide incentives to introduce new technologies to reduce energy consumption in buildings; to the Committee on Finance.

By Mr. CAMPBELL (for himself, Mr. HATCH, and Mr. INOUE):

S. 2719. A bill to provide for business development and trade promotion for Native Americans, and for other purposes; to the Committee on Indian Affairs.

By Mr. SHELBY:

S. 2720. An original bill making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2001, and for other purposes; from the Committee on Appropriations; placed on the calendar.

By Mr. THOMAS (for himself, Mr. SHELBY, Mr. REID, Mr. BREAUX, and Mr. CONRAD):

S. 2721. A bill to amend the Internal Revenue Code of 1986 to restore the deduction for lobbying expenses in connection with State legislation; to the Committee on Finance.

By Mr. AKAKA (for himself and Mr. LEVIN):

S. 2722. A bill to authorize the award of the Medal of Honor to Ed W. Freeman, James K. Okubo, and Andrew J. Smith; considered and passed.

By Mr. INHOFE:

S. 2723. A bill to amend the Clean Air Act to permit the Governor of a State to waive oxygen content requirement for reformulated gasoline, to encourage development of voluntary standards to prevent and control releases of methyl tertiary butyl ether from underground storage tanks, to establish a program to phase out the use of methyl tertiary butyl ester, and for other purposes; to the Committee on Environment and Public Works.

By Mr. JEFFORDS:

S. 2724. A bill to direct the Secretary of the Army to carry out an assessment of State, municipal, and private dams in the State of Vermont and to make appropriate modifications to the dams; to the Committee on Environment and Public Works.

By Mr. SMITH of New Hampshire (for himself, Mr. DURBIN, Mr. KERREY, Mr. LAUTENBERG, and Mr. JEFFORDS):

S. 2725. A bill to provide for a system of sanctuaries for chimpanzees that have been designated as being no longer needed in research conducted or supported by the Public Health Service, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. BAYH (for himself, Mr. DOMENICI, Mr. ABRAHAM, Mr. AKAKA, Mr. ASHCROFT, Mr. BINGAMAN, Mr. BOND, Mr. BREAUX, Mr. BROWNBACK, Mr. L. CHAFEE, Mr. DODD, Mr. EDWARDS, Mr. GORTON, Mr. GRAHAM, Mr. GRAMM, Mr. GRAMS, Mr. GREGG, Mr. INHOFE, Mr. JOHNSON, Mr. KERREY, Ms. LANDRIEU, Mr. LIEBERMAN, Mr. MURKOWSKI, Mr. SMITH of New Hampshire, Mr. STEVENS, Mr. THURMOND, and Mr. VOINOVICH):

S.Res. 322. A resolution encouraging and promoting greater involvement of fathers in their children's lives and designating June 18, 2000, as "Responsible Father's Day"; considered and agreed to.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mrs. LINCOLN (for herself, Mr. HATCH, Mr. HUTCHINSON, Mr. JEFFORDS, and Mr. BREAUX):

S. 2714. A bill to amend the Internal Revenue Code of 1986 to provide a higher purchase price limitation applicable to mortgage subsidy bonds based on median family income; to the Committee on Finance.

THE HOME OWNERSHIP MADE EASY (HOME) ACT

Mrs. LINCOLN. Mr. President, today I am introducing the Home Ownership Made Easy (HOME) Act, which will expand home ownership opportunities for low- and moderate-income, first-time home buyers.

Providing affordable, fair, and quality housing for all people is important. Home ownership is not only the American Dream, it also increases pride in community, schools, and safety. Too often, however, American workers who make too much money to qualify for public assistance and too little money to afford a home on their own are stuck in the middle. These families are stuck in substandard housing or in neighborhoods that are far from their jobs. Fortunately, in the early 1980's, Congress established the Mortgage Revenue Bond (MRB) program, which allowed state and local governments to issue tax-exempt bonds to finance mortgages at below-market interest rates to first-time home buyers. Unfortunately, as sometimes happens in government programs, administrative barriers have rendered the program less effective in recent years.

The Internal Revenue Service and the Department of Housing and Urban Development have been unable to collect and maintain statistical data on average area purchase prices in all states. In Arkansas for instance, the MRB Program is based on an average area purchase price that was established in 1993. This means that, while housing prices are going up, the

threshold for homeowners to qualify for an MRB loan has stayed the same.

The HOME Act reduces the administrative burden on the Internal Revenue Service and the Department of Housing and Urban Development. It will allow state and local housing finance agencies to use a multiple of income limits, which are readily available and updated annually. Relying on already established MRB income requirements is a natural fit because families generally purchase homes within their income range.

The Mortgage Revenue Bond program is a state administered program that works. The HOME Act will continue to expand the MRB's track record and success.

Mr. President, I ask unanimous consent that the text of this legislation be printed in full in the RECORD.

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

S. 2714

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. INCREASE IN PURCHASE PRICE LIMITATION UNDER MORTGAGE SUBSIDY BOND RULES BASED ON MEDIAN FAMILY INCOME.

(a) IN GENERAL.—Paragraph (1) of section 143(e) of the Internal Revenue Code of 1986 (relating to purchase price requirement) is amended to read as follows:

“(1) IN GENERAL.—An issue meets the requirements of this subsection only if the acquisition cost of each residence the owner-financing of which is provided under the issue does not exceed the greater of—

“(A) 90 percent of the average area purchase price applicable to the residence, or

“(B) 3.5 times the applicable median family income (as defined in subsection (f)(4)).”.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to obligations issued after the date of the enactment of this Act.

By Mr. TORRICELLI:

S. 2715. A bill to amend title 18, United States Code, with respect to ballistic identification of handguns; to the Committee on the Judiciary.

BALLISTICS FINGERPRINTS ACT OF 2000

• Mr. TORRICELLI. Mr. President, I rise today to introduce the “Ballistics Fingerprints Act of 2000” which will help reduce gun violence in our communities. Despite recent progress in reducing gun violence, the number of people killed or injured each year in this country remains too high. Each year more than 32,000 Americans are killed by gunfire. This means that each day, almost 90 Americans, including almost 12 young people under the age of 19, die from gunshot wounds. For each fatal shooting, three more people are injured by gunfire. These grim statistics require all of us to do more to further reduce gun violence.

History has shown that coordinated law enforcement strategies involving the public and private sector are the most effective tools in reducing gun violence. This includes targeting the illegal shipment of firearms and imple-

menting strategies to keep guns out of the hands of criminals. It also includes using advanced technologies, such as computer ballistic imaging, to assist law enforcement in investigating and identifying violent criminals.

Like fingerprints, the barrel of a firearm leaves distinguishing marks on a bullet and cartridge case and no two firearms leave the same marks. Computer ballistic imaging technology allows these distinguishing marks or characteristics to be maintained in a database where they can be rapidly compared with evidence from a crime scene for possible matches. The ATF and FBI have been using this technology since 1993 to help state and local crime laboratories across the country link gun-related crimes and recently these agencies entered into an agreement to create one unified system. In 1999 alone, a total of 2,026 matches were made with this unified system which represents the linkage of at least 4,052 firearm related crimes.

The “Ballistic Fingerprints Act” would take this innovative approach to crime fighting one step further by creating a national registry of ballistic fingerprints. Under this legislation, every gun manufacturer will be required to obtain the ballistic fingerprints or identifying characteristics for every gun manufactured prior to distribution so that guns used in the commission of a crime can be easily traced and identified. The bill also requires the Department of Treasury to inspect this information and create a national registry of ballistic fingerprints. With the help of this information, police will be better able to locate and identify the guns used in criminal activity and to prosecute the criminals who use these guns.

The saturation of guns in American communities and the frequency of gun related violence calls upon all of us to do more to combat gun related violence. Common sense tells us that one way to further reduce firearm violence is to identify the guns used in committing these crimes so that the criminals who use these can be brought to justice. Regardless of where one stands on gun control, we all should be able to unite behind this simple but highly effective crime fighting tool. I look forward to working with my colleagues to see this legislation enacted into law.

Mr. President, I ask unanimous consent that the full text of the legislation appear in the RECORD.

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

S. 2715

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Ballistic Fingerprints Act of 2000”.

SEC. 2. HANDGUN BALLISTIC IDENTIFICATION.

(a) IN GENERAL.—Section 923 of title 18, United States Code, is amended by adding at the end the following:

“(m) HANDGUN BALLISTIC IDENTIFICATION.—

“(1) DEFINITIONS.—In this subsection—

“(A) the term ‘projectile’ means the part of handgun ammunition that is, by means of an explosion, expelled through the barrel of a handgun; and

“(B) the term ‘shell casing’ means the part of handgun ammunition that contains the primer and propellant powder to discharge the projectile.

“(2) INCLUSION OF HANDGUN IDENTIFIERS IN MANUFACTURER SHIPMENTS.—A licensed manufacturer shall include, in a separate sealed container inside the container in which a handgun is shipped or transported to a licensed dealer—

“(A) a projectile discharged from that handgun;

“(B) a shell casing of a projectile discharged from that handgun; and

“(C) any information that identifies the handgun, projectile, or shell casing, as may be required by the Secretary by regulation.

“(3) REQUIREMENTS RELATING TO DEALERS.—A licensed dealer shall—

“(A) upon receipt of a handgun from a licensed manufacturer, notify the Secretary regarding whether the manufacturer complied with the requirements of paragraph (2); and

“(B) upon the sale, lease, or transfer of a handgun shipped or transported in accordance with paragraph (2), transfer to the Secretary the sealed container included in the container with the handgun pursuant to that paragraph.

“(4) DUTIES OF SECRETARY.—The Secretary shall establish and maintain a computer database of all information identifying each projectile, shell casing, and other information included in a sealed container transferred to the Secretary under paragraph (3).”.

(b) REGULATIONS.—Not later than 180 days after the date of enactment of this Act, the Secretary of the Treasury shall promulgate final regulations to carry out the amendment made by subsection (a).

(c) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the date on which the Secretary of the Treasury promulgates final regulations under subsection (b).•

By Mr. CAMPBELL:

S. 2716. A bill to prohibit the Secretary of Transportation and the Administrator of the Federal Motor Carrier Administration from taking action to finalize, implement, or enforce a rule relating to the hours of service of drivers for motor carriers; to the Committee on Commerce, Science, and Transportation.

THE MOTOR CARRIER FAIRNESS ACT OF 2000

Mr. CAMPBELL. Mr. President, today I am introducing the Motor Carrier Fairness Act of 2000. This legislation would prohibit the Secretary of Transportation and Administrator of the Federal Motor Carrier Safety Administration from taking action to finalize, implement, or enforce a rule relating to the hours of service of drivers for motor carriers.

Trucking is the backbone of the U.S. economy. The industry transports approximately 80 percent of the nation's freight, and well over 70 percent of communities in the United States depend solely on trucking to deliver their goods. The hours of service are arguably the single most important rule

governing how trucking companies and truck drivers operate. However, the Department's proposed rules fail to consider the impact of the proposal on the nation's economy as well as the drivers.

The fundamental change in hours is a shift from an 18 hour, to a 24-hour clock. Under DOT's proposed rules, a driver's basic workday would be 12 hours on, 12 hours off with mandatory two consecutive days off. I was amazed to find out that by imposing these changes and increasing the number of off-duty hours DOT creates the need for a 50 percent increase in the number of refrigerated and dry van trucks. This in turn translates into an additional 180,000 drivers and trucks on already crowded roads, just to keep the current economy moving. I know, from speaking to freight carriers in my home state of Colorado, that the job market is already short approximately 80,000 drivers, and these trucking companies are experiencing substantial problems finding the necessary number of drivers for their operations.

There are many reasons why this bill is necessary. For example DOT's proposals would:

Reduce driver's salaries since they are paid per mile. By reducing the overall working time from 15 to 12 hours, salaries will also decrease. A 12-hour day will not allow drivers to take advantage of income opportunities that fluctuating freight volumes provide. Furthermore, as an article in the Denver Post reported today, the mandatory weekend time off could result in thousands of dollars of lost income per year for drivers.

Overcrowded rest stops. There are an estimated 187,000 parking stalls in truck stops around the country and the 2.5 to 3 million Class 8 trucks, and the result is overcrowded rest stops. Most drivers will be forced to use public rest stops, gas stations or even highway ramps to comply with the proposed rules. In fact the DOT held a field hearing yesterday at the Jefferson County Fairgrounds in Colorado. Truckers there specifically warned of the reemergence of thieves, scam artists, and prostitutes who linger around truck stops, preying on resting truckers.

These rules would inevitably crowd the highways with more trucks. Since waiting time at loading docks is considered "on-duty" hours, refrigerated carriers will need 70 percent more trucks in order to meet delivery times and dry-freight haulers another 50 percent. This means that 600,000 to 700,000 more trucks will be needed in order to keep with the current delivery pace. In another example from the afore mentioned article, a mozzarella cheese maker in Denver will have to add 23 new truck tractors in order to compensate for the down time of drivers forced to idle because of these new rules. I might also add that this proposal claims to reduce the number of highway fatalities, but as we can see the need to add more trucks to our

roads will only increase the possibility of highway accidents occurring. The number of truck related accidents has actually decreased 34 percent in the last 10 years, so we should not allow the DOT to reverse this trend through its proposed rule.

Another area of concern regards the issue of the "electronic onboard recorders" that will track the drivers hours. The cost of equipping Type I and II long haul trucks with these devices is most certainly going to be passed on for the companies to bear. These devices, at approximately \$1,000 apiece, could put some smaller hauling companies out of business.

Mr. President, I have been and still am a trucker. In fact, I just renewed my commercial drivers license last year. I understand first hand the concerns that most workers in this industry have with the proposed regulations. The trucking industry provides millions of Americans with on-time delivery. Our economy is dependent on this, and I believe that these proposed rules have not taken the impact of this aspect into consideration.

The cost of DOT's plan is not limited to the trucking industry as a whole, but will disrupt our nation's supply chain which consequentially will have a ripple effect on the rest of our economy, not to mention American jobs. Therefore, I urge my colleagues to join in support of this legislation.

Mr. President, I ask unanimous consent that the bill be printed in the RECORD.

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

S. 2716

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Motor Carrier Fairness Act of 2000".

SEC. 2. PROHIBITION OF ACTION TO FINALIZE, IMPLEMENT, OR ENFORCE RULE ON HOURS OF SERVICE OF DRIVERS.

Neither the Secretary of Transportation nor the Administrator of the Federal Motor Carrier Safety Administration may take any action to finalize, implement, or enforce the proposed rule entitled "Hours of Service of Drivers" published by the Federal Motor Carrier Safety Administration in the Federal Register on May 2, 2000 (65 Fed. Reg. 25539), and issued under authority delegated to the Administrator under section 113 of title 49, United States Code.

By Mr. THOMAS:

S. 2721. A bill to amend the Internal Revenue Code of 1986 to restore the deduction for lobbying expenses in connection with State legislation; to the Committee on Finance.

GRASSROOTS ADVOCACY TAX

• Mr. THOMAS. Mr. President, today I introduce legislation, along with my colleagues Senators SHELBY, BREAUX, CONRAD and REID to make it easier for Americans to participate in the decision-making process in their state capitols. Current tax law denies main street business the ability to deduct le-

gitimate expenses incurred while advocating their positions at the state level of government. This legislation will remove both the financial and administrative penalties imposed by this "grassroots advocacy tax."

As part of the Budget Reconciliation Act of 1993, Congress approved a proposal recommended by President Clinton to deny the deductibility of expenses incurred to lobby on legislative issues. As passed, the bill created an "advocacy tax" by denying a business tax deduction for expenses incurred to address legislation at both the state and federal levels. Expenses incurred regarding the legislative actions of local governments, however, are exempt from this tax.

When the deductibility for lobbying expenses was partially repealed in 1993, the debate centered on activities at the federal level. The fact that lobbying at the local level is exempt indicates that the original authors of this proposal did not intend to cover all lobbying activities. Although lobbying at the state level was not part of the debate, it was included in the final legislation that was approved by Congress. This grassroots advocacy tax is an unwarranted intrusion of the federal government on the activity of state governments. We should not make it harder for Americans to participate in the decision making process in their state capitols.

At the state level, there is more active outside participation in the legislative process. This is partly because state legislatures have smaller staffs and meet less frequently than the U.S. Congress. In most states, the job of state legislator is part-time. In addition, many governors appoint "Blue Ribbon Commissions" and other advisory groups to recommend legislative solutions to problems peculiar to a specific state. These advisory groups depend on input from members of the business, professional and agricultural community knowledgeable about particular issues.

However, the record keeping requirements and penalties associated with this tax discourage and penalize participation in the legislative process by businesses in all fifty states. This is especially true for the many state trade associations, most of whom are small operations not equipped to comply with the pages and pages of confusing federal regulations implementing this law. Compliance is both time consuming and complicated, and detracts from the legitimate and necessary work and services they perform for their members, who are primarily small businesses that depend on these associations to look after their interests.

This bill is very simple. It restores the deductibility of business expenses incurred for activities to deal with legislation at the state level, and gives them the same treatment that exists under current law for similar activities at the local level. This change will help ensure that the voices of citizen advocates and main street businesses will

be heard in their state capitols. It is good legislation and it should be enacted into law.●

By Mr. JEFFORDS:

S. 2724. A bill to direct the Secretary of the Army to carry out an assessment of State, municipal, and private dams in the State of Vermont and to make appropriate modifications to the dams; to the Committee on Environment and Public Works.

VERMONT DAM LEGISLATION

● Mr. JEFFORDS. Mr. President, I rise today to speak of a pressing problem that affects not only the streams and rivers of Vermont, but the land and people who live and work along their winding routes. Vermont is home to over 2,000 dams of all sizes that clog Vermont's 5,000 river miles. Many of these dams were built in the eighteenth and nineteenth centuries, when industries were located along rivers to utilize dams for running machinery, dispose of waste, and transport raw materials and goods. Currently, most of these dams no longer serve any commercial purpose and sit in disrepair, posing a significant safety threat and fundamentally altering the surrounding environment.

There are 150 dams in Vermont listed as either "high" or "significant" hazard, meaning that the failure of one of these dams presents a real threat to human life, property, and the environment. Last week, a Vermont newspaper highlighted the extreme danger if one of these dams were to fail by describing the 80 feet high wall water that would crash down the river valley if the Waterbury dam were to fail. Such a structural failure would mean that 22 square miles would be flooded, and a 15 foot high wall of water would hit the city of Burlington.

A disaster of this scope would be caused by the breakage of only a few dams across the state, but serious and extensive damage could also be caused by many smaller, similarly weak dams. Not only could damage occur due to failure, but many of the dams pose a significant threat to people using rivers for recreational purposes. The dams contain broken concrete, protruding metal, rotted timber cribbing and other hazards that threaten fisherman, boaters and swimmers with a serious threat of injury or death.

Not only are people and property at risk, but significant harm is being inflicted on the environment. Dams alter the basic characteristics of the rivers in which they are constructed and directly affect the features that comprise a riverine habitat. Non-functioning dams unnecessarily block wildlife, including fish that are attempting to migrate to spawn.

The Vermont Dam Remediation and Restoration Program allows the Army Corps of Engineers to enter into partnership with State, municipal, and private dam owners to assess and modify dams. The expertise and resources of the Corps would provide the much

needed assistance to dam owners who would otherwise be unable to properly assess and modify dangerous, structurally unsound or environmentally harmful dams. I urge my colleagues to join me in addressing this critical problem and quickly pass this much needed authorizing legislation.●

By Mr. SMITH of New Hampshire (for himself, Mr. DURBIN, Mr. KERREY, Mr. LAUTENBERG, and Mr. JEFFORDS):

S. 2725. A bill to provide for a system of sanctuaries for chimpanzees that have been designated as being no longer needed in research conducted or supported by the Public Health Service, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

CHIMPANZEE HEALTH IMPROVEMENT, MAINTENANCE AND PROTECTION ACT

● Mr. SMITH of New Hampshire. Mr. President, today I rise along with Senators DURBIN, KERREY, LAUTENBERG, and JEFFORDS to introduce the Chimpanzee Health Improvement, Maintenance and Protection (C.H.I.M.P.) Act. This legislation will create a nonprofit sanctuary system for housing chimpanzees that federal researchers have decided are no longer needed for their research. Our bill, establishes a public/private matching fund which will provide for the permanent retirement of these animals. This is a wonderful opportunity for the Senate to support the sanctuary concept which is backed by many distinguished scientists, including Dr. Jane Goodall and humane people across the country. Mr. President, in the wild, the chimpanzee is an endangered species. We are fortunate that we have an opportunity now to provide decent, humane care for a species which is, sadly, on the decline in its natural habitat.

At this point in time we have a tremendous surplus of research chimpanzees in the United States. It began in the 1980's, when the terrible AIDS epidemic first appeared. Researchers in Federal agencies created breeding colonies of chimpanzees in five regional chimp centers. The hope was that chimpanzees, because of their genetic similarity to humans, would be a good model for various AIDS vaccine experiments. Scientists discovered, however, that although the chimpanzees proved to be carriers of the virus, that once it was injected into them, the chimps do not develop full-blown AIDS.

For this reason, many researchers are, in their own words, getting out of the chimp business. The chimpanzee does not serve as a model for how the disease progresses in humans and the researchers want to divest themselves of these intelligent animals. The problem is that there is really no place for the chimpanzees to go. Many of the chimps will live to be 50 years old! It is estimated that several hundred of the approximately 1,500 chimps currently in labs are ready to be sent to sanctuaries, but that we lack the sanctuary space to house them.

In a sanctuary the chimps can be put in small groups rather than living in isolation as many do in labs. Small social groups enable the chimps to recover from research more quickly both physically and mentally, and it is far more cost-effective than housing them in the present laboratory system. We should remember that taxpayers are currently footing the bill for what is basically the "warehousing" of these animals in expensive and inhumane labs.

I have based many of the features of the C.H.I.M.P. bill on a report entitled "Chimpanzees in Research: Strategies for Their Ethical Care, Management, and Use," that was published in 1997 by the National Research Council. In this study of research chimps, the well-respected National Academy of Sciences (NAS) reported that there may be approximately 500 chimpanzees that are no longer needed in research. The NAS recommended that NIH initiate a breeding moratorium for at least 5 years, that surplus chimps be placed in sanctuaries rather than be euthanized, and that animal protection organizations, along with scientists, have input into the standards of care and the operation of the sanctuaries.

Our bill has addressed all these issues and is supported by The American Society for the Prevention of Cruelty to Animals, The American Anti-Vivisection Society, The Humane Society of the United States, The National Anti-Vivisection Society and The Society for Animal Protective Legislation. I want to again point out that our bill does not interfere with any ongoing medical experiments involving chimps. The bill allows for the retirement of chimps only after the researchers themselves have decided that a chimp is no longer useful in research. This is the humane, ethical, and fiscally responsible way to handle the question of what to do with a surplus of intelligent animals who have contributed to the knowledge of science and the health and well-being of humanity. This really should be a nonpartisan issue and I am proud to ask for the support of all my Senate colleagues.●

ADDITIONAL COSPONSORS

S. 312

At the request of Mr. MCCAIN, the name of the Senator from North Carolina (Mr. EDWARDS) was added as a cosponsor of S. 312, a bill to require certain entities that operate homeless shelters to identify and provide certain counseling to homeless veterans, and for other purposes.

S. 345

At the request of Mr. ALLARD, the name of the Senator from Arizona (Mr. MCCAIN) was added as a cosponsor of S. 345, a bill to amend the Animal Welfare Act to remove the limitation that permits interstate movement of live birds, for the purpose of fighting, to States in which animal fighting is lawful.

S. 779

At the request of Mr. ABRAHAM, the names of the Senator from California (Mrs. BOXER), the Senator from Hawaii (Mr. INOUE), the Senator from Maryland (Ms. MIKULSKI), the Senator from Illinois (Mr. DURBIN), the Senator from Nebraska (Mr. KERREY) and the Senator from Maryland (Mr. SARBANES) were added as cosponsors of S. 779, a bill to provide that no Federal income tax shall be imposed on amounts received by Holocaust victims or their heirs.

S. 879

At the request of Mr. CONRAD, the name of the Senator from Illinois (Mr. FITZGERALD) was added as a cosponsor of S. 879, a bill to amend the Internal Revenue Code of 1986 to provide a shorter recovery period for the depreciation of certain lease hold improvements

S. 1155

At the request of Mr. ROBERTS, the name of the Senator from Washington (Mr. GORTON) was added as a cosponsor of S. 1155, a bill to amend the Federal Food, Drug, and Cosmetic Act to provide for uniform food safety warning notification requirements, and for other purposes.

S. 1159

At the request of Mr. STEVENS, the name of the Senator from North Carolina (Mr. EDWARDS) was added as a cosponsor of S. 1159, a bill to provide grants and contracts to local educational agencies to initiate, expand, and improve physical education programs for all kindergarten through 12th grade students.

S. 1191

At the request of Mr. DORGAN, the name of the Senator from New Mexico (Mr. BINGAMAN) was added as a cosponsor of S. 1191, a bill to amend the Federal Food, Drug, and Cosmetic Act to provide for facilitating the importation into the United States of certain drugs that have been approved by the Food and Drug Administration, and for other purposes.

S. 1250

At the request of Mr. ROCKEFELLER, the name of the Senator from Maine (Ms. SNOWE) was added as a cosponsor of S. 1250, a bill to amend title 38, United States Code, to ensure a continuum of health care for veterans, to require pilot programs relating to long-term health care for veterans, and for other purposes.

S. 1333

At the request of Mr. WYDEN, the name of the Senator from North Dakota (Mr. CONRAD) was added as a cosponsor of S. 1333, a bill to expand homeownership in the United States.

S. 1438

At the request of Mr. CAMPBELL, the name of the Senator from Colorado (Mr. ALLARD) was added as a cosponsor of S. 1438, a bill to establish the National Law Enforcement Museum on Federal land in the District of Columbia.

S. 1459

At the request of Mr. MACK, the names of the Senator from Pennsylvania (Mr. SANTORUM) and the Senator from Minnesota (Mr. GRAMS) were added as cosponsors of S. 1459, a bill to amend title XVIII of the Social Security Act to protect the right of a medicare beneficiary enrolled in a Medicare+Choice plan to receive services at a skilled nursing facility selected by that individual.

S. 1795

At the request of Mr. CRAPO, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor of S. 1795, a bill to require that before issuing an order, the President shall cite the authority for the order, conduct a cost benefit analysis, provide for public comment, and for other purposes.

S. 1874

At the request of Mr. GRAHAM, the name of the Senator from Pennsylvania (Mr. SANTORUM) was added as a cosponsor of S. 1874, a bill to improve academic and social outcomes for youth and reduce both juvenile crime and the risk that youth will become victims of crime by providing productive activities conducted by law enforcement personnel during non-school hours.

S. 1900

At the request of Mr. LAUTENBERG, the name of the Senator from Indiana (Mr. BAYH) was added as a cosponsor of S. 1900, a bill to amend the Internal Revenue Code of 1986 to allow a credit to holders of qualified bonds issued by Amtrak, and for other purposes.

S. 1909

At the request of Mrs. BOXER, her name was added as a cosponsor of S. 1909, a bill to provide for the preparation of a Governmental report detailing injustices suffered by Italian Americans during World War II, and a formal acknowledgement of such injustices by the President.

S. 2003

At the request of Mr. JOHNSON, the name of the Senator from North Carolina (Mr. EDWARDS) was added as a cosponsor of S. 2003, a bill to restore health care coverage to retired members of the uniformed services.

S. 2013

At the request of Mr. MCCAIN, the name of the Senator from North Carolina (Mr. EDWARDS) was added as a cosponsor of S. 2013, a bill to restore health care equity for medicare-eligible uniformed services retirees, and for other purposes.

S. 2181

At the request of Mrs. HUTCHISON, the name of the Senator from Georgia (Mr. CLELAND) was added as a cosponsor of S. 2181, a bill to amend title XVIII of the Social Security Act to revise the update factor used in making payments to PPS hospitals under the medicare program.

S. 2181

At the request of Mr. BINGAMAN, the name of the Senator from Connecticut

(Mr. DODD) was added as a cosponsor of S. 2181, a bill to amend the Land and Water Conservation Fund Act to provide full funding for the Land and Water Conservation Fund, and to provide dedicated funding for other conservation programs, including coastal stewardship, wildlife habitat protection, State and local park and open space preservation, historic preservation, forestry conservation programs, and youth conservation corps; and for other purposes.

S. 2274

At the request of Mr. GRASSLEY, the name of the Senator from Texas (Mrs. HUTCHISON) was added as a cosponsor of S. 2274, a bill to amend title XIX of the Social Security Act to provide families and disabled children with the opportunity to purchase coverage under the medicaid program for such children.

S. 2293

At the request of Mr. SANTORUM, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 2293, a bill to amend the Federal Deposit Insurance Act and the Federal Home Loan Bank Act to provide for the payment of Financing Corporation interest obligations from balances in the deposit insurance funds in excess of an established ratio and, after such obligations are satisfied, to provide for rebates to insured depository institutions of such excess reserves.

At the request of Mr. EDWARDS, the name of the Senator from Virginia (Mr. ROBB) was added as a cosponsor of S. 2293, supra.

S. 2330

At the request of Mr. ROTH, the name of the Senator from Kansas (Mr. BROWNBACK) was added as a cosponsor of S. 2330, a bill to amend the Internal Revenue Code of 1986 to repeal the excise tax on telephone and other communication services.

S. 2407

At the request of Mr. REID, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 2407, a bill to amend the Immigration and Nationality Act with respect to the record of admission for permanent residence in the case of certain aliens.

S. 2520

At the request of Mr. JEFFORDS, the names of the Senator from North Dakota (Mr. DORGAN) and the Senator from Washington (Mr. GORTON) were added as cosponsors of S. 2520, a bill to amend the Federal Food, Drug, and cosmetic Act to allow for the importation of certain covered products, and for other purposes.

S. 2585

At the request of Mr. GRAHAM, the names of the Senator from Hawaii (Mr. AKAKA), the Senator from Arkansas (Mrs. LINCOLN), the Senator from California (Mrs. FEINSTEIN), and the Senator from Louisiana (Mr. BREAU) were added as cosponsors of S. 2585, a bill to amend titles IV and XX of the Social Security Act to restore funding for the Social Services Block Grant, to restore

the ability of the States to transfer up to 10 percent of TANF funds to carry out activities under such block grant, and to require an annual report on such activities by the Secretary of Health and Human Services.

S. 2597

At the request of Mr. GORTON, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 2597, a bill to clarify that environmental protection, safety, and health provisions continue to apply to the functions of the National Nuclear Security Administration to the same extent as those provisions applied to those functions before transfer to the Administration.

S. 2608

At the request of Mr. GRASSLEY, the names of the Senator from North Dakota (Mr. CONRAD) and the Senator from Virginia (Mr. ROBB) were added as cosponsors of S. 2608, a bill to amend the Internal Revenue Code of 1986 to provide for the treatment of certain expenses of rural letter carriers.

S. 2688

At the request of Mr. CAMPBELL, his name was added as a cosponsor of S. 2688, a bill to amend the Native American Languages Act to provide for the support of Native American Language Survival Schools, and for other purposes.

S. 2690

At the request of Mr. LEAHY, the name of the Senator from Massachusetts (Mr. KENNEDY) was added as a cosponsor of S. 2690, a bill to reduce the risk that innocent persons may be executed, and for other purposes.

S.J. RES. 46

At the request of Mr. ROBB, his name was added as a cosponsor of S.J. Res. 46, a joint resolution commemorating the 225th Birthday of the United States Army.

At the request of Mr. REED, his name was added as a cosponsor of S.J. Res. 46, *supra*.

S. RES. 319

At the request of Mr. BROWNBACK, the name of the Senator from Mississippi (Mr. LOTT) was added as a cosponsor of S. Res. 319, a resolution expressing the sense of the Senate that the Senate should participate in and support activities to provide decent homes for the people of the United States, and for other purposes.

AMENDMENT NO. 3175

At the request of Ms. COLLINS, the name of the Senator from Maine (Ms. SNOWE) was added as a cosponsor of amendment No. 3175 proposed to H.R. 4576, a bill making appropriations for the Department of Defense for the fiscal year ending September 30, 2001, and for other purposes.

AMENDMENT NO. 3176

At the request of Ms. COLLINS, the name of the Senator from Maine (Ms. SNOWE) was added as a cosponsor of amendment No. 3176 proposed to H.R. 4576, a bill making appropriations for

the Department of Defense for the fiscal year ending September 30, 2001, and for other purposes.

AMENDMENT NO. 3177

At the request of Ms. COLLINS, the name of the Senator from Maine (Ms. SNOWE) was added as a cosponsor of amendment No. 3177 proposed to H.R. 4576, a bill making appropriations for the Department of Defense for the fiscal year ending September 30, 2001, and for other purposes.

AMENDMENT NO. 3292

At the request of Mr. REID, the name of the Senator from Utah (Mr. BENNETT) was added as a cosponsor of amendment No. 3292 proposed to H.R. 4576, a bill making appropriations for the Department of Defense for the fiscal year ending September 30, 2001, and for other purposes.

AMENDMENT NO. 3311

At the request of Mrs. BOXER, the name of the Senator from Iowa (Mr. HARKIN) was added as a cosponsor of amendment No. 3311 proposed to H.R. 4576, a bill making appropriations for the Department of Defense for the fiscal year ending September 30, 2001, and for other purposes.

AMENDMENT NO. 3312

At the request of Mr. STEVENS, the names of the Senator from Mississippi (Mr. LOTT) and the Senator from Mississippi (Mr. COCHRAN) were added as cosponsors of amendment No. 3312 proposed to H.R. 4576, a bill making appropriations for the Department of Defense for the fiscal year ending September 30, 2001, and for other purposes.

AMENDMENT NO. 3324

At the request of Ms. SNOWE, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of amendment No. 3324 proposed to H.R. 4576, a bill making appropriations for the Department of Defense for the fiscal year ending September 30, 2001, and for other purposes.

AMENDMENT NO. 3325

At the request of Ms. SNOWE, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of amendment No. 3325 proposed to H.R. 4576, a bill making appropriations for the Department of Defense for the fiscal year ending September 30, 2001, and for other purposes.

AMENDMENT NO. 3346

At the request of Mr. ALLARD, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor of amendment No. 3346 proposed to H.R. 4576, a bill making appropriations for the Department of Defense for the fiscal year ending September 30, 2001, and for other purposes.

AMENDMENT NO. 3352

At the request of Mr. BIDEN, his name was added as a cosponsor of amendment No. 3352 proposed to H.R. 4576, a bill making appropriations for the Department of Defense for the fiscal year ending September 30, 2001, and for other purposes.

AMENDMENT NO. 3366

At the request of Mr. WELLSTONE, the names of the Senator from California

(Mrs. BOXER) and the Senator from Iowa (Mr. HARKIN) were added as cosponsors of amendment No. 3366 proposed to H.R. 4576, a bill making appropriations for the Department of Defense for the fiscal year ending September 30, 2001, and for other purposes.

AMENDMENT NO. 3370

At the request of Mr. BIDEN, the names of the Senator from Vermont (Mr. LEAHY) and the Senator from Massachusetts (Mr. KENNEDY) were added as cosponsors of amendment No. 3370 intended to be proposed to H.R. 4576, a bill making appropriations for the Department of Defense for the fiscal year ending September 30, 2001, and for other purposes.

AMENDMENT NO. 3372

At the request of Mr. STEVENS, the name of the Senator from Montana (Mr. BURNS) was added as a cosponsor of amendment No. 3372 proposed to H.R. 4576, a bill making appropriations for the Department of Defense for the fiscal year ending September 30, 2001, and for other purposes.

SENATE RESOLUTION 322—ENCOURAGING AND PROMOTING GREATER INVOLVEMENT OF FATHERS IN THEIR CHILDREN'S LIVES AND DESIGNATING JUNE 18, 2000, AS "RESPONSIBLE FATHER'S DAY"

Mr. BAYH (for himself, Mr. DOMENICI, Mr. ABRAHAM, Mr. AKAKA, Mr. ASHCROFT, Mr. BINGAMAN, Mr. BOND, Mr. BREAUX, Mr. BROWNBACK, Mr. L. CHAFEE, Mr. DODD, Mr. EDWARDS, Mr. GORTON, Mr. GRAHAM, Mr. GRAMM, Mr. GRAMS, Mr. GREGG, Mr. INHOFE, Mr. JOHNSON, Mr. KERREY, Ms. LANDRIEU, Mr. LIEBERMAN, Mr. MURKOWSKI, Mr. SMITH of New Hampshire, Mr. STEVENS, Mr. THURMOND, and Mr. VOINOVICH) submitted the following resolution; which was considered and agreed to:

S. RES. 322

Whereas 40 percent of children who live in households without a father have not seen their father in at least 1 year and 50 percent of such children have never visited their father's home;

Whereas approximately 50 percent of all children born in the United States spend at least ½ of their childhood in a family without a father figure;

Whereas nearly 20 percent of children in grades 6 through 12 report that they have not had a meaningful conversation with even 1 parent in over a month;

Whereas 3 out of 4 adolescents report that "they do not have adults in their lives that model positive behaviors";

Whereas many of the United States leading experts on family and child development agree that it is in the best interest of both children and the United States to encourage more two-parent, father-involved families to form and endure;

Whereas it is important to promote responsible fatherhood and encourage loving and healthy relationships between parents and their children in order to increase the chance that children will have two caring parents to help them grow up healthy and secure and not to—

(1) denigrate the standing or parenting efforts of single mothers, whose efforts are heroic;

(2) lessen the protection of children from abusive parents;

(3) cause women to remain in or enter into abusive relationships; or

(4) compromise the health or safety of a custodial parent;

Whereas children who are apart from their biological father are, in comparison to other children—

(1) 5 times more likely to live in poverty; and

(2) more likely to—

(A) bring weapons and drugs into the classroom;

(B) commit crime;

(C) drop out of school;

(D) be abused;

(E) commit suicide;

(F) abuse alcohol or drugs; and

(G) become pregnant as teenagers;

Whereas the Federal Government spends billions of dollars to address these social ills and very little to address the causes of such social ills;

Whereas violent criminals are overwhelmingly males who grew up without fathers;

Whereas the number of children living with only a mother increased from just over 5,000,000 in 1960, to 17,000,000 in 1999, and between 1981 and 1991 the percentage of children living with only 1 parent increased from 19 percent to 25 percent;

Whereas between 20 percent and 30 percent of families in poverty are headed by women who have suffered domestic violence during the past year and between 40 percent and 60 percent of women with children who receive welfare were abused at some time in their life;

Whereas millions of single mothers in the United States are heroically struggling to raise their children in safe, loving environments;

Whereas responsible fatherhood should always recognize and promote values of non-violence;

Whereas child support is an important means by which a parent can take financial responsibility for a child and emotional support is an important means by which a parent can take social responsibility for a child;

Whereas children learn by example, community programs that help mold young men into positive role models for their children need to be encouraged;

Whereas promoting responsible fatherhood is not meant to diminish the parenting efforts of single mothers but rather to increase the likelihood that children will have 2 caring parents to help them grow up in loving environments; and

Whereas Congress has begun to take notice of this issue with legislation introduced in both the House of Representatives and the Senate to address the epidemic of fatherlessness: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the need to encourage active involvement of fathers in the rearing and development of their children;

(2) recognizes that while there are millions of fathers who serve as a wonderful caring parent for their children, there are children on Father's Day who will have no one to celebrate with;

(3) urges fathers to participate in their children's lives both financially and emotionally;

(4) encourages fathers to devote time, energy, and resources to their children;

(5) urges fathers to understand the level of responsibility required when fathering a child and to fulfill that responsibility;

(6) is committed to assist absent fathers become more responsible and engaged in their children's lives;

(7) designates June 18, 2000, as "National Responsible Father's Day";

(8) calls upon fathers around the country to use the day to reconnect and rededicate themselves to their children's lives, to spend "National Responsible Father's Day" with their children, and to express their love and support for their children; and

(9) requests that the President issue a proclamation calling upon the people of the United States to observe "National Responsible Father's Day" with appropriate ceremonies and activities.

AMENDMENTS SUBMITTED ON JUNE 6, 2000

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT 2000

COLLINS AMENDMENT NO. 3174

Ms. COLLINS proposed an amendment to the bill (H.R. 4576) making appropriations for the Department of Defense for the fiscal year ending September 30, 2001, and for other purposes, which was previously submitted and intended to be proposed by her to the bill (S. 2593) making appropriations for the Department of Defense for the fiscal year ending September 30, 2001, and for other purposes; as follows:

At the appropriate place in the bill, insert the following new section:

SEC. . Of the funds made available in title IV of this Act under the heading "Research, Development, Test and Evaluation, Navy", up to \$2,000,000 may be made available for continued design and analysis under the reentry systems applications program for the advanced technology vehicle.

COLLINS AMENDMENT NO. 3176

Ms. COLLINS proposed an amendment to the bill, H.R. 4570, *supra*, which was previously submitted and intended to be proposed by her to the bill, S. 2593, *supra*; as follows:

On page 109, between lines 11 and 12, insert the following:

SEC. 8126. Of the amounts appropriated in title IV under the heading "RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE", up to \$6,000,000 may be made available for the initial production of units of the ALGL/STRIKER to facilitate early fielding of the ALGL/STRIKER to special operations forces.

AMENDMENTS SUBMITTED ON JUNE 13, 2000

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT 2000

LOTT AMENDMENT NO. 3374

(Ordered to lie on the table.)

Mr. LOTT submitted an amendment intended to be proposed by him to amendment no. 3349 proposed by Mr. EDWARDS to the bill (H.R. 4576) making appropriations for the Department of Defense for the fiscal year ending September 30, 2001, and for other purposes; as follows:

At the end of the amendment add the following:

DIVISION A

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2001, and for other purposes, namely:

TITLE I

AGRICULTURAL PROGRAMS

PRODUCTION, PROCESSING, AND MARKETING

OFFICE OF THE SECRETARY

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Office of the Secretary of Agriculture, and not to exceed \$75,000 for employment under 5 U.S.C. 3109, \$27,914,000, of which, \$25,000,000, to remain available until expended, shall be available only for the development and implementation of a common computing environment: *Provided*, That not to exceed \$11,000 of this amount shall be available for official reception and representation expenses, not otherwise provided for, as determined by the Secretary: *Provided further*, That the funds made available for the development and implementation of a common computing environment shall only be available upon prior notice to the Committee on Appropriations of both Houses of Congress: *Provided further*, That none of the funds appropriated or otherwise made available by this Act may be used to pay the salaries and expenses of personnel of the Department of Agriculture to carry out section 793(c)(1)(C) of Public Law 104-127: *Provided further*, That none of the funds made available by this Act may be used to enforce section 793(d) of Public Law 104-127.

EXECUTIVE OPERATIONS

CHIEF ECONOMIST

For necessary expenses of the Chief Economist, including economic analysis, risk assessment, cost-benefit analysis, energy and new uses, and the functions of the World Agricultural Outlook Board, as authorized by the Agricultural Marketing Act of 1946 (7 U.S.C. 1622g), and including employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), of which not to exceed \$5,000 is for employment under 5 U.S.C. 3109, \$7,462,000.

NATIONAL APPEALS DIVISION

For necessary expenses of the National Appeals Division, including employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), of which not to exceed \$25,000 is for employment under 5 U.S.C. 3109, \$12,421,000.

OFFICE OF BUDGET AND PROGRAM ANALYSIS

For necessary expenses of the Office of Budget and Program Analysis, including employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), of which not to exceed \$5,000 is for employment under 5 U.S.C. 3109, \$6,765,000.

OFFICE OF THE CHIEF INFORMATION OFFICER

For necessary expenses of the Office of the Chief Information Officer, including employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), of which not to exceed \$10,000 is for employment under 5 U.S.C. 3109, \$10,046,000.

OFFICE OF THE CHIEF FINANCIAL OFFICER

For necessary expenses of the Office of the Chief Financial Officer, including employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), of which not to exceed \$10,000 is for employment under 5 U.S.C. 3109, \$5,171,000.

OFFICE OF THE ASSISTANT SECRETARY FOR
ADMINISTRATION

For necessary salaries and expenses of the Office of the Assistant Secretary for Administration to carry out the programs funded by this Act, \$629,000.

AGRICULTURE BUILDINGS AND FACILITIES AND
RENTAL PAYMENTS

(INCLUDING TRANSFERS OF FUNDS)

For payment of space rental and related costs pursuant to Public Law 92-313, including authorities pursuant to the 1984 delegation of authority from the Administrator of General Services to the Department of Agriculture under 40 U.S.C. 486, for programs and activities of the Department which are included in this Act, and for the operation, maintenance, improvement, and repair of Agriculture buildings, \$182,747,000, to remain available until expended: *Provided*, That in the event an agency within the Department should require modification of space needs, the Secretary of Agriculture may transfer a share of that agency's appropriation made available by this Act to this appropriation, or may transfer a share of this appropriation to that agency's appropriation, but such transfers shall not exceed 5 percent of the funds made available for space rental and related costs to or from this account.

HAZARDOUS MATERIALS MANAGEMENT

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Department of Agriculture, to comply with the Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. 9601, et seq., and the Resource Conservation and Recovery Act, 42 U.S.C. 6901, et seq., \$15,700,000, to remain available until expended: *Provided*, That appropriations and funds available herein to the Department for Hazardous Materials Management may be transferred to any agency of the Department for its use in meeting all requirements pursuant to the above Acts on Federal and non-Federal lands.

DEPARTMENTAL ADMINISTRATION

(INCLUDING TRANSFERS OF FUNDS)

For Departmental Administration, \$36,840,000, to provide for necessary expenses for management support services to offices of the Department and for general administration and disaster management of the Department, repairs and alterations, and other miscellaneous supplies and expenses not otherwise provided for and necessary for the practical and efficient work of the Department, including employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), of which not to exceed \$10,000 is for employment under 5 U.S.C. 3109: *Provided*, That this appropriation shall be reimbursed from applicable appropriations in this Act for travel expenses incident to the holding of hearings as required by 5 U.S.C. 551-558.

OUTREACH FOR SOCIALLY DISADVANTAGED
FARMERS

For grants and contracts pursuant to section 2501 of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 2279), \$3,000,000, to remain available until expended.

OFFICE OF THE ASSISTANT SECRETARY FOR
CONGRESSIONAL RELATIONS

(INCLUDING TRANSFERS OF FUNDS)

For necessary salaries and expenses of the Office of the Assistant Secretary for Congressional Relations to carry out the programs funded by this Act, including programs involving intergovernmental affairs and liaison within the executive branch, \$3,568,000: *Provided*, That no other funds appropriated to the Department by this Act

shall be available to the Department for support of activities of congressional relations: *Provided further*, That not less than \$2,202,000 shall be transferred to agencies funded by this Act to maintain personnel at the agency level.

OFFICE OF COMMUNICATIONS

For necessary expenses to carry on services relating to the coordination of programs involving public affairs, for the dissemination of agricultural information, and the coordination of information, work, and programs authorized by Congress in the Department, \$8,873,000, including employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), of which not to exceed \$10,000 shall be available for employment under 5 U.S.C. 3109, and not to exceed \$2,000,000 may be used for farmers' bulletins.

OFFICE OF THE INSPECTOR GENERAL

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Office of the Inspector General, including employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and the Inspector General Act of 1978, \$66,867,000, including such sums as may be necessary for contracting and other arrangements with public agencies and private persons pursuant to section 6(a)(9) of the Inspector General Act of 1978, including not to exceed \$50,000 for employment under 5 U.S.C. 3109; and including not to exceed \$125,000 for certain confidential operational expenses, including the payment of informants, to be expended under the direction of the Inspector General pursuant to Public Law 95-452 and section 1337 of Public Law 97-98.

OFFICE OF THE GENERAL COUNSEL

For necessary expenses of the Office of the General Counsel, \$31,080,000.

OFFICE OF THE UNDER SECRETARY FOR
RESEARCH, EDUCATION AND ECONOMICS

For necessary salaries and expenses of the Office of the Under Secretary for Research, Education and Economics to administer the laws enacted by the Congress for the Economic Research Service, the National Agricultural Statistics Service, the Agricultural Research Service, and the Cooperative State Research, Education, and Extension Service, \$556,000.

ECONOMIC RESEARCH SERVICE

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Economic Research Service in conducting economic research and analysis, as authorized by the Agricultural Marketing Act of 1946 (7 U.S.C. 1621-1627) and other laws, \$67,038,000: *Provided*, That \$1,000,000 shall be transferred to and merged with the appropriation for "Food and Nutrition Service, Food Program Administration" for studies and evaluations: *Provided further*, That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225).

NATIONAL AGRICULTURAL STATISTICS SERVICE

For necessary expenses of the National Agricultural Statistics Service in conducting statistical reporting and service work, including crop and livestock estimates, statistical coordination and improvements, marketing surveys, and the Census of Agriculture, as authorized by 7 U.S.C. 1621-1627, Public Law 105-113, and other laws, \$100,615,000, of which up to \$15,000,000 shall be available until expended for the Census of Agriculture: *Provided*, That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed \$40,000 shall be available for employment under 5 U.S.C. 3109.

AGRICULTURAL RESEARCH SERVICE

SALARIES AND EXPENSES

For necessary expenses to enable the Agricultural Research Service to perform agricultural research and demonstration relating to production, utilization, marketing, and distribution (not otherwise provided for); home economics or nutrition and consumer use including the acquisition, preservation, and dissemination of agricultural information; and for acquisition of lands by donation, exchange, or purchase at a nominal cost not to exceed \$100, and for land exchanges where the lands exchanged shall be of equal value or shall be equalized by a payment of money to the grantor which shall not exceed 25 percent of the total value of the land or interests transferred out of Federal ownership, \$871,593,000: *Provided*, That appropriations hereunder shall be available for temporary employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed \$115,000 shall be available for employment under 5 U.S.C. 3109: *Provided further*, That appropriations hereunder shall be available for the operation and maintenance of aircraft and the purchase of not to exceed one for replacement only: *Provided further*, That appropriations hereunder shall be available pursuant to 7 U.S.C. 2250 for the construction, alteration, and repair of buildings and improvements, but unless otherwise provided, the cost of constructing any one building shall not exceed \$375,000, except for greenhouses or greenhouses which shall each be limited to \$1,200,000, and except for 10 buildings to be constructed or improved at a cost not to exceed \$750,000 each, and the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building or \$375,000, whichever is greater: *Provided further*, That the limitations on alterations contained in this Act shall not apply to modernization or replacement of existing facilities at Beltsville, Maryland: *Provided further*, That appropriations hereunder shall be available for granting easements at the Beltsville Agricultural Research Center, including an easement to the University of Maryland to construct the Transgenic Animal Facility which upon completion shall be accepted by the Secretary as a gift: *Provided further*, That the foregoing limitations shall not apply to replacement of buildings needed to carry out the Act of April 24, 1948 (21 U.S.C. 113a): *Provided further*, That funds may be received from any State, other political subdivision, organization, or individual for the purpose of establishing or operating any research facility or research project of the Agricultural Research Service, as authorized by law.

None of the funds in the foregoing paragraph shall be available to carry out research related to the production, processing or marketing of tobacco or tobacco products.

In fiscal year 2001, the agency is authorized to charge fees, commensurate with the fair market value, for any permit, easement, lease, or other special use authorization for the occupancy or use of land and facilities (including land and facilities at the Beltsville Agricultural Research Center) issued by the agency, as authorized by law, and such fees shall be credited to this account, and shall remain available until expended for authorized purposes.

BUILDINGS AND FACILITIES

For acquisition of land, construction, repair, improvement, extension, alteration, and purchase of fixed equipment or facilities as necessary to carry out the agricultural research programs of the Department of Agriculture, where not otherwise provided, \$56,330,000, to remain available until expended (7 U.S.C. 2209b): *Provided*, That funds

may be received from any State, other political subdivision, organization, or individual for the purpose of establishing any research facility of the Agricultural Research Service, as authorized by law.

COOPERATIVE STATE RESEARCH, EDUCATION, AND EXTENSION SERVICE

RESEARCH AND EDUCATION ACTIVITIES

For payments to agricultural experiment stations, for cooperative forestry and other research, for facilities, and for other expenses, including \$180,545,000 to carry into effect the provisions of the Hatch Act (7 U.S.C. 361a-i); \$21,932,000 for grants for cooperative forestry research (16 U.S.C. 582a-a7); \$30,676,000 for payments to the 1890 land-grant colleges, including Tuskegee University (7 U.S.C. 3222), of which \$1,000,000 shall be made available to West Virginia State College in Institute, West Virginia; \$62,207,000 for special grants for agricultural research (7 U.S.C. 450i(c)); \$13,721,000 for special grants for agricultural research on improved pest control (7 U.S.C. 450i(c)); \$121,350,000 for competitive research grants (7 U.S.C. 450i(b)); \$5,109,000 for the support of animal health and disease programs (7 U.S.C. 3195); \$750,000 for supplemental and alternative crops and products (7 U.S.C. 3319d); \$650,000 for grants for research pursuant to the Critical Agricultural Materials Act of 1984 (7 U.S.C. 178) and section 1472 of the Food and Agriculture Act of 1977 (7 U.S.C. 3318), to remain available until expended; \$1,000,000 for the 1994 research program (7 U.S.C. 301 note), to remain available until expended; \$3,000,000 for higher education graduate fellowship grants (7 U.S.C. 3152(b)(6)), to remain available until expended (7 U.S.C. 2209b); \$4,350,000 for higher education challenge grants (7 U.S.C. 3152(b)(1)); \$1,000,000 for a higher education multicultural scholars program (7 U.S.C. 3152(b)(5)), to remain available until expended (7 U.S.C. 2209b); \$3,500,000 for an education grants program for Hispanic-serving Institutions (7 U.S.C. 3241); \$3,000,000 for a program of noncompetitive grants, to be awarded on an equal basis, to Alaska Native-serving and Native Hawaiian-serving Institutions to carry out higher education programs (7 U.S.C. 3242); \$1,000,000 for a secondary agriculture education program and 2-year post-secondary education (7 U.S.C. 3152(h)); \$4,000,000 for aquaculture grants (7 U.S.C. 3322); \$9,500,000 for sustainable agriculture research and education (7 U.S.C. 5811); \$9,500,000 for a program of capacity building grants (7 U.S.C. 3152(b)(4)) to colleges eligible to receive funds under the Act of August 30, 1890 (7 U.S.C. 321-326 and 328), including Tuskegee University, to remain available until expended (7 U.S.C. 2209b); \$1,552,000 for payments to the 1994 Institutions pursuant to section 534(a)(1) of Public Law 103-382; and \$16,402,000 for necessary expenses of Research and Education Activities, of which not to exceed \$100,000 shall be for employment under 5 U.S.C. 3109; in all, \$494,744,000.

None of the funds in the foregoing paragraph shall be available to carry out research related to the production, processing or marketing of tobacco or tobacco products.

NATIVE AMERICAN INSTITUTIONS ENDOWMENT FUND

For the Native American institutions endowment fund authorized by Public Law 103-382 (7 U.S.C. 301 note), \$7,100,000: *Provided*, That hereafter, any distribution of the adjusted income from the Native American institutions endowment fund is authorized to be used for facility renovation, repair, construction, and maintenance, in addition to other authorized purposes.

EXTENSION ACTIVITIES

Payments to States, the District of Columbia, Puerto Rico, Guam, the Virgin Islands,

Micronesia, Northern Marianas, and American Samoa: For payments for cooperative extension work under the Smith-Lever Act, to be distributed under sections 3(b) and 3(c) of said Act, and under section 208(c) of Public Law 93-471, for retirement and employees' compensation costs for extension agents and for costs of penalty mail for cooperative extension agents and State extension directors, \$276,548,000; payments for extension work at the 1994 Institutions under the Smith-Lever Act (7 U.S.C. 343(b)(3)), \$3,500,000; payments for the nutrition and family education program for low-income areas under section 3(d) of the Act, \$58,695,000; payments for the pest management program under section 3(d) of the Act, \$10,783,000; payments for the farm safety program under section 3(d) of the Act, \$3,400,000; payments to upgrade research, extension, and teaching facilities at the 1890 land-grant colleges, including Tuskegee University, as authorized by section 1447 of Public Law 95-113 (7 U.S.C. 3222b), \$12,400,000, to remain available until expended; payments for the rural development centers under section 3(d) of the Act, \$908,000; payments for youth-at-risk programs under section 3(d) of the Act, \$9,000,000; payments for carrying out the provisions of the Renewable Resources Extension Act of 1978, \$3,192,000; payments for Indian reservation agents under section 3(d) of the Act, \$2,500,000; payments for sustainable agriculture programs under section 3(d) of the Act, \$4,000,000; payments for rural health and safety education as authorized by section 2390 of Public Law 101-624 (7 U.S.C. 2661 note, 2662), \$2,628,000; payments for cooperative extension work by the colleges receiving the benefits of the second Morrill Act (7 U.S.C. 321-326 and 328) and Tuskegee University, \$26,843,000, of which \$1,000,000 shall be made available to West Virginia State College in Institute, West Virginia; and for Federal administration and coordination including administration of the Smith-Lever Act, and the Act of September 29, 1977 (7 U.S.C. 341-349), and section 1361(c) of the Act of October 3, 1980 (7 U.S.C. 301 note), and to coordinate and provide program leadership for the extension work of the Department and the several States and insular possessions, \$12,107,000; in all, \$426,504,000: *Provided*, That funds hereby appropriated pursuant to section 3(c) of the Act of June 26, 1953, and section 506 of the Act of June 23, 1972, shall not be paid to any State, the District of Columbia, Puerto Rico, Guam, or the Virgin Islands, Micronesia, Northern Marianas, and American Samoa prior to availability of an equal sum from non-Federal sources for expenditure during the current fiscal year.

INTEGRATED ACTIVITIES

For the integrated research, education, and extension competitive grants programs, including necessary administrative expenses, \$43,541,000, as follows: payments for the water quality program, \$13,000,000; payments for the food safety program, \$15,000,000; payments for the national agriculture pesticide impact assessment program, \$4,541,000; payments for the Food Quality Protection Act risk mitigation program for major food crop systems, \$6,000,000; payments for crops affected by the Food Quality Protection Act implementation, \$2,000,000; and payments for the methyl bromide transition program, \$3,000,000, as authorized under section 406 of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7626).

OFFICE OF THE UNDER SECRETARY FOR MARKETING AND REGULATORY PROGRAMS

For necessary salaries and expenses of the Office of the Under Secretary for Marketing and Regulatory Programs to administer programs under the laws enacted by the Congress for the Animal and Plant Health Inspection Service; the Agricultural Marketing

Service; and the Grain Inspection, Packers and Stockyards Administration, \$635,000.

ANIMAL AND PLANT HEALTH INSPECTION SERVICE

SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For expenses, not otherwise provided for, including those pursuant to the Act of February 28, 1947 (21 U.S.C. 114b-c), necessary to prevent, control, and eradicate pests and plant and animal diseases; to carry out inspection, quarantine, and regulatory activities; to discharge the authorities of the Secretary of Agriculture under the Act of March 2, 1931 (46 Stat. 1468; 7 U.S.C. 426-426b); and to protect the environment, as authorized by law, \$458,149,000, of which \$4,105,000 shall be available for the control of outbreaks of insects, plant diseases, animal diseases and for control of pest animals and birds to the extent necessary to meet emergency conditions: *Provided*, That no funds shall be used to formulate or administer a brucellosis eradication program for the current fiscal year that does not require minimum matching by the States of at least 40 percent: *Provided further*, That this appropriation shall be available for field employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed \$40,000 shall be available for employment under 5 U.S.C. 3109: *Provided further*, That this appropriation shall be available for the operation and maintenance of aircraft and the purchase of not to exceed four, of which two shall be for replacement only: *Provided further*, That, in addition, in emergencies which threaten any segment of the agricultural production industry of this country, the Secretary may transfer from other appropriations or funds available to the agencies or corporations of the Department such sums as may be deemed necessary, to be available only in such emergencies for the arrest and eradication of contagious or infectious disease or pests of animals, poultry, or plants, and for expenses in accordance with the Act of February 28, 1947, and section 102 of the Act of September 21, 1944, and any unexpended balances of funds transferred for such emergency purposes in the preceding fiscal year shall be merged with such transferred amounts: *Provided further*, That appropriations hereunder shall be available pursuant to 7 U.S.C. 2250 for the repair and alteration of leased buildings and improvements, but unless otherwise provided the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building.

In fiscal year 2001, the agency is authorized to collect fees to cover the total costs of providing technical assistance, goods, or services requested by States, other political subdivisions, domestic and international organizations, foreign governments, or individuals, provided that such fees are structured such that any entity's liability for such fees is reasonably based on the technical assistance, goods, or services provided to the entity by the agency, and such fees shall be credited to this account, to remain available until expended, without further appropriation, for providing such assistance, goods, or services.

Of the total amount available under this heading in fiscal year 2001, \$87,000,000 shall be derived from user fees deposited in the Agricultural Quarantine Inspection User Fee Account.

BUILDINGS AND FACILITIES

For plans, construction, repair, preventive maintenance, environmental support, improvement, extension, alteration, and purchase of fixed equipment or facilities, as authorized by 7 U.S.C. 2250, and acquisition of

land as authorized by 7 U.S.C. 428a, \$9,870,000, to remain available until expended.

AGRICULTURAL MARKETING SERVICE
MARKETING SERVICES

For necessary expenses to carry on services related to consumer protection, agricultural marketing and distribution, transportation, and regulatory programs, as authorized by law, and for administration and coordination of payments to States, including field employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225) and not to exceed \$90,000 for employment under 5 U.S.C. 3109, \$64,696,000, including funds for the wholesale market development program for the design and development of wholesale and farmer market facilities for the major metropolitan areas of the country: *Provided*, That this appropriation shall be available pursuant to law (7 U.S.C. 2250) for the alteration and repair of buildings and improvements, but the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building: *Provided further*, That \$639,000 may be transferred to the Expenses and Refunds, Inspection and Grading of Farm Products fund account for the cost of the National Organic Production Program and that such funds shall remain available until expended.

Fees may be collected for the cost of standardization activities, as established by regulation pursuant to law (31 U.S.C. 9701).

LIMITATION ON ADMINISTRATIVE EXPENSES

Not to exceed \$60,730,000 (from fees collected) shall be obligated during the current fiscal year for administrative expenses: *Provided*, That if crop size is understated and/or other uncontrollable events occur, the agency may exceed this limitation by up to 10 percent with notification to the Committee on Appropriations of both Houses of Congress.

FUNDS FOR STRENGTHENING MARKETS, INCOME,
AND SUPPLY (SECTION 32)

(INCLUDING TRANSFERS OF FUNDS)

Funds available under section 32 of the Act of August 24, 1935 (7 U.S.C. 612c), shall be used only for commodity program expenses as authorized therein, and other related operating expenses, except for: (1) transfers to the Department of Commerce as authorized by the Fish and Wildlife Act of August 8, 1956; (2) transfers otherwise provided in this Act; and (3) not more than \$13,438,000 for formulation and administration of marketing agreements and orders pursuant to the Agricultural Marketing Agreement Act of 1937 and the Agricultural Act of 1961.

PAYMENTS TO STATES AND POSSESSIONS

For payments to departments of agriculture, bureaus and departments of markets, and similar agencies for marketing activities under section 204(b) of the Agricultural Marketing Act of 1946 (7 U.S.C. 1623(b)), \$1,200,000.

GRAIN INSPECTION, PACKERS AND STOCKYARDS
ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses to carry out the provisions of the United States Grain Standards Act, for the administration of the Packers and Stockyards Act, for certifying procedures used to protect purchasers of farm products, and the standardization activities related to grain under the Agricultural Marketing Act of 1946, including field employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed \$25,000 for employment under 5 U.S.C. 3109, \$27,269,000: *Provided*, That this appropriation shall be available pursuant to law (7 U.S.C. 2250) for the

alteration and repair of buildings and improvements, but the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building.

LIMITATION ON INSPECTION AND WEIGHING
SERVICE EXPENSES

Not to exceed \$42,557,000 (from fees collected) shall be obligated during the current fiscal year for inspection and weighing services: *Provided*, That if grain export activities require additional supervision and oversight, or other uncontrollable factors occur, this limitation may be exceeded by up to 10 percent with notification to the Committee on Appropriations of both Houses of Congress.

OFFICE OF THE UNDER SECRETARY FOR FOOD
SAFETY

For necessary salaries and expenses of the Office of the Under Secretary for Food Safety to administer the laws enacted by the Congress for the Food Safety and Inspection Service, \$460,000.

FOOD SAFETY AND INSPECTION SERVICE

For necessary expenses to carry out services authorized by the Federal Meat Inspection Act, the Poultry Products Inspection Act, and the Egg Products Inspection Act, \$678,011,000, of which no less than \$578,544,000 shall be available for Federal food inspection; and in addition, \$1,000,000 may be credited to this account from fees collected for the cost of laboratory accreditation as authorized by section 1017 of Public Law 102-237: *Provided*, That this appropriation shall not be available for shell egg surveillance under section 5(d) of the Egg Products Inspection Act (21 U.S.C. 1034(d)): *Provided further*, That this appropriation shall be available for field employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed \$75,000 shall be available for employment under 5 U.S.C. 3109: *Provided further*, That this appropriation shall be available pursuant to law (7 U.S.C. 2250) for the alteration and repair of buildings and improvements, but the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building.

OFFICE OF THE UNDER SECRETARY FOR FARM
AND FOREIGN AGRICULTURAL SERVICES

For necessary salaries and expenses of the Office of the Under Secretary for Farm and Foreign Agricultural Services to administer the laws enacted by Congress for the Farm Service Agency, the Foreign Agricultural Service, the Risk Management Agency, and the Commodity Credit Corporation, \$589,000.

FARM SERVICE AGENCY
SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses for carrying out the administration and implementation of programs administered by the Farm Service Agency, \$828,385,000: *Provided*, That the Secretary is authorized to use the services, facilities, and authorities (but not the funds) of the Commodity Credit Corporation to make program payments for all programs administered by the Agency: *Provided further*, That other funds made available to the Agency for authorized activities may be advanced to and merged with this account: *Provided further*, That these funds shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed \$1,000,000 shall be available for employment under 5 U.S.C. 3109.

STATE MEDIATION GRANTS

For grants pursuant to section 502(b) of the Agricultural Credit Act of 1987 (7 U.S.C. 5101-5106), \$3,000,000.

DAIRY INDEMNITY PROGRAM

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses involved in making indemnity payments to dairy farmers for milk or cows producing such milk and manufacturers of dairy products who have been directed to remove their milk or dairy products from commercial markets because it contained residues of chemicals registered and approved for use by the Federal Government, and in making indemnity payments for milk, or cows producing such milk, at a fair market value to any dairy farmer who is directed to remove his milk from commercial markets because of: (1) the presence of products of nuclear radiation or fallout if such contamination is not due to the fault of the farmer; or (2) residues of chemicals or toxic substances not included under the first sentence of the Act of August 13, 1968 (7 U.S.C. 450j), if such chemicals or toxic substances were not used in a manner contrary to applicable regulations or labeling instructions provided at the time of use and the contamination is not due to the fault of the farmer, \$450,000, to remain available until expended (7 U.S.C. 2209b): *Provided*, That none of the funds contained in this Act shall be used to make indemnity payments to any farmer whose milk was removed from commercial markets as a result of the farmer's willful failure to follow procedures prescribed by the Federal Government: *Provided further*, That this amount shall be transferred to the Commodity Credit Corporation: *Provided further*, That the Secretary is authorized to utilize the services, facilities, and authorities of the Commodity Credit Corporation for the purpose of making dairy indemnity disbursements.

AGRICULTURAL CREDIT INSURANCE FUND
PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For gross obligations for the principal amount of direct and guaranteed loans as authorized by 7 U.S.C. 1928-1929, to be available from funds in the Agricultural Credit Insurance Fund, as follows: farm ownership loans, \$559,373,000, of which \$431,373,000 shall be for guaranteed loans; operating loans, \$2,397,842,000, of which \$1,697,842,000 shall be for unsubsidized guaranteed loans and \$200,000,000 shall be for subsidized guaranteed loans; Indian tribe land acquisition loans as authorized by 25 U.S.C. 488, \$1,028,000; for emergency insured loans, \$25,000,000 to meet the needs resulting from natural disasters; and for boll weevil eradication program loans as authorized by 7 U.S.C. 1989, \$100,000,000.

For the cost of direct and guaranteed loans, including the cost of modifying loans as defined in section 502 of the Congressional Budget Act of 1974, as follows: farm ownership loans, \$15,986,000, of which \$2,200,000 shall be for guaranteed loans; operating loans, \$84,680,000, of which \$23,260,000 shall be for unsubsidized guaranteed loans and \$16,320,000 shall be for subsidized guaranteed loans; Indian tribe land acquisition loans as authorized by 25 U.S.C. 488, \$166,000; and for emergency insured loans, \$6,133,000 to meet the needs resulting from natural disasters.

In addition, for administrative expenses necessary to carry out the direct and guaranteed loan programs, \$269,454,000, of which \$265,315,000 shall be transferred to and merged with the appropriation for "Farm Service Agency, Salaries and Expenses".

Funds appropriated by this Act to the Agricultural Credit Insurance Program Account for farm ownership and operating direct loans and guaranteed loans may be transferred among these programs with the prior approval of the Committee on Appropriations of both Houses of Congress.

RISK MANAGEMENT AGENCY

For administrative and operating expenses, as authorized by the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 6933), \$65,597,000: *Provided*, That not to exceed \$700 shall be available for official reception and representation expenses, as authorized by 7 U.S.C. 1506(i).

CORPORATIONS

The following corporations and agencies are hereby authorized to make expenditures, within the limits of funds and borrowing authority available to each such corporation or agency and in accord with law, and to make contracts and commitments without regard to fiscal year limitations as provided by section 104 of the Government Corporation Control Act as may be necessary in carrying out the programs set forth in the budget for the current fiscal year for such corporation or agency, except as hereinafter provided.

FEDERAL CROP INSURANCE CORPORATION FUND

For payments as authorized by section 516 of the Federal Crop Insurance Act, such sums as may be necessary, to remain available until expended (7 U.S.C. 2209b).

COMMODITY CREDIT CORPORATION FUND

REIMBURSEMENT FOR NET REALIZED LOSSES

For fiscal year 2001, such sums as may be necessary to reimburse the Commodity Credit Corporation for net realized losses sustained, but not previously reimbursed, pursuant to section 2 of the Act of August 17, 1961 (15 U.S.C. 713a-11).

OPERATIONS AND MAINTENANCE FOR
HAZARDOUS WASTE MANAGEMENT

For fiscal year 2001, the Commodity Credit Corporation shall not expend more than \$5,000,000 for site investigation and cleanup expenses, and operations and maintenance expenses to comply with the requirement of section 107(g) of the Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. 9607(g), and section 6001 of the Resource Conservation and Recovery Act, 42 U.S.C. 6961.

TITLE II

CONSERVATION PROGRAMS

OFFICE OF THE UNDER SECRETARY FOR
NATURAL RESOURCES AND ENVIRONMENT

For necessary salaries and expenses of the Office of the Under Secretary for Natural Resources and Environment to administer the laws enacted by the Congress for the Forest Service and the Natural Resources Conservation Service, \$711,000.

NATURAL RESOURCES CONSERVATION SERVICE
CONSERVATION OPERATIONS

For necessary expenses for carrying out the provisions of the Act of April 27, 1935 (16 U.S.C. 590a-f), including preparation of conservation plans and establishment of measures to conserve soil and water (including farm irrigation and land drainage and such special measures for soil and water management as may be necessary to prevent floods and the siltation of reservoirs and to control agricultural related pollutants); operation of conservation plant materials centers; classification and mapping of soil; dissemination of information; acquisition of lands, water, and interests therein for use in the plant materials program by donation, exchange, or purchase at a nominal cost not to exceed \$100 pursuant to the Act of August 3, 1956 (7 U.S.C. 428a); purchase and erection or alteration or improvement of permanent and temporary buildings; and operation and maintenance of aircraft, \$714,116,000, to remain available until expended (7 U.S.C. 2209b), of which not less than \$5,990,000 is for snow survey and water forecasting and not less than \$9,975,000 is for operation and establishment

of the plant materials centers: *Provided*, That appropriations hereunder shall be available pursuant to 7 U.S.C. 2250 for construction and improvement of buildings and public improvements at plant materials centers, except that the cost of alterations and improvements to other buildings and other public improvements shall not exceed \$250,000: *Provided further*, That when buildings or other structures are erected on non-Federal land, that the right to use such land is obtained as provided in 7 U.S.C. 2250a: *Provided further*, That this appropriation shall be available for technical assistance and related expenses to carry out programs authorized by section 202(c) of title II of the Colorado River Basin Salinity Control Act of 1974 (43 U.S.C. 1592(c)); *Provided further*, That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed \$25,000 shall be available for employment under 5 U.S.C. 3109: *Provided further*, That qualified local engineers may be temporarily employed at per diem rates to perform the technical planning work of the Service (16 U.S.C. 590e-2).

WATERSHED SURVEYS AND PLANNING

For necessary expenses to conduct research, investigation, and surveys of watersheds of rivers and other waterways, and for small watershed investigations and planning, in accordance with the Watershed Protection and Flood Prevention Act approved August 4, 1954 (16 U.S.C. 1001-1009), \$10,705,000: *Provided*, That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed \$110,000 shall be available for employment under 5 U.S.C. 3109.

WATERSHED AND FLOOD PREVENTION
OPERATIONS

For necessary expenses to carry out preventive measures, including but not limited to research, engineering operations, methods of cultivation, the growing of vegetation, rehabilitation of existing works and changes in use of land, in accordance with the Watershed Protection and Flood Prevention Act approved August 4, 1954 (16 U.S.C. 1001-1005 and 1007-1009), the provisions of the Act of April 27, 1935 (16 U.S.C. 590a-f), and in accordance with the provisions of laws relating to the activities of the Department, \$99,443,000, to remain available until expended (7 U.S.C. 2209b) (of which up to \$15,000,000 may be available for the watersheds authorized under the Flood Control Act approved June 22, 1936 (33 U.S.C. 701 and 16 U.S.C. 1006a)); *Provided*, That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed \$200,000 shall be available for employment under 5 U.S.C. 3109: *Provided further*, That not to exceed \$1,000,000 of this appropriation is available to carry out the purposes of the Endangered Species Act of 1973 (Public Law 93-205), including cooperative efforts as contemplated by that Act to relocate endangered or threatened species to other suitable habitats as may be necessary to expedite project construction: *Provided further*, That of the funds available for Emergency Watershed Protection activities, \$4,000,000 shall be available for Mississippi and Wisconsin for financial and technical assistance for pilot rehabilitation projects of small, upstream dams built under the Watershed and Flood Prevention Act (16 U.S.C. 1001 et seq., section 13 of the Act of December 22, 1994; Public Law 78-534; 58 Stat. 905), and the pilot watershed program authorized under the heading "FLOOD PREVENTION" of the Department of Agriculture Appropriation Act, 1954 (Public Law 83-156; 67 Stat. 214).

RESOURCE CONSERVATION AND DEVELOPMENT

For necessary expenses in planning and carrying out projects for resource conservation and development and for sound land use pursuant to the provisions of section 32(e) of title III of the Bankhead-Jones Farm Tenant Act (7 U.S.C. 1010-1011; 76 Stat. 607); the Act of April 27, 1935 (16 U.S.C. 590a-f); and the Agriculture and Food Act of 1981 (16 U.S.C. 3451-3461), \$36,265,000, to remain available until expended (7 U.S.C. 2209b): *Provided*, That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed \$50,000 shall be available for employment under 5 U.S.C. 3109.

FORESTRY INCENTIVES PROGRAM

For necessary expenses, not otherwise provided for, to carry out the program of forestry incentives, as authorized by the Cooperative Forestry Assistance Act of 1978 (16 U.S.C. 2101), including technical assistance and related expenses, \$6,325,000, to remain available until expended, as authorized by that Act.

TITLE III

RURAL DEVELOPMENT PROGRAMS

OFFICE OF THE UNDER SECRETARY FOR RURAL
DEVELOPMENT

For necessary salaries and expenses of the Office of the Under Secretary for Rural Development to administer programs under the laws enacted by the Congress for the Rural Housing Service, the Rural Business-Cooperative Service, and the Rural Utilities Service of the Department of Agriculture, \$605,000.

RURAL COMMUNITY ADVANCEMENT PROGRAM
(INCLUDING TRANSFERS OF FUNDS)

For the cost of direct loans, loan guarantees, and grants, as authorized by 7 U.S.C. 1926, 1926a, 1926c, 1926d, and 1932, except for sections 381E-H, 381N, and 381O of the Consolidated Farm and Rural Development Act (7 U.S.C. 2009f), \$749,284,000, to remain available until expended, of which \$53,225,000 shall be for rural community programs described in section 381E(d)(1) of such Act; of which \$634,360,000 shall be for the rural utilities programs described in sections 381E(d)(2), 306C(a)(2), and 306D of such Act; and of which \$61,699,000 shall be for the rural business and cooperative development programs described in section 381E(d)(3) of such Act: *Provided*, That of the total amount appropriated in this account, \$24,000,000 shall be for loans and grants to benefit Federally Recognized Native American Tribes, including grants for drinking and waste disposal systems pursuant to Section 306C of such Act: *Provided further*, That the Federally Recognized Native American Tribes are not eligible for any other rural utilities program set aside under the Rural Community Advancement Program: *Provided further*, That of the amount appropriated for rural community programs, \$6,000,000 shall be available for a Rural Community Development Initiative: *Provided further*, That such funds shall be used solely to develop the capacity and ability of private, nonprofit community-based housing and community development organizations, and low-income rural communities to undertake projects to improve housing, community facilities, community and economic development projects in rural areas: *Provided further*, That such funds shall be made available to qualified private and public (including tribal) intermediary organizations proposing to carry out a program of technical assistance: *Provided further*, That such intermediary organizations shall provide matching funds from other sources in an amount not less than funds provided: *Provided further*, That of the amount appropriated for the rural business and cooperative development programs, not to exceed \$500,000 shall

be made available for a grant to a qualified national organization to provide technical assistance for rural transportation in order to promote economic development; and \$2,000,000 shall be for grants to Mississippi Delta Region counties: *Provided further*, That of the amount appropriated for rural utilities programs, not to exceed \$20,000,000 shall be for water and waste disposal systems to benefit the Colonias along the United States/Mexico borders, including grants pursuant to section 306C of such Act; not to exceed \$20,000,000 shall be for water and waste disposal systems for rural and native villages in Alaska pursuant to section 306D of such Act, with up to one percent available to administer the program and up to one percent available to improve interagency coordination; not to exceed \$16,215,000 shall be for technical assistance grants for rural waste systems pursuant to section 306(a)(14) of such Act; and not to exceed \$9,500,000 shall be for contracting with qualified national organizations for a circuit rider program to provide technical assistance for rural water systems: *Provided further*, That of the total amount appropriated, not to exceed \$42,574,650 shall be available through June 30, 2001, for authorized empowerment zones and enterprise communities and communities designated by the Secretary of Agriculture as Rural Economic Area Partnership Zones; of which \$34,704,000 shall be for the rural utilities programs described in section 381E(d)(2) of such Act; and of which \$8,435,000 shall be for the rural business and cooperative development programs described in section 381E(d)(3) of such Act.

RURAL DEVELOPMENT SALARIES AND EXPENSES
(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of administering Rural Development programs as authorized by the Rural Electrification Act of 1936; the Consolidated Farm and Rural Development Act; title V of the Housing Act of 1949; section 1323 of the Food Security Act of 1985; the Cooperative Marketing Act of 1926 for activities related to marketing aspects of cooperatives, including economic research findings, authorized by the Agricultural Marketing Act of 1946; for activities with institutions concerning the development and operation of agricultural cooperatives; and for cooperative agreements: \$130,371,000: *Provided*, That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed \$1,000,000 may be used for employment under 5 U.S.C. 3109: *Provided further*, That not more than \$10,000 may be expended to provide modest nonmonetary awards to non-USDA employees: *Provided further*, That any balances available from prior years for the Rural Utilities Service, Rural Housing Service, and the Rural Business-Cooperative Service salaries and expenses accounts shall be transferred to and merged with this account.

RURAL HOUSING SERVICE
RURAL HOUSING INSURANCE FUND PROGRAM
ACCOUNT
(INCLUDING TRANSFERS OF FUNDS)

For gross obligations for the principal amount of direct and guaranteed loans as authorized by title V of the Housing Act of 1949, to be available from funds in the rural housing insurance fund, as follows: \$4,300,000,000 for loans to section 502 borrowers, as determined by the Secretary, of which \$3,200,000,000 shall be for unsubsidized guaranteed loans; \$32,396,000 for section 504 housing repair loans; \$100,000,000 for section 538 guaranteed multi-family housing loans; \$114,321,000 for section 515 rental housing; \$5,152,000 for section 524 site loans; \$7,503,000

for credit sales of acquired property, of which up to \$1,250,000 may be for multi-family credit sales; and \$5,000,000 for section 523 self-help housing land development loans.

For the cost of direct and guaranteed loans, including the cost of modifying loans, as defined in section 502 of the Congressional Budget Act of 1974, as follows: section 502 loans, \$215,060,000, of which \$38,400,000 shall be for unsubsidized guaranteed loans; section 504 housing repair loans, \$11,481,000; section 538 multi-family housing guaranteed loans, \$1,520,000; section 515 rental housing, \$56,326,000; multi-family credit sales of acquired property, \$613,000; and section 523 self-help housing land development loans, \$279,000: *Provided*, That of the total amount appropriated in this paragraph, \$13,832,000 shall be available through June 30, 2001, for authorized empowerment zones and enterprise communities and communities designated by the Secretary of Agriculture as Rural Economic Area Partnership Zones.

In addition, for administrative expenses necessary to carry out the direct and guaranteed loan programs, \$409,233,000, which shall be transferred to and merged with the appropriation for "Rural Development, Salaries and Expenses".

RENTAL ASSISTANCE PROGRAM

For rental assistance agreements entered into or renewed pursuant to the authority under section 521(a)(2) or agreements entered into in lieu of debt forgiveness or payments for eligible households as authorized by section 502(c)(5)(D) of the Housing Act of 1949, \$680,000,000; and, in addition, such sums as may be necessary, as authorized by section 521(c) of the Act, to liquidate debt incurred prior to fiscal year 1992 to carry out the rental assistance program under section 521(a)(2) of the Act: *Provided*, That of this amount, not more than \$5,900,000 shall be available for debt forgiveness or payments for eligible households as authorized by section 502(c)(5)(D) of the Act, and not to exceed \$10,000 per project for advances to nonprofit organizations or public agencies to cover direct costs (other than purchase price) incurred in purchasing projects pursuant to section 502(c)(5)(C) of the Act: *Provided further*, That agreements entered into or renewed during fiscal year 2001 shall be funded for a 5-year period, although the life of any such agreement may be extended to fully utilize amounts obligated.

MUTUAL AND SELF-HELP HOUSING GRANTS

For grants and contracts pursuant to section 523(b)(1)(A) of the Housing Act of 1949 (42 U.S.C. 1490c), \$34,000,000, to remain available until expended (7 U.S.C. 2209b): *Provided*, That of the total amount appropriated, \$1,000,000 shall be available through June 30, 2001, for authorized empowerment zones and enterprise communities and communities designated by the Secretary of Agriculture as Rural Economic Area Partnership Zones.

RURAL HOUSING ASSISTANCE GRANTS

For grants and contracts for very low-income housing repair, supervisory and technical assistance, compensation for construction defects, and rural housing preservation made by the Rural Housing Service, as authorized by 42 U.S.C. 1474, 1479(c), 1490e, and 1490m, \$44,000,000, to remain available until expended: *Provided*, That of the total amount appropriated, \$5,000,000 shall be for a housing demonstration program for agriculture, aquaculture, and seafood processor workers: *Provided further*, That of the total amount appropriated, \$1,200,000 shall be available through June 30, 2001, for authorized empowerment zones and enterprise communities and communities designated by the Secretary of Agriculture as Rural Economic Area Partnership Zones.

FARM LABOR PROGRAM ACCOUNT

For the cost of direct loans, grants, and contracts, as authorized by 42 U.S.C. 1484 and 1486, \$28,750,000, to remain available until expended for direct farm labor housing loans and domestic farm labor housing grants and contracts.

RURAL BUSINESS-COOPERATIVE SERVICE
RURAL DEVELOPMENT LOAN FUND PROGRAM
ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For the cost of direct loans, \$19,476,000, as authorized by the Rural Development Loan Fund (42 U.S.C. 9812(a)), of which \$2,036,000 shall be for Federally Recognized Native American Tribes; and of which \$4,072,000 shall be for the Mississippi Delta Region Counties (as defined by Public Law 100-460): *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That these funds are available to subsidize gross obligations for the principal amount of direct loans of \$38,256,000: *Provided further*, That of the total amount appropriated, \$3,216,000 shall be available through June 30, 2001, for the cost of direct loans for authorized empowerment zones and enterprise communities and communities designated by the Secretary of Agriculture as Rural Economic Area Partnership Zones.

In addition, for administrative expenses to carry out the direct loan programs, \$3,640,000 shall be transferred to and merged with the appropriation for "Rural Development, Salaries and Expenses".

RURAL ECONOMIC DEVELOPMENT LOANS
PROGRAM ACCOUNT

(INCLUDING RESCISSION OF FUNDS)

For the principal amount of direct loans, as authorized under section 313 of the Rural Electrification Act, for the purpose of promoting rural economic development and job creation projects, \$15,000,000.

For the cost of direct loans, including the cost of modifying loans as defined in section 502 of the Congressional Budget Act of 1974, \$3,911,000.

Of the funds derived from interest on the cushion of credit payments in fiscal year 2001, as authorized by section 313 of the Rural Electrification Act of 1936, \$3,911,000 shall not be obligated and \$3,911,000 are rescinded.

RURAL COOPERATIVE DEVELOPMENT GRANTS

For rural cooperative development grants authorized under section 310B(e) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1932), \$6,000,000, of which \$1,500,000 shall be available for cooperative agreements for the appropriate technology transfer for rural areas program: *Provided*, That not to exceed \$1,500,000 of the total amount appropriated shall be made available to cooperatives or associations of cooperatives whose primary focus is to provide assistance to small, minority producers.

RURAL UTILITIES SERVICE
RURAL ELECTRIFICATION AND TELECOMMUNICATIONS
LOANS PROGRAM ACCOUNT
(INCLUDING TRANSFERS OF FUNDS)

Insured loans pursuant to the authority of section 305 of the Rural Electrification Act of 1936 (7 U.S.C. 935) shall be made as follows: 5 percent rural electrification loans, \$121,500,000; 5 percent rural telecommunications loans, \$75,000,000; cost of money rural telecommunications loans, \$300,000,000; municipal rate rural electric loans, \$295,000,000; and loans made pursuant to section 306 of that Act, rural electric, \$1,700,000,000 and rural telecommunications, \$120,000,000; and \$500,000,000 for Treasury rate direct electric loans.

For the cost, as defined in section 502 of the Congressional Budget Act of 1974, including the cost of modifying loans, of direct and guaranteed loans authorized by the Rural Electrification Act of 1936 (7 U.S.C. 935 and 936), as follows: cost of direct loans, \$19,871,000; and cost of municipal rate loans, \$20,503,000: *Provided*, That notwithstanding section 305(d)(2) of the Rural Electrification Act of 1936, borrower interest rates may exceed 7 percent per year.

In addition, for administrative expenses necessary to carry out the direct and guaranteed loan programs, \$34,716,000, which shall be transferred to and merged with the appropriation for "Rural Development, Salaries and Expenses".

RURAL TELEPHONE BANK PROGRAM ACCOUNT (INCLUDING TRANSFERS OF FUNDS)

The Rural Telephone Bank is hereby authorized to make such expenditures, within the limits of funds available to such corporation in accord with law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 104 of the Government Corporation Control Act, as may be necessary in carrying out its authorized programs. During fiscal year 2001 and within the resources and authority available, gross obligations for the principal amount of direct loans shall be \$175,000,000.

For the cost, as defined in section 502 of the Congressional Budget Act of 1974, including the cost of modifying loans, of direct loans authorized by the Rural Electrification Act of 1936 (7 U.S.C. 935), \$2,590,000.

In addition, for administrative expenses necessary to carry out the loan programs, \$3,000,000, which shall be transferred to and merged with the appropriation for "Rural Development, Salaries and Expenses".

DISTANCE LEARNING AND TELEMEDICINE PROGRAM

For the cost of direct loans and grants, as authorized by 7 U.S.C. 950aaa et seq., \$27,000,000, to remain available until expended, to be available for loans and grants for telemedicine and distance learning services in rural areas, of which \$2,000,000 may be available for a pilot program to finance broadband transmission and local dial-up Internet service in areas that meet the definition of "rural area" contained in section 203(b) of the Rural Electrification Act (7 U.S.C. 924(b)): *Provided*, That the cost of direct loans shall be as defined in section 502 of the Congressional Budget Act of 1974.

TITLE IV

DOMESTIC FOOD PROGRAMS

OFFICE OF THE UNDER SECRETARY FOR FOOD, NUTRITION AND CONSUMER SERVICES

For necessary salaries and expenses of the Office of the Under Secretary for Food, Nutrition and Consumer Services to administer the laws enacted by the Congress for the Food and Nutrition Service, \$570,000.

FOOD AND NUTRITION SERVICE

CHILD NUTRITION PROGRAMS

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses to carry out the National School Lunch Act (42 U.S.C. 1751 et seq.), except section 21, and the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.), except sections 17 and 21; \$9,541,539,000, to remain available through September 30, 2002, of which \$4,413,960,000 is hereby appropriated and \$5,127,579,000 shall be derived by transfer from funds available under section 32 of the Act of August 24, 1935 (7 U.S.C. 612c): *Provided*, That, except as specifically provided under this heading, none of the funds made available under this heading shall be used for studies and evaluations: *Provided further*, That of the funds made available under this

heading, up to \$6,000,000 shall be for school breakfast pilot projects, including the evaluation required under section 18(e) of the National School Lunch Act: *Provided further*, That of the funds made available under this heading, \$500,000 shall be for a School Breakfast Program startup grant pilot program for the State of Wisconsin: *Provided further*, That up to \$4,511,000 shall be available for independent verification of school food service claims.

SPECIAL SUPPLEMENTAL NUTRITION PROGRAM FOR WOMEN, INFANTS, AND CHILDREN (WIC)

For necessary expenses to carry out the special supplemental nutrition program as authorized by section 17 of the Child Nutrition Act of 1966 (42 U.S.C. 1786), \$4,052,000,000, to remain available through September 30, 2002: *Provided*, That none of the funds made available under this heading shall be used for studies and evaluations: *Provided further*, That of the total amount available, the Secretary shall obligate \$15,000,000 for the farmers' market nutrition program within 45 days of the enactment of this Act, and an additional \$5,000,000 for the farmers' market nutrition program from any funds not needed to maintain current caseload levels: *Provided further*, That notwithstanding section 17(h)(10)(A) of such Act, up to \$14,000,000 shall be available for the purposes specified in section 17(h)(10)(B), no less than \$6,000,000 of which shall be used for the development of electronic benefit transfer systems: *Provided further*, That none of the funds in this Act shall be available to pay administrative expenses of WIC clinics except those that have an announced policy of prohibiting smoking within the space used to carry out the program: *Provided further*, That none of the funds provided in this account shall be available for the purchase of infant formula except in accordance with the cost containment and competitive bidding requirements specified in section 17 of such Act: *Provided further*, That none of the funds provided shall be available for activities that are not fully reimbursed by other Federal Government departments or agencies unless authorized by section 17 of such Act.

FOOD STAMP PROGRAM

For necessary expenses to carry out the Food Stamp Act (7 U.S.C. 2011 et seq.), \$21,221,293,000, of which \$100,000,000 shall be placed in reserve for use only in such amounts and at such times as may become necessary to carry out program operations: *Provided*, That none of the funds made available under this heading shall be used for studies and evaluations: *Provided further*, That funds provided herein shall be expended in accordance with section 16 of the Food Stamp Act: *Provided further*, That this appropriation shall be subject to any work registration or workfare requirements as may be required by law: *Provided further*, That funds made available for Employment and Training under this heading shall remain available until expended, as authorized by section 16(h)(1) of the Food Stamp Act.

COMMODITY ASSISTANCE PROGRAM

For necessary expenses to carry out the commodity supplemental food program as authorized by section 4(a) of the Agriculture and Consumer Protection Act of 1973 (7 U.S.C. 612c note); and the Emergency Food Assistance Act of 1983, \$140,300,000, to remain available through September 30, 2002: *Provided*, That none of these funds shall be available to reimburse the Commodity Credit Corporation for commodities donated to the program.

FOOD DONATIONS PROGRAMS

For necessary expenses to carry out section 4(a) of the Agriculture and Consumer Protection Act of 1973; special assistance for

the nuclear affected islands as authorized by section 103(h)(2) of the Compacts of Free Association Act of 1985, as amended; and section 311 of the Older Americans Act of 1965, \$141,081,000, to remain available through September 30, 2002.

FOOD PROGRAM ADMINISTRATION

For necessary administrative expenses of the domestic food programs funded under this Act, \$116,807,000, of which \$5,000,000 shall be available only for simplifying procedures, reducing overhead costs, tightening regulations, improving food stamp benefit delivery, and assisting in the prevention, identification, and prosecution of fraud and other violations of law and of which not less than \$4,500,000 shall be available to improve integrity in the Food Stamp and Child Nutrition programs: *Provided*, That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed \$150,000 shall be available for employment under 5 U.S.C. 3109.

TITLE V

FOREIGN ASSISTANCE AND RELATED PROGRAMS

FOREIGN AGRICULTURAL SERVICE

SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Foreign Agricultural Service, including carrying out title VI of the Agricultural Act of 1954 (7 U.S.C. 1761-1768), market development activities abroad, and for enabling the Secretary to coordinate and integrate activities of the Department in connection with foreign agricultural work, including not to exceed \$158,000 for representation allowances and for expenses pursuant to section 8 of the Act approved August 3, 1956 (7 U.S.C. 1766), \$113,424,000: *Provided*, That the Service may utilize advances of funds, or reimburse this appropriation for expenditures made on behalf of Federal agencies, public and private organizations and institutions under agreements executed pursuant to the agricultural food production assistance programs (7 U.S.C. 1737) and the foreign assistance programs of the United States Agency for International Development.

None of the funds in the foregoing paragraph shall be available to promote the sale or export of tobacco or tobacco products.

PUBLIC LAW 480 TITLE I PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For the cost, as defined in section 502 of the Congressional Budget Act of 1974, of agreements under the Agricultural Trade Development and Assistance Act of 1954, and the Food For Progress Act of 1985, including the cost of modifying credit arrangements under said Acts, \$114,186,000, to remain available until expended.

In addition, for administrative expenses to carry out the credit program of title I, Public Law 83-480, and the Food for Progress Act of 1985, to the extent funds appropriated for Public Law 83-480 are utilized, \$1,850,000, of which \$1,035,000 may be transferred to and merged with the appropriation for "Foreign Agricultural Service, Salaries and Expenses", and of which \$815,000 may be transferred to and merged with the appropriation for "Farm Service Agency, Salaries and Expenses".

PUBLIC LAW 480 TITLE I OCEAN FREIGHT DIFFERENTIAL GRANTS

(INCLUDING TRANSFERS OF FUNDS)

For expenses during the current fiscal year, not otherwise recoverable, and unrecovered prior years' costs, including interest thereon, under the Agricultural Trade Development and Assistance Act of 1954,

\$20,322,000, to remain available until expended, for ocean freight differential costs for the shipment of agricultural commodities under title I of said Act: *Provided*, That funds made available for the cost of title I agreements and for title I ocean freight differential may be used interchangeably between the two accounts with prior notice to the Committee on Appropriations of both Houses of Congress.

PUBLIC LAW 480 TITLES II AND III GRANTS

For expenses during the current fiscal year, not otherwise recoverable, and unrecovered prior years' costs, including interest thereon, under the Agricultural Trade Development and Assistance Act of 1954, \$837,000,000, to remain available until expended, for commodities supplied in connection with dispositions abroad under title II of said Act.

COMMODITY CREDIT CORPORATION EXPORT LOANS PROGRAM ACCOUNT (INCLUDING TRANSFERS OF FUNDS)

For administrative expenses to carry out the Commodity Credit Corporation's export guarantee program, GSM 102 and GSM 103, \$3,820,000; to cover common overhead expenses as permitted by section 11 of the Commodity Credit Corporation Charter Act and in conformity with the Federal Credit Reform Act of 1990, of which \$3,231,000 may be transferred to and merged with the appropriation for "Foreign Agricultural Service, Salaries and Expenses", and of which \$589,000 may be transferred to and merged with the appropriation for "Farm Service Agency, Salaries and Expenses".

TITLE VI

RELATED AGENCIES AND FOOD AND DRUG ADMINISTRATION DEPARTMENT OF HEALTH AND HUMAN SERVICES

FOOD AND DRUG ADMINISTRATION SALARIES AND EXPENSES

For necessary expenses of the Food and Drug Administration, including hire and purchase of passenger motor vehicles; for payment of space rental and related costs pursuant to Public Law 92-313 for programs and activities of the Food and Drug Administration which are included in this Act; for rental of special purpose space in the District of Columbia or elsewhere; and for miscellaneous and emergency expenses of enforcement activities, authorized and approved by the Secretary and to be accounted for solely on the Secretary's certificate, not to exceed \$25,000; \$1,216,796,000, of which not to exceed \$149,273,000 in prescription drug user fees authorized by 21 U.S.C. 379(h) may be credited to this appropriation and remain available until expended: *Provided*, That fees derived from applications received during fiscal year 2001 shall be subject to the fiscal year 2001 limitation: *Provided further*, That none of these funds shall be used to develop, establish, or operate any program of user fees authorized by 31 U.S.C. 9701: *Provided further*, That of the total amount appropriated: (1) \$292,934,000 shall be for the Center for Food Safety and Applied Nutrition and related field activities in the Office of Regulatory Affairs; (2) \$313,143,000 shall be for the Center for Drug Evaluation and Research and related field activities in the Office of Regulatory Affairs, of which no less than \$12,534,000 shall be available for grants and contracts awarded under section 5 of the Orphan Drug Act (21 U.S.C. 360ee); (3) \$141,368,000 shall be for the Center for Biologics Evaluation and Research and for related field activities in the Office of Regulatory Affairs; (4) \$59,349,000 shall be for the Center for Veterinary Medicine and for related field activities in the Office of Regu-

latory Affairs; (5) \$164,762,000 shall be for the Center for Devices and Radiological Health and for related field activities in the Office of Regulatory Affairs; (6) \$35,842,000 shall be for the National Center for Toxicological Research; (7) \$25,855,000 shall be for Rent and Related activities, other than the amounts paid to the General Services Administration; (8) \$104,954,000 shall be for payments to the General Services Administration for rent and related costs; and (9) \$78,589,000 shall be for other activities, including the Office of the Commissioner; the Office of Management and Systems; the Office of the Senior Associate Commissioner; the Office of International and Constituent Relations; the Office of Policy, Legislation, and Planning; and central services for these offices: *Provided further*, That funds may be transferred from one specified activity to another with the prior approval of the Committee on Appropriations of both Houses of Congress.

In addition, mammography user fees authorized by 42 U.S.C. 263(b) may be credited to this account, to remain available until expended.

In addition, export certification user fees authorized by 21 U.S.C. 381 may be credited to this account, to remain available until expended.

BUILDINGS AND FACILITIES

For plans, construction, repair, improvement, extension, alteration, and purchase of fixed equipment or facilities of or used by the Food and Drug Administration, where not otherwise provided, \$31,350,000, to remain available until expended (7 U.S.C. 2209b).

INDEPENDENT AGENCIES

COMMODITY FUTURES TRADING COMMISSION

For necessary expenses to carry out the provisions of the Commodity Exchange Act (7 U.S.C. 1 et seq.), including the purchase and hire of passenger motor vehicles; the rental of space (to include multiple year leases) in the District of Columbia and elsewhere; and not to exceed \$25,000 for employment under 5 U.S.C. 3109, \$67,100,000, including not to exceed \$1,000 for official reception and representation expenses.

FARM CREDIT ADMINISTRATION

LIMITATION ON ADMINISTRATIVE EXPENSES

Not to exceed \$36,800,000 (from assessments collected from farm credit institutions and from the Federal Agricultural Mortgage Corporation) shall be obligated during the current fiscal year for administrative expenses as authorized under 12 U.S.C. 2249: *Provided*, That this limitation shall not apply to expenses associated with receiverships.

TITLE VII—GENERAL PROVISIONS

SEC. 701. Within the unit limit of cost fixed by law, appropriations and authorizations made for the Department of Agriculture for fiscal year 2001 under this Act shall be available for the purchase, in addition to those specifically provided for, of not to exceed 389 passenger motor vehicles, of which 385 shall be for replacement only, and for the hire of such vehicles.

SEC. 702. Funds in this Act available to the Department of Agriculture shall be available for uniforms or allowances therefor as authorized by law (5 U.S.C. 5901-5902).

SEC. 703. Not less than \$1,500,000 of the appropriations of the Department of Agriculture in this Act for research and service work authorized by sections 1 and 10 of the Act of June 29, 1935 (7 U.S.C. 427, 427i; commonly known as the Bankhead-Jones Act), subtitle A of title II and section 302 of the Act of August 14, 1946 (7 U.S.C. 1621 et seq.), and chapter 63 of title 31, United States Code, shall be available for contracting in accordance with such Acts and chapter.

SEC. 704. The cumulative total of transfers to the Working Capital Fund for the purpose

of accumulating growth capital for data services and National Finance Center operations shall not exceed \$2,000,000: *Provided*, That no funds in this Act appropriated to an agency of the Department shall be transferred to the Working Capital Fund without the approval of the agency administrator.

SEC. 705. New obligational authority provided for the following appropriation items in this Act shall remain available until expended: Animal and Plant Health Inspection Service, the contingency fund to meet emergency conditions, fruit fly program, boll weevil program, up to 10 percent of the screwworm program, and up to \$2,000,000 for costs associated with colocating regional offices; Food Safety and Inspection Service, field automation and information management project; Cooperative State Research, Education, and Extension Service, funds for competitive research grants (7 U.S.C. 450i(b)) and funds for the Native American Institutions Endowment Fund; Farm Service Agency, salaries and expenses funds made available to county committees; Foreign Agricultural Service, middle-income country training program, and up to \$2,000,000 of the Foreign Agricultural Service appropriation solely for the purpose of offsetting fluctuations in international currency exchange rates, subject to documentation by the Foreign Agricultural Service.

SEC. 706. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 707. Not to exceed \$50,000 of the appropriations available to the Department of Agriculture in this Act shall be available to provide appropriate orientation and language training pursuant to section 606C of the Act of August 28, 1954 (7 U.S.C. 1766b; commonly known as the Agricultural Act of 1954).

SEC. 708. No funds appropriated by this Act may be used to pay negotiated indirect cost rates on cooperative agreements or similar arrangements between the United States Department of Agriculture and nonprofit institutions in excess of 10 percent of the total direct cost of the agreement when the purpose of such cooperative arrangements is to carry out programs of mutual interest between the two parties. This does not preclude appropriate payment of indirect costs on grants and contracts with such institutions when such indirect costs are computed on a similar basis for all agencies for which appropriations are provided in this Act.

SEC. 709. None of the funds in this Act shall be available to restrict the authority of the Commodity Credit Corporation to lease space for its own use or to lease space on behalf of other agencies of the Department of Agriculture when such space will be jointly occupied.

SEC. 710. None of the funds in this Act shall be available to pay indirect costs charged against competitive agricultural research, education, or extension grant awards issued by the Cooperative State Research, Education, and Extension Service that exceed 19 percent of total Federal funds provided under each award: *Provided*, That notwithstanding section 1462 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3310), funds provided by this Act for grants awarded competitively by the Cooperative State Research, Education, and Extension Service shall be available to pay full allowable indirect costs for each grant awarded under section 9 of the Small Business Act (15 U.S.C. 638).

SEC. 711. Notwithstanding any other provision of this Act, all loan levels provided in this Act shall be considered estimates, not limitations.

SEC. 712. Appropriations to the Department of Agriculture for the cost of direct and

guaranteed loans made available in fiscal year 2001 shall remain available until expended to cover obligations made in fiscal year 2001 for the following accounts: the rural development loan fund program account; the Rural Telephone Bank program account; the rural electrification and telecommunications loans program account; the Rural Housing Insurance Fund Program Account; and the rural economic development loans program account.

SEC. 713. Notwithstanding chapter 63 of title 31, United States Code, marketing services of the Agricultural Marketing Service; Grain Inspection, Packers and Stockyards Administration; the Animal and Plant Health Inspection Service; and the food safety activities of the Food Safety and Inspection Service may use cooperative agreements to reflect a relationship between the Agricultural Marketing Service; the Grain Inspection, Packers and Stockyards Administration; the Animal and Plant Health Inspection Service; or the Food Safety and Inspection Service and a State or Cooperator to carry out agricultural marketing programs, to carry out programs to protect the Nation's animal and plant resources, or to carry out educational programs or special studies to improve the safety of the Nation's food supply.

SEC. 714. Notwithstanding any other provision of law, the Secretary of Agriculture may enter into cooperative agreements (which may provide for the acquisition of goods or services, including personal services) with a State, political subdivision, or agency thereof, a public or private agency, organization, or any other person, if the Secretary determines that the objectives of the agreement will (1) serve a mutual interest of the parties to the agreement in carrying out the programs administered by the Natural Resources Conservation Service; and (2) all parties will contribute resources to the accomplishment of these objectives.

SEC. 715. None of the funds in this Act may be used to retire more than 5 percent of the Class A stock of the Rural Telephone Bank or to maintain any account or subaccount within the accounting records of the Rural Telephone Bank the creation of which has not specifically been authorized by statute: *Provided*, That notwithstanding any other provision of law, none of the funds appropriated or otherwise made available in this Act may be used to transfer to the Treasury or to the Federal Financing Bank any unobligated balance of the Rural Telephone Bank telephone liquidating account which is in excess of current requirements and such balance shall receive interest as set forth for financial accounts in section 505(c) of the Federal Credit Reform Act of 1990.

SEC. 716. Of the funds made available by this Act, not more than \$1,800,000 shall be used to cover necessary expenses of activities related to all advisory committees, panels, commissions, and task forces of the Department of Agriculture, except for panels used to comply with negotiated rule makings and panels used to evaluate competitively awarded grants: *Provided*, That interagency funding is authorized to carry out the purposes of the National Drought Policy Commission.

SEC. 717. None of the funds appropriated by this Act may be used to carry out section 410 of the Federal Meat Inspection Act (21 U.S.C. 679a) or section 30 of the Poultry Products Inspection Act (21 U.S.C. 471).

SEC. 718. No employee of the Department of Agriculture may be detailed or assigned from an agency or office funded by this Act to any other agency or office of the Department for more than 30 days unless the individual's employing agency or office is fully reimbursed by the receiving agency or office

for the salary and expenses of the employee for the period of assignment.

SEC. 719. None of the funds appropriated or otherwise made available to the Department of Agriculture shall be used to transmit or otherwise make available to any non-Department of Agriculture employee questions or responses to questions that are a result of information requested for the appropriations hearing process.

SEC. 720. None of the funds made available to the Department of Agriculture by this Act may be used to acquire new information technology systems or significant upgrades, as determined by the Office of the Chief Information Officer, without the approval of the Chief Information Officer and the concurrence of the Executive Information Technology Investment Review Board: *Provided*, That notwithstanding any other provision of law, none of the funds appropriated or otherwise made available by this Act may be transferred to the Office of the Chief Information Officer without the prior approval of the Committee on Appropriations of both Houses of Congress.

SEC. 721. (a) None of the funds provided by this Act, or provided by previous Appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in fiscal year 2001, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds which: (1) creates new programs; (2) eliminates a program, project, or activity; (3) increases funds or personnel by any means for any project or activity for which funds have been denied or restricted; (4) relocates an office or employees; (5) reorganizes offices, programs, or activities; or (6) contracts out or privatizes any functions or activities presently performed by Federal employees; unless the Committee on Appropriations of both Houses of Congress are notified 15 days in advance of such reprogramming of funds.

(b) None of the funds provided by this Act, or provided by previous Appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in fiscal year 2001, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure for activities, programs, or projects through a reprogramming of funds in excess of \$500,000 or 10 percent, whichever is less, that: (1) augments existing programs, projects, or activities; (2) reduces by 10 percent funding for any existing program, project, or activity, or numbers of personnel by 10 percent as approved by Congress; or (3) results from any general savings from a reduction in personnel which would result in a change in existing programs, activities, or projects as approved by Congress; unless the Committee on Appropriations of both Houses of Congress are notified 15 days in advance of such reprogramming of funds.

SEC. 722. None of the funds appropriated or otherwise made available by this Act or any other Act may be used to pay the salaries and expenses of personnel to carry out the transfer or obligation of fiscal year 2001 funds under section 793 of Public Law 104-127 (7 U.S.C. 2204f).

SEC. 723. None of the funds appropriated or otherwise made available by this Act shall be used to pay the salaries and expenses of personnel who carry out an environmental quality incentives program authorized by chapter 4 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3839aa et seq.) in excess of \$174,000,000.

SEC. 724. None of the funds appropriated or otherwise made available by this or any

other Act shall be used to pay the salaries and expenses of personnel to carry out the transfer or obligation of fiscal year 2001 funds under the provisions of section 401 of Public Law 105-185, the Initiative for Future Agriculture and Food Systems (7 U.S.C. 7621).

SEC. 725. None of the funds appropriated or otherwise made available by this Act shall be used to carry out any commodity purchase program that would prohibit eligibility or participation by farmer-owned cooperatives.

SEC. 726. None of the funds appropriated or otherwise made available by this Act shall be used to pay the salaries and expenses of personnel to carry out a conservation farm option program, as authorized by section 1240M of the Food Security Act of 1985 (16 U.S.C. 3839bb).

SEC. 727. None of the funds made available to the Food and Drug Administration by this Act shall be used to close or relocate, or to plan to close or relocate, the Food and Drug Administration Division of Drug Analysis in St. Louis, Missouri.

SEC. 728. None of the funds made available to the Food and Drug Administration by this Act shall be used to reduce the Detroit, Michigan, Food and Drug Administration District Office below the operating and full-time equivalent staffing level of July 31, 1999; or to change the Detroit District Office to a station, residence post or similarly modified office; or to reassign residence posts assigned to the Detroit District Office: *Provided*, That this section shall not apply to Food and Drug Administration field laboratory facilities or operations currently located in Detroit, Michigan, except that field laboratory personnel shall be assigned to locations in the general vicinity of Detroit, Michigan, pursuant to cooperative agreements between the Food and Drug Administration and other laboratory facilities associated with the State of Michigan.

SEC. 729. Hereafter, none of the funds appropriated by this Act or any other Act may be used to:

(1) carry out the proviso under 7 U.S.C. 1622(f); or

(2) carry out 7 U.S.C. 1622(h) unless the Secretary of Agriculture inspects and certifies agricultural processing equipment, and imposes a fee for the inspection and certification, in a manner that is similar to the inspection and certification of agricultural products under that section, as determined by the Secretary: *Provided*, That this provision shall not affect the authority of the Secretary to carry out the Federal Meat Inspection Act (21 U.S.C. 601 et seq.), the Poultry Products Inspection Act (21 U.S.C. 451 et seq.), or the Egg Products Inspection Act (21 U.S.C. 1031 et seq.).

SEC. 730. None of the funds appropriated by this Act or any other Act shall be used to pay the salaries and expenses of personnel who prepare or submit appropriations language as part of the President's Budget submission to the Congress of the United States for programs under the jurisdiction of the Appropriations Subcommittees on Agriculture, Rural Development, and Related Agencies that assumes revenues or reflects a reduction from the previous year due to user fees proposals that have not been enacted into law prior to the submission of the Budget unless such Budget submission identifies which additional spending reductions should occur in the event the users fees proposals are not enacted prior to the date of the convening of a committee of conference for the fiscal year 2001 appropriations Act.

SEC. 731. None of the funds appropriated or otherwise made available by this Act shall be used to establish an Office of Community Food Security or any similar office within

the United States Department of Agriculture without the prior approval of the Committee on Appropriations of both Houses of Congress.

SEC. 732. None of the funds appropriated or otherwise made available by this or any other Act may be used to carry out provision of section 612 of Public Law 105-185.

SEC. 733. None of the funds appropriated or otherwise made available by this Act may be used to declare excess or surplus all or part of the lands and facilities owned by the Federal Government and administered by the Secretary of Agriculture at Fort Reno, Oklahoma, or to transfer or convey such lands or facilities, without the specific authorization of Congress.

SEC. 734. None of the funds appropriated or otherwise made available by this Act or any other Act shall be used for the implementation of a Support Services Bureau or similar organization.

SEC. 735. Notwithstanding any other provision of law, for any fiscal year, in the case of a high cost, isolated rural area of the State of Alaska that is not connected to a road system—

(1) in the case of assistance provided by the Rural Housing Service for single family housing under title V of the Housing Act of 1949 (7 U.S.C. 1471 et seq.), the maximum income level for the assistance shall be 150 percent of the average income level in metropolitan areas of the State;

(2) in the case of community facility loans and grants provided under paragraphs (1) and (19), respectively, of section 306(a) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1926(a)) and assistance provided under programs carried out by the Rural Utilities Service, the maximum income level for the loans, grants, and assistance shall be 150 percent of the average income level in nonmetropolitan areas of the State;

(3) in the case of a business and industry guaranteed loan made under section 310B(a)(1) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1932(a)(1)), to the extent permitted under that Act, the Secretary of Agriculture shall—

(A) guarantee the repayment of 90 percent of the principal and interest due on the loan; and

(B) charge a loan origination and servicing fee in an amount not to exceed 1 percent of the amount of the loan; and

(4) in the case of assistance provided under the Rural Community Development Initiative for fiscal year 2000 carried out under the rural community advancement program established under subtitle E of the Consolidated Farm and Rural Development Act (7 U.S.C. 2009 et seq.), the median household income level, and the not employed rate, with respect to applicants for assistance under the Initiative shall be scored on a community-by-community basis.

SEC. 736. Hereafter, notwithstanding any other provision of law, no housing or residence in a foreign country purchased by an agent or instrumentality of the United States, for the purpose of housing the agricultural attaché, shall be sold or disposed of without the approval of the Foreign Agricultural Service of the United States Department of Agriculture, including property purchased using foreign currencies generated under the Agricultural Trade Development and Assistance Act of 1954 (Public Law 480) and used or occupied by agricultural attachés of the Foreign Agricultural Service: *Provided*, That the Department of State/Office of Foreign Buildings may sell such properties with the concurrence of the Foreign Agricultural Service if the proceeds are used to acquire suitable properties of appropriate size for Foreign Agricultural Service agricultural attachés: *Provided further*, That the

Foreign Agricultural Service shall have the right to occupy such residences in perpetuity with costs limited to appropriate maintenance expenses.

SEC. 737. Hereafter, funds appropriated to the Department of Agriculture may be used to employ individuals to perform services outside the United States as determined by the agencies to be necessary or appropriate for carrying out programs and activities abroad; and such employment actions, hereafter referred to as Personal Service Agreements (PSA), are authorized to be negotiated, the terms of the PSA to be prescribed and work to be performed, where necessary, without regard to such statutory provisions as related to the negotiation, making and performance of contracts and performance of work in the United States: *Provided*, That individuals employed under a PSA to perform such services outside the United States shall not, by virtue of such employment, be considered employees of the United States government for purposes of any law administered by the Office of Personnel Management: *Provided further*, That such individuals may be considered employees within the meaning of the Federal Employee Compensation Act, 5 U.S.C. 8101 et seq.: *Provided further*, That Government service credit shall be accrued for the time employed under a PSA should the individual later be hired into a permanent U.S. Government position if their authorities so permit.

SEC. 738. None of the funds made available by this Act or any other Act may be used to close or relocate a state Rural Development office unless or until cost effectiveness and enhancement of program delivery have been determined.

SEC. 739. Of any shipments of commodities made pursuant to Section 416(b) of the Agricultural Act of 1949 (7 U.S.C. 1431(b)), the Secretary of Agriculture shall, to the extent practicable, direct that tonnage equal in value to not less than \$25,000,000 shall be made available to foreign countries to assist in mitigating the effects of the Human Immunodeficiency Virus and Acquired Immune Deficiency Syndrome on communities, including the provision of—

(1) agricultural commodities to—

(A) individuals with Human Immunodeficiency Virus or Acquired Immune Deficiency Syndrome in the communities, and

(B) households in the communities, particularly individuals caring for orphaned children; and

(2) agricultural commodities monetized to provide other assistance (including assistance under microcredit and microenterprise programs) to create or restore sustainable livelihoods among individuals in the communities, particularly individuals caring for orphaned children.

DIVISION B

The following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2000, and for other purposes, namely:

TITLE I

NATURAL DISASTER ASSISTANCE AND OTHER EMERGENCY APPROPRIATIONS

CHAPTER 1

DEPARTMENT OF AGRICULTURE

FARM SERVICE AGENCY

SALARIES AND EXPENSES

For an additional amount for “Salaries and Expenses”, \$39,000,000: *Provided*, That the entire amount shall be available only to the extent an official budget request for \$39,000,000, that includes designation of the entire amount of the request as an emergency requirement as defined in the Bal-

anced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: *Provided further*, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of such Act.

FEDERAL CROP INSURANCE CORPORATION FUND

For an additional amount for the Federal Crop Insurance Corporation Fund, up to \$13,000,000, to provide premium discounts to purchasers of crop insurance reinsured by the Corporation (except for catastrophic risk protection coverage), as authorized under section 1102(g)(2) of the Agriculture, Rural Development, Food and Drug Administration and Related Agencies Appropriations Act, 1999 (Public Law 105-277): *Provided*, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

RURAL COMMUNITY ADVANCEMENT PROGRAM

For an additional amount for the Rural Community Advancement Program, \$50,000,000 to provide grants pursuant to the Rural Community Facilities Grant Program for areas of extreme unemployment or economic depression, subject to authorization: *Provided*, That the entire amount shall be available only to the extent an official budget request for \$50,000,000, that includes designation of the entire amount of the request as an emergency requirement as defined by the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: *Provided further*, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

For an additional amount for the Rural Community Advancement Program, \$30,000,000 to provide grants pursuant to the Rural Utility Service Grant Program for rural communities with extremely high energy costs, subject to authorization: *Provided*, That the entire amount shall be available only to the extent an official budget request for \$30,000,000, that includes designation of the entire amount of the request as an emergency requirement as defined by the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: *Provided further*, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

For an additional amount for the Rural Community Advancement Program, \$50,000,000, for the cost of direct loans and grants of the rural utilities programs described in section 381E(d)(2) of the Consolidated Farm and Rural Development Act (7 U.S.C. 2009f), as provided in 7 U.S.C. 1926(a) and 7 U.S.C. 1926C for distribution through the national reserve for applications associated with a risk to public health or the environment or a natural emergency: *Provided*, That of the amount provided by this paragraph, \$10,000,000 may only be used in counties which have received an emergency designation by the President or the Secretary after January 1, 2000, for applications responding to water shortages resulting from the designated emergency: *Provided further*, That the entire amount necessary to carry out this section shall be available only to the extent that an official budget request for \$50,000,000, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control

Act of 1985, as amended, is transmitted by the President to the Congress: *Provided further*, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of such Act.

RURAL HOUSING SERVICE

RURAL HOUSING INSURANCE FUND PROGRAM ACCOUNT

For additional gross obligations for the principal amount of direct loans as authorized by title V of the Housing Act of 1949 for section 515 rental housing to be available from funds in the rural housing insurance fund to meet needs resulting from Hurricanes Dennis, Floyd, or Irene, \$40,000,000.

For the additional cost of direct loans for section 515 rental housing, including the cost of modifying loans, as defined in section 502 of the Congressional Budget Act of 1974, to remain available until expended, \$15,872,000: *Provided*, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

RENTAL ASSISTANCE PROGRAM

For an additional amount for rental assistance agreements entered into or renewed pursuant to section 521(a)(2) of the Housing Act of 1949 for emergency needs resulting from Hurricanes Dennis, Floyd, or Irene, \$13,600,000, to remain available until expended: *Provided*, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

RURAL UTILITIES SERVICE

RURAL ELECTRIFICATION AND TELECOMMUNICATIONS LOANS PROGRAM ACCOUNT

For additional five percent rural electrification loans pursuant to the authority of section 305 of the Rural Electrification Act of 1936 (7 U.S.C. 935), \$113,250,000.

For the additional cost, as defined in section 502 of the Congressional Budget Act of 1974, including the cost of modifying loans, of five percent rural electrification loans authorized by the Rural Electrification Act of 1936 (7 U.S.C. 935), \$1,000,000: *Provided*, That the entire amount shall be available only to the extent an official budget request for \$1,000,000, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: *Provided further*, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of such Act.

GENERAL PROVISIONS—THIS CHAPTER

SEC. 1101. Notwithstanding section 11 of the Commodity Credit Corporation Charter Act (15 U.S.C. 714i), an additional \$35,000,000, to remain available until expended, shall be provided through the Commodity Credit Corporation in fiscal year 2000 for technical assistance activities performed by any agency of the Department of Agriculture in carrying out the Conservation Reserve Program and the Wetlands Reserve Program funded by the Commodity Credit Corporation: *Provided*, That the entire amount shall be available only to the extent an official budget request for \$35,000,000, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: *Provided further*, That the entire amount is designated by the Congress as an emergency require-

ment pursuant to section 251(b)(2)(A) of such Act.

SEC. 1102. The paragraph under the heading "Livestock Assistance" in chapter 1, title I of H.R. 3425 of the 106th Congress, enacted by section 1000(a)(5) of Public Law 106-113 (113 Stat. 1536) is amended by striking "during 1999" and inserting "from January 1, 1999, through February 7, 2000": *Provided*, That the entire amount necessary to carry out this section shall be available only to the extent that an official budget request for the entire amount, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: *Provided further*, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of such Act.

SEC. 1103. The issuance of regulations by the Secretary of Agriculture to implement section 104 of H.R. 3425 of the 106th Congress, as enacted by section 1000(a)(5) of Public Law 106-113 (113 Stat. 1536) shall be made without regard to—

(1) the notice and comment provisions of section 553 of title 5 United States Code;

(2) the Statement of Policy of the Secretary of Agriculture effective July 24, 1971 (36 Fed. Reg. 13804) relating to notices of proposed rulemaking; and

(3) chapter 35 of title 44 United States Code.

SEC. 1104. With respect to any 1999 crop year loan made by the Commodity Credit Corporation to a cooperative marketing association established under the laws of North Carolina, and to any person or entity in North Carolina obtaining a 1999 crop upland cotton marketing assistance loan, the Corporation shall reduce the amount of such outstanding loan indebtedness in an amount up to 75 percent of the amount of the loan applicable to any collateral (in the case of cooperative marketing associations of upland cotton producers and upland cotton producers, not to exceed \$5,000,000 for benefits to such associations and such producers for up to 75 percent of the loss incurred by such associations and such producers with respect to upland cotton that had been placed under loan) that was produced in a county in which either the Secretary of Agriculture or the President of the United States declared a major disaster or emergency due to the occurrence of Hurricanes Dennis, Floyd or Irene if the Corporation determines that such collateral suffered any quality loss as a result of said hurricane: *Provided*, That if a person or entity obtains a benefit under this section with respect to a quantity of a commodity, no marketing loan gain or loan deficiency payment shall be made available under the Federal Agricultural Improvement and Reform Act of 1996 with respect to such quantity: *Provided further*, That no more than \$81,000,000 of the funds of the Corporation shall be available to carry out this section: *Provided further*, That the entire amount shall be available only to the extent an official budget request for \$81,000,000, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: *Provided further*, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of such Act.

SEC. 1105. Hereafter, for the purposes of the Livestock Indemnity Program authorized in Public Law 105-18, the term "livestock" shall have the same meaning as the term "livestock" under section 104 of Public Law 106-31.

SEC. 1106. The Secretary shall use the funds, facilities and authorities of the Commodity Credit Corporation to make and administer supplemental payments to dairy producers who received a payment under section 805 of Public Law 106-78 in an amount equal to thirty-five percent of the reduction in market value of milk production in 2000, as determined by the Secretary, based on price estimates as of the date of enactment of this Act, from the previous five-year average: *Provided*, That the Secretary shall make payments to producers under this section in a manner consistent with the payments to dairy producers under section 805 of Public Law 106-78: *Provided further*, That the Secretary shall make a determination as to whether a dairy producer is considered a new producer for purposes of section 805 by taking into account the number of months such producer has operated as a dairy producer in order to calculate a payment rate for such producer: *Provided further*, That the entire amount necessary to carry out this section shall be available only to the extent that an official budget request for the entire amount, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: *Provided further*, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of such Act.

SEC. 1107. Notwithstanding any other provision of law, the Secretary of Agriculture may use the funds, facilities and authorities of the Commodity Credit Corporation to administer and make payments to: (a) compensate growers whose crops could not be sold due to Mexican fruit fly quarantines in San Diego and San Bernadino/Riverside counties in California since their imposition on August 14, 1998, and September 22, 1999, respectively; (b) compensate growers in relation to the Secretary's "Declaration of Extraordinary Emergency" on March 2, 2000, regarding the plum pox virus; (c) compensate growers for losses due to Pierce's disease; (d) compensate growers for losses incurred due to infestations of grasshoppers and mormon crickets; and (e) compensate commercial producers for losses due to citrus canker: *Provided*, That the entire amount necessary to carry out this section shall be available only to the extent that an official budget request for the entire amount, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: *Provided further*, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of such Act.

SEC. 1108. (a) Section 141 of the Agricultural Market Transition Act (7 U.S.C. 7251) is amended—

(1) in subsection (b)(4), by striking "and 2000" and inserting "through 2001"; and

(2) in subsection (h), by striking "2000" each place it appears and inserting "2001".

(b) Section 142(e) of the Agricultural Market Transition Act (7 U.S.C. 7252(e)) is amended by striking "2001" and inserting "2002".

(c) The entire amount necessary to carry out this section shall be available only to the extent that an official budget request for the entire amount, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: *Provided*, That the entire amount is designated

by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of such Act.

SEC. 1109. The Secretary shall use the funds, facilities and authorities of the Commodity Credit Corporation in an amount equal to \$450,000,000 to make and administer payments for livestock losses using the criteria established to carry out the 1999 Livestock Assistance Program (except for application of the national percentage reduction factor) to producers for 2000 losses in a county which has received an emergency designation by the President or the Secretary after January 1, 2000, and shall be available until September 30, 2001: *Provided*, That the Secretary shall give consideration to the effect of recurring droughts in establishing the level of payments to producers under this section: *Provided further*, That the entire amount necessary to carry out this section shall be available only to the extent that an official budget request for \$450,000,000, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: *Provided further*, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of such Act.

SEC. 1110. In lieu of imposing, where applicable, the assessment for producers provided for in subsection (d)(8) of 7 U.S.C. 7271 (Section 155 of the Agricultural Market Transition Act), the Secretary shall, as necessary to offset remaining loan losses for the 1999 crop of peanuts, borrow such amounts as would have been collected under 7 U.S.C. 7271(d)(8) from the Commodity Credit Corporation. Such borrowing shall be against all excess assessments to be collected under subsection 7 U.S.C. 7271(g) for crop year 2000 and subsequent years. For purposes of the preceding sentence, an assessment shall be considered to be an "excess" assessment to the extent that it is not used or will not be used, under the provisions of 7 U.S.C. 7271(d), to offset losses on peanuts for the crop year in which the assessment is collected. The Commodity Credit Corporation shall retain its own account sums collected under 7 U.S.C. 7271(g) as needed to recover the borrowing provided for in this section to the extent that such collections are not used under 7 U.S.C. 7271(d) to cover losses on peanuts: *Provided*, That the entire amount necessary to carry out this section shall be available only to the extent an official budget request for the entire amount, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: *Provided further*, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of such Act.

CHAPTER 2

DEPARTMENT OF DEFENSE—CIVIL

DEPARTMENT OF THE ARMY

CORPS OF ENGINEERS—CIVIL

GENERAL INVESTIGATIONS

For an additional amount for "General investigations" to complete preconstruction engineering and design of an emergency outlet from Devils Lake, North Dakota, to the Sheyenne River, \$4,500,000, to remain available until expended: *Provided*, That the work shall include an Environmental Impact Statement and the international coordination required to comply with the Boundary Waters Treaty of 1909: *Provided further*, That the entire amount is designated by the Con-

gress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

FLOOD CONTROL, MISSISSIPPI RIVER AND TRIBUTARIES, ARKANSAS, ILLINOIS, KENTUCKY, LOUISIANA, MISSISSIPPI, MISSOURI, AND TENNESSEE

For an additional amount for emergency repairs and dredging due to the effects of drought and other conditions, \$10,000,000, to remain available until expended, which shall be available only to the extent an official budget request for a specific dollar amount that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: *Provided*, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

OPERATION AND MAINTENANCE, GENERAL

For an additional amount for emergency repairs and dredging due to storm damages, \$35,000,000, to remain available until expended, of which such amounts for eligible navigation projects which may be derived from the Harbor Maintenance Trust Fund pursuant to Public Law 99-662, shall be derived from that Fund: *Provided*, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

INDEPENDENT AGENCIES

APPALACHIAN REGIONAL COMMISSION

For an additional amount necessary to carry out the programs authorized by the Appalachian Regional Development Act of 1965, as amended, \$11,000,000, to remain available until expended, which shall be available only to the extent an official budget request for \$11,000,000, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: *Provided*, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

CHAPTER 3

DEPARTMENT OF THE INTERIOR

BUREAU OF LAND MANAGEMENT

MANAGEMENT OF LANDS AND RESOURCES

For an additional amount for "Management of Lands and Resources", \$17,172,000 to remain available until expended, of which \$15,687,000 shall be used to address restoration needs caused by wildland fires and \$1,485,000 shall be used for the treatment of grasshopper and Mormon Cricket infestations on lands managed by the Bureau of Land Management: *Provided*, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further*, That the entire amount shall be available only to the extent an official budget request for a specific dollar amount, that includes designation of the entire amount of the request as an emergency requirement as defined by such Act, is transmitted by the President to the Congress.

WILDLAND FIRE MANAGEMENT

For an additional amount for "Wildland Fire Management", \$100,000,000, to remain

available until expended, for emergency rehabilitation and wildfire suppression activities: *Provided*, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further*, That this amount shall be available only to the extent that an official budget request for a specific dollar amount, that includes designation of the entire amount of the request as an emergency requirement as defined by such Act, is transmitted by the President to the Congress.

UNITED STATES FISH AND WILDLIFE SERVICE

RESOURCE MANAGEMENT

For an additional amount for "Resource Management", \$1,500,000, to remain available until expended, for support of the preparation and implementation of plans, programs, or agreements, identified by the State of Idaho, that address habitat for freshwater aquatic species on nonfederal lands in the State voluntarily enrolled in such plans, programs, or agreements, of which \$200,000 shall be made available to the Boise, Idaho field office to participate in the preparation and implementation of the plans, programs or agreements, of which \$300,000 shall be made available to the State of Idaho for preparation of the plans, programs, or agreements, including data collection and other activities associated with such preparation, and of which \$1,000,000 shall be made available to the State of Idaho to fund habitat enhancement, maintenance, or restoration projects consistent with such plans, programs, or agreements.

In addition, for an additional amount for "Resource Management", \$5,000,000, to remain available until expended, which amount shall be made available to the National Fish and Wildlife Foundation to carry out a competitively awarded grant program for State, local, or other organizations in the State of Maine to fund on-the-ground projects to further Atlantic salmon conservation or restoration efforts in coordination with the State of Maine and the Maine Atlantic Salmon Conservation Plan, including projects to (1) assist in land acquisition and conservation easements to benefit Atlantic salmon; (2) develop irrigation and water use management measures to minimize any adverse effects on salmon habitat; and (3) develop and phase in enhanced aquaculture cages to minimize escape of Atlantic salmon: *Provided*, That, of the amounts appropriated under this paragraph, \$2,000,000 shall be made available to the Atlantic Salmon Commission for salmon restoration and conservation activities, including installing and upgrading weirs and fish collection facilities, conducting risk assessments, fish marking, and salmon genetics studies and testing, and developing and phasing in enhanced aquaculture cages to minimize escape of Atlantic salmon, and \$500,000 shall be made available to the National Academy of Sciences to conduct a study of Atlantic salmon: *Provided further*, That the amounts appropriated under this paragraph shall not be subject to section 10(b)(1) of the National Fish and Wildlife Foundation Establishment Act (16 U.S.C. 3709(b)(1)): *Provided further*, That the National Fish and Wildlife Foundation shall give special consideration to proposals that include matching contributions (whether in currency, services, or property) made by private persons or organizations or by State or local government agencies, if such matching contributions are available: *Provided further*, That funds made available under this paragraph shall be provided to the National Fish and Wildlife Foundation not later than 15 days after the date of enactment of this Act: *Provided further*, That the

entire amount made available under this heading is designated by the Congress as an emergency requirement under section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

CONSTRUCTION

For an additional amount for "Construction", \$8,500,000, to remain available until expended, to repair or replace buildings, equipment, roads, bridges, and water control structures damaged by natural disasters and conduct critical habitat restoration directly necessitated by natural disasters: *Provided*, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further*, That \$3,500,000 shall be available only to the extent that an official budget request that includes designation of the entire amount as an emergency as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.

NATIONAL PARK SERVICE

CONSTRUCTION

For an additional amount for "Construction", \$5,300,000, to remain available until expended, to repair or replace visitor facilities, equipment, roads and trails, and cultural sites and artifacts at national park units damaged by natural disasters: *Provided*, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further*, That \$1,300,000 shall be available only to the extent that an official budget request that includes designation of the entire amount as an emergency as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.

UNITED STATES GEOLOGICAL SURVEY

SURVEYS, INVESTIGATIONS, AND RESEARCH

For an additional amount for "Surveys, Investigations, and Research", \$1,800,000, to remain available until expended, to repair or replace stream monitoring equipment and associated facilities damaged by natural disasters: *Provided*, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT

REGULATION AND TECHNOLOGY

For necessary expenses to carry out the provisions of the Surface Mining Control and Reclamation Act, Public Law 95-87, as amended, \$9,821,000, to remain available until expended, of which \$6,222,000, not subject to section 705(a) of the Act, shall be available for regulatory program enhancements for the surface mining regulatory program of the State of West Virginia: *Provided*, That the balance of the funds shall be made available to the State to augment staffing and provide relative support expenses for the State's regulatory program: *Provided further*, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further*, That the entire amount shall be available only to the extent an official budget request for \$9,821,000, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control

Act of 1985, as amended, is transmitted by the President to the Congress.

BUREAU OF INDIAN AFFAIRS

OPERATION OF INDIAN PROGRAMS

For an additional amount for "Operation of Indian Programs", \$1,200,000, to remain available until expended, for repair of the portions of the Yakama Nation's Signal Peak Road that have the most severe damage: *Provided*, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further*, That the entire amount shall be available only to the extent that an official budget request that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.

DEPARTMENT OF AGRICULTURE

FOREST SERVICE

NATIONAL FOREST SYSTEM

For an additional amount for "National Forest System" for emergency expenses resulting from damages from wind storms, \$5,759,000, to remain available until expended: *Provided*, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further*, That the entire amount shall be available only to the extent an official budget request for a specific dollar amount, that includes designation of the entire amount of the request as an emergency requirement as defined by such Act, is transmitted by the President to the Congress.

WILDLAND FIRE MANAGEMENT

For an additional amount for "Wildland Fire Management" for emergency expenses resulting from damages from wind storms, \$1,620,000, to remain available until expended: *Provided*, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further*, That the entire amount shall be available only to the extent an official budget request for a specific dollar amount, that includes designation of the entire amount of the request as an emergency requirement as defined by such Act, is transmitted by the President to the Congress.

RECONSTRUCTION AND MAINTENANCE

For an additional amount for "Reconstruction and Maintenance" for emergency expenses resulting from damages from wind storms, \$1,870,000, to remain available until expended: *Provided*, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further*, That the entire amount shall be available only to the extent an official budget request for a specific dollar amount, that includes designation of the entire amount of the request as an emergency requirement as defined by such Act, is transmitted by the President to the Congress.

CHAPTER 4

DEPARTMENT OF HEALTH AND HUMAN SERVICES

HEALTH CARE FINANCING ADMINISTRATION PROGRAM MANAGEMENT

For an additional amount for "Program Management", \$15,000,000 to be available through September 30, 2001: *Provided*, That

the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further*, That the entire amount provided shall be available only to the extent an official budget request that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.

ADMINISTRATION FOR CHILDREN AND FAMILIES

LOW INCOME HOME ENERGY ASSISTANCE

For an additional amount for "Low Income Home Energy Assistance" for emergency assistance under section 2602(e) of the Omnibus Budget Reconciliation Act of 1981 (42 U.S.C. 8621(e)), \$600,000,000, to remain available until expended: *Provided*, That the entire amount is hereby designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further*, That this amount shall be available only to the extent an official budget request for a specific dollar amount that includes designations of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act, as amended, is transmitted by the President to the Congress.

CHAPTER 5

LEGISLATIVE BRANCH

JOINT ITEMS

CAPITOL POLICE BOARD

SECURITY ENHANCEMENTS

For an additional amount for costs associated with security enhancements, as appropriated under chapter 5 of title II of division B of the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999 (Public Law 105-277), \$11,874,000, to remain available until expended, of which—

(1) \$10,000,000 shall be for security enhancements in connection with the initial implementation of the United States Capitol Police master plan: *Provided*, That notwithstanding such chapter 5, such funds shall be available for facilities located within or outside of the Capitol Grounds, and such security enhancements shall be subject to the approval of the Committee on Appropriations of the House of Representatives and the Committee on Appropriations of the Senate; and

(2) \$1,874,000 shall be for security enhancements to the buildings and grounds of the Library of Congress:

Provided, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

CAPITOL POLICE

SALARIES

For an additional amount for costs of overtime, \$2,700,000, to be available to increase, in equal amounts, the amounts provided to the House of Representatives and the Senate: *Provided*, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

ARCHITECT OF THE CAPITOL

FIRE SAFETY

For an additional amount for expenses for fire safety, \$17,480,000, to remain available until expended, of which \$7,039,000 shall be for "Capitol Buildings and Grounds—Capitol Buildings—Salaries and Expenses"; \$2,314,000

shall be for "Senate Office Buildings"; \$4,213,000 shall be for "House Office Buildings"; \$3,000 shall be for "Capitol Power Plant"; \$26,000 shall be for "Botanic Garden—Salaries and Expenses"; and \$3,885,000 shall be for "Architect of the Capitol—Library Buildings and Grounds—Structural and Mechanical Care": *Provided*, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

GENERAL PROVISIONS—THIS CHAPTER

SEC. 1501. (a) Section 201 of the Legislative Branch Appropriations Act, 1993 (40 U.S.C. 216c note) is amended by striking "\$10,000,000" each place it appears and inserting "\$14,500,000".

(b) Section 201 of such Act is amended—

(1) by inserting "(a)" before "Pursuant", and

(2) by adding at the end the following:

"(b) The Architect of the Capitol is authorized to solicit, receive, accept, and hold amounts under section 307E(a)(2) of the Legislative Branch Appropriations Act, 1989 (40 U.S.C. 216c(a)(2)) in excess of the \$14,500,000 authorized under subsection (a), but such amounts (and any interest thereon) shall not be expended by the Architect without approval in appropriation Acts as required under section 307E(b)(3) of such Act (40 U.S.C. 216c(b)(3))."

SEC. 1502. TRADE DEFICIT REVIEW COMMISSION. (a) ISSUES TO BE ADDRESSED.—Section 127(d)(2) of division A of the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999 (Public Law 105-277; 19 U.S.C. 2213 note) is amended by adding at the end the following new subparagraph:

"(I) The impact of the merchandise trade and current account balances on the national security of the United States, including in particular an assessment of the significance to national security of persistent and substantial bilateral trade deficits and the need of a fully integrated national security, trade, and industrial base trade-impact adjustment policy."

(b) DEADLINE FOR SUBMISSION OF FINAL REPORT.—Section 127(e)(1) of division A of the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999 (Public Law 105-277; 19 U.S.C. 2213 note) is amended by striking "12 months" and inserting "15 months".

CHAPTER 6

DEPARTMENT OF TRANSPORTATION AND RELATED AGENCIES

RELATED AGENCIES

NATIONAL TRANSPORTATION SAFETY BOARD

SALARIES AND EXPENSES

For an additional amount for "Salaries and expenses," \$24,739,000, for emergency expenses associated with the investigation of the Egypt Air 990 and Alaska Air 261 accidents, to remain available until expended: *Provided*, That such funds shall be available for wreckage location and recovery, facilities, technical support, testing, and wreckage mock-up: *Provided further*, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

CHAPTER 7

DEPARTMENT OF THE TREASURY

DEPARTMENTAL OFFICES

SALARIES AND EXPENSES

For an additional amount, \$24,900,000 for the Secretary of the Treasury to establish and operate an in-service firearms training

facility for the U.S. Customs Service and other agencies, to remain available until expended: *Provided*, That the Secretary is authorized to designate a lead agency to oversee the development, implementation and operation of the facility and to conduct training: *Provided further*, That the Director of the U.S. Fish and Wildlife Service shall without compensation and at the earliest practicable date, initiate a permanent, no-cost transfer of property owned by the U.S. Fish and Wildlife Service, identified as the Sleepy Hollow Partnership & Marcus Enterprises tract, (44-R), 327.46 acres, Harpers Ferry Magisterial District, Jefferson County, West Virginia, together with a forty-five foot right-of-way over the lands of Valley Blox, Inc. as described in the deed from Joel T. Broyhill Enterprises, Inc. to Sleepy Hollow Partnership, et al., in a Deed dated March 29, 1989 and recorded in the Jefferson County Clerk's Office in Deed Book 627, Page 494, to the United States Department of the Treasury: *Provided further*, That the total amount made available under this section is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further*, That the entire amount shall be available only to the extent that an official budget request that includes designation of the entire amount as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.

BUREAU OF ALCOHOL, TOBACCO AND FIREARMS

For an additional amount for "Salaries and Expenses" for enforcement of existing gun laws, \$93,751,000, to remain available until expended: *Provided*, That the entire amount in this section is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further*, That the entire amount shall be available only to the extent that an official budget request for a specific dollar amount, that includes designation of the entire amount of the request as an emergency requirement as defined by such Act, is transmitted by the President to the Congress.

INDEPENDENT AGENCIES

GENERAL SERVICES ADMINISTRATION

POLICY AND OPERATIONS

For an additional amount, \$3,300,000 to remain available until expended for the Salt Lake 2002 Winter Olympic and Paralympic Games doping control program.

CHAPTER 8

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

COMMUNITY PLANNING AND DEVELOPMENT

HOME INVESTMENT PARTNERSHIPS PROGRAM

For an additional amount for the HOME investment partnerships program, as authorized under title II of the Cranston-Gonzalez National Affordable Housing Act (Public Law 101-625), as amended, \$25,000,000: *Provided*, That these funds shall be provided to states with designated disaster areas caused by Hurricane Floyd for the purpose of providing temporary assistance in obtaining rental assistance and for the construction of affordable replacement rental housing for very low-income families displaced by flooding caused by Hurricane Floyd: *Provided further*, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further*, That the entire amount shall be avail-

able only to the extent that an official budget request for a specific dollar amount, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.

INDEPENDENT AGENCIES

FEDERAL EMERGENCY MANAGEMENT AGENCY

DISASTER RELIEF

Of the unobligated balances made available under the second paragraph under the heading "Federal Emergency Management Agency, Disaster Relief" in Public Law 106-74, in addition to other amounts made available, up to \$50,000,000 may be used by the Director of the Federal Emergency Management Agency for the buyout of repetitive loss properties which are principal residences that have been made uninhabitable by floods in areas which were declared federal disasters in fiscal year 1999 and 2000: *Provided*, That such properties are located in a 100-year floodplain: *Provided further*, That no homeowner may receive any assistance for buyouts in excess of the pre-flood fair market value of the residence (reduced by any proceeds from insurance or any other source paid or owed as a result of the flood damage to the residence): *Provided further*, That each state shall ensure that there is a contribution from non-Federal sources of not less than 25 percent in matching funds (other than administrative costs) for any funds allocated to the State for buyout assistance: *Provided further*, That all buyouts under this section shall be subject to the terms and conditions specified under 42 U.S.C. 5170c(b)(2)(B): *Provided further*, That none of the funds made available for buyouts under this paragraph may be used in any calculation of a State's section 404 allocation: *Provided further*, That the Director shall report quarterly to the House and Senate Committees on Appropriations on the use of all funds allocated under this paragraph and certify that the use of all funds are consistent with all applicable laws and requirements: *Provided further*, That no funds shall be allocated for buyouts under this paragraph except in accordance with regulations promulgated by the Director: *Provided further*, That the entire amount shall be available only to the extent an official budget request, that includes designation of the entire amount of the request as an emergency requirement as defined by the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: *Provided further*, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

CHAPTER 9

GENERAL PROVISION—THIS TITLE

SEC. 1901. For an additional amount for "Health Resources and Services Administration, Health Resources and Services", \$3,500,000, for the Saint John's Lutheran Hospital in Libby, Montana, for construction and renovation of health care and other facilities and an additional amount for the "Economic Development Administration", \$8,000,000, only for a grant to the City of Libby, Montana: *Provided*, That the entire amounts in this section are designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further*, That the entire amounts provided within this section shall be available only to the extent an official budget request that includes

designation of the entire amounts of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.

SEC. 1902. For an additional amount for "Operations, Research, and Facilities", for emergency expenses for fisheries disaster relief pursuant to section 312(a) of the Magnuson-Stevens Fishery Conservation and Management Act, as amended, for the Pribilof Island and East Aleutian area of the Bering Sea, \$10,000,000 to remain available until expended: *Provided*, That in implementing this section, notwithstanding section 312(a)(3), the Secretary shall immediately make available as a direct payment \$2,000,000 to the States of Alaska, Washington, and Oregon for distribution of emergency aid to individuals with family incomes below 185 percent of the federal poverty level who have suffered a direct negative impact from the fisheries resource disaster and \$3,000,000 for Bering Sea ecosystem research including \$1,000,000 for the State of Alaska to develop a cooperative research plan to restore the crab fishery: *Provided further*, That the Secretary of Commerce declares a fisheries failure pursuant to section 312(a) of the Magnuson-Stevens Fishery Conservation and Management Act, as amended: *Provided further*, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further*, That the entire amount shall be available only to the extent an official budget request that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.

SEC. 1903. For an additional amount for the District of Columbia Metropolitan Police Department, \$4,485,000 for the reimbursement of certain costs incurred by the District of Columbia as host of the International Monetary Fund and World Bank Organization Spring Conference in April 2000: *Provided*, That the entire amount shall be available only to the extent an official budget request for \$4,485,000, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: *Provided further*, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of such Act.

TITLE II

SUPPLEMENTAL APPROPRIATIONS AND OFFSETS

CHAPTER 1

DEPARTMENT OF AGRICULTURE

FOOD SAFETY AND INSPECTION SERVICE

From amounts appropriated under this heading in Public Law 106-78 not needed for federal food inspection, up to \$6,000,000 may be used to liquidate obligations incurred in previous years, to the extent approved by the Director of the Office of Management and Budget based on documentation provided by the Secretary of Agriculture.

GENERAL PROVISIONS—THIS CHAPTER

SEC. 2101. Section 381A(1) of the Consolidated Farm and Rural Development Act (7 U.S.C. 2009(1)) is amended as follows:

"(1) RURAL AND RURAL AREA.—The terms 'rural and rural area' mean, subject to 306(a)(7), a city or town that has a population of 50,000 inhabitants or less, other than an

urbanized area immediately adjacent to a city or town that has a population in excess of 50,000 inhabitants, except for business and industry projects or facilities described in section 310(B)(a)(1), a city or town with a population in excess of 50,000 inhabitants and its immediately adjacent urbanized area shall be eligible for funding when the primary economic beneficiaries of such projects or facilities are producers of agriculture commodities."

SEC. 2102. Notwithstanding any other provision of law, the Natural Resources Conservation Service shall provide financial and technical assistance to the Long Park Dam in Utah from funds available for the Emergency Watershed Program, not to exceed \$4,500,000.

SEC. 2103. Notwithstanding any other provision of law, the Natural Resources Conservation Service shall provide financial and technical assistance to the Kuhn Bayou (Point Remove) Project in Arkansas from funds available for the Emergency Watershed Program, not to exceed \$3,300,000.

SEC. 2104. Notwithstanding any other provision of law, the Natural Resources Conservation Service shall provide financial and technical assistance to the Snake River Watershed project in Minnesota from funds available for the Emergency Watershed Program, not to exceed \$4,000,000.

CHAPTER 2

DEPARTMENT OF JUSTICE

RADIATION EXPOSURE COMPENSATION

PAYMENT TO RADIATION EXPOSURE COMPENSATION TRUST FUND

For an additional amount for "Payment to Radiation Exposure Compensation Trust Fund", \$7,246,000.

DEPARTMENT OF COMMERCE

ECONOMIC DEVELOPMENT ADMINISTRATION

ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS

For an additional amount for "Economic Development Assistance Programs", \$8,000,000 for public works grants for communities affected by hurricanes and other natural disasters.

SALARIES AND EXPENSES

For an additional amount for "Salaries and Expenses", \$300,000 to administer public works grants for communities affected by hurricanes and other natural disasters.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

OPERATIONS, RESEARCH, AND FACILITIES

For an additional amount for the account entitled "Operations, Research, and Facilities", \$5,500,000.

DEPARTMENT OF STATE

PRESIDENTIAL ADVISORY COMMISSION ON HOLOCAUST ASSETS IN THE UNITED STATES

For an additional amount for the "Presidential Advisory Commission on Holocaust Assets in the United States", as authorized by Public Law 105-186, as amended, \$1,400,000, to remain available until March 31, 2001, for the direct funding of the activities of the Commission: *Provided*, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further*, That the entire amount provided shall be available only to the extent an official budget request that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.

CHAPTER 3

ENERGY PROGRAMS

URANIUM ENRICHMENT DECONTAMINATION AND DECOMMISSIONING FUND

For an additional amount for "Uranium enrichment decontamination and decommissioning fund", \$58,000,000, to be derived from the Fund, to remain available until expended.

CHAPTER 4

DEPARTMENT OF LABOR

EMPLOYMENT AND TRAINING ADMINISTRATION

TRAINING AND EMPLOYMENT SERVICES

For an additional amount for "Training and Employment Services", \$40,000,000, to be available for obligation for the period April 1, 2000, through June 30, 2001, to be distributed by the Secretary of Labor to States for youth activities in the local areas containing the 50 cities with the largest populations, as determined by the latest available Census data, in accordance with the formula criteria for allocations to local areas contained in section 128(b)(2)(A)(i) of the Workforce Investment Act: *Provided*, That the amounts distributed to the States shall be distributed within each State to the designated local areas without regard to section 127(a) and (b)(1) and section 128(a) of such Act.

MINE SAFETY AND HEALTH ADMINISTRATION

SALARIES AND EXPENSES

The matter under this heading in the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2000 (as enacted into law by section 1000(a)(4) of Public Law 106-113) is amended by striking "including not to exceed \$750,000 may be collected by the National Mine Health and Safety Academy" and inserting "and, in addition, not to exceed \$750,000 may be collected by the National Mine Health and Safety Academy".

DEPARTMENT OF HEALTH AND HUMAN SERVICES

ADMINISTRATION FOR CHILDREN AND FAMILIES

PAYMENTS TO STATES FOR FOSTER CARE AND ADOPTION ASSISTANCE

For an additional amount for "Payments to States for Foster Care and Adoption Assistance" for payments for fiscal year 2000, \$35,000,000.

ADMINISTRATION ON AGING

AGING SERVICES PROGRAMS

The matter under this heading in the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2000 (as enacted into law by section 1000(a)(4) of Public Law 106-113) is amended by inserting after "\$934,285,000" the following: ", of which \$2,200,000 shall be for the Anchorage, Alaska Senior Center, and shall remain available until expended".

GENERAL PROVISIONS—DEPARTMENT OF HEALTH AND HUMAN SERVICES

SEC. 2401. Section 206 of the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2000 (as enacted into law by section 1000(a)(4) of Public Law 106-113) is amended by inserting before the period at the end the following: "": *Provided further*, That this section shall not apply to funds appropriated under the heading 'Centers for Disease Control and Prevention—Disease Control, Research, and Training', funds made available to the Centers for Disease Control and Prevention under the heading 'Public Health and Social Services Emergency Fund', or any other funds made available in this Act to the Centers for Disease Control and Prevention".

SEC. 2402. Section 216 of the Departments of Labor, Health and Human Services, and

Education, and Related Agencies Appropriations Act, 2000 (as enacted into law by section 1000(a)(4) of Public Law 106-113) is repealed.

DEPARTMENT OF EDUCATION

HIGHER EDUCATION

Funds appropriated under this heading in Public Law 105-78 to carry out title X-E of the Higher Education Act shall be available for obligation by the states through September 30, 2000, and funds appropriated in Public Law 105-277 to carry out title VIII-D of the Higher Education Amendments of 1998 shall be available for obligation by the states through September 30, 2001.

EDUCATION RESEARCH, STATISTICS, AND IMPROVEMENT

The matter under this heading in the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2000 (as enacted into law by section 1000(a)(4) of Public Law 106-113) is amended—

(1) by striking “North Babylon Community Youth Services for an educational program” and inserting “Town of Babylon Youth Bureau for an educational program”;

(2) by striking “to promote participation among youth in the United States democratic process” and inserting “to expand access to and improve advanced education”;

(3) by striking “Oakland Unified School District in California for an African American Literacy and Culture Project” and inserting “California State University, Hayward, for an African-American Literacy and Culture Project carried out in partnership with the Oakland Unified School District in California”;

(4) by striking “\$900,000 shall be awarded to the Boston Music Education Collaborative comprehensive interdisciplinary music program and teacher resource center in Boston, Massachusetts” and inserting “\$462,000 shall be awarded to the Boston Symphony Orchestra for the teacher resource center and \$370,000 shall be awarded to the Boston Music Education Collaborative for an interdisciplinary music program, in Boston, Massachusetts”.

RELATED AGENCIES

RAILROAD RETIREMENT BOARD

LIMITATION ON ADMINISTRATION

For an additional amount for “Limitation on Administration”, \$500,000, to be available through September 30, 2001.

SOCIAL SECURITY ADMINISTRATION

LIMITATION ON ADMINISTRATIVE EXPENSES

For an additional amount for “Limitation on Administrative Expenses”, \$50,000,000, to be available through September 30, 2001.

GENERAL PROVISIONS—THIS CHAPTER

SEC. 2403. Section 403(a)(5) of the Social Security Act (42 U.S.C. 603(a)(5)), as amended by section 806(b) of the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2000 (as enacted into law by section 1000(a)(4) of Public Law 106-113) is amended—

(1) in subparagraph (F), by striking “\$1,500,000” and inserting “\$15,000,000”;

(2) in subparagraph (G), by striking “\$900,000” and inserting “\$9,000,000”; and

(3) in subparagraph (H), by striking “\$300,000” and inserting “\$3,000,000”.

SEC. 2404. (a) WORKFORCE INVESTMENT ACT OF 1998.—The Workforce Investment Act of 1998 (20 U.S.C. 2841) is amended—

(1) in section 503—

(A) by striking “under Public Law 88-210 (as amended; 20 U.S.C. 2301 et seq.)” each place it appears and inserting in lieu thereof, “under Public Law 105-332 (20 U.S.C. 2301 et seq.)”; and

(B) by adding at the end the following:

“(d) Notwithstanding any other provision of this section, for fiscal year 2000, the Secretary shall not consider the expected levels of performance under Public Law 105-332 (20 U.S.C. 2301 et seq.) and shall not award a grant under subsection (a) based on the levels of performance for that Act.”.

(b) CARL D. PERKINS VOCATIONAL AND TECHNICAL EDUCATION ACT OF 1998.—Section 111 (a)(1)(C) of the Carl D. Perkins Vocational and Technical Education Act of 1998 (20 U.S.C. 2321) is amended by striking “fiscal years 2000” and inserting in lieu thereof “fiscal years 2001”.

CHAPTER 5

DEPARTMENT OF TRANSPORTATION AND RELATED AGENCIES

FEDERAL AVIATION ADMINISTRATION

OPERATIONS

(AIRPORT AND AIRWAYS TRUST FUND)

(TRANSFER OF FUNDS)

For an additional amount for “Operations”, \$77,000,000, of which \$50,400,000 shall be derived by transfer from the unobligated balances of “Facilities and Equipment”, and \$26,600,000 shall be derived from funds transferred to the Department of Transportation for year 2000 conversion of Federal information technology systems and related expenses pursuant to Public Law 105-277, to be available until September 30, 2001.

GENERAL PROVISIONS—THIS CHAPTER

SEC. 2501. Under the heading “Discretionary Grants” in Public Law 105-66, “\$4,000,000 for the Salt Lake City regional commuter system project;” is amended to read “\$4,000,000 for the transit and other transportation-related portions of the Salt Lake City regional commuter system and Gateway Intermodal Terminal.”.

SEC. 2502. Notwithstanding any other provision of law, the Commandant shall transfer \$8,000,000 identified in the conference report accompanying Public Law 106-69 for “Unalaska, AK—pier” to the City of Unalaska, Alaska for the construction of a municipal pier and other harbor improvements: *Provided*, That the City of Unalaska enter into an agreement with the United States to accommodate Coast Guard vessels and support Coast Guard operations at Unalaska, Alaska.

SEC. 2503. From amounts previously made available in Public Law 106-69 (Department of Transportation and Related Agencies Appropriations Act, 2000) for “Research, Engineering, and Development”, \$600,000 shall be available only for testing the potential for ultra-wideband signals to interfere with global positioning system receivers by the National Telecommunications and Information Administration (NTIA): *Provided*, That the results of said test be reported to the House and Senate Committees on Appropriations not later than six months from the date of enactment of this act.

SEC. 2504. Notwithstanding any other provision of law, there is appropriated to the Federal Highway Administration for transfer to the Utah Department of Transportation, \$35,000,000 for Interstate 15 reconstruction; such sums to remain available until expended: *Provided*, That the Utah Department of Transportation shall make available from state funds \$35,000,000 for transportation planning, and temporary and permanent transportation infrastructure improvements for the Salt Lake City 2002 Olympic Winter Games: *Provided further*, That the specific planning activities and transportation infrastructure projects identified for state funding shall be limited to the following projects included in the Olympic Transportation Concept Plan approved by the Secretary of Transportation:

- (1) Planning
- (2) Venue Load and Unload
- (3) Transit Bus Project
- (4) Bus Maintenance Facilities
- (5) Olympic Park & Ride Lots
- (6) North-South Light Rail Park & Ride Lot Expansion.

SEC. 2505. Notwithstanding any other provision of law, the Secretary of Transportation may hereafter use Federal Highway Administration Emergency Relief funds as authorized under 23 U.S.C. 125, to reconstruct or modify to a higher elevation roads that are currently impounding water within a closed basin lake greater than fifty thousand acres: *Provided*, That the structures on which the roadways are to be built shall be constructed to applicable approved United States Army Corps of Engineers design standards.

CHAPTER 6

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

HOMELESS ASSISTANCE GRANTS

Amounts made available under this heading in title II of Public Law 106-74 shall first be made available to renew all expiring rental contracts under the supportive housing program (as authorized under subtitle C of title IV of the Stewart B. McKinney Homeless Assistance Act, as amended), and the shelter plus care program (as authorized under subtitle F of title IV of such Act): *Provided*, That a request for such funding be submitted in accordance with the eligibility requirements established by the Secretary pursuant to a notice of funding availability for fiscal year 2000: *Provided further*, That the Secretary may make funds available as necessary to renew all grants for rental assistance under subtitle C of title IV of the Stewart B. McKinney Homeless Assistance Act, as amended, for permanent housing for homeless persons with disabilities or subtitle F of such Act where a request for funding was submitted in accordance with the eligibility requirements established by the Secretary pursuant to the notice of funding availability for fiscal year 1999 covering such programs but not approved; and the grant request was made by an entity that received such a grant pursuant to the notice of funding availability for a previous fiscal year and the funding under such previous grant expires during calendar year 2000: *Provided further*, That each grant awarded under this heading shall be certified by the Secretary as needed to meet the needs of the homeless in the community in which the grant was made and that the financial accounts of each grantee are determined to meet all applicable accounting requirements.

HOUSING PROGRAMS

FHA-GENERAL AND SPECIAL RISK PROGRAM ACCOUNT

For an additional amount for “FHA General and special risk program account” for the cost of guaranteed loans, as authorized by sections 238 and 519 of the National Housing Act (12 U.S.C. 1715z-3 and 1735c), including the cost of loan modifications (as that term is defined in section 502 of the Congressional Budget Act of 1974, as amended), \$49,000,000, to remain available until expended.

MANAGEMENT AND ADMINISTRATION

OFFICE OF THE INSPECTOR GENERAL

(INCLUDING RESCISSION OF FUNDS)

Of the amounts made available under this heading in Public Law 106-74, the \$20,000,000 provided for the Office of the Inspector General is rescinded. For an additional amount for the “Office of the Inspector General”, \$20,000,000, to remain available until September 30, 2001: *Provided*, That these funds

shall be made available under the same terms and conditions as authorized for the funds under this heading in Public Law 106-74.

NATIONAL AERONAUTICS AND SPACE
ADMINISTRATION
HUMAN SPACE FLIGHT

For an additional amount for "Human Space Flight" to provide for urgent upgrades to the space shuttle fleet, \$25,800,000, to remain available until September 30, 2001.

MISSION SUPPORT

For an additional amount for "Mission Support" to provide for needed augmentation of personnel, \$20,200,000, to remain available until September 30, 2001.

NATIONAL SCIENCE FOUNDATION
EDUCATION AND HUMAN RESOURCES

For an additional amount for "Education and human resources", \$1,000,000.

GENERAL PROVISIONS—THIS CHAPTER

SEC. 2601. Title V, Subtitle C, section 538 of Public Law 106-74, is amended by striking "during any period that the assisted family continues residing in the same project in which the family was residing on the date of the eligibility event for the project, if" and inserting in lieu thereof the following: "the assisted family may elect to remain in the same project in which the family was residing on the date of the eligibility event for the project, and if, during any period the family makes such an election and continues to reside,".

SEC. 2602. None of the funds appropriated under this or any other Act may be used by the Secretary of Housing and Urban Development to hire any staff for the replacement of any position that is designated or was formerly designated as an external community builder position within the Department of Housing and Urban Development: *Provided*, That none of the funds appropriated under this or any other Act shall be used to hire any staff above a GS-12 grade level until the Secretary has submitted an employment staffing plan to the House and Senate Committees on Appropriations that reflects the staffing and capacity needs of the Department: *Provided further*, That the Secretary may hire staff above a GS-12 level on a finding of special need and that the finding of special need has been certified as such by the Office of Personnel Management.

SEC. 2603. None of the funds appropriated under this or any other Act may be used by the Secretary of Housing and Urban Development to prohibit or debar any entity (and the individuals comprising that entity) that is responsible for convening and managing a continuum of care process (convenor) in a community for purposes of the Stewart B. McKinney Homeless Assistance Act from participating in that capacity unless the Secretary has published in the Federal Register a description of all circumstances that would be grounds for prohibiting or debarring a convenor from administering a continuum of care process and the procedures for a prohibition or debarment: *Provided*, That these procedures shall include a requirement that a convenor shall be provided with timely notice of a proposed prohibition or debarment, an identification of the circumstances that could result in the prohibition or debarment, an opportunity to respond to or remedy these circumstances, and the right for judicial review of any decision of the Secretary that results in a prohibition or debarment.

SEC. 2604. Section 175 of Public Law 106-113 is amended by striking out "as a grant for Special Olympics in Anchorage Alaska to develop the Ben Boeke Arena and Hilltop Ski Area," and insert in lieu thereof the fol-

lowing "to the Organizing Committee for the 2001 Special Olympics World Winter games to be used in support of related activities in Alaska,".

SEC. 2605. Of the amount made available under the fourth undesignated paragraph under the "Community Planning and Development—Community Development Block Grants" in title II of the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 2000 (Public Law 106-74; 113 Stat. 1062) for neighborhood initiatives for specified grants, the \$500,000 to be made available (pursuant to the related provisions of the joint explanatory statement in the conference report to accompany such Act (House Report No. 106-379, 106th Congress, 1st session)) to the City of Yankton, South Dakota, for the restoration of the downtown area and the development of the Fox Run Industrial Park shall, notwithstanding such provisions, be made available to such city for activities to facilitate economic development, including infrastructure improvements.

SEC. 2606. (a) TECHNICAL REVISION TO PUBLIC LAW 106-74.—Title II of Public Law 106-74 is amended—

(1) under the heading "Urban Empowerment Zones", by striking "\$3,666,000" and inserting "\$3,666,666"; and

(2) under the heading "Community Development Block Grants" under the fourth undesignated paragraph, by striking "\$23,000,000" and inserting "\$22,750,000".

(b) TECHNICAL REVISION TO PUBLIC LAW 106-113.—Section 242(a) of Appendix E of Public Law 106-113 is amended—

(1) by striking "seventh" and inserting "sixth"; and

(2) by striking "\$250,175,000" and inserting "\$250,900,000".

(c) EFFECTIVE DATES.—The amendments made by—

(1) subsection (a) shall be construed to have taken effect on October 20, 1999; and

(2) subsection (b) shall be construed to have taken effect on November 29, 1999.

SEC. 2607. SECTION 235 RESCISSION. Section 208(3) of the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 2000 is amended—

(1) by striking "235(r)" and inserting "235";

(2) by inserting after "104 Stat. 2305)" the following: "for payments under section 235(r) of the National Housing Act"; and

(3) by striking "for such purposes".

SEC. 2608. PUBLIC HOUSING ADVISORY COMMITTEE. Section 2(b)(2) of the United States Housing Act of 1937 is amended—

(a) by striking "or" at the end of subparagraph (A);

(b) by striking the period at the end of subparagraph (B) and inserting in lieu thereof "or"; and

(c) by adding the following new subparagraph (C):

"(C) that is a state housing finance agency that is responsible for administering public housing or section 8 in a state, except that the state housing finance agency shall establish an advisory committee of persons who are residents of such public housing or who are assisted under such section 8. This advisory committee shall meet not less than quarterly and shall advise the state housing finance agency on issues that directly impact the public housing or section 8 that is administered by the state housing finance agency.".

CHAPTER 7

OFFSETS

DEPARTMENT OF AGRICULTURE

OFFICE OF THE CHIEF INFORMATION OFFICER

Of the funds transferred to "Office of the Chief Information Officer" for year 2000 con-

version of Federal information technology systems and related expenses pursuant to Division B, Title III of Public Law 105-277, \$2,435,000 of the unobligated balances are hereby canceled.

DEPARTMENT OF JUSTICE

GENERAL ADMINISTRATION

SALARIES AND EXPENSES

(RESCISSION)

Of the amounts made available under this heading for General Administration, \$2,000,000 are rescinded.

UNITED STATES PAROLE COMMISSION

SALARIES AND EXPENSES

(RESCISSION)

Of the unobligated balances available under this heading, \$1,147,000 are rescinded.

LEGAL ACTIVITIES

SALARIES AND EXPENSES, GENERAL LEGAL
ACTIVITIES

(RESCISSION)

Of the unobligated balances available under this heading for the Civil Division, \$2,000,000 are rescinded.

ASSET FORFEITURE FUND

(RESCISSION)

Of the unobligated balances available under this heading, \$13,500,000 are rescinded.

FEDERAL BUREAU OF INVESTIGATION

SALARIES AND EXPENSES

(RESCISSION)

Of the unobligated balances available under this heading for the Information Sharing Initiative, \$15,000,000 are rescinded.

IMMIGRATION AND NATURALIZATION SERVICE

SALARIES AND EXPENSES

ENFORCEMENT AND BORDER AFFAIRS

(RESCISSION)

Of the unobligated balances available under this heading for Washington headquarters operations, including all unobligated balances available for the Office of the Chief of the Border Patrol, \$5,000,000 are rescinded.

CITIZENSHIP AND BENEFITS, IMMIGRATION

SUPPORT AND PROGRAM DIRECTION

(RESCISSION)

Of the unobligated balances available under this heading for Washington headquarters operations, \$5,000,000 are rescinded.

VIOLENT CRIME REDUCTION PROGRAMS

(RESCISSION)

Of the unobligated balances available under this heading for Washington headquarters operations, \$5,000,000 are rescinded.

OFFICE OF JUSTICE PROGRAMS

JUSTICE ASSISTANCE

(RESCISSION)

Of the amounts made available under this heading for the Bureau of Justice Assistance, \$500,000 are rescinded from the Management and Administration activity.

STATE AND LOCAL LAW ENFORCEMENT

ASSISTANCE

(RESCISSION)

Of the unobligated balances available under this heading for the State Criminal Alien Assistance Program, \$82,399,000 are rescinded.

DEPARTMENT OF COMMERCE

SCIENCE AND TECHNOLOGY

NATIONAL INSTITUTE OF STANDARDS AND
TECHNOLOGY

INDUSTRIAL TECHNOLOGY SERVICES

(RESCISSION)

Of the unobligated balances available under this heading for the Advanced Technology Program, \$4,500,000 are rescinded.

RELATED AGENCIES
SMALL BUSINESS ADMINISTRATION
SALARIES AND EXPENSES
(RESCISSION)

Of the unobligated balances available under this heading, \$5,000,000 are rescinded from the New Markets Venture Capital Program.

BUSINESS LOANS PROGRAM ACCOUNT
(RESCISSION)

Of the unobligated balances available under this heading for the New Markets Venture Capital Program, \$1,500,000 are rescinded.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

DEPARTMENTAL MANAGEMENT
PUBLIC HEALTH AND SOCIAL SERVICES
EMERGENCY FUND

Of the funds transferred to "Public Health and Social Services Emergency Fund" for year 2000 conversion of Federal information technology systems and related expenses pursuant to Division B, Title III of Public Law 105-277, \$26,452,000 of the unobligated balances is hereby canceled. In addition, of the funds appropriated for the Department's year 2000 computer conversion activities under this heading in the Department of Health and Human Services Appropriations Act, 2000, as enacted by section 1000(a)(4) of the Consolidated Appropriations Act, 2000 (Public Law 106-113), \$98,048,000 is hereby canceled.

EXECUTIVE OFFICE OF THE PRESIDENT
FEDERAL DRUG CONTROL PROGRAMS
SPECIAL FORFEITURE FUND
(RESCISSION)

Of the amounts made available under this heading in Public Law 106-58 for the national media campaign, \$3,300,000 are hereby rescinded.

UNANTICIPATED NEEDS
INFORMATION TECHNOLOGY SYSTEMS AND RELATED EXPENSES

Under this heading in division B, title III of Public Law 105-277, strike "\$2,250,000,000" and insert "\$2,015,000,000".

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
PUBLIC AND INDIAN HOUSING
HOUSING CERTIFICATE FUND
(RESCISSION)

Of the amounts recaptured under this heading from funds appropriated during fiscal year 2000 and prior years, \$128,000,000 is hereby rescinded.

GENERAL PROVISION—THIS CHAPTER
(RESCISSION)

SEC. 2701. (a) Of the unobligated balances available on October 1, 2000 from appropriations made in fiscal year 2000 and prior years, in the nondefense, general purpose category to the departments and agencies of the Federal Government for Information Technology programs and activities, \$325,000,000 are rescinded.

(b) Within 30 days after the date of the effective date of this section, the Director of the Office of Management and Budget shall submit to the Committees on Appropriations of the House of Representatives and the Senate a listing of the amounts by account of the reductions made pursuant to the provisions of subsection (a) of this section.

(c) Subsection (a) shall be effective on October 1, 2000.

CHAPTER 8

GENERAL PROVISIONS—THIS TITLE

SEC. 2801. For purposes of Section 201 of the Drug Price Competition and Patent Term

Restoration Act, commonly known as the Hatch-Waxman Act (35 U.S.C. 156), a patent which claims an elemental biologic used in manufacturing a product shall be eligible for an extension of its term on the same terms and conditions as other patents eligible under such Section, except that: (1) under 35 U.S.C. 156(a)(4), the product manufactured using such elemental biologic, rather than such elemental biologic, shall have been subject to a regulatory review period before its commercial marketing or use; and (2) an application for extension of term may be submitted within the sixty-day period beginning on the date of enactment of this section or within the sixty-day period beginning on the date the patent becomes eligible for extension under this section. For purposes of this section, the term "elemental biologic" means a genetically engineered cell, or method of making thereof, used in manufacturing five or more new drugs, antibiotic drugs, or human biological products, each subject to a regulatory review period before commercial marketing or use and each receiving permission under the provision of law under which the applicable regulatory review period occurred for commercial marketing or use. To be eligible to apply for a term extension under this section, the owner of record of a patent claiming an elemental biologic must: (1) be a non-profit organization as defined by section 201 of title 35; (2) not itself commercially sell the product, and have made reasonable efforts to promote utilization of the patented invention in commercial markets by licensing, on a non-exclusive, royalty free or reasonable royalty basis, rights to make, use, offer to sell, or sell the invention; and (3) share any royalties with the inventor, and after payment of expenses (including payments to inventors) incidental to administration of inventions, invest the balance of any royalties or income earned from the invention in scientific research or education. This section shall apply to any patent not yet expired at the time of enactment of this section and to any patent issued thereafter. A timely applicant shall be entitled to a decision by the Commissioner of Patents and Trademarks granting or denying the application prior to such expiration of the patent, or if the Commissioner cannot render such decision prior to such expiration, an extension under section 156(e)(2), Title 35 United States Code, prior to expiration of the patent.

SEC. 2802. At the end of the first paragraph under the heading "National Oceanic and Atmospheric Administration, Operations, Research, and Facilities" in title II of H.R. 3421 of the 106th Congress as enacted by section 1000(a)(1) of Public Law 106-113, add the following: "Provided further, That the vessel RAINIER shall use Ketchikan, Alaska as its home port".

SEC. 2803. Notwithstanding any other provision of law Section 109 of the Commerce, Justice, and State, the Judiciary and Related Agencies Appropriations Act 1995, Public Law 103-317 (28 U.S.C. 509 note) is repealed.

SEC. 2804. Notwithstanding any other provision of law, not later than 15 days after the date of enactment of this Act the Department of Justice shall transfer back to any Department or Agency all funds provided to the Department of Justice as reimbursement for the costs of tobacco litigation: *Provided*, That the Department of Justice shall report to the Committees on Appropriations on the amounts reimbursed, by Department and Agency, and the date when the reimbursements are completed.

SEC. 2805. Under the heading "Federal Communications Commission, Salaries and Expenses" in title V of H.R. 3421 of the 106th Congress, as enacted by section 1000(a)(1) of

Public Law 106-113, delete "\$210,000,000" and insert "\$215,800,000"; in the first and third provisos delete "\$185,754,000" and insert "\$191,554,000" in each such proviso.

SEC. 2806. Under the heading "Telecommunications carrier compliance fund" in title I of H.R. 3421 of the 106th Congress, as enacted by section 1000(a)(1) of Public Law 106-113, strike "\$15,000,000" and insert "\$115,000,000".

SEC. 2807. At the end of the paragraph under the heading "Justice prisoner and alien transportation system fund, United States Marshals Service" in title I of H.R. 3421 of the 106th Congress, as enacted by section 1000(a)(1) of Public Law 106-113, add the following: "In addition, \$13,500,000, to remain available until expended, shall be available only for the purchase of two Sabreliner-class aircraft."

SEC. 2808. Title IV of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 2000 (as contained in Public Law 106-113) is amended in the paragraph entitled "Diplomatic and consular programs" by inserting after the fourth proviso: "Provided further, That of the amount made available under this heading, \$5,000,000, less any costs already paid, shall be used to reimburse the City of Seattle and other Washington state jurisdictions for security costs incurred in hosting the Third World Trade Organization Ministerial Conference."

SEC. 2809. Of the discretionary funds appropriated to the Edward Byrne Memorial State and Local Law Enforcement Assistance Program in fiscal year 2000, \$1,000,000 shall be transferred to the Violent Offender Incarceration and Truth In Sentencing Incentive Grants Program to be used for the construction costs of the Hoonah Spirit Camp, as authorized under section 20109(a) of subtitle A of title II of the 1994 Act.

SEC. 2810. Title I of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 2000 (as contained in Public Law 106-113) is amended in the paragraph entitled "Federal Bureau of Investigation, Salaries and Expenses" by inserting after the third proviso the following new proviso: "Provided further, That in addition to amounts made available under this heading, \$3,000,000 shall be available for the creation of a new site for the National Domestic Preparedness Office outside of FBI Headquarters and the implementation of the 'Blueprint' with regard to the National Domestic Preparedness Office".

SEC. 2811. Of the funds made available in fiscal year 2000 for the Department of Commerce, \$1,000,000 shall be derived from the account entitled "General Administration" and \$500,000 from the account entitled "Office of the Inspector General" and made available for the Commission on Online Child Protection as established under Title XIII of Public Law 105-825, and extended by subsequent law.

TITLE III

GENERAL PROVISIONS—THIS DIVISION

SEC. 3101. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 3102. Notwithstanding the provisions of 10 U.S.C. 125(a), 3013, 3014, 3015, and 3016, none of the funds made available in this or any other Act may be used to restructure, reorganize, abolish, transfer, consolidate, or otherwise alter or modify, the organizational or management oversight structure; existing delegations; or functions or activities, applicable to the Army Corps of Engineers.

SEC. 3103. Notwithstanding any other provision of law, no funds provided in this or

any other Act may be used to further reallocate Central Arizona Project water or to prepare an Environmental Assessment, Environmental Impact Statement, or Record of Decision providing for a reallocation of Central Arizona Project water until further act of Congress authorizing and directing the Secretary of the Interior to make allocations and enter into contracts for delivery of Central Arizona Project water.

SEC. 3104. Funds appropriated in this or any other Act and hereafter may not be used to pay on behalf of the United States or a contractor or subcontractor of the United States for posting a bond or fulfilling any other financial responsibility requirement relating to closure or post-closure care and monitoring of the Waste Isolation Pilot Plant. The State of New Mexico or any other entity may not enforce against the United States or a contractor or subcontractor of the United States, in this or any subsequent fiscal year, a requirement to post bond or any other financial responsibility requirement relating to closure or post-closure care and monitoring of the Waste Isolation Pilot Plant. Any financial responsibility requirement in a permit or license for the Waste Isolation Pilot Plant on the date of enactment of this section may not be enforced against the United States or its contractors or subcontractors at the Plant.

SEC. 3105. None of the funds made available under this Act or any other Act shall be used by the Secretary of the Interior, in this or the succeeding fiscal year, to promulgate final rules to revise or amend 43 C.F.R. Subpart 3809, except that the Secretary may finalize amendments to that Subpart that are limited to only the specific regulatory gaps identified at pages 7 through 9 of the National Research Council report entitled "Hardrock Mining on Federal Lands" and that are consistent with existing statutory authorities. Nothing in this section shall be construed to expand the existing statutory authority of the Secretary.

SEC. 3106. No funds may be expended in fiscal year 2000 by the Federal Communications Commission to conduct competitive bidding procedures that involve mutually exclusive applications where one or more of the applicants in a station, including an auxiliary radio booster or translator station or television translator station, licensed under section 397(6) of the Communications Act, whether broadcasting on reserved or non-reserved spectrum.

SEC. 3107. Using previously appropriated and available funds, the Secretary shall develop and implement a process which pays interim compensation by June 15, 2000, to all persons and entities eligible for compensation under section 123 of title I, section 101(e) of Public Law 105-277, as amended.

SEC. 3108. OREGON INLET, NORTH CAROLINA, FLOOD CONTROL IMPROVEMENTS. (a) IN GENERAL.—

(1) JOINT DESIGNATION.—Not later than 60 days after the date of enactment of this Act—

(A) the Secretary of the Interior and the Secretary of the Army, acting through the Chief of Engineers, shall jointly designate tracts of land for the jetty and sand transfer system for the Oregon Inlet on the Coast of North Carolina, approximately 85 miles south of Cape Henry and 45 miles north of Cape Hatteras (as described on page 12 of the Report of the House of Representatives numbered 91-1665), authorized under the River and Harbor Act of 1970 and the Flood Control Act of 1970 (Public Law 91-611; 84 Stat. 1818); and

(B) the Secretary of the Interior shall transfer administrative jurisdiction over the tracts of land referred to in subparagraph (A) to the Secretary of the Army.

(2) FAILURE TO JOINTLY DESIGNATE.—If the Secretary of the Interior and the Secretary of the Army fail to jointly designate the tracts of land referred to in paragraph (1)(A) by the date that is 60 days after the date of enactment of this Act, the Secretary of the Army shall designate the tracts of land pursuant to a description prepared by the Secretary of the Army, in consultation with the Chief of Engineers, and shall provide notice to the Secretary of the Interior of the designation. Upon receipt of the notice, the Secretary of the Interior shall transfer administrative jurisdiction over the tracts of land to the Secretary of the Army.

(b) SIZE.—

(1) LIMITS.—Except as provided in paragraph (2), the quantity of acreage in the tracts of land referred to in subsection (a) shall not exceed—

(A) with respect to the tract in the Cape Hatteras National Seashore Recreational Area, 93 acres; and

(B) with respect to the tract in the Pea Island National Wildlife Refuge, 33 acres.

(2) EXCEPTION.—If the Secretary of the Army and the Secretary of the Interior jointly designate the tracts of land pursuant to subsection (a)(1)(A), the area of each tract may exceed the acreage specified for the tract in paragraph (1).

(c) MODIFICATION OF SIZE IN EVENT OF FAILURE TO JOINTLY DESIGNATE.—Notwithstanding subsection (b)(1), if, after designating the tracts of land pursuant to subsection (a)(2), the Secretary of the Army determines that any tract is inadequate for the construction, operation, and maintenance of a jetty and sand transfer system for the Oregon Inlet, the Secretary of the Army may designate, not earlier than 60 days after providing notice of a designation to the Secretary of the Interior under subsection (a)(2), an additional tract of land adjacent to the inadequate tract.

SEC. 3109. Notwithstanding any other provision of law, the Indian Health Service is authorized to improve municipal, private or tribal lands with respect to the new construction of the clinic for the community of King Cove, Alaska authorized under section 353 of Public Law 105-277 (112 Stat. 2681-303).

SEC. 3110. Section 306 of H.R. 3425 of the 106th Congress, as enacted into law by section 1000(a)(5) of Public Law 106-113, is hereby repealed.

TITLE IV—FOOD AND MEDICINE FOR THE WORLD ACT

SEC. 4001. SHORT TITLE.

This title may be cited as the "Food and Medicine for the World Act".

SEC. 4002. DEFINITIONS.

In this title:

(1) AGRICULTURAL COMMODITY.—The term "agricultural commodity" has the meaning given the term in section 102 of the Agricultural Trade Act of 1978 (7 U.S.C. 5602).

(2) AGRICULTURAL PROGRAM.—The term "agricultural program" means—

(A) any program administered under the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1691 et seq.);

(B) any program administered under section 416 of the Agricultural Act of 1949 (7 U.S.C. 1431);

(C) any program administered under the Agricultural Trade Act of 1978 (7 U.S.C. 5601 et seq.);

(D) the dairy export incentive program administered under section 153 of the Food Security Act of 1985 (15 U.S.C. 713a-14);

(E) any commercial export sale of agricultural commodities; or

(F) any export financing (including credits or credit guarantees) provided by the United States Government for agricultural commodities.

(3) JOINT RESOLUTION.—The term "joint resolution" means—

(A) in the case of section 4003(a)(1), only a joint resolution introduced within 10 session days of Congress after the date on which the report of the President under section 4003(a)(1) is received by Congress, the matter after the resolving clause of which is as follows: "That Congress approves the report of the President pursuant to section 4003(a)(1) of the Food and Medicine for the World Act, transmitted on _____", with the blank completed with the appropriate date; and

(B) in the case of section 4006(1), only a joint resolution introduced within 10 session days of Congress after the date on which the report of the President under section 4006(2) is received by Congress, the matter after the resolving clause of which is as follows: "That Congress approves the report of the President pursuant to section 4006(1) of the Food and Medicine for the World Act, transmitted on _____", with the blank completed with the appropriate date.

(4) MEDICAL DEVICE.—The term "medical device" has the meaning given the term "device" in section 201 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321).

(5) MEDICINE.—The term "medicine" has the meaning given the term "drug" in section 201 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321).

(6) UNILATERAL AGRICULTURAL SANCTION.—The term "unilateral agricultural sanction" means any prohibition, restriction, or condition on carrying out an agricultural program with respect to a foreign country or foreign entity that is imposed by the United States for reasons of foreign policy or national security, except in a case in which the United States imposes the measure pursuant to a multilateral regime and the other member countries of that regime have agreed to impose substantially equivalent measures.

(7) UNILATERAL MEDICAL SANCTION.—The term "unilateral medical sanction" means any prohibition, restriction, or condition on exports of, or the provision of assistance consisting of, medicine or a medical device with respect to a foreign country or foreign entity that is imposed by the United States for reasons of foreign policy or national security, except in a case in which the United States imposes the measure pursuant to a multilateral regime and the other member countries of that regime have agreed to impose substantially equivalent measures.

SEC. 4003. RESTRICTION.

(a) NEW SANCTIONS.—Except as provided in sections 4004 and 4005 and notwithstanding any other provision of law, the President may not impose a unilateral agricultural sanction or unilateral medical sanction against a foreign country or foreign entity, unless—

(1) not later than 60 days before the sanction is proposed to be imposed, the President submits a report to Congress that—

(A) describes the activity proposed to be prohibited, restricted, or conditioned; and

(B) describes the actions by the foreign country or foreign entity that justify the sanction; and

(2) there is enacted into law a joint resolution stating the approval of Congress for the report submitted under paragraph (1).

(b) EXISTING SANCTIONS.—

(1) IN GENERAL.—Except as provided in paragraph (2), the President shall terminate any unilateral agricultural sanction or unilateral medical sanction that is in effect as of the date of enactment of this Act.

(2) EXEMPTIONS.—Paragraph (1) shall not apply to a unilateral agricultural sanction or unilateral medical sanction imposed—

(A) with respect to any program administered under section 416 of the Agricultural Act of 1949 (7 U.S.C. 1431);

(B) with respect to the Export Credit Guarantee Program (GSM-102) or the Intermediate Export Credit Guarantee Program (GSM-103) established under section 202 of the Agricultural Trade Act of 1978 (7 U.S.C. 5622); or

(C) with respect to the dairy export incentive program administered under section 153 of the Food Security Act of 1985 (15 U.S.C. 713a-14).

SEC. 4004. EXCEPTIONS.

Section 4003 shall not affect any authority or requirement to impose (or continue to impose) a sanction referred to in section 4003—

(1) against a foreign country or foreign entity—

(A) pursuant to a declaration of war against the country or entity;

(B) pursuant to specific statutory authorization for the use of the Armed Forces of the United States against the country or entity;

(C) against which the Armed Forces of the United States are involved in hostilities; or

(D) where imminent involvement by the Armed Forces of the United States in hostilities against the country or entity is clearly indicated by the circumstances; or

(2) to the extent that the sanction would prohibit, restrict, or condition the provision or use of any agricultural commodity, medicine, or medical device that is—

(A) controlled on the United States Munitions List established under section 38 of the Arms Export Control Act (22 U.S.C. 2778);

(B) controlled on any control list established under the Export Administration Act of 1979 or any successor statute (50 U.S.C. App. 2401 et seq.); or

(C) used to facilitate the development or production of a chemical or biological weapon or weapon of mass destruction.

SEC. 4005. COUNTRIES SUPPORTING INTERNATIONAL TERRORISM.

Notwithstanding section 4003 and except as provided in section 4007, the prohibitions in effect on or after the date of the enactment of this Act under section 620A of the Foreign Assistance Act of 1961 (22 U.S.C. 2371) on providing, to the government of any country supporting international terrorism, United States Government assistance, including United States foreign assistance, United States export assistance, or any United States credits or credit guarantees, shall remain in effect for such period as the Secretary of State determines under such section 620A that the government of the country has repeatedly provided support for acts of international terrorism.

SEC. 4006. TERMINATION OF SANCTIONS.

Any unilateral agricultural sanction or unilateral medical sanction that is imposed pursuant to the procedures described in section 4003(a) shall terminate not later than 2 years after the date on which the sanction became effective unless—

(1) not later than 60 days before the date of termination of the sanction, the President submits to Congress a report containing—

(A) the recommendation of the President for the continuation of the sanction for an additional period of not to exceed 2 years; and

(B) the request of the President for approval by Congress of the recommendation; and

(2) there is enacted into law a joint resolution stating the approval of Congress for the report submitted under paragraph (1).

SEC. 4007. STATE SPONSORS OF INTERNATIONAL TERRORISM.

(a) IN GENERAL.—Notwithstanding any other provision of this title, the export of ag-

ricultural commodities, medicine, or medical devices to the government of a country that has been determined by the Secretary of State to have repeatedly provided support for acts of international terrorism under section 620A of the Foreign Assistance Act of 1961 (22 U.S.C. 2371) shall only be made—

(1) pursuant to one-year licenses issued by the United States Government for contracts entered into during the one-year period and completed with the 12-month period beginning on the date of the signing of the contract, except that, in the case of the export of items used for food and for food production, such one-year licenses shall otherwise be no more restrictive than general licenses; and

(2) without benefit of Federal financing, direct export subsidies, Federal credit guarantees, or other Federal promotion assistance programs.

(b) QUARTERLY REPORTS.—The applicable department or agency of the Federal Government shall submit to the appropriate congressional committees on a quarterly basis a report on any activities undertaken under subsection (a)(1) during the preceding calendar quarter.

(c) BIENNIAL REPORTS.—Not later than two years after the date of enactment of this Act, and every two years thereafter, the applicable department or agency of the Federal Government shall submit a report to the appropriate congressional committees on the operation of the licensing system under this section for the preceding two-year period, including—

(1) the number and types of licenses applied for;

(2) the number and types of licenses approved;

(3) the average amount of time elapsed from the date of filing of a license application until the date of its approval;

(4) the extent to which the licensing procedures were effectively implemented; and

(5) a description of comments received from interested parties about the extent to which the licensing procedures were effective, after the applicable department or agency holds a public 30-day comment period.

SEC. 4008. CONGRESSIONAL EXPEDITED PROCEDURES.

Consideration of a joint resolution relating to a report described in section 4003(a)(1) or 4006(1) shall be subject to expedited procedures as determined by the House of Representatives and as determined by the Senate.

SEC. 4009. EFFECTIVE DATE.

(a) IN GENERAL.—Except as provided in subsection (b), this title takes effect on the date of enactment of this Act.

(b) EXISTING SANCTIONS.—In the case of any unilateral agricultural sanction or unilateral medical sanction that is in effect as of the date of enactment of this Act, this title takes effect 180 days after the date of enactment of this Act.

This Division may be cited as the “Fiscal Year 2000 Emergency Supplemental Appropriations Act for Natural Disasters Assistance”.

This Act may be cited as the “Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2001”.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2001

EDWARDS AMENDMENT NO. 3375

Mr. EDWARDS submitted an amendment intended to be proposed by him

to the bill (S. 2549) to authorize appropriations for fiscal year 2001 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; as follows:

At the appropriate place, insert the following:

SEC. . REGARDING LAND CONVEYANCE, MARINE CORPS BASE, CAMP LEJEUNE, NORTH CAROLINA.

(a) CONVEYANCE AUTHORIZED.—The Secretary of the Navy may convey, to the city of Jacksonville, North Carolina (City), all right, title and interest of the United States in and to real property, including improvements thereon, and currently leased to Norfolk Southern Corporation (NSC), consisting of approximately 50 acres, known as the railroad right-of-way, lying within the City between Highway 24 and Highway 17, at the Marine Corps Base, Camp Lejeune, North Carolina, for the purpose of permitting the City to develop the parcel for initial use as a bike/green way trail.

(b) CONSIDERATION.—As consideration for the conveyance under subsection (a), the City shall reimburse the Secretary such amounts (as determined by the Secretary) equal to the costs incurred by the Secretary in carrying out the provisions of this section, including, but not limited to, planning, design, surveys, environmental assessment and compliance, supervision and inspection of construction, severing and realigning utility systems, and other prudent and necessary actions, prior to the conveyance authorized by subsection (a). Amounts collected under this subsection shall be credited to the account(s) from which the expenses were paid. Amounts so credited shall be merged with funds in such account(s) and shall be available for the same purposes and subject to the same limitations as the funds with which merged.

(c) CONDITION OF CONVEYANCE.—The right of the Secretary of the Navy to retain such easements, rights of way, and other interests in the property conveyed and to impose such restrictions on the property conveyed as are necessary to ensure the effective security, maintenance, and operations of the Marine Corps Base, Camp Lejeune, North Carolina, and to protect human health and the environment.

(d) DESCRIPTION OF THE PROPERTY.—The exact acreage and legal description of the real property authorized to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary of the Navy.

(e) ADDITIONAL TERMS AND CONDITIONS.—The Secretary of the Navy may require such additional terms and conditions in connection with the conveyance under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

DEPARTMENT OF DEFENSE APPROPRIATIONS 2001

LOTT (AND COCHRAN) AMENDMENT NO. 3376

Mr. STEVENS (for Mr. LOTT (for himself and Mr. COCHRAN)) proposed an amendment to the bill, H.R. 4576, supra; as follows:

At the appropriate place in the bill, insert the following:

SEC. . Of the funds available in Title II under the heading “RESEARCH, DEVELOPMENT, TEST, AND EVALUATION” (DEFENSE-

WIDE) up to \$2,000,000 may be made available to the Special Reconnaissance Capabilities (SRC) Program for the Virtual Worlds Initiative in PE 0304210BB.

LOTT AMENDMENT NO. 3377

Mr. STEVENS (for Mr. LOTT) proposed an amendment to the bill, H.R. 4576, *supra*; as follows:

At the appropriate place in the bill, insert the following:

SEC. . . Of the funds available in Title III under the heading "PROCUREMENT OF AMMUNITION, NAVY/MARINE CORPS, up to \$5,000,000 may be made available for ROCKETS, ALL TYPE, 83mm HEDP.

COMMEMORATING THE 225TH BIRTHDAY OF THE UNITED STATES ARMY

THURMOND AMENDMENT NOS. 3378-3380

Mr. ENZI (for Mr. THURMOND) proposed three amendments to the joint resolution (S.J. Res. 3378) commemorating the 225th birthday of the United States Army; as follows:

AMENDMENT NO. 3378

Strike all after the resolved clause and insert the following:

That Congress, recognizing the historic significance of the 225th anniversary of the United States Army—

(1) expresses the appreciation of the people of the United States to the Army and the soldiers who have served in it for 225 years of dedicated service;

(2) honors the valor, commitment, and sacrifice that American soldiers have displayed throughout the history of the Army; and

(3) calls upon the President to issue a proclamation—

(A) recognizing the 225th birthday of the United States Army and the dedicated service of the soldiers who have served in the Army; and

(B) calling upon the people of the United States to observe that anniversary with appropriate ceremonies and activities.

AMENDMENT NO. 3379

Strike the preamble and insert the following:

Whereas on June 14, 1775, the Second Continental Congress, representing the citizens of 13 American colonies, authorized the establishment of the Continental Army;

Whereas the collective expression of the pursuit of personal freedom that caused the authorization and organization of the United States Army led to the adoption of the Declaration of Independence and the codification of the new Nation's basic principles and values in the Constitution;

Whereas for the past 225 years, the Army's central mission has been to fight and win the Nation's wars;

Whereas whatever the mission, the Nation turns to its Army for decisive victory;

Whereas the 172 battle streamers carried on the Army flag are testament to the valor, commitment, and sacrifice of the brave soldiers who have served the Nation in the Army;

Whereas Valley Forge, New Orleans, Mexico City, Gettysburg, Verdun, Bataan, Normandy, Pusan, the Ia Drang Valley, Grenada, Panama, and Kuwait are but a few of the places where soldiers of the United States Army have won extraordinary distinction and respect for the Nation and its Army;

Whereas the motto of "Duty, Honor, Country" is the creed by which the American soldier lives and serves;

Whereas the United States Army today is the world's most capable and respected ground force;

Whereas future Army forces are being prepared to conduct quick, decisive, highly sophisticated operations anywhere, anytime; and

Whereas no matter what the cause, location, or magnitude of future conflicts, the Nation can rely on its Army to produce well-trained, well-led, and highly motivated soldiers to carry out the missions entrusted to them: Now, therefore, be it

AMENDMENT NO. 3380

Amend the title so as to read: "A Joint Resolution recognizing the 225th birthday of the United States Army."

THE NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2001

BINGAMAN AMENDMENT NO. 3381

(Ordered to lie on the table.)

Mr. BINGAMAN submitted an amendment intended to be proposed by him to the bill, S. 2549, *supra*; as follows:

On page 31, after line 25, add the following:
SEC. 132. CONVERSION OF AGM-65 MAVERICK MISSILES.

(a) INCREASE IN AMOUNT.—The amount authorized to be appropriated by section 103(3) for procurement of missiles for the Air Force is hereby increased by \$5,000,000.

(b) AVAILABILITY OF AMOUNT.—(1) Of the amount authorized to be appropriated by section 103(3), as increased by subsection (a), \$5,000,000 shall be available for In-Service Missile Modifications for the purpose of the conversion of Maverick missiles in the AGM-65B and AGM-65G configurations to Maverick missiles in the AGM-65H and AGM-65K configurations.

(2) The amount available under paragraph (1) for the purpose specified in that paragraph is in addition to any other amounts available under this Act for that purpose.

(c) OFFSET.—The amount authorized to be appropriated by section 103(1) for procurement of aircraft for the Air Force is hereby reduced by \$5,000,000, with the amount of the reduction applicable to amounts available under that section for ALE-50 Code Decoys.

NOTICES OF HEARINGS

COMMITTEE ON INDIAN AFFAIRS

Mr. CAMPBELL. Mr. President, I would like to announce that the Committee on Indian Affairs will meet on Wednesday, June 14, 2000 at 2:30 p.m. in room 485 of the Russell Senate Building to mark up the following: S. 1586, Indian Land Consolidation Act Amendments; S. 2351, Shivwits Band of the Paiute Indian Tribe of Utah Water Rights Settlement Act; S. Res. 277, Commemorating the 30th Anniversary of the Policy of Indian Self-Determination; S. 2508, the Colorado Ute Indian Water Rights Settlement Act Amendments of 2000; and H.R. 3051, Jicarilla Water Feasibility Study; to be followed by a hearing, on S. 2282, to encourage the efficient use of existing resources and assets related to Indian agricul-

tural research, development and exports within the Department of Agriculture. The hearing will be held in room 485, Russell Senate Building.

Those wishing additional information contact committee staff at 202-224-2251.

SUBCOMMITTEE ON FORESTS AND PUBLIC LAND MANAGEMENT

Mr. CRAIG. Mr. President, I would like to announce for the public that a hearing has been scheduled before the Subcommittee on Forests and Public Land Management.

The hearing will take place on Friday, July 7, 2000, at 10:00 a.m. at the Myles Reit Performing Arts Center, 720 Conifer Drive, Grand Rapids, Minnesota.

The purpose of this hearing is to conduct oversight on the July 4, 1999, blow-down in the Boundary Waters Canoe Area and other national forest lands.

Because of the limited time available for the hearing, witnesses may testify by invitation only. Those who wish to submit written statements should write to the Committee on Energy and Natural Resources, U.S. Senate, Washington, DC 20510. For further information, please call Mark Rey (202) 224-6170.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

SELECT COMMITTEE ON INTELLIGENCE

Mr. MURKOWSKI. Mr. President, I would like to announce for the information of the Senate and the public that a joint oversight hearing has been scheduled before the Select Committee on Intelligence and the Committee on Energy and Natural Resources.

The hearing will take place on Wednesday, June 14 at 10:15 a.m. in Room SH-216 of the Hart Senate Office Building in Washington, DC.

The purpose of this hearing is to receive testimony on the Loss of National Security Information at the Los Alamos National Laboratory.

For further information, please call Howard Useem at 202-224-6567 or Trici Heninger at (202) 224-7875.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON COMMERCE, SCIENCE AND TRANSPORTATION

Mr. STEVENS. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet on Tuesday, June 13, 2000, at 10 a.m. on online profiling and privacy.

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

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. STEVENS. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be authorized to meet during the session of the Senate on Tuesday, June 13, at 9:30 a.m. to receive testimony from James V. Aidala, nominated by the President to be Assistant

Administrator for Toxic Substances, Environmental Protection Agency; Arthur C. Campbell, nominated to be Assistant Secretary for Economic Development, the Department of Commerce; and Ella Wong-Rusinko, nominated to be Alternate Federal Co-Chair of the Appalachian Regional Commission.

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

COMMITTEE ON HEALTH, EDUCATION, LABOR AND PENSIONS

Mr. STEVENS. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet for a hearing on Drug Safety and Pricing during the session of the Senate on Tuesday, June 13, 2000, at 10:00 a.m.

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

COMMITTEE ON THE JUDICIARY

Mr. STEVENS. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet to conduct a hearing on Tuesday, June 13, 2000, at 10:00 a.m., in SD226.

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

SUBCOMMITTEE ON EAST ASIAN AND PACIFIC AFFAIRS

Mr. STEVENS. Mr. President, I ask unanimous consent that the Subcommittee on East Asian and Pacific Affairs be authorized to meet during the session of the Senate on Tuesday, June 13, 2000 at 10:00 am to hold a hearing.

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

SUBCOMMITTEE ON SECURITIES AND FINANCIAL INSTITUTIONS

Mr. STEVENS. Mr. President, I ask unanimous consent that the Subcommittee on Securities and Financial Institutions be authorized to meet during the session of the Senate on Tuesday, June 13, 2000, to conduct a joint hearing on "Merchant Banking Regulations pursuant to the Gramm-Leach-Bliley Act of 1999."

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

PRIVILEGES OF THE FLOOR

Mr. ALLARD. Mr. President, I ask unanimous consent that Roger Brown, a member of my staff, be allowed on the floor during the debate on this amendment.

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

Mr. STEVENS. Mr. President, I ask unanimous consent that Sarah Donnar and Jennifer Loesch of my office have access to the floor during the consideration of this bill today.

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

Mr. STEVENS. Mr. President, on behalf of Senator COLLINS, I ask unanimous consent that Kristine Fauser, who currently works in Senator COLLINS' office, be granted the privilege of the floor during the consideration of the Defense appropriations bill.

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

Mr. BURNS. Mr. President, I ask unanimous consent that Bob Morgan, a fellow on Senator EDWARDS' staff, be granted the privilege of the floor during the pendency of the DOD appropriations bill.

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

NATIVE AMERICAN ALCOHOL AND SUBSTANCE ABUSE PROGRAM CONSOLIDATION ACT OF 2000

Mr. ENZI. Mr. President, I ask unanimous consent the Senate now proceed to the consideration of Calendar No. 585, which is S. 1507.

The PRESIDING OFFICER. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (S. 1507) to authorize the integration and consolidation of alcohol and substance programs and services provided by Indian tribal governments, and for other purposes.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Indian Affairs with an amendment to strike all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Native American Alcohol and Substance Abuse Program Consolidation Act of 2000".

SEC. 2. STATEMENT OF PURPOSE.

The purposes of this Act are—

(1) to enable Indian tribes to consolidate and integrate alcohol and other substance abuse prevention, diagnosis and treatment programs, and mental health and related programs, to provide unified and more effective and efficient services to Native Americans afflicted with alcohol and other substance abuse problems; and

(2) to recognize that Indian tribes can best determine the goals and methods for establishing and implementing prevention, diagnosis and treatment programs for their communities, consistent with the policy of self-determination.

SEC. 3. DEFINITIONS.

(a) *IN GENERAL.*—In this Act:

(1) *FEDERAL AGENCY.*—The term "Federal agency" has the same meaning given the term in section 551(1) of title 5, United States Code.

(2) *INDIAN.*—The term "Indian" shall have the meaning given such term in section 4(d) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b(d)).

(3) *INDIAN TRIBE.*—The terms "Indian tribe" and "tribe" shall have the meaning given the term "Indian tribe" in section 4(e) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b(e)) and shall include entities as provided for in subsection (b)(2).

(4) *SECRETARY.*—Except where otherwise provided, the term "Secretary" means the Secretary of Health and Human Services.

(5) *SUBSTANCE ABUSE.*—The term "substance abuse" includes the illegal use or abuse of a drug, the abuse of an inhalant, or the abuse of tobacco or related products.

(b) *INDIAN TRIBE.*—

(1) *IN GENERAL.*—In any case in which an Indian tribe has authorized another Indian tribe, an inter-tribal consortium, or a tribal organization to plan for or carry out programs, services, functions, or activities (or portions thereof) on its behalf under this Act, the authorized Indian tribe, inter-tribal consortium, or tribal organiza-

tion shall have the rights and responsibilities of the authorizing Indian tribe (except as otherwise provided in the authorizing resolution or in this Act).

(2) *INCLUSION OF OTHER ENTITIES.*—In a case described in paragraph (1), the term "Indian tribe", as defined in subsection (a)(2), shall include the additional authorized Indian tribe, inter-tribal consortium, or tribal organization.

SEC. 4. INTEGRATION OF SERVICES AUTHORIZED.

The Secretary of Health and Human Services, in cooperation with the Secretary of Labor, Secretary of the Interior, Secretary of Education, Secretary of Housing and Urban Development, United States Attorney General, and Secretary of Transportation, as appropriate, shall, upon the receipt of a plan acceptable to the Secretary that is submitted by an Indian tribe, authorize the tribe to coordinate, in accordance with such plan, its federally funded alcohol and substance abuse and mental health programs in a manner that integrates the program services involved into a single, coordinated, comprehensive program and reduces administrative costs by consolidating administrative functions.

SEC. 5. PROGRAMS AFFECTED.

The programs that may be integrated in a demonstration project under any plan referred to in section 4 shall include—

(1) any program under which an Indian tribe is eligible for the receipt of funds under a statutory or administrative formula for the purposes of prevention, diagnosis or treatment of alcohol and other substance abuse problems and disorders, or mental health problems and disorders, or any program designed to enhance the ability to treat, diagnose or prevent alcohol and other substance abuse and related problems and disorders, or mental health problems or disorders;

(2) any program under which an Indian tribe is eligible for receipt of funds through a competitive or other grant program for the purposes of prevention, diagnosis or treatment of alcohol and other substance abuse problems and disorders, or mental health problems and disorders, or treatment, diagnosis and prevention of related problems and disorders, or any program designed to enhance the ability to treat, diagnose or prevent alcohol and other substance abuse and related problems and disorders, or mental health problems or disorders, if—

(A) the Indian tribe has provided notice to the appropriate agency regarding the intentions of the tribe to include the grant program in the plan it submits to the Secretary, and the affected agency has consented to the inclusion of the grant in the plan; or

(B) the Indian tribe has elected to include the grant program in its plan, and the administrative requirements contained in the plan are essentially the same as the administrative requirements under the grant program; and

(3) any program under which an Indian tribe is eligible for receipt of funds under any other funding scheme for the purposes of prevention, diagnosis or treatment of alcohol and other substance abuse problems and disorders, or mental health problems and disorders, or treatment, diagnosis and prevention of related problems and disorders, or any program designed to enhance the ability to treat, diagnose or prevent alcohol and other substance abuse and related problems and disorders, or mental health problems or disorders.

SEC. 6. PLAN REQUIREMENTS.

For a plan to be acceptable under section 4, the plan shall—

(1) identify the programs to be integrated;

(2) be consistent with the purposes of this Act authorizing the services to be integrated into the project;

(3) describe a comprehensive strategy that identifies the full range of existing and potential alcohol and substance abuse and mental health treatment and prevention programs available on and near the tribe's service area;

(4) describe the manner in which services are to be integrated and delivered and the results expected under the plan;

(5) identify the projected expenditures under the plan in a single budget;

(6) identify the agency or agencies in the tribe to be involved in the delivery of the services integrated under the plan;

(7) identify any statutory provisions, regulations, policies or procedures that the tribe believes need to be waived in order to implement its plan; and

(8) be approved by the governing body of the tribe.

SEC. 7. PLAN REVIEW.

(a) CONSULTATION.—Upon receipt of a plan from an Indian tribe under section 4, the Secretary shall consult with the Secretary of each Federal agency providing funds to be used to implement the plan, and with the tribe submitting the plan.

(b) IDENTIFICATION OF WAIVERS.—The parties consulting on the implementation of the plan under subsection (a) shall identify any waivers of statutory requirements or of Federal agency regulations, policies or procedures necessary to enable the tribal government to implement its plan.

(c) WAIVERS.—Notwithstanding any other provision of law, the Secretary of the affected agency shall have the authority to waive any statutory requirement, regulation, policy, or procedure promulgated by the affected agency that has been identified by the tribe or the Federal agency under subsection (b) unless the Secretary of the affected department determines that such a waiver is inconsistent with the purposes of this Act or with those provisions of the Act that authorizes the program involved which are specifically applicable to Indian programs.

SEC. 8. PLAN APPROVAL.

(a) IN GENERAL.—Not later than 90 days after the receipt by the Secretary of a tribe's plan under section 4, the Secretary shall inform the tribe, in writing, of the Secretary's approval or disapproval of the plan, including any request for a waiver that is made as part of the plan.

(b) DISAPPROVAL.—If a plan is disapproved under subsection (a), the Secretary shall inform the tribal government, in writing, of the reasons for the disapproval and shall give the tribe an opportunity to amend its plan or to petition the Secretary to reconsider such disapproval, including reconsidering the disapproval of any waiver requested by the Indian tribe.

SEC. 9. FEDERAL RESPONSIBILITIES.

(a) RESPONSIBILITIES OF THE INDIAN HEALTH SERVICE.—

(1) MEMORANDUM OF UNDERSTANDING.—Not later than 180 days after the date of enactment of this Act, the Secretary of the Interior, the Secretary of Labor, the Secretary of Health and Human Services, the Secretary of Education, the Secretary of Housing and Urban Development, the United States Attorney General, and the Secretary of Transportation shall enter into an interdepartmental memorandum of agreement providing for the implementation of the plans authorized under this Act.

(2) LEAD AGENCY.—The lead agency under this Act shall be the Indian Health Service.

(3) RESPONSIBILITIES.—The responsibilities of the lead agency under this Act shall include—

(A) the development of a single reporting format related to the plan for the individual project which shall be used by a tribe to report on the activities carried out under the plan;

(B) the development of a single reporting format related to the projected expenditures for the individual plan which shall be used by a tribe to report on all plan expenditures;

(C) the development of a single system of Federal oversight for the plan, which shall be implemented by the lead agency;

(D) the provision of technical assistance to a tribe appropriate to the plan, delivered under an arrangement subject to the approval of the tribe participating in the project, except that a tribe shall have the authority to accept or reject the plan for providing the technical assistance and the technical assistance provider; and

(E) the convening by an appropriate official of the lead agency (whose appointment is subject to the confirmation of the Senate) and a representative of the Indian tribes that carry out projects under this Act, in consultation with each of the Indian tribes that participate in projects under this Act, of a meeting not less than 2 times during each fiscal year for the purpose of providing an opportunity for all Indian tribes that carry out projects under this Act to discuss issues relating to the implementation of this Act with officials of each agency specified in paragraph (1).

(b) REPORT REQUIREMENTS.—The single reporting format shall be developed by the Secretary under subsection (a)(3), consistent with the requirements of this Act. Such reporting format, together with records maintained on the consolidated program at the tribal level shall contain such information as will—

(1) allow a determination that the tribe has complied with the requirements incorporated in its approved plan; and

(2) provide assurances to the Secretary that the tribe has complied with all directly applicable statutory requirements and with those directly applicable regulatory requirements which have not been waived.

SEC. 10. NO REDUCTION IN AMOUNTS.

In no case shall the amount of Federal funds available to a participating tribe involved in any project be reduced as a result of the enactment of this Act.

SEC. 11. INTERAGENCY FUND TRANSFERS AUTHORIZED.

The Secretary of the Interior, the Secretary of Labor, the Secretary of Health and Human Services, the Secretary of Education, the Secretary of Housing and Urban Development, the United States Attorney General, or the Secretary of Transportation, as appropriate, is authorized to take such action as may be necessary to provide for the interagency transfer of funds otherwise available to a tribe in order to further the purposes of this Act.

SEC. 12. ADMINISTRATION OF FUNDS AND OVERAGE.

(a) ADMINISTRATION OF FUNDS.—

(1) IN GENERAL.—Program funds shall be administered under this Act in such a manner as to allow for a determination that funds from specific programs (or an amount equal to the amount utilized from each program) are expended on activities authorized under such program.

(2) SEPARATE RECORDS NOT REQUIRED.—Nothing in this section shall be construed as requiring a tribe to maintain separate records tracing any services or activities conducted under its approved plan under section 4 to the individual programs under which funds were authorized, nor shall the tribe be required to allocate expenditures among individual programs.

(b) OVERAGE.—All administrative costs under a plan under this Act may be commingled, and participating Indian tribes shall be entitled to the full amount of such costs (under each program or department's regulations), and no overage shall be counted for Federal audit purposes so long as the overage is used for the purposes provided for under this Act.

SEC. 13. FISCAL ACCOUNTABILITY.

Nothing in this Act shall be construed to interfere with the ability of the Secretary or the lead agency to fulfill the responsibilities for the safeguarding of Federal funds pursuant to chapter 75 of title 31, United States Code (the Single Audit Act of 1984).

SEC. 14. REPORT ON STATUTORY AND OTHER BARRIERS TO INTEGRATION.

(a) PRELIMINARY REPORT.—Not later than 2 years after the date of enactment of this Act, the Secretary shall submit a report to the Committee on Indian Affairs of the Senate and the Committee on Resources of the House of Representatives on the implementation of the program authorized under this Act.

(b) FINAL REPORT.—Not later than 5 years after the date of the enactment of this Act, the Secretary shall submit a report to the Committee on Indian Affairs of the Senate and the Committee on Resources of the House of Representatives on the results of the implementation of the program authorized under this Act. The report shall identify statutory barriers to the ability of tribes to integrate more effectively their alcohol and substance abuse services in a manner consistent with the purposes of this Act.

SEC. 15. ASSIGNMENT OF FEDERAL PERSONNEL TO STATE INDIAN ALCOHOL AND DRUG TREATMENT OR MENTAL HEALTH PROGRAMS.

Any State with an alcohol and substance abuse or mental health program targeted to Indian tribes shall be eligible to receive, at no cost to the State, such Federal personnel assignments as the Secretary, in accordance with the applicable provisions of subchapter IV of chapter 33 of title 5, United States Code (the Intergovernmental Personnel Act of 1970), may deem appropriate to help insure the success of such program.

Mr. ENZI. Mr. President, I ask unanimous consent that the committee substitute be agreed to, the bill be read a third time and passed, the amendment to the title be agreed to, the motion to reconsider be laid upon the table, and that any statements relating to the bill be printed in the RECORD.

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

The committee amendment in the nature of a substitute was agreed to.

The bill (S. 1507), as amended, was read the third time and passed.

The title was amended so as to read: "A bill to authorize the integration and consolidation of alcohol and substance abuse programs and services provided by Indian tribal governments, and for other purposes."

225TH BIRTHDAY OF THE UNITED STATES ARMY

Mr. ENZI. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of S.J. Res. 46, and the Senate then proceed to its immediate consideration.

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

The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A joint resolution (S.J. Res. 46) commemorating the 225th Birthday of the United States Army.

There being no objection, the Senate proceeded to consider the joint resolution.

Mr. ENZI. Mr. President, I ask unanimous consent that an amendment to the resolution which is at the desk be agreed to, and the resolution, as amended, be read a third time and passed. I further ask unanimous consent that an amendment to the preamble be agreed to, and the preamble, as amended, be agreed to, a title amendment be agreed to, the motion to reconsider be laid upon the table, and that any statements relating to the resolution be printed in the RECORD.

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

AMENDMENTS NOS. 3378, 3379, AND 3380 EN BLOC

The PRESIDING OFFICER. The clerk will report the amendments by number.

The assistant legislative clerk read as follows:

The Senator from Wyoming (Mr. ENZI), for Mr. THURMOND, proposes amendments numbered 3378, 3379 and 3380, en bloc.

The PRESIDING OFFICER. Without objection, the amendments are agreed to.

The amendments (Nos. 3378, No. 3379, and No. 3380), en bloc, were agreed to, as follows.

AMENDMENT NO. 3378

Strike all after the resolved clause and insert the following:

That Congress, recognizing the historic significance of the 225th anniversary of the United States Army—

(1) expresses the appreciation of the people of the United States to the Army and the soldiers who have served in it for 225 years of dedicated service;

(2) honors the valor, commitment, and sacrifice that American soldiers have displayed throughout the history of the Army; and

(3) calls upon the President to issue a proclamation—

(A) recognizing the 225th birthday of the United States Army and the dedicated service of the soldiers who have served in the Army; and

(B) calling upon the people of the United States to observe that anniversary with appropriate ceremonies and activities.

AMENDMENT NO. 3379

Strike the preamble and insert the following:

Whereas on June 14, 1775, the Second Continental Congress, representing the citizens of 13 American colonies, authorized the establishment of the Continental Army;

Whereas the collective expression of the pursuit of personal freedom that caused the authorization and organization of the United States Army led to the adoption of the Declaration of Independence and the codification of the new Nation's basic principles and values in the Constitution;

Whereas for the past 225 years, the Army's central mission has been to fight and win the Nation's wars;

Whereas whatever the mission, the Nation turns to its Army for decisive victory;

Whereas the 172 battle streamers carried on the Army flag are testament to the valor, commitment, and sacrifice of the brave soldiers who have served the Nation in the Army;

Whereas Valley Forge, New Orleans, Mexico City, Gettysburg, Verdun, Bataan, Normandy, Pusan, the Ia Drang Valley, Grenada, Panama, and Kuwait are but a few of the places where soldiers of the United States Army have won extraordinary distinction and respect for the Nation and its Army;

Whereas the motto of "Duty, Honor, Country" is the creed by which the American soldier lives and serves;

Whereas the United States Army today is the world's most capable and respected ground force;

Whereas future Army forces are being prepared to conduct quick, decisive, highly sophisticated operations anywhere, anytime; and

Whereas no matter what the cause, location, or magnitude of future conflicts, the

Nation can rely on its Army to produce well-trained, well-led, and highly motivated soldiers to carry out the missions entrusted to them: Now, therefore, be it

AMENDMENT NO. 3380

Amend the title so as to read: "A Joint Resolution recognizing the 225th birthday of the United States Army."

The joint resolution (S.J. Res. 46), as amended, was read the third time and passed.

The preamble, as amended, was agreed to.

The joint resolution, with its preamble, reads as follows:

S.J. RES. 46

Whereas on June 14, 1775, the Second Continental Congress, representing the citizens of 13 American colonies, authorized the establishment of the Continental Army;

Whereas the collective expression of the pursuit of personal freedom that caused the authorization and organization of the United States Army led to the adoption of the Declaration of Independence and the codification of the new Nation's basic principles and values in the Constitution;

Whereas for the past 225 years, the Army's central mission has been to fight and win the Nation's wars;

Whereas whatever the mission, the Nation turns to its Army for decisive victory;

Whereas the 172 battle streamers carried on the Army flag are testament to the valor, commitment, and sacrifice of the brave soldiers who have served the Nation in the Army;

Whereas Valley Forge, New Orleans, Mexico City, Gettysburg, Verdun, Bataan, Normandy, Pusan, the Ia Drang Valley, Grenada, Panama, and Kuwait are but a few of the places where soldiers of the United States Army have won extraordinary distinction and respect for the Nation and its Army;

Whereas the motto of "Duty, Honor, Country" is the creed by which the American soldier lives and serves;

Whereas the United States Army today is the world's most capable and respected ground force;

Whereas future Army forces are being prepared to conduct quick, decisive, highly sophisticated operations anywhere, anytime; and

Whereas no matter what the cause, location, or magnitude of future conflicts, the Nation can rely on its Army to produce well-trained, well-led, and highly motivated soldiers to carry out the missions entrusted to them: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That Congress, recognizing the historic significance of the 225th anniversary of the United States Army—

(1) expresses the appreciation of the people of the United States to the Army and the soldiers who have served in it for 225 years of dedicated service;

(2) honors the valor, commitment, and sacrifice that American soldiers have displayed throughout the history of the Army; and

(3) calls upon the President to issue a proclamation—

(A) recognizing the 225th birthday of the United States Army and the dedicated service of the soldiers who have served in the Army; and

(B) calling upon the people of the United States to observe that anniversary with appropriate ceremonies and activities.

NOMINATION OF JOHN A. GORDON

Mr. WARNER. Mr. President, could I interrupt the proceedings here momentarily and get the attention of the distinguished Democratic leader and the ranking member of the Armed Services Committee?

Early this morning, I say to the distinguished minority leader, on the subject of General Gordon, we talked and I talked to the majority leader. I think there is a consensus that tomorrow morning at some point his nomination can be voted upon.

Could we, at the conclusion of this day, before it is finished, at least represent that?

Mr. DASCHLE. Mr. President, in response to the senior Senator from Virginia, let me say we have no objection to moving to the nomination, with the understanding that at a date no later than a date that we could mutually agree to, we deal with the accompanying nomination.

I think that understanding has now been made, and I believe we can proceed to the first piece of this with that understanding.

Mr. WARNER. I thank our distinguished leader.

Mr. LEVIN. If the Senator will yield on that point, General Gordon has very strong support on both sides of the aisle. He is a Presidential nominee who has gotten a very positive response from just about everybody I know. I think the people look forward to voting on his nomination as early as possible tomorrow morning.

Again, I think there is an effort being made to set a deadline for another vote on a nominee to the same Department, someone who has been waiting for a long time.

Mr. DASCHLE. Mr. President, if the Senator will yield for another moment, Madelyn Creedon has been on the calendar since April 13, and General Gordon has been on the calendar since May 24.

We have no objection to moving to General Gordon first, even though he was just reported out a couple of weeks ago, and Mrs. Creedon has been now on the calendar for almost 2 months, with some understanding that we can move to the Creedon nomination no later than a time on which we can agree.

We have no reason not to want to move to the Gordon nomination.

Mr. WARNER. Mr. President, it would be no longer than the day or day after we return from the July 4 recess.

Mr. DASCHLE. That is acceptable, Mr. President.

Mr. WARNER. July 11 or July 12.

Mr. DASCHLE. With the understanding we would vote no later than July 11, we have no reservations.

Mr. WARNER. Could we make it July 12? I am not in a position to know exactly when votes are ordered on the return.

Mr. DASCHLE. We will make it the July 12.

Mr. LEVIN. If the Senator will yield on that, that opens the possibilities

that we would vote on that nomination prior to the recess because it says "no later than."

Mr. WARNER. It does not foreclose earlier consideration. I thank my colleagues.

I yield the floor.

NATIONAL RESPONSIBLE FATHER'S DAY

Mr. ENZI. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 322, introduced earlier today by Senators BAYH, DOMENICI, and others.

The PRESIDING OFFICER (Mr. ALLARD). The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 322) encouraging and promoting greater involvement of fathers in their children's lives and designating June 18, 2000, as "Responsible Father's Day."

There being no objection, the Senate proceeded to consider the resolution.

Mr. ENZI. I ask unanimous consent the resolution be agreed to, the preamble be agreed to, a motion to consider be laid upon the table, and any statements be printed in the RECORD.

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

The resolution (S. Res. 322) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 322

Encouraging and promoting greater involvement of fathers in their children's lives and designating June 18, 2000, as "Responsible Father's Day".

Whereas 40 percent of children who live in households without a father have not seen their father in at least 1 year and 50 percent of such children have never visited their father's home;

Whereas approximately 50 percent of all children born in the United States spend at least ½ of their childhood in a family without a father figure;

Whereas nearly 20 percent of children in grades 6 through 12 report that they have not had a meaningful conversation with even 1 parent in over a month;

Whereas 3 out of 4 adolescents report that "they do not have adults in their lives that model positive behaviors";

Whereas many of the United States leading experts on family and child development agree that it is in the best interest of both children and the United States to encourage more two-parent, father-involved families to form and endure;

Whereas it is important to promote responsible fatherhood and encourage loving and healthy relationships between parents and their children in order to increase the chance that children will have two caring parents to help them grow up healthy and secure and not to—

(1) denigrate the standing or parenting efforts of single mothers, whose efforts are heroic;

(2) lessen the protection of children from abusive parents;

(3) cause women to remain in or enter into abusive relationships; or

(4) compromise the health or safety of a custodial parent;

Whereas children who are apart from their biological father are, in comparison to other children—

(1) 5 times more likely to live in poverty; and

(2) more likely to—

(A) bring weapons and drugs into the classroom;

(B) commit crime;

(C) drop out of school;

(D) be abused;

(E) commit suicide;

(F) abuse alcohol or drugs; and

(G) become pregnant as teenagers;

Whereas the Federal Government spends billions of dollars to address these social ills and very little to address the causes of such social ills;

Whereas violent criminals are overwhelmingly males who grew up without fathers;

Whereas the number of children living with only a mother increased from just over 5,000,000 in 1960, to 17,000,000 in 1999, and between 1981 and 1991 the percentage of children living with only 1 parent increased from 19 percent to 25 percent;

Whereas between 20 percent and 30 percent of families in poverty are headed by women who have suffered domestic violence during the past year and between 40 percent and 60 percent of women with children who receive welfare were abused at some time in their life;

Whereas millions of single mothers in the United States are heroically struggling to raise their children in safe, loving environments;

Whereas responsible fatherhood should always recognize and promote values of non-violence;

Whereas child support is an important means by which a parent can take financial responsibility for a child and emotional support is an important means by which a parent can take social responsibility for a child;

Whereas children learn by example, community programs that help mold young men into positive role models for their children need to be encouraged;

Whereas promoting responsible fatherhood is not meant to diminish the parenting efforts of single mothers but rather to increase the likelihood that children will have 2 caring parents to help them grow up in loving environments; and

Whereas Congress has begun to take notice of this issue with legislation introduced in both the House of Representatives and the Senate to address the epidemic of fatherlessness: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the need to encourage active involvement of fathers in the rearing and development of their children;

(2) recognizes that while there are millions of fathers who serve as a wonderful caring parent for their children, there are children on Father's Day who will have no one to celebrate with;

(3) urges fathers to participate in their children's lives both financially and emotionally;

(4) encourages fathers to devote time, energy, and resources to their children;

(5) urges fathers to understand the level of responsibility required when fathering a child and to fulfill that responsibility;

(6) is committed to assist absent fathers become more responsible and engaged in their children's lives;

(7) designates June 18, 2000, as "National Responsible Father's Day";

(8) calls upon fathers around the country to use the day to reconnect and rededicate themselves to their children's lives, to spend "National Responsible Father's Day" with their children, and to express their love and support for their children; and

(9) requests that the President issue a proclamation calling upon the people of the United States to observe "National Responsible Father's Day" with appropriate ceremonies and activities.

AWARD OF MEDAL OF HONOR TO ED W. FREEMAN, JAMES K. OKUBO, AND ANDREW J. SMITH

Mr. ENZI. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. 2722, introduced earlier today by Senator AKAKA.

The PRESIDING OFFICER. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (S. 2722) to authorize the award of the Medal of Honor to Ed W. Freeman, James K. Okubo, and Andrew J. Smith.

There being no objection, the Senate proceeded to consider the bill.

Mr. AKAKA. Mr. President, I am proud to introduce legislation which would award the Medal of Honor to James K. Okubo, Ed W. Freeman, and Andrew J. Smith. There is no doubt that these three individuals are deserving of this award based on their brave and selfless service in defense of our great nation. The passage of this measure makes it possible for these men to receive a long overdue and well-deserve honor.

This legislation marks the culmination of my efforts to recognize James K. Okubo for his acts of gallantry during World War II. James K. Okubo was born in Anacortes, Washington, raised in Bellingham, Washington, and interned at Tule Lake, California. Mr. Okubo entered military service in Alturas, California on May 22, 1943 and was discharged from the Army in December 1945. Following his military service, Mr. Okubo was a professor at the University of Detroit Dental School. Mr. Okubo passed away following a car accident in 1967.

Mr. Okubo (Tec 5) served as a medic, member of the Medical Detachment, 442nd Regimental Combat Team. For his heroism displayed over a period of several days (October 28, 29 and November 4, 1944) in rescuing and delivering medical aid to fellow soldiers during the rescue of the "Lost Battalion" from Texas, he was recommended to receive the Medal of Honor. The medal, however, was downgraded to a Silver Star. The explanation provided at the time was that as a medic, James S. Okubo was not eligible for any award higher than the Silver Star.

Due to my concern that Mr. Okubo did not receive full recognition for his acts of heroism and bravery, I requested reconsideration of Mr. Okubo's case under section 1130, Title 10 of the United States Code. The Senior Army Decorations Board reviewed the case and submitted it to Secretary Caldera recommending an upgrade to the Medal of Honor. Secretary Caldera approved the recommendation which resulted in this important measure.

This legislation is especially significant as fellow members of Mr. Okubo's unit will be awarded the Medal of Honor next week. It is my hope that this legislation will be enacted shortly, thereby allowing the Okubo family to participate in this auspicious event with the other families of members from the 100th Battalion, 442nd Regimental Combat Team.

Mr. Okubo's heroism on the battlefield is an inspiration to all who believe in duty, honor, and service to one's country. Mr. Okubo takes his rightful place among America's great war heroes. He is a shining example of the sacrifices made by so many other Asian Pacific Americans during World War II, who served our country so ably in spite of the difficulties they faced as members of a suspect minority.

Mr. ENZI. I ask unanimous consent the bill be considered read the third time and passed, the motion to reconsider be laid upon the table, and any statements be printed in the RECORD.

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

The bill (S. 2722) was considered read the third time and passed, as follows:

S. 2722

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. AUTHORITY TO AWARD MEDAL OF HONOR TO ED W. FREEMAN, JAMES K. OKUBO, AND ANDREW J SMITH.

(a) INAPPLICABILITY OF TIME LIMITATIONS.—Notwithstanding the time limitations in section 3744(b) of title 10, United States Code, or any other time limitation, the President may award the Medal of Honor under section 3741 of such title to the persons specified in subsection (b) for the acts specified in that subsection, the award of the Medal of Honor to such persons having been determined by the Secretary of the Army to be warranted in accordance with section 1130 of such title.

(b) PERSONS ELIGIBLE TO RECEIVE THE MEDAL OF HONOR.—The persons referred to in subsection (a) are the following:

(1) Ed W. Freeman, for conspicuous acts of gallantry and intrepidity at the risk of his life and beyond the call of duty on November 14, 1965, as flight leader and second-in-command of a helicopter lift unit at landing zone X-Ray in the Battle of the Ia Drang Valley,

Republic of Vietnam, during the Vietnam War, while serving in the grade of Captain in Alpha Company, 229th Assault Helicopter Battalion, 101st Cavalry Division (Air-mobile).

(2) James K. Okubo, for conspicuous acts of gallantry and intrepidity at the risk of his life and beyond the call of duty on October 28 and 29, and November 4, 1944, at Forêt Domaniale de Champ, near Biffontaine, France, during World War II, while serving as an Army medic in the grade of Technician Fifth Grade in the medical detachment, 442d Regimental Combat Team.

(3) Andrew J. Smith, for conspicuous acts of gallantry and intrepidity at the risk of his life and beyond the call of duty on November 30, 1864, in the Battle of Honey Hill, South Carolina, during the Civil War, while serving as a corporal in the 55th Massachusetts Voluntary Infantry Regiment.

(c) POSTHUMOUS AWARD.—The Medal of Honor may be awarded under this section posthumously, as provided in section 3752 of title 10, United States Code.

(d) PRIOR AWARD.—The Medal of Honor may be awarded under this section for service for which a Silver Star, or other award, has been awarded.

ORDERS FOR WEDNESDAY, JUNE 14, 2000

Mr. ENZI. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 9:30 a.m. on Wednesday, June 14.

I further ask unanimous consent that on Wednesday, immediately following the prayer, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day, and the Senate then resume consideration of S. 2549, the Department of Defense authorization bill.

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

PROGRAM

Mr. ENZI. For the information of all Senators, the Senate will convene at 9:30 a.m. tomorrow, and will immediately resume debate on the Defense authorization legislation. As a re-

minder, there are over 200 amendments filed to this authorizing bill. Senators can expect amendments to be offered and voted on throughout the day. It is hoped that all Senators who have amendments in order will work with the bill managers in an effort to complete this important legislation. Senators should be aware that the Senate may begin consideration of the Transportation appropriations bill as early as tomorrow afternoon.

MEASURE PLACED ON THE CALENDAR—H.R. 4475

Mr. ENZI. I now ask unanimous consent that H.R. 4475 be discharged from the Appropriations Committee and placed on the calendar.

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

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. ENZI. If there is no further business to come before the Senate, I now ask unanimous consent the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 7:27 p.m., adjourned until Wednesday, June 14, 2000, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate June 13, 2000:

DEPARTMENT OF TRANSPORTATION

FRANCISCO J. SANCHEZ, OF FLORIDA, TO BE AN ASSISTANT SECRETARY OF TRANSPORTATION, VICE CHARLES A. HUNNICUTT, RESIGNED.

DEPARTMENT OF STATE

RICHARD A. BOUCHER, OF MARYLAND, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AN ASSISTANT SECRETARY OF STATE (PUBLIC AFFAIRS), VICE JAMES P. RUBIN.

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be general

LT. GEN. WILLIAM F. KERNAN, 0000