THE MINIMUM WAGE VOTE

(Mr. PALLONE asked and was given permission to address the House for 1 minute.)

Mr. PALLONE. Mr. Speaker, I wanted to make reference today that the other body is going to be voting today on this much overdue increase in the minimum wage.

I just wanted to point out some of the lessons we learned in the House while debating this issue. No. 1 is that the American people want a raise in the minimum wage for everyone and they want it now. We learned that lesson every time the Republicans proposed amendments in the House to defeat the bill.

Now the Senate is trying to resurrect some of the same amendments defeated in the House. One amendment offered by the Senate Small Business Committee chairman will delay implementation of the wage hike by 6 months. His amendment will also exempt small business from the increase, denying 6,000,000 American workers a living wage. This is a cruel hoax to play on those who need an increase in the minimum wage the most.

Mr. Speaker, the President will veto this bill if it comes to his desk with these poison pill amendments. I urge the Republicans in the Senate to learn from the House. The American people want an increase in the minimum wage, and it will save us a lot of time and money if they simply vote for an increase in the minimum wage and leave out all the destructive amendments.

FOREIGN ASSISTANCE ACT OF 1961 AND ARMS EXPORT CONTROL ACT AMENDMENTS

Mr. GILMAN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 3121) to amend the Foreign Assistance Act of 1961 and the Arms Export Control Act to make improvements to certain defense and security assistance provisions under those acts, to authorize the transfer of naval vessels to certain foreign countries, and for other purposes, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Senate amendments:

Page 2, in the table of contents relating to Chapter 1, strike out ''AND'' and insert: ''AND''

Page 2, in the table of contents relating to Chapter 4, after ''4—'' insert: ''INTERNATIONAL''

Page 2, in the table of contents, strike out:

''Sec. 148. Certification thresholds.''

and insert:

''Sec. 148. Annual military assistance report.''

Page 2, in the table of contents relating to section 152 strike out ''arms export control act'' and insert: ''Arms Export Control Act''

Page 3, in the table of contents relating to section 154 after ''under'' insert: ''the''

Page 3, in the table of contents, after the line relating to section 154 insert:

''Sec. 155. Publication of arms sales certifications.''

''Sec. 156. Release of information.''

''Sec. 157. Repeal of termination of provisions of the Nuclear Proliferation Prevention Act of 1994; Presidential determinations.''

Page 4, lines 24 and 25, strike out ''the second''

Page 4, line 25, after ''25'' insert: , ''as added by section 112(b) of Public law 99–83''

Page 5, line 20, strike out ''new paragraph''

Page 9, after ''TRANSFERS.—'' insert: ''(1)''

Page 10, line 1, strike out ''(1)'' and insert: ''(A)''

Page 10, line 3, strike out ''(2)'' and insert: ''(B)''

Page 10, line 6, strike out ''(3)'' and insert: ''(C)''

Page 10, line 9, strike out ''(4)'' and insert: ''(D)''

Page 10, line 17, strike out ''(5)'' and insert: ''(E)''

Page 10, line 24, strike out ''(6)'' and insert: ''(F)'' Page 11, after line 2, insert:

''(2) Accordingly, for the four-year period beginning on October 1, 1996, the President shall ensure that excess defense articles offered to Greece and Turkey under this section will be made available consistent with the manner in which the President made available such excess defense articles during the four-year period that began on October 1, 1992, pursuant to section 573(e) of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1990.''

Page 12, line 11, strike out ''part II'' and insert: ''this part''

Page 13, line 5, strike out ''15'' and insert: ''30''

Page 16, line 4, after ''1961,'' insert: ''as added by this Act,''

Page 18, line 17, after ''2761'' insert: ''(a)(1)(C)''

Page 21, line 4, after ''4—'' insert: ''INTERNATIONAL''

Page 21, line 15, strike out ''new subparagraph''

Page 24, line 7, strike out ''2394'' and insert: ''2394–1''

Page 25, line 2, strike out ''2394'' and insert: ''2394–1''

Page 32, line 8, strike out ''out the''

Page 32, line 11, strike out ''in lieu thereof''

Page 35, line 10, strike out ''(a)'' and insert: ''(A)''

Page 37, strike out all after line 18, over to and including line 21 on page 38

Page 38, after line 21, insert:

''SEC. 148. ANNUAL MILITARY ASSISTANCE REPORT.

''Section 655 of the Foreign Assistance Act of 1961 (22 U.S.C. 2415) is amended to read as follows:

''SEC. 655. ANNUAL MILITARY ASSISTANCE REPORT.

''(a) REPORT REQUIRED.—Not later than February 1 of each year, the President shall transmit to the Congress an annual report for the fiscal year ending the previous September 30.

''(b) INFORMATION RELATING TO MILITARY ASSISTANCE AND MILITARY EXPORTS.—Each such report shall show the aggregate dollar value and quantity of defense articles (including excess defense articles), defense services, and international military education and training authorized by the United States, excluding that which is pursuant to activities reportable under title V of the National Security Act of 1947, to each foreign country and international organization. The report shall specify, by category, whether such defense articles—

''(1) were furnished by grant under chapter 2 or chapter 5 of part II of this Act or under any other authority of law or by sale under chapter 2 of the Arms Export Control Act; or

''(2) were licensed for export under section 38 of the Arms Export Control Act.

''(c) INFORMATION RELATING TO MILITARY IMPORTS.—Each such report shall also include the total amount of military items manufactured outside the United States that were imported into the United States during the fiscal year covered by the report. For each country of origin of the report shall show the type of item being imported and the total amount of the items.''.

Page 38, line 24, strike out ''as amended by this Act,''

Page 39, line 1 strike out ''further''

Page 49, line 16, after ''**UNDER**'' insert: ''**THE**''

Page 49, after line 21, insert:

SEC. 155. PUBLICATION OF ARMS SALES CERTIFICATIONS.

Section 36 of the Arms Export Control Act (22 U.S.C. 2776) is amended by adding at the end the following new subsection:

''(e) The President shall cause to be published in the Federal Register, upon transmittal to the Speaker of the House of Representatives and to the chairman of the Committee on Foreign Relations of the Senate, the full unclassified text of each numbered certification submitted pursuant to subsection (b) and each notification of a proposed commercial sale submitted under subsection (c).''.

SEC. 156. RELEASE OF INFORMATION.

Section 38(e) of the Arms Export Control Act (22 U.S.C. 2778(e)) is amended by inserting in the first sentence before the period at the end the following: '', except that the names of the countries and the types and quantities of defense articles for which licenses are issued under this section shall not be withheld from public disclosure unless the President determines that the release of such information would be contrary to the national interest''.

SEC. 157. REPEAL OF TERMINATION OF PROVISIONS OF THE NUCLEAR PROLIFERATION PREVENTION ACT OF 1994; PRESIDENTIAL DETERMINATIONS.

''(a) REPEAL.—Part D of the Nuclear Proliferation Prevention Act of 1994 (part D of title VIII of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995; Public Law 103–236; 108 Stat. 525) is hereby repealed.

''(b) JUDICIAL REVIEW.—Section 824 of the Nuclear Proliferation Prevention Act of 1994 (22 U.S.C. 3201 note) is amended—

''(1) in subsection (c), by striking ''in writing after opportunity for a hearing on the record'';

''(2) by striking subsection (e); and

''(3) by redesignating subsections (f) through (k) as subsections (e) through (j), respectively.

Mr. GILMAN (during the reading). Mr. Speaker, I ask unanimous consent that the Senate amendments be considered as read and printed in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

The SPEAKER pro tempore. Is there objection to the original request of the gentleman from New York?

Mr. HAMILTON. Mr. Speaker, reserving the right to object, I do not intend to object but I would like to yield to the chairman from an explanation of the bill.

Mr. GILMAN. Mr. Speaker, will the gentleman yield?

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

Mr. GILMAN. Mr. Speaker, I appreciate the gentleman yielding to me to express my strong support of H.R. 3121 to amend the Foreign Assistance Act of 1961 and the Arms Export Control Act, as amended by the Senate, and to urge that the House pass this bill and send it on to the President for his signature.

This legislation represents the first comprehensive revision of the basic authorities of U.S. security assistance programs in over 10 years. It will improve the way in which the President conducts security assistance programs. It is long overdue.

I want to express my appreciation to the ranking Democratic member, the gentleman from Indiana [Mr. HAMILTON], for his long-standing support for this legislation. As we both know, we have endeavored over the years on many legislative fronts to enact these provisions and it is gratifying that we finally have a bill that will become public law.

I also want to thank the chairman of the Senate Foreign Relations Committee and the ranking minority members for shepherding this measure through the Foreign Relations Committee and then the Senate floor. I would particularly like to commend two of their staff, Chris Walker and Diana Ohlbaum, for their good work.

On April 16, 1996, the House approved H.R. 3121 by voice vote. The Senate passed the measure on June 27, 1996 by voice vote, following consideration by the Senate Foreign Relations Committee on June 26, 1996.

The Senate amendments entail seven substantive modifications to the bill, all but two in the form of additional executive branch reporting requirements on military assistance and sales. I support the increased congressional reporting requirements and public disclosure provided by the Senate amendments, as they will help to improve the transparency of arm transfers and aid the Congress' oversight role with regard to such transfers.

I do recognize however that these additional reporting requirements place increased burdens upon the executive branch and therefore the benefits of the new reporting requirements must justify the costs they impose. I believe that the Senate amendments meet this test. I therefore urge my colleagues to approve this bill with the Senate amendments.

I do want to indicate that the Department of Defense has expressed reservations about the utility and costs of complying with the reporting requirement established by section 148 of the bill. DOD interprets the language as requiring a report on defense articles and services authorized to foreign governments and international organizations for any purpose and under any authority of law.

I want to assure DOD that the purpose of the reporting requirement in section 148, as negotiated with the Senate and as suggested by the title of the section ''Annual Military Assistance Report,'' is to obtain a report which details defense articles and defense services provided for military assistance purposes. I would like to make clear that I would support efforts subsequent to enactment of this bill to modify the provision to ensure the language of the provision squares with the its intent as agreed to by its authors, should that be necessary.

In addition to the new reporting requirements, the Senate made two additional modifications. The first would renew for another 4-year period the current law requirement that the President, when offering excess defense articles on a grant basis to Greece and Turkey do so in accordance with the 7-to-10 ratio. This same requirement as included in the fiscal year 1997 foreign operations appropriations bill passed by the House on June 11, 1996.

The second modification to the bill was to add a provision to the bill which permanently extends the Nuclear Proliferation Prevention Act of 1994 thereby ensuring that this important law remains in place as a much needed part of our sanctions regime.

The purpose of title I of this bill is to amend authorities under the Foreign Assistance Act [FAA] of 1961, as amended, and the Arms Export Control Act [AECA] to revise and consolidate defense and security assistance authorities, in particular by updating policy and statutory authorities. The genesis of this effort began nearly 7 years ago with H.R. 2655, the International Cooperation Act of 1989. Subsequent legislation by the then Committee on Foreign Affairs, including H.R. 2508, the International Cooperation Act of 1991, and later bills, continued efforts to amend and update these important authorities.

On June 8, 1993, the House of Representatives passed H.R. 1561, the American Overseas Interests Act of 1995, by a vote of 222 to 192. Title XXXI of division C, the Foreign Aid Reduction Act of 1995, was dedicated to defense and security assistance provisions. On March 12, 1996, the House of Representatives agreed to the conference report on H.R. 1561 by a vote of 226 to 172. The conference report did not include provisions from division C of the House-passed bill.

This legislation, H.R. 3121, continues the effort by the Committee on International Relations to amend the FAA and AECA to make improvements to defense and security assistance provisions under those acts. The provisions included in title I of this bill are nearly identical to title XXXI of H.R. 1561 and are the product of bipartisan effort and cooperation and enjoy the strong support of the Departments of State and Defense.

Central to consideration of this bill is the committee's view that this legislation fulfills its responsibilities as an authorizing committee. Specifically, this legislation codifies in permanent law authorizing language which has been too long carried on annual appropriation measures. In that regard, I would like to express my appreciation to the chairman of the Subcommittee on Foreign Operations, Export Financing and Related Programs, Committee on Appropriations, the Congressman from Alabama, Mr. CALLAHAN, for his cooperation in working with the Committee on International Relations to ensure that authorizing provisions contained in this bill were not included in the fiscal year 1997 House-passed foreign operations measure. I would particularly like to single out Bill Inglee of Chairman CALLAHAN's staff for his help and cooperation.

Title I of this bill is organized by chapter as follows:

Chapter 1 modifies applicable provisions on terms and criteria of financing assistance, including drawdown authorities and a rewrite of the excess defense article authority.

Chapter 2 modifies terms of assistance for the international military education and training [IMET] program and includes language limiting Indonesia to E–IMET assistance.

Chapter 3 clarifies current law authorities under which Antiterrorism assistance is provided.

Chapter 4 modifies authorities under which assistance for international narcotics is provided.

Chapter 5 deals with general provisions regarding military assistance including approval of third-country transfers, standardization of congressional review procedures for arms sales, definitions, arms sales certification thresholds, designation of major non-NATO allies, end-use monitoring, and other miscellaneous issues.

The purpose of title II of this bill is to authorize the transfer of naval vessels to certain foreign countries pursuant to the administration's request of January 29, 1996.

Legislation authorizing the proposed transfer of these ships is required by section 7307(b)(1) of Title 10, United States Code, which provides in relevant part that ''a naval vessel in excess of 3,000 tons or less than 20 years of age may not be sold, leased, granted * * * or otherwise disposed of to another nation unless the disposition of that vessel is approved by law * * *.'' Each naval vessel proposed for transfer under this legislation displaces in excess of 3,000 tons and/or is less than 20 years of age and therefore the Committee must act.

Title II of this bill authorizes the transfer of 10 naval vessels—8 sales, 1 lease, 1 grant—to the following countries:

To the Government of Egypt: One *Oliver Hazard Perry* class frigate *Gallery* (FFG 26); sale, $47.2 million.

To the Government of Mexico: Two *Knox* class frigates: *Stein* (FF 1065) and *Marvin Shields* (FF 1066); sale, $5.9 million.

To the Government of New Zealand: One *Stalwart* class ocean surveillance

ship: *Tenacious* (T–AGOS 17); sale, $7.7 million.

To the Government of Portugal: One *Stalwart* class ocean surveillance ship: *Audacious* (T–AGOS 11); grant, $13.7 million.

To Taiwan (the Taipai Economic and Cultural Representative Office in the United States): Three *Knox* class frigates: *Aylwin* (FF 1081), *Pharris* (FF 1094), and *Valdez* (FF 1096); sale, $8.2 million. One *Newport* class tank landing ship: *Newport* (LST 1179); lease, no rent lease.

To the Government of Thailand: One *Knox* class frigate: *Ouellet* (FF 1077); sale, $2.7 million.

According to the Department of Defense, the Chief of Naval Operations has certified that these naval vessels are not essential to the defense of the United States.

As detailed above, the United States plans to transfer eight naval vessels by sale pursuant to section 21 of the Arms Export Control Act; one of the vessels will be transferred as a lease pursuant to chapter 6 of the Arms Export Control Act; and one of the vessels will be transferred as a grant pursuant to section 519 of the Foreign Assistance Act of 1961, as amended.

The United States will incur no costs for the transfer of the naval vessels under this legislation. The foreign recipients will be responsible for all costs associated with the transfer of the vessels, including maintenance, repairs, training, and fleet turnover costs. Any expenses incurred in connection with the transfers will be charged to the foreign recipients.

Through the sale of these naval vessels, this legislation generates $71.7 million in revenue for the U.S. Treasury. In addition, through repair and reactivation work, service contracts, ammunition sales, and savings generated from avoidance of storage/deactivation costs, the Navy estimates this legislation generates an additional $525 million in revenue for the U.S. Treasury and private U.S. firms.

Accordingly, I commend this bill to the Members of the House and ask for their support for its final step in the legislative process prior to sending it to the President.

Mr. HAMILTON. Mr. Speaker, continuing my reservation of objection, I want to join the distinguished chairman of the House Committee on International Relations in expressing appreciation to Senators HELMS and PELL and SARBANES for their work in moving this bill forward.

□ 1415

I also want to thank the chairman, the gentleman from New York [Mr. GILMAN], for his outstanding leadership on this bill. It is a good bill. It makes improvements in the current law, as the chairman has said. It is supported by the administration. It is a bipartisan bill.

Mr. BROWNBACK. Mr. Speaker, let me begin by congratulating Chairman GILMAN for the hard work he and his staff have done in reforming the defense and security assistance provisions incorporated in H.R. 3121.

H.R. 3121 represents a commonsense approach to advancing our foreign policy goals of promoting global stability, ensuring the security of U.S. citizens and U.S. allies around the world, and encouraging democracy.

However, the bill achieves these goals while effectively reducing the amount of excess defense articles that will be transferred to our allies on a grant or no-cost lease basis.

We need to use the grant and no-cost lease options sparingly so that these programs recover as much money for the taxpayers as possible.

H.R. 3121 will force the Defense Department to drastically reduce the number of no-cost leases and grants that are used to transfer excess defense articles to our allies.

The bill creates a national security interest determination that the President will have to invoke in order to provide a no-cost lease for excess defense articles.

H.R. 3121 also requires the Pentagon to evaluate whether excess defense articles should be transferred on a grant basis or on a sales basis, depending upon what the potential proceeds would be from a sale, what the likelihood of selling a defense article would be, and what the foreign policy benefits of a transfer would be?

This is a good bill and I am glad that this body has adopted it.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore (Mr. SHAW). Is there objection to the original request of the gentleman from New York?

There was no objection.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. GILMAN. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks on the legislation just considered.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to the provisions of clause 5 of rule I, the Chair announces that he will postpone further proceedings today on each motion to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 4 of rule XV.

Such rollcall votes, if postponed, will be taken on Wednesday, July 10, 1996.

ARMORED CAR INDUSTRY RECIPROCITY IMPROVEMENT ACT OF 1996

Mr. OXLEY. Mr. Speaker, I move to suspend the rules and pass the bill, H.R. 3431, to amend the Armored Car Industry Reciprocity Act of 1993 to clarify certain requirements and to improve the flow of interstate commerce.

The Clerk read as follows:

H.R. 3431

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 ''Armored Car Industry Reciprocity Improvement Act of 1996''.

SEC. 2. CLARIFICATION OF STATE RECIPROCITY OF WEAPONS LICENSES ISSUED TO ARMORED CAR COMPANY CREW MEMBERS.

(a) IN GENERAL.—Section 3(a) of the Armored Car Industry Reciprocity Act of 1993 (15 U.S.C. 5902(a)) is amended to read as follows:

''(a) IN GENERAL.—If an armored car crew member employed by an armored car company—

''(1) has in effect a license issued by the appropriate State agency (in the State in which such member is primarily employed by such company) to carry a weapon while acting in the services of such company in that State, and such State agency meets the minimum requirements under subsection (b); and

''(2) has met all other applicable requirements to act as an armored car crew member in the State in which such member is primarily employed by such company;

then such crew member shall be entitled to lawfully carry any weapon to which such license relates and function as an armored car crew member in any State while such member is acting in the service of such company.''.

(b) MINIMUM STATE REQUIREMENTS.—Section 3(b) of such Act (15 U.S.C. 5902(b)) is amended to read as follows:

''(b) MINIMUM STATE REQUIREMENTS.—A State agency meets the minimum State requirements of this subsection if—

''(1) in issuing an initial weapons license to an armored car crew member described in subsection (a), the agency determines to its satisfaction that—

''(A) the crew member has received classroom and range training in weapons safety and marksmanship during the current year; and

''(B) the receipt or possession of a weapon by the crew member would not violate Federal law, determined on the basis of a criminal record background check conducted during the current year; and

''(2) in issuing a renewal of a weapons license to an armored car crew member described in subsection (a), the agency determines to its satisfaction that—

''(A) the crew member has received continuing training in weapons safety and marksmanship from a qualified instructor for each weapon that the crew member is licensed to carry; and

''(B) the receipt or possession of a weapon by the crew member would not violate Federal law, as determined by the agency.''.

SEC. 3. EFFECTIVE DATE.

The amendments made by section 2 shall take effect 30 days after the date of the enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Ohio [Mr. OXLEY] and the gentleman from New York [Mr. MANTON] each will control 20 minutes.

The Chair recognizes the gentleman from Ohio [Mr. OXLEY].

Mr. OXLEY. Mr. Speaker, I yield myself such time as I may consume.