

Local responsibility can and will be resumed for, after all, common sense tells us that the wealth necessary for this task existed and still exists in the local community, and the dictates of sound administration require that this responsibility be in the first instance a local one.

John F. Kennedy echoed these fundamental insights into human nature in 1962 when he said, "No lasting solution to the problem of poverty can be bought with a welfare check."

Finally, in 1931, President Roosevelt said, "The quicker that a man or woman is taken off the dole, the better it is for them during the rest of their lives."

Over four decades ago we launched a war on poverty with the best of intentions. But \$5.5 trillion later we have nothing to show but poverty, despair, hopelessness, broken families, and a damaged work ethic. We have ignored the basic law of nature, that when someone is given handout after handout after handout, without having something demanded in return, he or she is condemned to a lifestyle of dependency and the loss of personal dignity and self-worth.

Not surprisingly, this is also the root of a similar problem at the opposite end of the economic spectrum, children spoiled by affluent parents who shower them with material goods, but require nothing in return. This is literally the essence of what it means to spoil a child. Yet there are also millions of middle class parents everywhere in America who require their children to clean their rooms, make their beds, complete their homework, and do daily chores in exchange for a modest allowance. This teaches responsibility, an understanding that money is given in exchange for work, and it bonds a child to his or her family in a relationship of mutual commitment and responsibility.

Congress has just passed a plan that tries to apply the kind of tough love, common sense approach to welfare reform that Americans know is morally right and have said that they want. The plan is based on the simple proposition that welfare recipients should work for their benefits, just like you work to support your family and to pay your taxes.

It also recognizes that there will be no real welfare reform without tackling the appalling problem of illegitimacy. Fully one in every three American babies is born out of wedlock today.

So I ask the Speaker to commend to the attention of the President this bill. I hope that he signs it. I hope it becomes law. It will clearly bode well for the future of our country going into the 21st century.

#### RECESS

The SPEAKER pro tempore. Pursuant to clause 12 of rule I, the House stands in recess until 2 p.m.

Accordingly (at 12 o'clock and 49 minutes p.m.), the House stood in recess until 2 p.m.

#### AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. CALVERT) at 2 p.m.

#### PRAYER

The Chaplain, Rev. James David Ford, D.D., offered the following prayer:

Protect us, O gracious God, all the day long until the shadows lengthen and the light is gone and we are alone. Remind us that we never walk the path of life alone or go through the valley by ourselves, but Your spirit leads and guides, Your strong arm is our strength, and Your grace is abundant for our every need. We place our prayers before You, O God, asking that You would bless us this day and direct us in the way of truth and peace and grace. In Your name, we pray. Amen.

#### THE JOURNAL

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

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

#### PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from California [Mr. MOORHEAD] come forward and lead the House in the Pledge of Allegiance.

Mr. MOORHEAD led the Pledge of Allegiance as follows:

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

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. 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 Tuesday, July 30, 1996.

#### REPEALING OF PROVISION OF UNITED STATES CODE RELATING TO FEDERAL EMPLOYEES CONTRACTING OR TRADING WITH INDIANS

Mr. MOORHEAD. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3215) to amend title 18, United States Code, to repeal the provision relating to Federal employees contracting or trading with Indians.

The Clerk read as follows:

H.R. 3215

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. FEDERAL EMPLOYEES CONTRACTING OR TRADING WITH INDIANS

(a) REPEAL.—Section 437 of title 18, United States Code, is repealed.

(b) CONFORMING AMENDMENT.—The table of sections at the beginning of chapter 23 of title 18, United States Code, is amended by striking the item relating to section 437.

(c) EFFECTIVE DATE.—The repeal made by subsection (a) shall—

(1) take effect on the date of enactment of this Act; and

(2) apply with respect to any contract obtained, and any purchase or sale occurring, on or after the date of enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California [Mr. MOORHEAD] and the gentleman from Virginia [Mr. SCOTT] each will control 20 minutes.

The Chair recognizes the gentleman from California [Mr. MOORHEAD].

#### GENERAL LEAVE

Mr. MOORHEAD. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 3215.

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

There was no objection.

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

Mr. Speaker, I rise in support of H.R. 3215 which repeals a provision of the Criminal Code, 18 U.S.C. 437, that prohibits certain Federal employees from contracting or trading with American Indians. The gentleman from Arizona, Mr. J.D. HAYWORTH, introduced H.R. 3215 on March 29, 1996.

Section 437 prohibits employees of the Bureau of Indian Affairs and the Indian Health Service from entering into contracts with American Indians for the purchase, transportation, or delivery of goods or supplies for any American Indian. It further prohibits these employees from engaging in any purchase or sale of services or property from or to any American Indian. Because these provisions prohibit any of these transactions in any case in which the Federal employee appears to benefit, they effectively bar any such transaction with a family member of the Federal employee. A violation of this section is punishable by a fine or imprisonment of up to 6 months.

Section 437, first passed in the 1800's, was enacted to prevent Federal employees who are involved in administering programs to assist American Indians from taking advantage of those they are supposed to be helping. While it was well-intentioned when passed, today it is outdated and no longer necessary. In addition, the section has the perverse effect of making it harder for the Indian Health Service to recruit and retain good medical employees for remote reservations because those employees' spouses are prohibited from trading with the local Indians.

In 1980, Congress amended this statute to allow the executive branch to provide, by regulation, for exceptions

to the general prohibition on trading. Because H.R. 3215 will repeal the authority under which these regulations were promulgated, they should be repealed if this bill is enacted. As a practical matter, these regulations providing for exceptions will no longer be necessary nor effective because the general prohibition will no longer exist. However, I want to make it clear that this repeal should not be construed to prejudice any person who has lawfully acted in reliance on those regulations. I also want to make it clear that even though we are repealing section 437, and thereby rendering the regulations providing for exceptions unnecessary, all other applicable general standards of ethical conduct for these Federal employees remain in effect.

Similar legislation passed the other body on October 31, 1995, as part of a broader package of technical amendments to laws relating to Indians—S. 325. The package passed by unanimous consent. Last week, the Committee on Indian Affairs in the other body by voice vote ordered favorably reported S. 199, a separate bill that addresses only the repeal of section 437. The Department of the Interior, of which the Bureau of Indian Affairs is a part, testified in favor of the repeal of section 437 at hearings on S. 325. I am informed that the Department of Health and Human Services, which includes the Indian Health Service, is in favor of repeal of section 437. I am also informed that the Navajo Nation and the Hopi Tribe are in favor of this legislation. I do not have any reason to believe that any other American Indian groups oppose this bill. I urge all Members to support this worthy legislation.

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

Mr. SCOTT. Mr. Speaker, I yield myself such time as I may consume, and I rise in support of the bill.

Mr. Speaker, this bill enjoys bipartisan support. The current law prohibits employees from the Bureau of Indian Affairs and the Indian Health Service from entering into contracts with Indians or their families for the purchase, transportation or delivery of goods or services. It also prohibits these employees from engaging in any purchase or sale of services with the property of any Indian.

When first passed in the 1980's, the legislation was designed to prevent Federal employees who were involved in administering programs to help Indians from taking advantage of the Indians they were supposed to be helping.

While it was well-intentioned when passed, today the law appears to be outdated and has the negative effect of making it harder for Indian Health Services to recruit and retain good medical employees for remote reservations because those employees' spouses are prohibited from trading with local Indians.

Mr. Speaker, passing this bill will not diminish in any way the ethical standards because the people involved

will still be covered by all of the ethics in Government regulations. The counterpart legislation passed the Senate by unanimous consent last year, and I urge Members to support the measure.

Mr. HAYWORTH. Mr. Speaker, I would like to take this opportunity to thank the distinguished chairman and ranking member of the House Judiciary Committee for their assistance in moving H.R. 3215 through the legislative process.

As my colleagues may know, the Trading with Indians Act was originally enacted in 1834, and at that time it served an important purpose: to ensure that Federal employees did not improperly influence native Americans. However, today this law is unnecessary and unproductive. It establishes a prohibition against commercial trading with native Americans by employees of the Indian Health Service [IHS] and Bureau of Indian Affairs [BIA]. In many cases, this prohibition also extends to transactions undertaken by the spouse of a Federal employee.

The penalties for violations include a fine of not more than \$5,000, or imprisonment for not more than 6 months, or both. The act further provides that any employee who is found to be in violation should be terminated from Federal employment.

Enforcement of this outdated law has caused great difficulties for many native American families. It has also made it more difficult for IHS and BIA to retain quality Federal employees in certain facilities located on remote parts of reservations.

Both Health and Human Services Secretary Donna Shalala and Interior Assistant Secretary Ada Deer have expressed support for repealing the Trading with Indians Act. The Senate has already approved legislation which includes language identical to H.R. 3215. Both the Navajo Nation and the Hopi Tribe support passage of the bill. In fact, I am not aware of any opposition to H.R. 3215.

Repeal of the Trading with Indians Act is long overdue. Passage of H.R. 3215 would benefit numerous native American families, and I hope that my colleagues will join me in supporting this commonsense legislation.

Mr. SCOTT. Mr. Speaker, I yield back the balance of my time.

Mr. MOORHEAD. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California [Mr. MOORHEAD] that the House suspend the rules and pass the bill, H.R. 3215.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

#### CODIFYING WITHOUT SUBSTANTIVE CHANGE LAWS RELATED TO TRANSPORTATION

Mr. MOORHEAD. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2297) to codify without substantive change laws related to transportation and to improve the United States Code, as amended.

The Clerk read as follows:

H.R. 2297

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. TITLE 18, UNITED STATES CODE.

Section 2721(b) of title 18, United States Code, is amended as follows:

(1) In the matter before clause (1), strike "the Automobile Information Disclosure Act, the Motor Vehicle Information and Cost Saving Act, the National Traffic and Motor Vehicle Safety Act of 1966, the Anti-Car Theft Act of 1992, and the Clean Air Act" and substitute "titles I and IV of the Anti Car Theft Act of 1992, the Automobile Information Disclosure Act (15 U.S.C. 1231 et seq.), the Clean Air Act (42 U.S.C. 7401 et seq.), and chapters 301, 305, and 321-331 of title 49".

(2) In clause (9), strike "the Commercial Motor Vehicle Safety Act of 1986 (49 U.S.C. App. 2710 et seq.)" and substitute "chapter 313 of title 49".

#### SECTION 2. TITLE 23, UNITED STATES CODE

In the catchline for section 103(e)(4)(L) of title 23, United States Code, strike "FTA" and substitute "CHAPTER 53 OF TITLE 49".

#### SECTION 3. TITLE 28, UNITED STATES CODE.

In section 1445(a) of title 28, United States Code, strike "sections 51-60 of Title 45" and substitute "section 1-4 and 5-10 of the Act of April 22, 1908 (45 U.S.C. 51-54, 55-60)".

#### SECTION 4. TITLE 31 UNITED STATES CODE.

Title 31, United States Code, is amended as follows:

(1) In section 1105(a), redesignate clauses (27) through the end as clauses (26) through the end.

(2) Section 9101 is amended as follows:

(A) Clause (2)(J) is repealed.

(B) Redesignate clauses (2)(K) through the end as clauses (2)(J) through the end.

(C) In clause (3)(B), strike "Fund;" and substitute "Fund."

(D) Clause (3)(N), as added by section 902(b) of the Energy Policy Act of 1992 (Public Law 102-486, 106 Stat. 2944), is redesignated as clause (3)(O).

#### SECTION 5. TITLE 49, UNITED STATES CODE.

Title 49, United States Code, is amended as follows:

(1) In section 106(b), strike "the date of the enactment of this sentence" and substitute "August 23, 1994,".

(2) In section 111(b)(4) and (g), strike "the date of the enactment of this section" and substitute "December 18, 1991".

(3) Section 329 is amended as follows:

(A) In subsection (b)(1), strike "(as those terms are used in such Act)" and substitute "(as that term is used in part A of subtitle VII of this title)".

(B) In subsection (d), strike "that Act" and substitute "that part".

(4) In section 521(b)(1)(B), strike "the date of enactment of this subparagraph" and substitute "November 3, 1990".

(5) Section 701(b)(4) is amended as follows:

(A) Strike "the effective date of this section" and substitute "January 1, 1996".

(B) Strike "the date of the enactment of the ICC Termination Act of 1995" and substitute "December 29, 1995,".

(6) In section 702, strike "the effective date of such Act" and substitute "January 1, 1996".

(7) In section 726(a), strike "the date of enactment of the ICC Termination Act of 1995" and substitute "December 29, 1995".

(8) In section 5116(j)(4)(A), strike "subsection (g)" and substitute "section 5115 of this title".

(9) In section 5119(b)(2), 5309(g)(1)(B) and (m)(3), 5328(b)(3), 5334(b)(1), 5335(b)-(d), 3113(c)(1)(B) and (C) and (2), 40112(e)(2), 41105(b), 41310(f), 41714(e)(2), 42104(b), 44506(d), 44913(a)(2), 47107(k), 48102(d)(2), and 48109,