



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 105th CONGRESS, SECOND SESSION

Vol. 144

WASHINGTON, FRIDAY, JUNE 19, 1998

No. 81

House of Representatives

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

DESIGNATION OF THE SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
June 19, 1998.

I hereby designate the Honorable STEVEN C. LATOURETTE to act as Speaker pro tempore on this day.

NEWT GINGRICH,
Speaker of the House of Representatives.

PRAYER

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

With gratefulness and joy we celebrate that Your grace, O God, is sufficient for all our needs and available to us in all the reaches of our lives. If we live with the good fortune of life, You are there, and if we suffer and know anguish, You are there. Whether in the heights of happiness or in the depths of despair, whether at the end of the day or at the morning light, in youth or age, in all the seasons of our existence, we can be confident that Your spirit leads us and Your grace accepts us, whatever we have been and wherever we are.

For all these great gifts, O God, we offer our praise and thanksgiving. 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 North Carolina (Mr. BALLENGER) come forward and lead the House in the Pledge of Allegiance.

Mr. BALLENGER 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.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate had passed without amendment a bill of the House of the following title:

H.R. 1316. An act to amend chapter 87 of title 5, United States Code, with respect to the order of precedence to be applied in the payment of life insurance benefits.

The message also announced that the Senate passed bills of the following titles, in which concurrence of the House is requested:

S. 1104. An act to direct the Secretary of the Interior to make corrections in maps relating to the Coastal Barrier Resources System.

S. 1279. An act to amend the Indian Employment, Training and Related Services Demonstration Act of 1992 to provide for the transfer of services and personnel from the Bureau of Indian Affairs to the Office of Self-Governance, to emphasize the need for job creation on Indian reservations, and for other purposes.

The message also announced that pursuant to sections 276h-276k of title 22, United States Code, as amended, the Chair, on behalf of the Vice President, appoints the following Senators as members of the Senate Delegation to the Mexico-United States Interparliamentary Group meeting during the Second Session of the One Hundred Fifth Congress, to be held in Morelia, Mexico, June 19-21, 1998—

The Senator from Kansas (Mr. ROBERTS); and

The Senator from Alabama (Mr. SESSIONS).

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair announces that he will entertain five 1-minutes on each side.

HAPPY FATHER'S DAY FROM THE FATHERHOOD PROMOTION TASK FORCE

(Mr. PITTS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PITTS. Mr. Speaker, as the co-chair of the Task Force on Fatherhood Promotion, I rise today to discuss the importance of a faithful father.

With Father's Day this Sunday, it is vital that we pause to thank the men across this country who have given time to their children, love them, discipline them and show their commitment to keeping a family together.

When more than 50 percent of all adults agree that fathers today spend less time with their children than their own fathers did with them, this should cause us to pause. We must consider the reality that only if we spend time with our kids now will they desire time with us later.

As Father's Day comes and goes again, we should resolve that the most important relationship we will ever cultivate will not be here in the halls of Congress, or over dinner downtown, or at a campaign fund-raiser, but will be the ones that develop in our own homes.

To all those fathers who are working to be good dads:

Keep up the valuable work that you are doing. Society and, most importantly, your own kids will say, "Thank you."

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

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



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PRIVATIZATION SCHEMES TRADE AWAY SOCIAL SECURITY'S GUARANTEE FOR A WALL STREET GAMBLE

(Mr. KUCINICH asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KUCINICH. Mr. Speaker, investing Social Security in the stock market concedes to the hysteria manufactured by Wall Street. They exaggerate Social Security's actuarial imbalance and call it a crisis. There is no crisis. With current tax and benefit rates remaining constant, Social Security will pay 100 percent of the benefits of future recipients until 2032 without any change whatsoever. That is according to the most conservative estimates which assume extremely low economic growth rates and high unemployment.

What private sector initiative can promise the same? What other program backed by the full faith and credit of the United States? None. Only Social Security is guaranteed.

Privatization schemes trade away Social Security's guarantee for a Wall Street gamble. What goes up must go down. All forms of privatization constitute a cave-in and a back-track.

Members of Congress will soon be offering a resolution that says Congress must guarantee that all obligations to current and future Social Security beneficiaries will be paid in full. Americans need to hear Congress reaffirm its commitments to its citizens.

Stand up for Social Security.

THE PROBLEM IN EDUCATION IS NOT A QUESTION OF MONEY

(Mr. GIBBONS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GIBBONS. Mr. Speaker, will we ever learn from history?

Last year the liberal Democrats said, "We need to spend more money on education because it will improve the education of our children." And so Congress voted to do so. The year before that, the message was exactly the same: Spend more money. And Congress did.

And the year before that, we heard the same arguments: Spend more money, and children will do better in school. And Congress did.

And the year before that, the liberals were in full cry demanding that more money be spent on education because that will surely improve student performance. And indeed Congress bowed to those demands.

But somehow we have still failed schools, and student performance is as dismal as ever.

My question is to the other side: At what point do they conclude that the problem in education is not a question of money? Is the other side utterly incapable of thinking seriously about the question, or will no amount of failure,

absolutely no amount of evidence, ever have the slightest impact on their thinking?

Mr. Speaker, I yield back the balance of any thinking time they may have.

BEAM ME UP—TEACHERS IN AMERICA CANNOT EVEN MENTION GOD?

(Mr. TRAFICANT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TRAFICANT. Mr. Speaker, Mildred Rosario, a sixth grade teacher in the Bronx, was fired. Mildred was fired for attempting to comfort her students over the drowning loss of a fellow classmate by simply saying he was in heaven.

Mildred was fired for saying, I quote, he was in heaven.

Unbelievable.

In America teachers can pass out condoms in school. Teachers can pass out needles. Teachers can even have forums and discussions on devil worship. But in America teachers cannot even mention God.

Beam me up.

A Nation that can discuss devil worship in our schools but cannot even mention God is a Nation that has lost both its sense of values and its sense of common sense.

Mr. Speaker, I yield back any problems we have in our schools.

THE PRESIDENT IS OPPOSED TO EDUCATION SAVINGS ACCOUNTS

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

Mr. BALLENGER. Mr. Speaker, it is not very useful or helpful to debate another man's motives. After all, how can one possibly know the true motives in another man's heart? But how else can we explain the President's opposition to perhaps the best single thing this Congress has done for our Nation's children this year in the area of education?

Yesterday the President indicated that he plans to veto the Coverdell legislation that would allow parents, guardians, even corporations and unions to set aside up to \$2,000 per year in tax-free savings accounts.

Think about this: The President is opposed to education savings accounts. This is something that middle-class parents have been calling for for years. What could possibly explain the opposition of most of the Democrat Party to this pro-education bill? Could it be that this party is utterly, totally, inextricably beholden to the teachers' unions, special interests that fight every single reform that might threaten their power?

This is special-interest politics at its worst, and our children are the ones who are being short-changed by it.

WHERE DO THE REPUBLICANS STAND?

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

Mr. PALLONE. Mr. Speaker, Republicans continue to do everything they can to block the teen smoking and the campaign finance legislation. They want to preserve soft money and keep the obscenely large contributions from big tobacco and other special interests rolling in to fill their campaign coffers.

We know on Wednesday Senate Republicans killed the comprehensive bill to help stop teen smoking, and the GOP's efforts showed where the Republicans stand: in the pocket of the big tobacco companies who want to snuff out any real efforts to prevent kids from smoking.

And now we see the same thing happening with regard to managed care reform, patient protections. We have not been able to get a hearing on patient protections; we have not had any effort really to try to bring a bill to the floor that would reform managed care in the way that most Americans want to see something happen this year in Congress, to make it possible for us to have quality health care in this country.

What we are seeing here on a regular basis is Republican efforts to kill every major piece of progressive legislation, whether it is the tobacco settlement, it is campaign finance reform, or it is managed care reform.

AMERICA NEEDS REAL EDUCATION REFORM

(Mr. ROGAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ROGAN. Mr. Speaker, what would it take to convince education bureaucrats that reformers are pro-education? Would an effort to give parents more control over their children's education do it? Would a program that gives children trapped in terrible schools the opportunity to go to a better school do it? How about reforms in place around the country that offer disadvantaged children real hope for the first time?

No, none of these are satisfactory to the education bureaucrats, because they oppose everything we are attempting to do—from charter schools to parental choice to improve education. The only way to convince them is simply keep sending more money to spend from Washington, D.C.

We Republicans reject this failed philosophy. We are going to pass legislation to give control, as Governor John Engler says, to parents who love their children, and take it away from bureaucrats who love their paychecks.

BEST WISHES TO THE MEMBERS UNDERTAKING THE STUDY OF OUR CURRENT RELATIONSHIP WITH CHINA IN AN ELECTION YEAR

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

Mr. SNYDER. Mr. Speaker, yesterday this House voted to fund a \$2.5 million study of our current relationship with China. The newly-appointed chairman, a Republican, the gentleman from California (CHRIS COX) and the ranking member, a Democrat, the gentleman from Washington (NORM DICKS), two well-respected Members of this body, deserve our support and respect as they begin investigating whether our decades-long policy and current procedures allowing commercial American satellites to be launched by Chinese rockets have inadvertently allowed transfer to the Chinese of information useful to the Chinese missile program. These are issues deserving thoughtful analysis, but unfortunately for the gentleman from California and the gentleman from Washington they undertake this investigation at a time of intense rhetoric and prejudgment, and of course elections are 4½ months away.

Mr. Speaker, I encourage this body to let these Members do their work unobstructed by the hot rhetoric that sometimes overtakes this body. The gentleman from California (Mr. COX) and the gentleman from Washington (Mr. DICKS) and the other members of this committee, we wish them well.

KILLER CONGRESSMEN

(Ms. DELAURO asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. DELAURO. Mr. Speaker, yesterday's Washington Post headlines says it all: GOP Kills McCain Tobacco Bill. And in this body the Republicans leadership is trying to derail campaign finance reform.

Let me add what the Philadelphia Inquirer says today: Killer Congressmen. So unfair to call this a do-nothing Congress. Top Republicans on the Hill are putting in a lot of hard work right now. Think it is easy to kill off the tobacco bill and campaign financing reform at the same time? That is what they did yesterday, and that is what they continue to try to do.

The gentleman from Georgia (Mr. GINGRICH) and his minions are killing off campaign finance reform. It is an astute gamble. Thwarting the Shays-Meehan bill may hurt their ability to pose as reformers, but it will keep open the soft money spigot they count on to hold their House majority.

What more proof do we need that our political system is hopelessly broken? Vote to fix our political system, vote to end big money in campaigns, and vote for real campaign finance reform. Vote for the Meehan-Shays bill.

PROVIDING FOR CONSIDERATION OF H.R. 4059, THE MILITARY CONSTRUCTION APPROPRIATIONS ACT, 1999

Mr. DIAZ-BALART. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 477 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 477

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 4059) making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 1999, and for other purposes. The first reading of the bill shall be dispensed with. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. After general debate the bill shall be considered for amendment under the five-minute rule. Points of order against provisions in the bill for failure to comply with clause 2 or 6 of rule XXI are waived. During consideration of the bill for amendment, the Chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 6 of rule XXIII. Amendments so printed shall be considered as read. The chairman of the Committee of the Whole may: (1) postpone until a time during further consideration in the Committee of the Whole a request for a recorded vote on any amendment; and (2) reduce to five minutes the minimum time for electronic voting on any postponed question that follows another electronic vote without intervening business, provided that the minimum time for electronic voting on the first in any series of questions shall be 15 minutes. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. Pending the adoption by the Congress of a concurrent resolution on the budget for fiscal year 1999, the following allocations contemplated by section 302(a) of the Congressional Budget Act of 1974 shall be considered as made to the Committee on Appropriations:

- (1) New discretionary budget authority: \$531,961,000,000.
- (2) Discretionary outlays: \$562,277,000,000.
- (3) New mandatory budget authority: \$298,105,000,000.
- (4) Mandatory outlays: \$290,858,000,000.

□ 0915

The SPEAKER pro tempore (Mr. LATOURETTE). The gentleman from Florida (Mr. DIAZ-BALART) is recognized for 1 hour.

Mr. DIAZ-BALART. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Ohio (Mr. HALL), pending which I yield myself such time as I

may consume. During consideration of this resolution all time yielded is for the purpose of debate only.

House Resolution 477 is an open rule providing for the consideration of H.R. 4059, the Military Construction Appropriations bill for fiscal year 1999.

The rule provides for 1 hour of general debate equally divided between the chairman and ranking minority member of the Committee on Appropriations. Further, the rule waives points of order against the consideration of the bill for failure to comply with clause 2 of Rule XXI, prohibiting unauthorized appropriations or legislative appropriations in general appropriations bills, and clause 6 of Rule XXI, prohibiting reappropriations in general appropriations bills.

Further, Members who have preprinted their amendments in the Congressional RECORD prior to their consideration will be given priority recognition to offer their amendments if otherwise consistent with House rules.

In addition, the rule grants the Chairman of the Committee of the Whole the authority to postpone votes and reduce voting time to 5 minutes, provided that the first vote in a series is not less than 15 minutes.

The rule provides for one motion to recommit, with or without instructions.

Finally, because we are still without a budget resolution conference report, the rule provides that the allocations required by the Budget Act, section 302(a) of the Congressional Budget Act of 1974 that sets out the process requiring those numbers, shall be considered as made to the Committee on Appropriations. In other words, Mr. Speaker, we are using last year's budget resolution numbers, as adjusted for economic assumptions.

The Committee on Rules hearing was cordial and bipartisan, which I am told is a reflection of how the Subcommittee on Military Construction of the Committee on Appropriations has acted during the stewardship of the gentleman from California (Mr. PACKARD), the chairman of the subcommittee, and the gentleman from North Carolina (Mr. HEFNER), the ranking member. The gentleman from North Carolina (Mr. HEFNER) has been a tremendous asset to this House, and his contributions to a better quality of life for our men and women in uniform are truly commendable.

I support this open rule as well as the underlying bill. The bill funds military construction, family housing and base closure for the Department of Defense for the fiscal year ending September 30, 1999. The spending level represents a reduction in the underlying bill of \$1 billion from last year's bill, \$8.2 billion this year versus \$9.2 billion for 1998, a reduction from last year's bill, and I believe that the bill contains a reasonable amount of spending, with the majority of the money going to family housing.

I commend the gentleman from California (Mr. PACKARD) and the gentleman from North Carolina (Mr. HEFFNER) for their hard work and cooperation in bringing forward this Military Construction Appropriations bill, and I would urge the adoption of both the rule and the underlying bill.

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

Mr. HALL of Ohio. Mr. Speaker, I want to thank my colleague from Florida (Mr. DIAZ-BALART) for yielding me the time, and I yield myself such time as I may consume.

This resolution, which is H. Res. 477, is an open rule. It will allow for full and fair debate on H.R. 4059, which is the Military Construction Appropriations bill for fiscal year 1999.

As my colleague from Florida described, this rule provides for 1 hour of general debate, equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations.

This rule permits germane amendments under the 5-minute rule, which is the normal amending process in the House. All Members on both sides of the aisle will have the opportunity to offer amendments.

The Committee on Rules reported this rule without opposition in a voice vote.

This bill appropriates \$8.2 billion for military construction, housing for military members and their families, hospitals, and construction projects associated with base closings. This represents a cut of about 11 percent below the level appropriated last year.

The bill funds necessary capital improvements to our Nation's military facilities. The bill places a special emphasis on the planning and the construction of several barracks, family housing and operational facilities.

The bill contains funding for 3 projects at Wright-Patterson Air Force Base, which is partially located in my district. This includes money to restore 40 units of family housing.

The bill also funds construction of a building to consolidate the Aeronautical System Center's acquisition support functions.

The third Wright-Patterson project will renovate a C-141-C flight simulation training facility for the Air Force Reserve.

I also wish to call to the attention of my colleagues an extra provision in the rule which essentially scraps the budget resolution that we just passed on the floor of this House 2 weeks ago.

The rule we are now voting on establishes that the Committee on Appropriations will use last year's spending targets, not the ones we adopted in the House this year.

Mr. Speaker, passage of this bill is important to our national defense and to our fighting forces.

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

Mr. DIAZ-BALART. Mr. Speaker, we have no further speakers at this time.

Mr. HALL of Ohio. Mr. Speaker, I yield 5 minutes to the gentleman from Wisconsin (Mr. OBEY).

Mr. OBEY. Mr. Speaker, this is really an incredible process that we are going through here this morning. When the majority party took control of the House, they said they would do things differently, and they sure have. If we take a look at what has happened, this House has, or is supposed to have, an orderly budget process. We are supposed to produce a budget resolution which defines priorities and defines overall spending patterns, and then and only then are committees supposed to bring up their legislation which fits within the budget resolution which has been passed.

Instead, this House, this year, under this leadership has blown that process to smithereens. First it started with the highway bill, which before the budget resolution was even considered ran that horse out of the barn. That bill wound up spending about \$25 billion more than the budget allowed it to spend.

Then this House passed the Kasich budget, which indicated that they were going to make substantial reductions below the budget which we agreed to last year. This chart demonstrates the difference between the Kasich budget and the budget that had been agreed to on a bipartisan basis with the White House last year. Under that bipartisan agreement last year, we are already supposed to be cutting domestic discretionary spending \$43 billion below current services. Under the Kasich plan which this House passed, which that side of the aisle passed, those cuts are increased to \$64 billion by the fourth year.

But then, having posed for political holy pictures by saying that they are going to cut that amount in the generic, what has happened? They then bring to the floor appropriation bills which do not meet the Kasich targets, and now we are supposed to, under this rule, for instance, approve a proposal which has a \$1.4 billion adjustment in this year alone to the Kasich budget. That is not the only variance from the Kasich budget that we have here today, and it certainly is not the only variation from square budgeting.

Because in addition to this \$1.4 billion gimmick, the committee is also bringing appropriation bills to the floor which exempt from the caps, which they just imposed, spending to solve our computer problem for the year 2000; in addition to which they brought additional spending to the floor in the defense bill which provides an additional amount of spending above the cap for computer security.

In addition to that, the majority party which for years has said that the CBO should be the Bible when it comes to determining what spending levels are, they have just decided that they are going to direct the CBO to say that the defense bill costs \$2.5 billion less than it actually costs.

So when we total it all up, we have a \$1.4 billion gimmick in this rule this morning. We had in the defense bill almost \$5 billion in excess of the caps if those caps are going to be counted on a real basis; plus, we have in the Treasury Post Office appropriation bill another \$2 billion in excess of where the caps are supposed to bring us in.

So at this point I would simply say, it is very, very difficult to figure out what the rules are, because so far we have been proceeding under 3 different sets of rules, 3 different sets of assumptions within the past 3 weeks.

I have finally figured out what the rules are for spending this year. The rules are whatever the Speaker's office says they are. So I am going to vote against this rule because I think that this is an incredible way to run a railroad.

What has happened is that the Republican leadership has brought to the floor the Kasich budget resolution, which pretended to their most conservative Members within the Republican Caucus that they intended to make these deep reductions shown by this chart. They are now bringing appropriation bills to the floor which totally ignore those levels. All I can say, fellows, if this is your idea of reform, I would hate to see your idea of what the status quo is all about.

Mr. DIAZ-BALART. Mr. Speaker, we have no further speakers at this time.

I yield myself such time as I may consume to simply reiterate that the underlying legislation being brought to the floor this morning has a cut in it, a reduction in funding of \$1 billion. That is not a reduction in growth, that is an actual cut of \$1 billion from last year's bill, and that the Budget Act of 1974 is complied with with the procedure that we are following this morning.

Equally as important, the legislation that we are bringing to the floor this morning is under an open rule where every Member will have the opportunity to propose any amendment that the membership may wish to.

We are striving to bring as many pieces of legislation to the floor with open rules as possible. We are proud of our record in that regard, and we will continue to bring as much legislation as possible to the floor under this open rule process which grants every Member the opportunity to bring forth any amendment that is germane.

So with that in mind and stating it once again that this is an open rule, I would urge the adoption of the rule and reserve the balance of my time.

Mr. HALL of Ohio. Mr. Speaker, I yield 5 minutes to the gentleman from South Carolina (Mr. SPRATT).

Mr. SPRATT. Mr. Speaker, let me explain to the House our problem. This bill has a totally nongermane provision in it, this resolution. For the first time in the 15 or 16 years that I have been in the House, and longer for the gentleman from Wisconsin (Mr. OBEY), we are using a rule to comply with the

Budget Act. We are making budget process procedures here in a rule.

□ 0930

Buried in this rule dealing with military construction appropriations is a major budget resolution provision. No notice. Simply stuck in there with the numbers. So that anyone who did not follow the numbers would not really understand the significance of this provision.

But here is the significance of it. This is an admission of failure. The Budget Act says that the budget resolution must be completed by Congress, through the House, through the Senate, through conference, a concurrent resolution passed by April 15. We are already more than two months delinquent. More delinquent, later than ever before in the 25 years that we have had a budget process.

In order to complete the process, the reason we have this deadline is so that the Committee on Appropriations can begin its allocation process. It has 13 subcommittees. The resolutions that we pass of spending functions has to be allocated to the separate subcommittees. And unless we get this done timely, the Committee on Appropriations cannot get their bills to the floor.

But anticipating that we might not do it timely, there is a provision in the Budget Act that gives the chairman of the Committee on the Budget the authority to file a spending allocation which the Committee on Appropriations can then take and suballocate. It is section 302(a)(5) of the Budget Act.

So, Mr. Speaker, we have a procedure established not by rule of the House, not by a resolution, but established by law. It is statutory law of the United States giving the chairman of the Committee on the Budget the authority to notify the chairman of the Committee on Appropriations that this is his spending allocation which he can suballocate.

So the first question is why did we not follow black letter rules? Why did we not follow the statutory law of the United States as prescribed in the Budget Act? Why do we bury in a MILCON rule this arcane provision that nobody would understand unless he followed the letter of the budget process? What is happening here? What is this all about? A totally nongermane provision buried for the first time in a construction bill. Why do not we simply have the chairman of the Committee on the Budget write the letter that is necessary?

Then we notice there is a slight discrepancy, if we consider a billion dollars slight, because these numbers add up to \$1.1 billion in budget authority and \$1.4 billion in actual spending, we call it outlays, more than was provided for in the Kasich resolution, the House Republican resolution which narrowly passed the House just a couple of weeks ago.

So the whole House spoke on this subject and passed a resolution a cou-

ple of weeks ago, and already we are beginning to unravel that resolution. We saw it almost unravel here on the House floor. And the last thing I said about it is we passed a resolution, but what have we passed? Because the black hole in the middle of it leaves as much unresolved as resolved. Here we begin to see one of the mysteries of the black hole in the middle of that resolution. We have to come out here and patch it up with a military construction spending resolution on the House Floor.

But nobody should mistake the import of this. We have just raised spending and, therefore, I guess reduced the tax cut that the Republicans would make in their budget resolution by at least a \$1.1 billion. The resolution we passed, even though we had passed ISTEA, the renewal of the highway funding bill called T-21, the Transportation Equity Act for the 21st Century, even though we had passed that and even though that increased spending under the Balanced Budget Agreement above the Balanced Budget Agreement by \$35 billion and that had to be accommodated, the budget resolution passed by this House totally ignored it and left it to be worked out later. And here we are working it out in this stealthy fashion. A billion here, a billion there, and pretty soon we are talking real money. This is some way to run a budget process.

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

Mr. SPRATT. I yield to the gentleman from Wisconsin.

Mr. OBEY. Mr. Speaker, I agree with the gentleman that this is a stealthy process. Will this budget fly in the rain? I know the B-2 will not fly in the rain. Will this budget fly in the rain?

Mr. DIAZ-BALART. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I must commend my dear friends on the other side of the aisle for their extraordinary imagination and parliamentary ability, parliamentary ability which obviously is connected to imagination.

A number of points have just been made that were fascinating. Number one, that a mysterious provision has been buried in this rule. That was said more than one. Very interesting. My recollection this morning was that the Speaker recognized me first and that I granted time to my dear friend, the gentleman from Ohio (Mr. HALL). The gentleman from Massachusetts (Mr. MOAKLEY) was here on the floor first, so I granted time to the gentleman from Massachusetts and then the gentleman from Ohio has been controlling the time for our distinguished friends on the other side of the aisle.

Now, when the Speaker recognized me and I made a brief statement this morning describing the rule, this open rule with which we are bringing the underlying legislation to the floor, it is not only in the rule but I mentioned on the floor and I will repeat, because we

are still without a budget resolution conference report the rule provides that the allocations required by the Budget Act, section 302(a) of the Congressional Budget Act of 1974 that sets out the process requiring those numbers, shall be considered as made to the Committee on Appropriations.

In other words, we are using last year's budget resolution numbers as adjusted for economic assumptions.

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

Mr. DIAZ-BALART. I yield to the gentleman from North Dakota.

Mr. POMEROY. Mr. Speaker, I have a question on that specific point, because the Budget Act provides a way for the appropriations process to go forward in the absence of a budget resolution. It requires a letter from the chairman, and that is specifically provided under section 302(a)(5) of the Federal code.

The Budget chairman is directed then to write a letter relative to the allocations and that allows the appropriations process to move.

Will the gentleman tell us whether the chairman has written a letter as provided in the Budget Act?

Mr. DIAZ-BALART. Mr. Speaker, reclaiming my time, we have complied not only with the spirit but with the letter of the law, the Budget Act. And I have in my possession, and I would be glad to give my distinguished friend a copy, a letter from the chairman of the Committee on Appropriations where the following among other things is stated:

This procedure that we are using, that complies not only with the spirit but with the letter of the Budget Act, has been done in previous years when the conference on the budget resolution was late. And further, the chair of the Committee on Appropriations states if the conference agreement on the budget resolution should adjust these numbers that we are using in this appropriations bill that is brought to the floor today, the committee will adjust, the Committee on Appropriations will adjust its allocation and reflect such changes in further suballocations for later bills.

But what I wanted to make reference to was in regard to the great imagination showed by my colleagues on the other side of the aisle when they talk about the stealth procedures that are being utilized. Stealth procedures. When I brought out, the Committee on Rules brought out in his rule in writing for everyone interested to read, but I brought out in my oral statement this morning opening this debate what we are doing fully in compliance with the Budget Act of 1974. So that is something I think is important to point out.

Also, Mr. Speaker, I would like to point out that was stated more than once by our distinguished friends that we are raising spending. I remember I used to be in the State legislature in Florida and a lot of times when discussions would occur with regard to reductions in the growth of government spending, those would be called cuts.

Here in Washington in the 6 years since I have been here, often we have seen that when reductions in the growth of government are referred to, they are called cuts. And yet the underlying legislation that we are bringing this morning to the floor, the military construction bill, does not reflect a reduction in the growth of government spending. No, no. It brings to the floor an actual cut in the budget of a billion dollars, from \$9.2 billion to \$8.2 billion.

So what I am saying is obviously what we are seeing this morning is great talent, imagination, parliamentary ability. But I think that I certainly have never seen in the context of an open rule being brought to the floor for legislation so that all these amendments and all these ideas and all this imagination can be reflected in the context of an open rule, where every Member can come to the floor and debate ad infinitum if they wish in the context of our open rule, Mr. Speaker, which is something that was very rare when the other side controlled the majority, we are seeing all these signs of imagination. All of these signs of parliamentary ability. All of these signs of talent.

Mr. Speaker, I would say to my colleagues on the other side of the aisle, why not wait and during the open rule which we are granting, which is something that they rarely gave to us, why not wait during all the time in the world that we are granting for all of this maneuvering on the open floor?

Instead, they bring it during the open rule to obfuscate the fact that we are bringing an open rule. To obfuscate the fact that they rarely brought an open rule. To divert the attention of the membership to the fact that this Republican majority has a much higher percentage of open rules that it brings to the floor than the Democrats when they were in the majority.

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

Mr. HALL of Ohio. Mr. Speaker, I yield 5 minutes to the gentleman from North Dakota (Mr. POMEROY).

Mr. POMEROY. Mr. Speaker, I thank the gentleman from Ohio (Mr. HALL) for yielding me this time.

Mr. Speaker, I would ask the gentleman from Florida (Mr. DIAZ-BALART), my friend, if he might take a question.

Mr. DIAZ-BALART. Mr. Speaker, if the gentleman would yield, I would be glad to.

Mr. POMEROY. Mr. Speaker, the question gets to that letter that I was asking about, and I did not want to pursue it on the gentleman's time, so he could make his point. But it really relates specifically to the legal requirements before this body under the Budget Act.

Mr. Speaker, I ask the gentleman whether a letter had been submitted by the chairman of the Committee on the Budget, as required under section 302(a)(5) of the Budget Act. I reminded

the gentleman that the budget laws for this country say that when there is not a budget resolution passed by Congress, the procedure provided in the statute is to have the Committee on the Budget Chairman submit a letter with the spending allocations.

The gentleman said he had received a letter from the chairman, and quoted from it.

Mr. DIAZ-BALART. Mr. Speaker, of the Committee on Appropriations.

Mr. POMEROY. Oh, the gentleman received a letter from the Appropriations chairman.

Mr. DIAZ-BALART. That is the letter that I have before me.

Mr. POMEROY. Mr. Speaker, reclaiming my time, I appreciate the gentleman for making that distinction.

Mr. Speaker, I have a follow-up question. The Budget Act does not provide or specify in any way about a letter from the Committee on Appropriations chairman. The procedure is that the Committee on the Budget chairman must submit a letter relative to the spending allocations so that the body may proceed.

My question is has the Committee on the Budget chairman submitted a letter pursuant to the legal requirement of the Budget Act?

Mr. DIAZ-BALART. Mr. Speaker, if the gentleman would continue to yield, I am not in possession of that letter. But what I do know is that the procedure set forth by the Budget Act has been fully complied with, and that the Budget Act contemplates the possibility that we are dealing with at this time. This is not the first time we are dealing with it and in that contemplation, if I may answer—

Mr. POMEROY. Mr. Speaker, my time is running, so if the gentleman would get to the point, please.

Mr. DIAZ-BALART. Then I cannot answer the gentleman's question if he will not give me the time to answer his question.

Mr. POMEROY. Mr. Speaker, reclaiming my time, I think we have a filibuster going on. Reclaiming my time. Let me really take issue with the gentleman from Florida from the majority when he says that the Budget Act has been fully complied with. It has not.

There is a procedure. The procedure is, first of all, the House and Senate have to pass a budget resolution by April 15. Obviously, that has not taken place. There is a fail-safe provision, because I will be the first to admit the Democratic majority routinely blew that April 15 deadline. But the follow-up provision is that the Committee on the Budget chairman must submit a letter with the spending allocations. Here the gentleman from Florida says he has no letter from the Committee on the Budget chairman. He says that the act has been fully complied with, but he has no letter. That cannot be case.

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

Mr. POMEROY. I yield to the gentleman from Wisconsin.

Mr. OBEY. Mr. Speaker, what needs to be understood is that this is not a rule on the military construction bill. This is a rule which allows this House to totally ignore the budget resolution that just passed 2 weeks ago on this and every another appropriation bill that comes to the House.

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That is the problem, this is not a military construction rule. This is a rule that blows away the votes that my colleagues just cast 2 weeks ago in favor of the Kasich budget, and my colleagues are trying to hide it.

Mr. POMEROY. Reclaiming my time, I hope every Member watching this is aware that, in essence, this is nothing more than a flat-out House amendment of the budget we passed 2 weeks ago, an amendment adding more than \$1 billion in spending, because the figures simply do not jive.

This rule would allow spending at the rate of \$531.9 billion, and the Budget Act is \$530.8 billion, a difference of well over a billion dollars in budget authority, nearly \$1.4 billion in budget outlay. What they are trying to do in the rule is essentially amend the budget that we had enacted just 2 weeks ago.

My question, though, continues to be whether or not there is even legal authority for this provision because the Budget Act sets the rules. The rules are you have got a budget resolution. If you do not have a budget resolution, you have a budget chairman letter. We do not have the resolution. We do not have the letter. I seriously question whether or not this procedure comports with the Budget Act.

I will be checking with the Parliamentarian in terms of whether or not a point of order might be raised in terms of whether this body is acting outside of Federal law relative to this budget issue.

I do want to emphasize, as an aside, that this has nothing to do with MILCON. In fact, the gentleman from California (Mr. PACKARD) and the gentleman from North Carolina (Mr. HEFFNER) are known for their bipartisan fairness. As a minority member, I can tell you that the MILCON committee has always listened carefully to my concerns and been respectable to them.

Mr. DIAZ-BALART. Mr. Speaker, I would simply reiterate that we are fully complying with the Budget Act of 1974 and all other laws and obviously the rules of the House.

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

Mr. HALL of Ohio. Mr. Speaker, I yield 5 minutes to the gentleman from Maryland (Mr. CARDIN).

Mr. CARDIN. Mr. Speaker, let me thank the gentleman from Ohio (Mr. HALL) for yielding me this time.

Mr. Speaker, to my friend from Florida, if he wishes to respond, I will be glad to yield him some time. The gentleman brags that this is an open rule.

We have always had open rules on MILCON bills ever since I have been in this Congress. We have always had an open process on military construction. But the amendment in the rule that we are concerned about deals with budget allocations which has nothing to do with the MILCON budget.

My question is, the gentleman is bragging that this is an open process that we will be able to offer any amendments that we want to once this rule is adopted. Once this rule is adopted, will I be able to offer an amendment that will adjust the budget allocations on the MILCON bill?

Mr. Speaker, I yield to the gentleman from Florida to answer that question.

Mr. DIAZ-BALART. The gentleman, as one of the most distinguished Members of this House and someone who is extraordinarily knowledgeable of the rules of the House knows—

Mr. CARDIN. That I will not be able to offer an amendment.

Mr. DIAZ-BALART. That the gentleman can oppose the previous question on this rule and make that point precisely to oppose the previous question.

Mr. CARDIN. Reclaiming my time.

Mr. DIAZ-BALART. Fine.

Mr. CARDIN. For the rule that my colleagues brought out that they brag is an open rule that deals with the budget allocations for this country, if it is adopted, I am not going to be able to offer any amendments to adjust those budget allocations, because it is not even germane to the rule that is being brought out to consider the MILCON bill.

Be honest out here as to how my colleagues are handling this. This is not the regular procedures of the House. The regular procedures of the House would be that we would adopt a budget resolution, and that would become the allocations. That is supposed to be done by April 15. My colleagues missed that deadline.

So now the Committee on the Budget chairman is supposed to give allocations. The Committee on the Budget chairman has different views than the Committee on Appropriations chairman. So the Committee on the Budget chairman is not even here to defend these allocations.

Let me just compliment my friend, the gentleman from South Carolina (Mr. SPRATT), because he offered an alternative budget that dealt with discretionary spending which was in compliance with the Balanced Budget Act of last year.

My colleagues are now accepting some of the allocations from the gentleman from South Carolina (Mr. SPRATT), but our problem is how are we going to pay for it? Are we going to go into the surplus and use the surplus and not protect Social Security? Are we going to cut Medicare? How are we going to pay for this? These are questions we ask when we do a budget resolution.

A budget resolution should mean something around here. But, no, my

colleagues bring out a resolution from the Committee on Rules that changes the budget resolution that was passed on this floor. Then my colleagues say it is an open process, and we have no opportunity to offer any amendments to deal with it.

So my colleagues just cannot get their act together on this budget. We understand that. My colleagues have got differences with their own caucus, but they are not willing to bring everybody into the process. If they did, as we did last year, we would be able to reach a bipartisan agreement and be able to move forward with the appropriation process. But that is not what they are interested in doing.

Mr. Speaker, I yield to my friend, the gentleman from Wisconsin (Mr. OBEY).

Mr. OBEY. Mr. Speaker, the gentleman from Florida makes much of the fact that this is an open rule. I defy him to name one year when the Democratic Party, when it was in control, brought to the floor anything but an open rule on the military construction bill.

Mr. CARDIN. Mr. Speaker, I am glad to yield to the gentleman from Florida if he can tell us when there has not been an open rule on MILCON.

Mr. DIAZ-BALART. Mr. Speaker, what I am most impacted by at this point—

Mr. OBEY. Can the gentleman name a year?

Mr. DIAZ-BALART. If the gentleman wants to interrupt me before I can even answer my questions, then that is his prerogative. I am not going to be answering with constant interruptions. The gentleman thinks he is funny by getting up and saying, will you yield, and before I can even answer, he does not even allow me to answer.

Mr. OBEY. The gentleman is avoiding the question.

Mr. DIAZ-BALART. In the Committee on Rules, neither you there nor anyone else was asking to change this rule.

Mr. OBEY. The answer is there was not a year.

Mr. DIAZ-BALART. So the bottom line is this is an open rule, Mr. Speaker. We are proud of this open rule. It is a lot better than the other side did when they controlled the majority.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. LATOURETTE). The gentlemen will suspend.

The time is controlled by the gentleman from Maryland (Mr. CARDIN). The Chair would ask the indulgence of Members to speak one at a time and only when yielded to.

Mr. CARDIN. Mr. Speaker, I appreciate that. Just to respond, on a military construction rule, I did not think it was necessary for me to go to the Committee on Rules to talk about budget allocations. I would have thought that the Committee on Rules would be dealing with military construction. I admit that was naive on my part. I should know that this Com-

mittee on Rules would do anything it wants to do.

But let me tell my colleagues something, in the 12 years that I have been here, to answer the ranking member on the Committee on Appropriations, we have never had anything but an open rule on military construction.

Mr. DIAZ-BALART. Mr. Speaker, I yield as much time as he may consume to the gentleman from New York (Mr. SOLOMON), chairman of the Committee on Rules.

Mr. SOLOMON. Mr. Speaker, I have been sitting over in my office listening to what has been going on here. I have been a Member of this body for 20 years. I served 16 years in the minority. In those 16 years, I have seen the Democratic majority in an arrogant way treat this minority like they were a piece of you know what.

When we took over 4 years ago, when the American people decided they have had enough of this hypocrisy, we began to produce rules that were fair to both the majority and the minority in this House. Sure, they are not always open rules. They cannot be. You know that. You were in the majority for 16 years.

But when I hear people come on the floor today and start criticizing this military construction rule, which is an open rule, and it has one little addendum that was not even questioned, but when I hear people come on this floor and start saying, oh, you are picking up last year's budget levels, let me tell my colleagues what would happen if we did not do that, Mr. Speaker.

Suppose it were not in here. Do you know how the reverse of this debate would be going? The same people, the same Members would be saying, oh, you know, this is terrible. You Republicans have not adopted the budget yet. So we cannot go ahead with our appropriation bills. It is imperative that we go ahead right now and we pass these appropriations bills.

So my colleagues would be arguing just the opposite of what they are today. The one thing that the American people will not accept is hypocrisy. I mean, stand up here and say it one way or the other, but do not say it both ways.

Mr. OBEY. Mr. Speaker, will the gentleman yield on that?

Mr. SOLOMON. I yield to the gentleman from Wisconsin, one of my best friends in this body.

Mr. OBEY. Mr. Speaker, let me make perfectly clear to the gentleman from New York, there is nothing wrong with the rule on the military construction bill. The problem is the new budget resolution that my colleagues have slipped into it which allows them to spend billions of dollars more than they told the country they were going to spend just 10 days ago. That is the problem. If the gentleman is looking for a definition of hypocrisy, I would suggest that maybe he ought to look at that.

Mr. SOLOMON. Let me say to my good friend, he has a photostatic memory. I know him. I have served with

him for 20 years. He pulls things out of the air, and I say how did he remember that. Sometimes, most of the times, it is truthful. But let me do the same thing. I have got a little photostatic memory, too.

Back on July 23, 1985, in H.R. 5231, there is the exact same deeming provision sponsored by the gentleman from Wisconsin (Mr. OBEY). That is what the Committee on Rules did.

Mr. OBEY. But what did it deem?

Mr. SOLOMON. It deemed it. That is exactly what we are doing here.

Mr. OBEY. The difference is what it deems, not whether there is a deeming provision.

Mr. SOLOMON. Regular order.

The SPEAKER pro tempore. The time is controlled by the gentleman from New York.

Mr. SOLOMON. The gentleman knows that, if and when the budgeteers get together over in that other body, and they are a little more arrogant than the Democratic majority used to be over here, as a matter of fact, they are a lot more arrogant in most cases; but when they finally get together and they adopt the budget, I see my good friend from South Carolina rising, then we will revert right back to the same kind of caps that we had before.

Can I go back to my office, I have not been there in 2 weeks, and try to get caught up on my work so I can catch a plane to go back to my district?

Mr. SPRATT. Mr. Speaker, will the gentleman yield before he goes back to his office?

Mr. SOLOMON. I yield to the gentleman from South Carolina.

Mr. SPRATT. Mr. Speaker, I want the gentleman to go back to his office and answer his mail. We cannot meet with the other body until we have a conference committee. We passed a resolution 2 weeks ago. When are we going to conference? After the July 4th break. That is about July 15.

Mr. SOLOMON. Let me say to my good friend, he knows there are 100 egos over there. There are Republican egos. There are Democrat egos. We are dealing with all kinds of people, especially one man named BYRD over there. I mean, you know, he is some bird. He is a very nice gentleman.

Mr. SPRATT. But we cannot deal with anything until we have a conference. We do not even have one established.

Mr. SOLOMON. My colleagues know what is going on right now. I just wanted to set the record straight to my very good friends on that side of the aisle.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair would admonish all Members to avoid personal references to Members of the other body.

Mr. HALL of Ohio. Mr. Speaker, I yield 3 minutes to the gentleman from Texas (Mr. STENHOLM).

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

Mr. STENHOLM. Mr. Speaker, we have had a fascinating discussion, and I want to emphasize, too, I have no problem with the rule on military construction. That is not the issue that has me upset and concerned today.

I am glad to see the chairman of the Committee on Rules has stayed on the floor, because, with all of the statements that have been made about fair rules, I would like to take the opportunity now to ask him: Why did the gentleman deny the opportunity of the Blue Dogs to have our budget voted upon on this floor so that some of this might not have occurred today?

Mr. Speaker, I yield to the gentleman from New York (Mr. SOLOMON).

Mr. SOLOMON. Mr. Speaker, we have been explaining that for a long time. I brought the President's tax increases on this floor. There were about \$78 billion in them.

Mr. STENHOLM. I must reclaim my time.

Mr. SOLOMON. Let me finish. The gentleman asked me to answer his question, I say to my friend.

Mr. STENHOLM. Okay.

Mr. SOLOMON. In other words, we gave an opportunity to the American people through their representatives, and that is exactly why the Blue Dogs were not made in order. We could have made in order 50 alternatives if we wanted to. We asked our side not to do it. We asked your side not to do it. Let us have an up or down vote on the alternatives.

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Mr. STENHOLM. Mr. Speaker, with all do respect, and I want to continue to yield to the gentleman, because he did see fit to give the CATs a vote. So what he just said is a little bit disingenuous because he allowed a Republican substitute but he chose not to let the Blue Dogs.

Mr. SOLOMON. Mr. Speaker, if the gentleman will continue to yield, I will say to my good friend that, yes, we did allow the CATs and we allowed the gentleman from South Carolina (Mr. SPRATT), too.

By the way, I want to tell the gentleman from South Carolina that the deeming portion that was in the 1985 bill was offered by one of the most respected and admired members of the Committee on Rules, also from the State of South Carolina, Mr. Butler Derrick. I just wanted the gentleman to know that.

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

Mr. STENHOLM. I yield to the gentleman from South Carolina.

Mr. SPRATT. Could I just ask the gentleman, Mr. Speaker, in 1985, did the deeming resolution raise the allocation above that which the House had just approved 2 weeks before? This is \$1.4 billion more than the whole House approved.

Mr. SOLOMON. Well, if the gentleman will continue to yield, the only way to continue with the appropriation

process so we do not get into a position of shutting down the government, the only way is to deem last year's figures, which is what we did in 1985. The gentleman knows that.

Mr. STENHOLM. Reclaiming my time, Mr. Speaker, I think it is clear to everyone that we are completely and totally ignoring the rules of the budget process. That is a given.

There is no problem with the military construction bill we will take up. It is an open rule, a fair rule, and one that can be discussed. My problem today, as the ranking member of the House Committee on Agriculture, I have some very strong concerns about the allocation that the leadership of the House, written in the Speaker's office, has given to agriculture. I am sure others will have the same.

I have no problem with the total amount of spending. We have made that very, very clear. The Blue Dog budget, what we have before us today, is a cap on spending. I have no problems with that. But I have a problem with prioritization. Because, in my opinion, there are some real needs in agricultural research, in rural housing, in conservation programs, numerous cooperative State research, education, extension, that are being cut, that are not as high a priority as the legislative branch of government. Why we are increasing \$100 million on the House of Representatives and then cutting in these areas of extreme importance, I do not understand, and we will have more to talk about that later.

Mr. HALL of Ohio. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. FAZIO).

Mr. FAZIO of California. Mr. Speaker, we are not here to be critical of the military construction subcommittee. The gentleman from North Carolina (Mr. HEFNER) and the gentleman from California (Mr. PACKARD) have done their job. We are not even here to be critical of the gentleman from New York (Mr. SOLOMON), who is just carrying the burden of leadership. What we are here to say is that this rule, uniquely, among the 13, is designed to pass a budget in real terms that will apply to the appropriations process, and nobody really knows that until we came to the floor this morning and discovered buried in this MilCon rule an increase in allocation of \$1.1 billion in budget authority and \$1.4 billion in outlays so that we could practically do, even to the degree we can, the business of this country.

In fact, the Republicans had a breakdown in the budget process. They have had to promise the moderates, the gentleman from Delaware (Mr. CASTLE) and others, that they would not raise taxes; and they had to prove to the CATs that they would cut taxes \$110 billion; they have told the veterans' lobby that they will not cut veterans' programs; and they have told the moderates they would not cut Medicare and Medicaid. At the same time, they have had to promise the gentleman from

South Carolina (Mr. SPENCE) they would increase defense spending.

It does not add up, my colleagues. They cannot pass a budget resolution. I do not even know that Mr. DOMENICI and Senator LOTT have reached any agreement on what the Senate ought to be doing. So what we are doing today is passing the budget resolution.

Everyone ought to know that this is not a rule on military construction. In practical terms, it is a way to get by the inability of this majority to function; to pass a budget. They want to be all things to all people, and it does not add up. As a consequence, the appropriators have to proceed. Because, if not, we will end up shutting the government down again, having a continuing resolution and looking inept.

So my colleagues should vote as they will on this rule, but should not be deluded into thinking it is simply a \$1 billion cut in MilCon spending. This rule will define the entire appropriations process for the rest of this summer. If we are going to proceed on this basis, we might as well just forget the Committee on the Budget, forget the conference, that may or may not ever reach a conclusion, and simply go back to the system we had before the budget reforms of the 1970s.

Mr. DIAZ-BALART. Mr. Speaker, I yield myself such time as I may consume to say that, first of all, it is important to reiterate, because we have heard so often today it being alleged that we are doing something stealthily, that not only did we have a hearing and a markup in the Committee on Rules for this resolution that we are bringing to the floor today, in order to bring before us the underlying legislation of the military construction appropriations bill, but, today, in our presentation, our initial presentation, we talked about how we are complying with the Budget Act of 1974 through this procedure.

And then with regard to the so-called unprecedented nature of what we are doing, my dear friend, the gentleman from California (Mr. FAZIO), just said that we are, in effect, to paraphrase him, getting rid of the budget process. Our friends, when they controlled the majority in 1985, did this. Because at that time a conference report on the budget had not been passed as well. But they did not do it in June. They did not do it on June 19. No, it was July 24 that year that the budget process had not been completed. And they also brought a rule forward, in order to comply with the Budget Act, doing the same thing, deeming last year's numbers for this year's. So the reality is it has neither been done in a stealthy way, much less in an unprecedented way.

But I want to point out one very important point, because speaker, after speaker, after speaker on the other side have mentioned they have nothing against this military construction bill. Oh, no, no, no, this military construction bill is very good, and the gentleman from North Carolina (Mr. HEF-

NER), of course, has to be congratulated, and the gentleman from California (Mr. PACKARD). And speaker, after speaker, after speaker reiterate the fact they have nothing against the military construction bill; that it is very important to pass the military construction bill.

Let us keep one thing in mind. If our distinguished friends manage to defeat this rule today, if our distinguished colleagues on the other side of the aisle manage to defeat this rule, what they will be doing is denying our men and women in uniform the military construction bill. And let there be no doubt that all this fancy debate and imaginative performance that we have seen here today will have, if it is successful, the outcome, the effect, of denying the gentleman from North Carolina and the gentleman from California the opportunity to come to the floor today and to present a piece of legislation which is very necessary to our men and women in uniform throughout this country and those who are serving in so-called peacekeeping missions like in Bosnia.

So have no doubt, distinguished colleagues, as to what we are doing. This is not unprecedented. It was done in 1985, and not in June but in July. It was not stealthily done. It was publicly done in the Committee on Rules under the leadership of the gentleman from New York (Mr. SOLOMON). And again today we brought it out in our oral statement at the very beginning. What we are dealing with is bringing forth legislation that is critical to the national security of this country. So let us clarify and make clear exactly where we are and what we are dealing with.

If we want to continue talking as though we were in the model United Nations, like I was in college, because that is what I have been reminded of today with some of the speeches on the other side of the aisle, very theoretical and nice sounding speeches, but we are not talking model United Nations or model parliaments like when we were in high school or college. This is the military construction bill of the United States that we are bringing to the floor today. It is about time that we get to this legislation, and it is about time that we pass it today, and that is why I urge passage of the rule and passage of the underlying legislation.

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

Mr. HALL of Ohio. Mr. Speaker, I yield the balance of my time to the gentleman from South Carolina (Mr. SPRATT), the ranking minority member on the Committee on the Budget.

Mr. SPRATT. Mr. Speaker, I yield to the gentleman from Wisconsin.

Mr. OBEY. Mr. Speaker, let me simply say that the assertion of turning down this rule will deny anything to anybody in the military is absolute, total, flat nonsense.

This military construction bill is going to pass with bipartisan support.

The problem is that there is added an illegitimate and, in my view, strange and sneaky way around the Kasich budget in the rule, and that is the objection. So do not drag out the red herring about endangering military. That is absolute, total, bald-face nonsense.

Mr. SPRATT. Mr. Speaker, let me make clear to everybody that this is not a tempest in a teapot. The money is not so significant in a budget of \$1.7 trillion, but the precedent is vitally important.

A few weeks ago this House passed a budget resolution, narrowly passed it, which provided \$530,863,000,000 for discretionary spending. Budget authority. And \$560,885,000,000 for outlays. Now, the chairman of the Committee on Appropriations has requested an increase of \$1.1 billion in budget authority and \$1.4 billion in outlays. This procedure is not in compliance with the Budget Act.

Section 302(a)(5) allows the chairman of the Committee on the Budget, when there is no budget resolution, to write a letter to the Committee on Appropriations and set a level so that the committee can then suballocate that overall level to 13 different committees and we can proceed with bills like this. But in this case it is not the chairman of the Committee on the Budget, it is the chairman of the Committee on Appropriations, and he is actually requesting more than the House approved.

So in two important respects we are deviating from the budget procedures that we have established and followed for 25 years so that we can spend \$1.7 trillion in a reasonably fair, orderly and systematic manner.

What we see here is a continuation of a trend, a sort of defiance, an indifference to the established procedure for the budget process. This is the latest budget resolution that we have seen; the longest delinquency in producing a concurrent budget resolution in 25 years. When we finally, 2 months late, got the budget resolution to the House floor, it came to the House floor 10:30 p.m. and we debated it into the wee hours of the morning.

And as we took it up, we noted that this budget resolution, which was a majority resolution, the Republican resolution, had a huge black hole in the middle of it. Because even though we had passed a highway spending bill that exceeded the balanced budget agreement by \$35 billion, and set new levels of spending for transportation in that amount, the budget resolution wholly ignored what the Congress had done and left unresolved exactly how those spending increases would be accommodated in the resolution. And then, when there were not enough votes to pass it, it unraveled still further on the House floor.

This is no way to run a budget process, Mr. Speaker.

Mr. DIAZ-BALART. Mr. Speaker, I yield myself such time as I may consume.

What we have been alleging and bringing forth, the military construction bill, is not bald-faced horsefeathers, or some other regional folkloric terminology the gentleman from Wisconsin is so good at using. It is a very serious matter, this legislation, and it is very important to the national security of this country.

And these arguments, I think, we have refuted most effectively, in terms of this having been supposedly surreptitious or unprecedented. That is not true. It is not true, and I feel very proud of the gentleman from California (Mr. PACKARD) and of the chairman of the Committee on Rules in bringing forth this legislation under an open rule. And we have a very distinguished and admirable record of bringing forth important pieces of legislation, and most legislation, under open rules.

Mr. Speaker, I yield such time as he may consume to the gentleman from New York (Mr. SOLOMON), the distinguished chairman of the Committee on Rules.

Mr. SOLOMON. Mr. Speaker, let me just briefly say that, first of all, this rule is not going to be defeated because every Republican is going to vote for this rule, and I will see to it. That means it is going to pass. And there are also a lot of good Democrats that are going to vote for this rule, because it is absolutely imperative.

Everyone knows, and the gentleman from Wisconsin (Mr. OBEY) knows, as does the gentleman from Maryland (Mr. CARDIN), that if we do not have this provision in the first appropriation bill coming up, it means a point of order lies against all other appropriation bills. So I will say to my good friend, the gentleman from Miami, Florida (Mr. LINCOLN DIAZ-BALART), it is not just the military construction appropriation bill, it is the veterans' bill, the Departments of Veterans and Housing, but it is every Federal program.

Mr. Speaker, we have some people around here that just want to raise points of order against everything. And we all know that they would do it. It stops dead in its tracks every single appropriation bill for every Federal program that we have today. So Members ought to come over here, vote for this rule, and then vote for the bill. It is terribly important.

When we talk about veterans or the military construction budget, right now we are in a dilemma, because the defense budget of this country, and I see the gentleman from Missouri (Mr. IKE SKELTON), one of the best Democrats that ever served in this body over there, ranking member of the Committee on National Security, he knows if we stop these appropriation bills we are stopping research and development in our military and we are stopping procurement. These contracts have to go forward so that the young men and women serving in our military today have the best state-of-the-art that we can give them. God forbid if they are

ever called into harm's way. And with what is happening in nuclear proliferation around this world, it can happen tomorrow, in Kosovo and other places.

Let us use some sense here. Stop being hypocritical and come over here and vote for the rule.

Mr. DIAZ-BALART. Mr. Speaker, I yield such time as he may consume to the gentleman from California (Mr. PACKARD).

Mr. PACKARD. Mr. Speaker, I thank the gentleman for yielding me this time.

I did not intend to speak. I thought this rule would go quickly and we would be done almost an hour ago. There is not anyone more controversial in this body than the gentleman from North Carolina (Mr. HEFNER) and myself. I recognize that. But it was a surprise that we found so much controversy on this rule.

My colleagues on the other side of the aisle cannot have it both ways. They cannot complain about the slowness of the process and the fact that we are not bringing the appropriation bills to the floor, and then proceed to prevent us from bringing our appropriation bills to the floor.

We simply feel that we are following the procedures under the circumstances we find ourselves in. We are following the procedures to allow us to bring this and all the other appropriations bills to the floor as rapidly as we can.

□ 1015

I intend to be on the floor, the gentleman from North Carolina (Mr. HEFNER) and I, next Monday, the very next legislative day. If we do not pass this rule, it obviously prevents us from doing so. If we do not follow that, then each appropriations bill will be delayed and then my colleagues will have another legitimate reason to say that we are not moving forward with the appropriating process and we are leading to a shutdown or a continuing resolution. That is what we heard today.

All we are asking in this rule is to allow us to bring the military construction bill to the floor next Monday and do our job. We have cut this bill over 10 percent from last year's appropriated level. The President cut it 15 percent. We have had to add on in this bill to even make it so that we are doing some semblance of a job of taking care of our military needs.

All we are asking at this time is that they allow us to move forward by passing this rule.

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

Mr. PACKARD. I yield to the gentleman from Wisconsin.

Mr. OBEY. Mr. Speaker, I simply want to make it clear, we have absolutely no criticism of the job the gentleman has done. He has simply run into an accident that started out to happen to somebody else. That is the problem here.

I want to make clear that when we do get to his bill, there will be a lot of

Democrats supporting his bill, including this one.

Mr. PACKARD. But the fact is, my colleagues, we will not get to my bill and the Hefner bill unless we pass this rule. We hope that all Members will help us do that.

Mr. DIAZ-BALART. Mr. Speaker, I yield myself such time as I may consume.

I obviously support this rule. It is a fair rule. It is an open rule. It is important to bring the underlying legislation to the floor as soon as possible. The gentleman from California (Mr. PACKARD) has stated that we will have it on the next legislative day, on Monday, on the floor if we pass this rule. So I urge my colleagues to vote for it.

Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore (Mr. LATOURETTE). The previous question was ordered.

Mr. OBEY. Mr. Speaker, I ask unanimous consent to divide the question.

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

Mr. SOLOMON. I object, Mr. Speaker.

The SPEAKER pro tempore. Objection is heard.

The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. OBEY. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 5 of rule I, further proceedings on this question are postponed.

The point of no quorum is considered withdrawn.

PROVIDING FOR CONSIDERATION OF H.R. 4060, ENERGY AND WATER DEVELOPMENT APPROPRIATIONS ACT, 1999

Ms. PRYCE of Ohio. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 478 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 478

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 4060) making appropriations for energy and water development for the fiscal year ending September 30, 1999, and for other purposes. The first reading of the bill shall be dispensed with. Points of order against consideration of the bill for failure to comply with clause 7 of rule XXI are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. After general debate the bill shall be considered for

amendment under the five-minute rule. Points of order against provisions in the bill for failure to comply with clause 2, 5(b), or 6 of rule XXI are waived. During consideration of the bill for amendment, the Chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 6 of rule XXIII. Amendments so printed shall be considered as read. The chairman of the Committee of the Whole may: (1) postpone until a time during further consideration in the Committee of the Whole a request for a recorded vote on any amendment; and (2) reduce to five minutes the minimum time for electronic voting on any postponed question that follows another electronic vote without intervening business, provided that the minimum time for electronic voting on the first in any series of questions shall be 15 minutes. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore. The gentlewoman from Ohio (Ms. PRYCE) is recognized for 1 hour.

Ms. PRYCE of Ohio. Mr. Speaker, for purposes of debate only, I yield the customary 30 minutes to the gentleman from Massachusetts (Mr. MOAKLEY), the distinguished ranking member of the Committee on Rules, pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

Mr. Speaker, House Resolution 478 makes in order H.R. 4060, the fiscal year 1999 Energy and Water Development Appropriations bill, under a completely open rule, which the Committee on Rules reported by voice vote.

As is customary, the rule provides for 1 hour of general debate, equally divided between the chairman and ranking minority member of the Committee on Appropriations.

The rule waives clause 7 of rule XXI, which requires printed hearings and reports to be available 3 days prior to consideration of an appropriations bill. Waiving this rule facilitates consideration of this noncontroversial bill, which the Subcommittee on Energy and Water reported by voice vote.

The rule also waives clause 2 of rule XXI, which prohibits legislating on an appropriations bill. The Committee on Rules conferred with the authorizers and determined there was no opposition to this waiver.

Similarly, the Committee on Ways and Means has no problem with waiving clause 5(b) of rule XXI, which addresses tax and tariff provisions under that committee's jurisdiction. The rule also waives clause 6 of rule XXI, which prohibits reappropriations in a general appropriations bill.

To ensure an orderly amendment process, the rule allows the Chair to accord priority recognition to Members

who have preprinted their amendments in the CONGRESSIONAL RECORD. Further, the Chair may postpone and reduce votes to 5 minutes, as long as the first vote in any series is a 15-minute vote.

Finally, the rule provides for the customary motion to recommit, with or without instructions.

Mr. Speaker, like many of my colleagues, I was shocked to learn that the President's fiscal year 1999 budget proposal would cut spending for the construction of new levees, flood walls, and other protective water infrastructure by almost 50 percent.

In fact, the recommended funding levels for these projects, managed by the Army Corps of Engineers, would be the lowest in real dollars in the history of the civil works program.

How quickly the administration forgets. It was only 5 years ago that the Midwest was ravaged by floods which caused millions of dollars in damage and waged a devastating human emotional toll on those citizens who lost their homes, businesses, and communities to ever-rising flood waters.

Even more recently, the State of California has battled unrelenting floods that left the citizens searching for the means to rebuild their communities.

It is unclear where the next flood tragedy will appear. But eviscerating the construction budget of the Corps of Engineers only ensures that the damage will be more widespread.

Our recent past should convince us that investing in a defense system to prevent flood damage is far preferable to spending the money on cleanup after lives have been destroyed.

My constituents in central Ohio would be directly affected by the shortsightedness of the administration's budget. The West Columbus floodwall is currently being built to protect the homes and businesses along our Scioto River from catastrophic floods.

In 1913, 1937, and 1959, the Scioto overflowed its banks, causing millions of dollars' worth of damage to both residential and commercial property. Without floodwall protection, 17,000 residents continue to be placed at risk of life, injury and personal hardship. And that is only my story.

Construction of the West Columbus floodwall has been on track since it began in 1993. The U.S. Army Corps of Engineers identified a need for \$16 billion in the next fiscal year to keep the project on schedule toward completion. Yet, the President slashed the Corps' budget.

I would like to commend the gentleman from Pennsylvania (Mr. MCDADE), the chairman, and the gentleman from California (Mr. FAZIO), the ranking member, and the rest of my colleagues on the Appropriations Subcommittee on Energy and Water for crafting a very fiscally responsible bill that restores these devastating cuts proposed in the President's budget, while at the same time keeping spending below the fiscal year 1998 level.

As my colleagues know, the energy and water bill provides funding for much more than flood protection. This legislation funds the Bureau of Reclamation, the Department of Energy, the Appalachian Regional Commission, and the Nuclear Regulatory Commission.

In their bill, the subcommittee was able to increase spending on programs, such as the solar and renewable programs, science programs, and the atomic energy defense activities.

The bill also includes important funding for defense environmental management and cleanup of hazardous and radioactive materials. These dollars will clean up sites throughout the country which were contaminated during the production of nuclear weapons.

Additionally, provisions of the bill seek to increase the efficiency of the Department of Energy through contract competition and reevaluation of the Department's organizational structure.

Mr. Speaker, the final product of the work of the subcommittee is \$78.7 million below fiscal year 1998, keeping us on track to a balanced budget and a smaller, smarter government.

My colleagues in the Committee on Rules, both Democrat and Republican, had nothing but praise for the efforts of the gentleman from Pennsylvania (Mr. MCDADE) and the gentleman from California (Mr. FAZIO) to produce a balanced, bipartisan bill.

Mr. Speaker, I urge my colleagues to support this fair and open rule, which will provide for a thorough debate of spending priorities.

Further, I urge my colleagues to support the subcommittee's fine work by voting yes on this responsible energy and water appropriations bill.

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

Mr. MOAKLEY. Mr. Speaker, I yield myself such time as I may consume. I thank my colleague my dear friend the gentlewoman from Ohio (Ms. PRYCE) for yielding me the customary half hour.

Mr. Speaker, I rise in support of this rule and I urge my colleagues to support the Energy and Water Appropriations bills. I must say, though, Mr. Speaker, there is something curious in the bill.

Last year, my good friend the gentleman from New York (Mr. SOLOMON), the chairman, talked about the Arney protocol in which any provision objected by the authorizing committee members will be exposed to a point of order. But this year, the very first year it comes up, my Republican colleagues have decided to abandon the principles of the Arney protocol in terms of this rule.

Specifically, the gentleman from Michigan (Mr. DINGELL) and the gentleman from Virginia (Mr. BLILEY), the ranking member and the chairman of the Committee on Commerce, the authorizing committee, wrote a letter objecting to the legislative language in

this bill that falls within their jurisdiction. The request was completely ignored by the Republicans on the Committee on Rules, breaking faith with their own leadership protocol.

In terms of the bill, though, I want to congratulate my colleagues the gentleman from California (Mr. FAZIO) and the gentleman from Pennsylvania (Mr. MCDADE) for another job very well done. They and their colleagues have worked hard and long to give us a bill that meets most of our energy and water infrastructure needs, and for that we owe them a great debt of gratitude.

This appropriations bill will provide \$3.9 billion dollars for the Army Corps of Engineers, which is above President Clinton's request but still less than we appropriated last year. That means that the level of funding is somewhere near what is required to fund worthy projects which are authorized and are ready for construction.

The bill also contains funding for the Department of Energy, which is \$305 million more than last year but \$867 million less than the President requested.

Unfortunately, we are just now beginning to feel the restraints of the Balanced Budget Agreement which was enacted only last year, and that means that many deserving energy initiatives could not be as fully funded as we had hoped.

For example, the Energy Department should be spending some of their time developing clean, non-greenhouse gas power sources. But the freeze this bill imposes on the solar and renewable energy program will seriously undermine that effort.

The bill also denies the administration's request for an additional \$110 million for research and development related to global climate changes.

Mr. Speaker, this is the energy we need to develop in order to reduce greenhouse gas emissions and lower people's energy costs.

Mr. Speaker, the bill also makes some potentially dangerous cuts in the funding to clean up nuclear waste. And, Mr. Speaker, if the Energy Department does not clean up nuclear waste, who will?

□ 1030

Finally, the bill increases funding for basic science research and development. We are pleased that the committee was able to provide some increase over the President's budget request for fusion energy programs.

There were some really difficult choices for the Committee on Appropriations this year, mainly due to the strict limits in the balanced budget agreement. This means that any extra funding given to one program has to come out at the expense of other very important programs.

But, Mr. Speaker, this bill is coming to the floor with an open rule, and any Member that has an amendment that conforms to House rules can present it.

I urge my colleagues to support this rule.

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

Ms. PRYCE of Ohio. Mr. Speaker, I continue to reserve the balance of my time.

Mr. MOAKLEY. Mr. Speaker, I yield 5 minutes to the gentleman from Wisconsin (Mr. OBEY), the ranking member of the Committee on Appropriations.

Mr. OBEY. Mr. Speaker, in contrast to the last rule, I fully support this rule, and I want to explain why and explain the difference.

We heard speakers on the previous rule suggest that if we voted that rule down, that somehow we in the Democratic minority would be responsible for holding up the appropriations process. I would simply make the point to my friends on the majority side of the aisle, you are in the majority, you have the votes to pass any provision you want and any rule you want on this House floor, and you have demonstrated that many times. But I would just simply say this. Do not ask us to support a rule on the companion bill that was just before us simply because you cannot get your act together on passing the basic budget in the first place. When that budget was before this House, which changed the agreement that you had reached with the President of the United States last year to establish a very different trend line for appropriations than was the case in that bipartisan budget agreement, we warned you at that time that the budget resolution that you were passing would never pass your own Republican Members in the other body, in the Senate. You ignored that warning, and now you are finding out that that is true. You are finding out that your own Republican colleagues in the Senate believe that the budget that you passed was extreme, and, in fact, the rules preclude me from naming other Senators but the Senator who is chairman of the Budget Committee in the Senate, a Republican, said as much.

I would simply ask, why did we go through the charade of passing that budget in the first place if you yourselves did not intend to abide by it? That is my question today.

Mr. Speaker, I would simply say that what you have done in the previous rule in contrast to this one, in the previous rule what you did was bring to the floor a stealth provision which calls for the amending of the budget resolution which you passed with such fanfare just 2 weeks ago. I find that procedure quaint but not surprising, because it simply demonstrates what everyone knew but did not admit when that bill was before us, that that budget was essentially a political document to allow the majority party to pretend that it had room in the budget for a tax cut when in fact it is not able to pass the budget resolution which would make that tax cut possible.

I will simply say, I will vote for the rule on this bill, because this rule does

not contain that gimmick. The previous rule simply asked every member of our party and every member of yours to ignore the very rules which you imposed on this House just 10 days ago. Maybe you can explain that in your caucus. I would find it very difficult to explain in ours.

Mr. MOAKLEY. Mr. Speaker, I yield 5 minutes to the gentleman from North Carolina (Mr. HEFNER).

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

Mr. HEFNER. Mr. Speaker, this is a troubling time for me. We were before the Committee on Rules on Military Construction, and I think it is a very good bill that we put together with limited funds. But there is an old saying that goes, "Oh what a tangled web we weave when first we practice to deceive."

If I might just remind Members the process that went on just a week ago. We had on this floor a budget. We had the Kasich budget; we had the Republican substitute, which did not pass; we had a so-called Blue Dog budget that tracked very closely to what the budget was in the other body that had the votes to pass, but it was not made in order by the Committee on Rules.

Members who have been here for quite some time know that the Committee on Rules is the Speaker's committee. The Speaker decides, and he can call the shots on what comes out of the Committee on Rules. They did not see fit to put in place a budget that could have passed here and would have gone a long way to implement the balanced budget that we have. We do not want to put that in order because it will pass.

Then we talk about campaign reform for all these years. We come and they offer a rule on campaign financing, and they put all of these amendments in order, many of them nongermane, and then they have an amendment that says if something is declared unconstitutional, the whole bill goes down the tubes, a procedure that would absolutely do away with any campaign reform.

The gentleman from California (Mr. PACKARD) and I worked very hard on this military construction bill. It is regrettable that we come down to a situation where we have to have this debate on the rule. But this is just the beginning. There are other appropriations bills that are going to come to this House, and everybody put out press releases that voted for the balanced budget, especially on the Republican side, and the Speaker said not 3 days ago, we balanced the budget, we did all these things, but what you have done, you have done it with a phony vehicle. You have done it with a phony budget.

This is just the beginning of what is going to happen on these appropriations bills. Either you are going to bust the caps or you are going to waive points of order and you are going to go

use emergency amendments, you are going to use fake emergencies to get around the Committee on the Budget. The money is still going to be there, you are going to spend the money, but it is just not going to show up. It is going to show up without offsets and it is going to blow the balanced budget.

This is troubling to me. The gentleman from Florida, bless his heart, he is very emotional. We want to pass Military Construction. I was chairman for over 10 years. The things that he mentioned are not even in the military construction budget. This is a scare tactic.

Mr. Speaker, Military Construction is a good bill. This is a good bill. This does not have the emergency moneys in this one that gets around, but Defense does. Defense has a tremendous amount of money, and I support the defense budget. But when we get to these things, when we get all of these appropriations bills and all the emergencies are counted in, guess what? The gentleman from Wisconsin (Mr. NEUMANN) is exactly right when he was contesting what we were doing in appropriations. It was not popular, but he was exactly right, because you voted for that budget and you voted for it with cuts that were unspecified, and you have programs that nobody wanted to talk about that were unspecified cuts. It was a phony budget that was passed then, and it got no better since it has been passed. I do not like to question rules, but to me this is something that is just going to get worse and worse and worse.

Like I said years ago, this budget is so ugly, like the lady that had the kid that was so ugly they had to get a pork chop around its neck to get the dogs to play with it. This budget, you could not tie enough around its neck to get anybody to play with it. It is a terrible thing for this body to be considering this, because we are going to have to do a lot of this work over again because this budget is phony and these points are going to be raised on other appropriations bills, and rightfully so.

Ms. PRYCE of Ohio. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the last two speakers were referring to the rules debate immediately preceding this, and to some other extraneous matters. This Member was not present for that very spirited debate. As I understand it, it was a procedural attempt to keep the legislative ball rolling and the appropriations process on track. But, nonetheless, this rule is not objectionable. I am gratified to hear the gentlemen approve of this rule. After all, it is wide open, and it is as fair as it could be made fair.

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

Mr. MOAKLEY. Mr. Speaker, all I want to say, the gentlewoman did not miss a thing by not being here when the other rule was considered.

Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. BENTSEN).

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

Mr. BENTSEN. Mr. Speaker, I thank the gentleman for yielding me this time.

Mr. Speaker, I rise in support of the rule for consideration of H.R. 4060, the Fiscal Year 1999 Energy and Water Appropriations bill. I first want to thank the gentleman from Pennsylvania (Mr. MCDADE) and the gentleman from California (Mr. FAZIO) for their hard work on this important legislation. I also want to thank the gentleman from Texas (Mr. EDWARDS) for the help he has provided my office on this bill. I am especially pleased by the support this legislation provides for addressing the chronic flooding problems of Harris County, Texas. In 1994 southeast Texas suffered some of the worst flooding our area had ever seen. This and more recent floods are a clear reminder that our lives, our infrastructure and our economy depend on sound watershed management. I am pleased that H.R. 4060 includes vital funding for several flood control projects in the Houston area, including Brays, Sims, and Hunting and White Oak bayous.

I am most grateful for the committee's decision to fully fund the Brays Bayou project at \$6 million for fiscal year 1999. This flood control project is necessary to improve flood protection for an extensively developed urban area along the Brays in the southwest Harris County. The project consists of three miles of channel improvements, three flood detention basins and seven miles of stream diversion and will provide a 25-year level of flood protection.

The administration's budget did not provide any request for this funding so I appreciate the committee taking the action. I also appreciate that the bill fully funds the ongoing project for Sims Bayou at \$18 million rather than the administration's request of \$9 million. This is critical to keep this project ongoing to help with the chronic flooding in the area.

Finally, Mr. Speaker, I am pleased that the legislation provides the \$60 million which was requested by the U.S. Army Corps of Engineers for the dredging and deepening and widening of the Houston ship channel. This is critically important. This is the second largest port in the Nation, creating more than 200,000 jobs in our area. The administration had only requested \$5 million. This is necessary to get the Houston port project on track and moving forward. This is both an economically and fiscally sound project as well as environmentally sound where the port has worked with the environmental community in the Houston area to make the project sound and workable.

I appreciate the work of the chairman and the ranking member on this bill.

Mr. MOAKLEY. Mr. Speaker, I yield 5 minutes to the gentleman from California (Mr. FAZIO).

Mr. FAZIO of California. Mr. Speaker, I rise in support of the rule for H.R. 4060, the Energy and Water Development Appropriations bill for the fiscal year 1999. Bipartisanship has long been the hallmark of this committee, and I am very pleased to report that this spirit has continued during consideration of this year's bill. It was particularly challenging to draft this bill with a painfully low administration request for the Corps of Engineers budget on one side, more than \$800 million below what we appropriated just last year, and important, yet expensive DOE-proposed initiatives on the other side.

Although we have improved our position somewhat with the budget allocation, we have still not been able to make this bill whole by any stretch of the imagination. The best that can be said is that we have administered the pain as evenhandedly as possible.

If Members are wondering why the gentleman from Pennsylvania (Mr. MCDADE) and I are retiring, it is because despite adding more than \$700 million over the President's budget request to the water development side of the bill, which is so important to our colleagues after two El Nino winters, the bill is still \$200 million below last year's level. Consequently, the committee has had to make some tough decisions and adopt some commonsense decision rules in the bill by not funding new construction starts, not funding unauthorized projects and not funding recreation projects unless they are tangential to a flood control or navigation project.

Even so, there are many authorized construction projects in the pipeline which do not receive funding. The operations and maintenance account, dredging and upkeep of our harbors and navigable waterways, is still funded more than \$100 million below last year.

□ 1045

These necessary cuts hit home across the country including the important CalFed initiative in my home State of California, an initiative supported by a large number of the California delegation on a bipartisan basis that is \$45 million below the 120 million that our committee recommended just last year.

We are clearly feeling the effects of the balanced budget agreement in our bill, and I suspect that, as a pattern, we will have to get used to it for many years to come. Insufficient funding for meritorious water development projects that are important to our Nation's economy will be the watch word for many budget years in the future.

On the energy side of the equation we face similar budget constraints. We had to balance new priorities like the Spallation Neutron Source while sustaining numerous other DOE programs that are essential to the Nation, and while I would like to see an increase in the number for solar and renewable energy programs, I am pleased that this account did not sustain any cuts given

the difficult environment in which the committee was forced to work.

I understand the reasoning behind the committee report's words of caution to the administration pertaining to policy decisions and sound science with regard to global climate change, but I would like to reiterate that the energy efficiency programs funded in this bill are programs that our Nation has been investing in for years, long before the debate over global climate change occurred. I believe that any debate relating to climate change in the Kyoto Protocol should be conducted independently of this bill.

The committee was able to provide an increased diffusion energy program above the administration's request. I am pleased the committee has also provided generous increases in the basic science research and development account and in areas such as high energy physics.

This bill continues to support the crucial effort of our Nation to maintain our nuclear weapons stockpile through the National Ignition Facility and the ASCI program. Because of the tight allocation, there are shortfalls in some areas like the Uranium Enrichment Decontamination and Decommissioning Fund, and I would like to be able to address this and other shortfalls in conference, if it is at all possible.

In short, I think that the gentleman from Pennsylvania (Mr. MCDADE) and our committee have done a good job in a tough year. Mr. MCDADE, who cannot be with us today, I think is a strong advocate of all of the demands that are placed on this bill by people looking to develop the economies of their local regions and districts. He and I support the open rule, but I believe this bill can withstand any amendments that may be proposed on the floor just as it did last year.

So I ask for a yes vote on the rule and a yes vote on the Energy and Water Appropriations bill in hopes that when we get to conference with the other body we may be able to do more of the legitimate requests that have been made of us that we have unfortunately been unable to account for in this bill.

Ms. PRYCE of Ohio. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I appreciate the remarks of the gentleman from California, the ranking member, and I also appreciate his hard work, that of the entire committee and that of the gentleman from Pennsylvania (Mr. MCDADE) for a very tough job under difficult circumstances.

I have no further speakers, Mr. Speaker.

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

Ms. PRYCE of Ohio. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PROVIDING FOR CONSIDERATION OF H.R. 4059, MILITARY CONSTRUCTION APPROPRIATIONS ACT, 1999

The SPEAKER pro tempore (Mr. LATOURETTE). The pending business is the vote de novo of agreeing to the resolution, House Resolution 477, on which further proceedings were postponed earlier today.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. OBEY. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 231, nays 178, not voting 24, as follows:

[Roll No. 248]

YEAS—231

Abercrombie
Aderholt
Archer
Armed
Bachus
Baker
Ballenger
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Billbray
Bilirakis
Bilely
Boehlert
Boehner
Bonilla
Bono
Brady (TX)
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Castle
Chabot
Chambliss
Chenoweth
Christensen
Coble
Coburn
Collins
Combest
Cook
Cox
Crane
Crapo
Cubin
Cunningham
Davis (VA)
Deal
DeLay
Diaz-Balart
Dickey
Doolittle

Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Ensign
Everett
Ewing
Fawell
Foley
Forbes
Fossella
Fowler
Fox
Franks (NJ)
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrist
Gillmor
Gilman
Goode
Goodlatte
Goodling
Goss
Graham
Granger
Greenwood
Hall (OH)
Hansen
Hastings (WA)
Hayworth
Hefley
Herger
Hill
Hilleary
Hobson
Hoekstra
Horn
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Inglis
Istook
Jenkins
Johnson (CT)

Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pombo
Porter
Portman
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Redmond
Regula
Riggs
Riley
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryun

Salmon
Sanford
Saxton
Scarborough
Schaefer, Dan
Schaffer, Bob
Sensenbrenner
Sessions
Shadegg
Shays
Shimkus
Shuster
Sisisky
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Linda
Snowbarger
Solomon
Souder
Spence

NAYS—178

Ackerman
Allen
Andrews
Baesler
Baldacci
Barcia
Barrett (WI)
Becerra
Bentsen
Berman
Berry
Bishop
Blagojevich
Blumenauer
Bonior
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (CA)
Brown (FL)
Brown (OH)
Capps
Cardin
Carson
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Costello
Coyne
Cramer
Cummings
Danner
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Edwards
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Fazio
Filner
Ford

Frank (MA)
Frost
Furse
Gejdenson
Gephardt
Gordon
Gutierrez
Hall (TX)
Hamilton
Harman
Hefner
Hilliard
Hinchev
Hinojosa
Holden
Hoolley
Hoyer
Jackson (IL)
Jackson-Lee
(TX)
John
Johnson (WI)
Johnson, E. B.
Kaptur
Kennedy (MA)
Kennedy (RI)
Kildee
Kilpatrick
Kind (WI)
Kleczka
Klink
Kucinich
LaFalce
Lampson
Lantos
Lee
Levin
Lipinski
Lofgren
Lowey
Luther
Maloney (NY)
Manton
Markey
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McHale
McKinney
Meehan
Meek (FL)
Menendez
Millender
McDonald
Miller (CA)
Minge
Moakley

NOT VOTING—24

Barr
Blunt
Cooksey
Gonzalez
Green
Gutknecht
Hastert
Hastings (FL)
Jefferson
Lewis (GA)
Martinez
McDade
McIntosh
McNulty
Meeks (NY)
Oxley

Stearns
Stump
Talent
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thornberry
Thune
Tiahrt
Trafigant
Upton
Walsh
Wamp
Watkins
Watts (OK)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wolf
Young (AK)
Young (FL)
Moran (VA)
Nadler
Neal
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Payne
Pelosi
Peterson (MN)
Pomeroy
Poshard
Price (NC)
Rangel
Rivers
Rodriguez
Roemer
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Scott
Serrano
Sherman
Skaggs
Slaughter
Smith, Adam
Snyder
Spratt
Stabenow
Stark
Stenholm
Stokes
Strickland
Stupak
Tanner
Tauscher
Thompson
Thurman
Tierney
Towns
Turner
Velazquez
Vento
Visclosky
Waters
Watt (NC)
Waxman
Wexler
Weygand
Wise
Woolsey
Wynn
Yates

□ 1107

Mr. POMEROY changed his vote from "yea" to "nay."

Messrs. MURTHA, KANJORSKI, MOLLOHAN and RAHALL changed their vote from "nay" to "yea."

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. HASTERT. Mr. Speaker, on rollcall No. 248, I was unavoidably detained. Had I been present, I would have voted "yes."

BIPARTISAN CAMPAIGN INTEGRITY ACT OF 1997

The SPEAKER pro tempore (Mr. LATOURETTE). Pursuant to House Resolution 442 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 2183.

□ 1110

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 2183), to amend the Federal Election Campaign Act of 1971 to reform the financing of campaigns for elections for Federal office, and for other purposes, with Mr. COLLINS (Chairman pro tempore) in the chair.

The Clerk read the title of the bill.

The CHAIRMAN pro tempore. When the Committee of the Whole rose on Thursday, June 18, 1998, a request for a recorded vote on Amendment No. 132 offered by the gentleman from California (Mr. THOMAS) to amendment No. 13 in the nature of a substitute offered by the gentleman from Connecticut (Mr. SHAYS) had been postponed.

AMENDMENT NO. 132 OFFERED BY MR. THOMAS TO AMENDMENT NO. 13 IN THE NATURE OF A SUBSTITUTE OFFERED BY MR. SHAYS

The CHAIRMAN pro tempore. The unfinished business is the demand for a recorded vote on Amendment No. 132 offered by the gentleman from California (Mr. THOMAS) to Amendment No. 13 in the nature of a substitute offered by the gentleman from Connecticut (Mr. SHAYS) on which further proceedings were postponed and on which the yeas prevailed by voice vote.

The Clerk will redesignate the amendment to the amendment in the nature of a substitute.

The text of the amendment to the amendment in the nature of a substitute is as follows:

Amendment No. 132 offered by Mr. THOMAS to Amendment No. 13 in the nature of a substitute offered by Mr. SHAYS:

Amend section 601 to read as follows (and conform the table of contents accordingly):

SEC. 601. NONSEVERABILITY OF PROVISIONS.

If any provision of this Act or any amendment made by this Act, or the application

thereof to any person or circumstance, is held invalid, the remaining provisions of this Act or any amendment made by this Act shall be treated as invalid.

In the heading for title VI, strike **SEVERABILITY** and insert **NONSEVERABILITY** (and conform the table of contents accordingly.)

RECORDED VOTE

The CHAIRMAN pro tempore. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 155, noes 254, not voting 24, as follows:

[Roll No. 249]

AYES—155

- | | | |
|-------------|---------------|---------------|
| Archer | Goodling | Petri |
| Armey | Granger | Pickering |
| Baker | Hall (TX) | Pitts |
| Ballenger | Hansen | Pombo |
| Bartlett | Hastert | Radanovich |
| Barton | Hastings (WA) | Redmond |
| Bateman | Hayworth | Riggs |
| Biley | Hefley | Riley |
| Boehner | Herger | Rogan |
| Bonilla | Hobson | Rogers |
| Bono | Hoekstra | Rohrabacher |
| Bunning | Hostettler | Ros-Lehtinen |
| Burr | Hulshof | Royce |
| Burton | Hunter | Ryun |
| Buyer | Hyde | Sabo |
| Callahan | Inglis | Salmon |
| Calvert | Istook | Saxton |
| Camp | Johnson, Sam | Scarborough |
| Canady | Jones | Schaefer, Dan |
| Cannon | Kim | Schaffer, Bob |
| Chambliss | King (NY) | Sensenbrenner |
| Chenoweth | Kingston | Sessions |
| Christensen | Knollenberg | Shadegg |
| Coburn | Kolbe | Shimkus |
| Collins | LaHood | Shuster |
| Combest | Largent | Skeen |
| Cox | Latham | Smith (NJ) |
| Crane | Lewis (CA) | Smith (OR) |
| Crapo | Lewis (KY) | Smith (TX) |
| Cubin | Linder | Snowbarger |
| Cunningham | Livingston | Solomon |
| Deal | Lucas | Spence |
| DeLay | Manzullo | Stearns |
| Diaz-Balart | McCollum | Stump |
| Dickey | McCrery | Talent |
| Doolittle | McInnis | Tauzin |
| Dreier | McKeon | Taylor (NC) |
| Dunn | Mica | Thomas |
| Ehlers | Miller (FL) | Thornberry |
| Emerson | Myrick | Thune |
| English | Nethercutt | Tiahrt |
| Ensign | Ney | Traficant |
| Everett | Northup | Watkins |
| Ewing | Norwood | Watts (OK) |
| Fawell | Obey | Weldon (PA) |
| Foley | Oxley | Weller |
| Fossella | Packard | White |
| Frost | Paul | Whitfield |
| Gekas | Paxon | Wicker |
| Gibbons | Pease | Young (AK) |
| Gillmor | Peterson (MN) | Young (FL) |
| Goodlatte | Peterson (PA) | |

NOES—254

- | | | |
|--------------|------------|------------|
| Abercrombie | Bonior | Conyers |
| Ackerman | Borski | Cook |
| Aderholt | Boswell | Costello |
| Allen | Boucher | Coyne |
| Andrews | Boyd | Cramer |
| Bachus | Brady (PA) | Cummings |
| Baessler | Brady (TX) | Danner |
| Baldacci | Brown (CA) | Davis (FL) |
| Barcia | Brown (FL) | Davis (IL) |
| Barrett (NE) | Brown (OH) | Davis (VA) |
| Barrett (WI) | Bryant | DeFazio |
| Bass | Campbell | DeGette |
| Becerra | Capps | Delahunt |
| Bentsen | Cardin | DeLauro |
| Bereuter | Carson | Deutsch |
| Berman | Castle | Dicks |
| Berry | Chabot | Dingell |
| Bilbray | Clay | Dixon |
| Bilirakis | Clayton | Doggett |
| Bishop | Clement | Dooley |
| Blagojevich | Clyburn | Doyle |
| Blumenauer | Coble | Duncan |
| Boehler | Condit | Edwards |

- | | | |
|----------------|---------------|---------------|
| Ehrlich | Klink | Price (NC) |
| Engel | Klug | Pryce (OH) |
| Eshoo | Kucinich | Quinn |
| Etheridge | LaFalce | Rahall |
| Evans | Lampson | Ramstad |
| Farr | Lantos | Rangel |
| Fattah | LaTourette | Regula |
| Fazio | Lazio | Rivers |
| Filner | Leach | Rodriguez |
| Forbes | Lee | Roemer |
| Ford | Levin | Roukema |
| Fowler | Lipinski | Roybal-Allard |
| Fox | LoBiondo | Rush |
| Frank (MA) | Lofgren | Sanchez |
| Franks (NJ) | Lowey | Sanders |
| Frelinghuysen | Luther | Sandlin |
| Furse | Maloney (CT) | Sanford |
| Galleghy | Maloney (NY) | Sawyer |
| Ganske | Manton | Scott |
| Gejdenson | Markey | Serrano |
| Gephardt | Mascara | Shays |
| Gilchrest | Matsui | Sherman |
| Gilman | McCarthy (MO) | Sisisky |
| Goode | McCarthy (NY) | Skelton |
| Gordon | McDermott | Slaughter |
| Goss | McGovern | Smith (MI) |
| Graham | McHale | Smith, Adam |
| Greenwood | McHugh | Smith, Linda |
| Gutierrez | McIntyre | Snyder |
| Hall (OH) | McKinney | Souder |
| Hamilton | Meehan | Spratt |
| Harman | Meek (FL) | Stabenow |
| Hefner | Menendez | Stark |
| Hill | Metcalf | Stenholm |
| Hilleary | Millender | Stokes |
| Hilliard | McDonald | Strickland |
| Hinchey | Miller (CA) | Stupak |
| Hinojosa | Minge | Tanner |
| Holden | Mink | Tauscher |
| Hooley | Moakley | Taylor (MS) |
| Horn | Mollohan | Thompson |
| Houghton | Moran (KS) | Thurman |
| Hoyer | Moran (VA) | Tierney |
| Hutchinson | Murtha | Towns |
| Jackson (IL) | Nadler | Turner |
| Jackson-Lee | Neal | Upton |
| (TX) | Neumann | Velazquez |
| Jefferson | Nussle | Vento |
| Jenkins | Oberstar | Visclosky |
| John | Olver | Walsh |
| Johnson (CT) | Ortiz | Wamp |
| Johnson (WI) | Owens | Waters |
| Johnson, E. B. | Pallone | Watt (NC) |
| Kanjorski | Pappas | Waxman |
| Kaptur | Pascrell | Wexler |
| Kelly | Pastor | Weygand |
| Kennedy (MA) | Payne | Wise |
| Kennedy (RI) | Pelosi | Wolf |
| Kennelly | Pickett | Woolsey |
| Kildee | Pomeroy | Wynn |
| Kilpatrick | Porter | Yates |
| Kind (WI) | Portman | |
| Kleczka | Poshard | |

NOT VOTING—24

- | | | |
|---------------|------------|-------------|
| Barr | Lewis (GA) | Reyes |
| Blunt | Martinez | Rothman |
| Cooksey | McDade | Schumer |
| Gonzalez | McIntosh | Shaw |
| Green | McNulty | Skaggs |
| Gutknecht | Meeks (NY) | Sununu |
| Hastings (FL) | Morella | Torres |
| Kasich | Parker | Weldon (FL) |

□ 1127

The clerk announced the following pair:

On this vote:

Mr. McIntosh for, with Mrs. Morella against.

Mr. WAXMAN changed his vote from "aye" to "no."

So the amendment to the amendment in the nature of a substitute was rejected.

The result of the vote was announced as above recorded.

The CHAIRMAN pro tempore (Mr. COLLINS). Are there any further amendments to the Shays amendment?

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

Mr. Chairman, too many Americans believe our campaign finance system is

corrupt. We must treat this illness in the body politic which, in my opinion, if ignored, will undermine our democracy.

Like beauty, of course, genuine reform may be in the eye of the beholder. In my view, genuine reform must purge from Federal elections unregulated soft money which has become so pervasive. Meehan-Shays does that.

Reform should be subject to disclosure. The issue ads which are so clearly intended to influence elections must be covered. Meehan-Shays does that.

Reform, in my opinion, should level the playing field for challenges by further restricting franked mail in election years. Meehan-Shays does that.

Reform, as well, should encourage wealthy candidates to limit personal spending and toughen disclaimers on ads, giving voters better information with which to judge content. Meehan-Shays does that.

Reform also should enhance candidate disclosure by giving the public quick access via the Internet. Meehan-Shays does that.

Meehan-Shays does all of these good things, Mr. Chairman, but, by any standard, is breathtakingly modest. Yet, in this Republican Congress, its enactment is in doubt. Though there are good provisions in other bills, I will support Meehan-Shays as our best hope of fixing some problems now.

I might say that I know the distinguished gentlewoman from New York (Mrs. MALONEY) has an amendment that she will be now offering, which I also strongly support, which, in effect, says that, although there are reforms in Meehan-Shays that we want to adopt, there is more yet to do. She will establish a commission to look further at how we can make our election laws better.

Having said what reform is, let me say what it is not. Reform is not the Paycheck Protection Act, a Republican proposal to gag working Americans. Californians wisely rejected, Mr. Chairman, the paycheck protections last month as we did in March. Hopefully, this part of the Republican vendetta against working families will finally disappear.

Reform is not repealing all contribution limits. This would just tilt the playing field even more toward the affluent and away from ordinary Americans, for whom giving \$1,000 to candidates is beyond reach, let alone \$25,000.

Reform is not repeal of public financing of presidential elections, which ended the thrilling campaigns of yesteryear financed out of the suitcases stuffed with untraceable cash.

Finally, reform is not underfunding the Federal Election Commission. Republicans argue we do not need new laws, just enforcement of current ones. Yet, House committees have recommended funding for next year for campaign law enforcement that is simply inadequate. The majority are generous with rhetoric, but not with the

resources the FEC needs to police campaigns.

Mr. Chairman, this debate that we are now engaged in is not designed, unfortunately, to facilitate the passage of reform. Indeed, many of us believe, perhaps cynically, that it is designed to undercut, undermine, and defeat campaign finance reform. In fact, many leaders on the Republican side make no secret of their antipathy towards reform legislation and particularly the Meehan-Shays legislation.

I hope that, notwithstanding this disastrous procedure, notwithstanding the opposition of many in the Republican leadership and many Republicans, notwithstanding those who would undercut reform efforts, I am hopeful that, through it all, that we will, nevertheless, have the courage and the wisdom and the common sense to pass Meehan-Shays.

AMENDMENT NO. 30 OFFERED BY MRS. MALONEY OF NEW YORK TO AMENDMENT NO. 13 IN THE NATURE OF A SUBSTITUTE OFFERED BY MR. SHAYS

Mrs. MALONEY of New York. Mr. Chairman, I offer amendment No. 30 to the amendment in the nature of a substitute.

The CHAIRMAN pro tempore. The Clerk will designate the amendment to the amendment in the nature of a substitute.

The text of the amendment to the amendment in the nature of a substitute is as follows:

Amendment No. 30 offered by Mrs. MALONEY of New York to Amendment No. 13 in the nature of a substitute offered by Mr. SHAYS:

TITLE —INDEPENDENT COMMISSION ON CAMPAIGN FINANCE REFORM

SEC. 01. ESTABLISHMENT AND PURPOSE OF COMMISSION.

There is established a commission to be known as the "Independent Commission on Campaign Finance Reform" (referred to in this title as the "Commission"). The purposes of the Commission are to study the laws relating to the financing of political activity and to report and recommend legislation to reform those laws.

SEC. 402. MEMBERSHIP OF COMMISSION.

(a) COMPOSITION.—The Commission shall be composed of 12 members appointed within 15 days after the date of the enactment of this Act by the President from among individuals who are not incumbent Members of Congress and who are specially qualified to serve on the Commission by reason of education, training, or experience.

(b) APPOINTMENT.—

(1) IN GENERAL.—Members shall be appointed as follows:

(A) 3 members (one of whom shall be a political independent) shall be appointed from among a list of nominees submitted by the Speaker of the House of Representatives.

(B) 3 members (one of whom shall be a political independent) shall be appointed from among a list of nominees submitted by the majority leader of the Senate.

(C) 3 members (one of whom shall be a political independent) shall be appointed from among a list of nominees submitted by the minority leader of the House of Representatives.

(D) 3 members (one of whom shall be a political independent) shall be appointed from among a list of nominees submitted by the minority leader of the Senate.

(2) FAILURE TO SUBMIT LIST OF NOMINEES.—If an official described in any of the subparagraphs of paragraph (1) fails to submit a list of nominees to the President during the 15-day period which begins on the date of the enactment of this Act—

(A) such subparagraph shall no longer apply; and

(B) the President shall appoint 3 members (one of whom shall be a political independent) who meet the requirements described in subsection (a) and such other criteria as the President may apply.

(3) POLITICAL INDEPENDENT DEFINED.—In this subsection, the term "political independent" means an individual who at no time after January 1992—

(A) has held elective office as a member of the Democratic or Republican party;

(B) has received any wages or salary from the Democratic or Republican party or from a Democratic or Republican party officeholder or candidate; or

(C) has provided substantial volunteer services or made any substantial contribution to the Democratic or Republican party or to a Democratic or Republican party officeholder or candidate.

(c) CHAIRMAN.—At the time of the appointment, the President shall designate one member of the Commission as Chairman of the Commission.

(d) TERMS.—The members of the Commission shall serve for the life of the Commission.

(e) VACANCIES.—A vacancy in the Commission shall be filled in the manner in which the original appointment was made.

(f) POLITICAL AFFILIATION.—Not more than 4 members of the Commission may be of the same political party.

SEC. 403. POWERS OF COMMISSION.

(a) HEARINGS.—The Commission may, for the purpose of carrying out this title, hold hearings, sit and act at times and places, take testimony, and receive evidence as the Commission considers appropriate. In carrying out the preceding sentence, the Commission shall ensure that a substantial number of its meetings are open meetings, with significant opportunities for testimony from members of the general public.

(b) QUORUM.—Seven members of the Commission shall constitute a quorum, but a lesser number may hold hearings. The approval of at least 9 members of the Commission is required when approving all or a portion of the recommended legislation. Any member of the Commission may, if authorized by the Commission, take any action which the Commission is authorized to take under this section.

SEC. 404. ADMINISTRATIVE PROVISIONS.

(a) PAY AND TRAVEL EXPENSES OF MEMBERS.—(1) Each member of the Commission shall be paid at a rate equal to the daily equivalent of the annual rate of basic pay payable for level IV of the Executive Schedule under section 5315 of title 5, United States Code, for each day (including travel time) during which the member is engaged in the actual performance of duties vested in the Commission.

(2) Members of the Commission shall receive travel expenses, including per diem in lieu of subsistence, in accordance with sections 5702 and 5703 of title 5, United States Code.

(b) STAFF DIRECTOR.—The Commission shall, without regard to section 5311(b) of title 5, United States Code, appoint a staff director, who shall be paid at the rate of basic pay payable for level IV of the Executive Schedule under section 5315 of title 5, United States Code.

(c) STAFF OF COMMISSION; SERVICES.—

(1) IN GENERAL.—When the approval of the Commission, the staff director of the Commission may appoint and fix the pay of additional personnel. The Director may make

such appointments without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and any personnel so appointed may be paid without regard to the provisions of chapter 51 and subchapter III of chapter 53 of that title relating to classification and General Schedule pay rates, except that an individual so appointed may not receive pay in excess of the maximum annual rate of basic pay payable for grade GS-15 of the General Schedule under section 5332 of title 5, United States Code.

(2) EXPERTS AND CONSULTANTS.—The Commission may procure by contract the temporary or intermittent services of experts or consultants pursuant to section 3109 of title 5, United States Code.

SEC. 405. REPORT AND RECOMMENDED LEGISLATION.

(a) REPORT.—Not later than the expiration of the 180-day period which begins on the date on which the second session of the One Hundred Fifth Congress adjourns sine die, the Commission shall submit to the President, the Speaker and minority leader of the House of Representatives, and the majority and minority leader of the Senate a report of the activities of the Commission.

(b) RECOMMENDATIONS; DRAFT OF LEGISLATION.—The report under subsection (a) shall include any recommendations for changes in the laws (including regulations) governing the financing of political activity (taking into account the provisions of this Act and the amendments made by this Act), including any changes in the rules of the Senate or the House of Representatives, to which 9 or more members of the Commission may agree, together with drafts of—

(1) any legislation (including technical and conforming provisions) recommended by the Commission to implement such recommendations; and

(2) any proposed amendment to the Constitution recommended by the Commission as necessary to implement such recommendations, except that if the Commission includes such a proposed amendment in its report, it shall also include recommendations (and drafts) for legislation which may be implemented prior to the adoption of such proposed amendment.

(c) GOALS OF RECOMMENDATIONS AND LEGISLATION.—In making recommendations and preparing drafts of legislation under this section, the Commission shall consider the following to be its primary goals:

(1) Encouraging fair and open Federal elections which provide voters with meaningful information about candidates and issues.

(2) Eliminating the disproportionate influence of special interest financing of Federal elections.

(3) Creating a more equitable electoral system for challengers and incumbents.

SEC. 406. EXPEDITED CONGRESSIONAL CONSIDERATION OF LEGISLATION.

(a) IN GENERAL.—If any legislation is introduced the substance of which implements a recommendation of the Commission submitted under section 05(b) (including a joint resolution proposing an amendment to the Constitution), subject to subsection (b), the provisions of section 2908 (other than subsection (a)) of the Defense Base Closure and Realignment Act of 1990 shall apply to the consideration of the legislation in the same manner as such provisions apply to a joint resolution described in section 2908(a) of such Act.

(b) SPECIAL RULES.—For purposes of applying subsection (a) with respect to such provisions, the following rules shall apply:

(1) Any reference to the Committee on Armed Services of the House of Representatives shall be deemed a reference to the Committee on House Oversight of the House of

Representatives and any reference to the Committee on Armed Services of the Senate shall be deemed a reference to the Committee on Rules and Administration of the Senate.

(2) Any reference to the date on which the President transmits a report shall be deemed a reference to the date on which the recommendation involved is submitted under section 05(b).

(3) Notwithstanding subsection (d)(2) of section 2908 of such Act—

(A) debate on the legislation in the House of Representatives, and on all debatable motions and appeals in connection with the legislation, shall be limited to not more than 10 hours, divided equally between those favoring and those opposing the legislation;

(B) debate on the legislation in the Senate, and on all debatable motions and appeals in connection with the legislation, shall be limited to not more than 10 hours, divided equally between those favoring and those opposing the legislation; and

(C) debate in the Senate on any single debatable motion and appeal in connection with the legislation shall be limited to not more than 1 hour, divided equally between the mover and the manager of the bill (except that in the event the manager of the bill is in favor of any such motion or appeal, the time in opposition thereto shall be controlled by the minority leader or his designee), and the majority and minority leader may each allot additional time from time under such leader's control to any Senator during the consideration of any debatable motion or appeal.

SEC. 407. TERMINATION.

The Commission shall cease to exist 90 days after the date of the submission of its report under section 05.

SEC. 408. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to the Commission such sums as are necessary to carry out its duties under this title.

Mrs. MALONEY of New York. Mr. Chairman, my amendment which I offer along with the gentleman from Michigan (Mr. DINGELL) and with the support of the gentleman from Massachusetts (Mr. MEEHAN) and the gentleman from Connecticut (Mr. SHAYS), it is a bipartisan amendment.

It would create an independent commission to study and recommend changes to our campaign finance laws. This amendment is identical to the substitute introduced earlier this week by the gentleman from Washington (Mr. WHITE) and the gentleman from New Jersey (Mr. FRANKS) except for one important point.

The White amendment, had it passed, might have blocked and killed the Shays-Meehan bill. Due to the structure of the rule, had the White amendment received more votes than Shays-Meehan, it would have prevented Shays-Meehan from becoming law.

This amendment works in conjunction with Shays-Meehan. It strengthens and supports Shays-Meehan. It lets us fix some of the most important problems with our campaign finance system today and creates a commission to solve the problems that remain tomorrow.

I think this option is the best of both worlds. Shays-Meehan can be signed into law so that we can ban soft money and provide for greater disclosure of

our third-party expenditures; but, at the same time, we will create a commission to fix problems that are not addressed in Shays-Meehan.

Mr. Chairman, I see that we have many, many amendments ahead of us on this substitute. I am sure that many of these amendments are strong. But if the House agrees to this commission proposal, then I hope my colleagues will withdraw their amendments. I certainly plan to withdraw the amendments that I had hoped to introduce, not because I do not think that they are strong and important, but, with this commission, we now have another vehicle to take a serious look at all of these issues that remain to be done and report back with a proposal for addressing them.

Mr. Chairman, we have a choice before us. We can spend until August debating every problem, every issue on campaign finance and the hundreds of amendments made in order under this rule, and we may never finish this debate. Or we can pass this amendment and pass Shays-Meehan and let the commission address the remaining problems. I think the choice is clear.

I urge all Members to support the Maloney-Dingell amendment and to withdraw any of their own amendments so that we can finally pass Shays-Meehan and take a real step toward restoring the faith of the American people in their electoral process.

Mr. Chairman, I yield to my colleague, the gentleman from Connecticut (Mr. SHAYS), who has worked so hard on campaign finance in a bipartisan spirit.

Mr. SHAYS. Mr. Chairman, I thank the gentlewoman for yielding. On behalf of those who are supporting this reform legislation, we gladly accept this substantive amendment by the gentlewoman from New York (Mrs. MALONEY) and the gentleman from Michigan (Mr. DINGELL).

It improves the bill. It will enable us to deal with issues that are not dealt with in the Shays-Meehan reform legislation. I urge the amendment's passage. I do not think we to have too much debate about it.

Mrs. MALONEY of New York. Mr. Chairman, I yield back the balance of my time.

Mr. FARR of California. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise today in support of this amendment. As many of my colleagues know, I have a major bill that is also going to be considered. But I think the most important bill, the one that everyone is consolidated around and can be passed is the Shays-Meehan bill.

I ask this body, when it comes time to vote for that bill, if you do not vote for it now, when will you vote for it? If you do not vote for it, who will vote for it?

This body has been able to rise to the occasion when asked by the American people to address the issue of campaign finance reform. This body in the 101st

session of Congress passed a comprehensive campaign finance reform bill. In the 102nd session, this body passed a bill. In the 103rd session, this body passed a bill.

All of those bills received far in excess the minimum number of 218 votes. They were all bipartisan votes. So we have in the past been able to rise to the occasion and adopt very comprehensive campaign finance reform.

This amendment should be adopted because we always need to be looking farther than what we are able to legislate. America is changing, and the style of campaigning and the style of running for office is changing.

We will not have all the answers in one bill. A commission needs to look at where we go as we merge into the 21st Century. For a democracy to survive, we have got to have active participation. Politics is not a spectator sport. It is a participatory requirement to sustain a country, to sustain a government in an era when people are getting turned off and thinking that their vote does not make any difference or thinking that money in politics buys such influence so a common voter cannot have an influence.

Yet, we see time and time again where elections around this country are won by just a few votes. Even in this House, we have had Members who have won by as little as four votes. We know that votes count. We ought to be doing things to really engage people in participating in the process.

We are moving into an era where telecommunications is playing more and more of a role in communication. Our old ideas about regulating campaigns have not really taken that into consideration. A commission certainly can look into that.

A lot of voters in a lot of States are now voting by mail. In California, it has been very popular. Oregon elected a United States Senator entirely by a mail ballot election. A lot of issues were raised in that. A commission can look at that and figure out whether those are things that we as a Congress ought to be looking at.

Public financing has been suggested as a voluntary effort. Maine has adopted it. Is it good for other States. Is it good to Congress at a national level. These are options that a commission can look at. We certainly need to all encourage a greater participation. We need to encourage greater participation.

I do not think we have all the answers. We, as Members, go home every weekend. We go out and have constituent meetings. We are always trying. We are talking to schools. The galleries are filled. We have students in here all day. There are probably classrooms on the steps right now if it is not raining outside. We are always engaging them and telling them the importance of participating in the process.

But as we say this, we watch how many people participate in elections. You have to register to vote in this

country. Even those who are registered are not all the qualified adult persons. Those who are 18, American citizens, and have resided at least for 30 days in a community, those are the qualified voters in America. Yet, only half of the qualified voters register to vote, and only half of the registered voters turn out to vote.

If we are in the business of selling democracy, we are doing a very lousy job. We need to have commissions take a look at how we can better encourage people to do that. This amendment will do that. But most important, I think, to build confidence in America, we need to show them that, in 1998, this House, the House of Representatives, can pass a bipartisan bill that is both comprehensive and substantive that leads us another step towards regaining confidence in the American citizens, that their government in Washington can be a government that is true to the principles of this country. That is why we need to pass the Shays-Meehan.

I started this support for this amendment indicating that, if not now, when? My colleagues, Shays-Meehan, if not now, when?

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

Mr. Chairman, I rise in very strong support for this amendment. I supported the amendment of the gentleman from Washington (Mr. WHITE), which was similar, but this is somewhat different. This amendment will strengthen this bill. I think that it is very critical to do that.

Mr. Chairman, I yield to the gentleman from Connecticut (Mr. SHAYS).

Mr. SHAYS. Mr. Chairman, the Meehan-Shays bill provides for a soft money ban. It recognizes that sham issue ads. It are truly campaign ads and treats them as campaign ads. It codifies Beck and improves FEC disclosure and enforcement. The legislation provides that we put a ban on unsolicited franked mass mailings 6 months to the election, that is May on, and makes it clear that foreign money and fund-raising on government property are illegal. It presently is not illegal to raise soft money from foreigners or on federal property.

□ 1145

Believe it or not, it is not illegal. We make sure that people know it is.

I would just reiterate that we are prepared to vote right now on the commission bill. We have debated it long and hard, and pointed out when we debated the White proposal as a standing substitute, that we agreed with many of the merits, as long as we took a stand now to deal with soft money, deal with the sham issue ads, codify Beck and so on.

So we are prepared to support the Dingell-Maloney amendment to the reform bill, the Meehan-Shays bill, and I hope we can move forward on this because I know we have lots more amend-

ments to deal with that Members would like to introduce.

Mr. Chairman, I thank the gentleman for yielding to me.

Mr. METCALF. Mr. Chairman, I want to just add that campaign finance reform is critical to restoring citizen confidence in our election process, and I think this is a part of it.

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

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

Mr. DINGELL. Mr. Chairman, I first want to commend my good friend, the distinguished gentlewoman from New York (Mrs. MALONEY), and my colleagues the gentleman from Washington (Mr. WHITE), the gentleman from New Jersey (Mr. FRANKS), and the gentleman from California (Mr. HORN) for the good work which they have done on the commission amendment, something which I believe will be helpful to the legislation. I believe that their dedication and effort in this matter does them great, great credit. I particularly want to pay tribute to the gentlewoman from New York (Mrs. MALONEY) for the remarkable courage, fortitude and diligence which she has shown in this matter.

It was, I would observe, Mr. Chairman, yesterday that I chose to vote "present", with great regret, against the amendment which I had hoped to offer in the form of a commission substitute. I did not vote this way because I believed that the commission was no longer a viable idea but, unfortunately, because of the rather extraordinary rule structure making the commission bill a possible roadblock to passing desperately needed comprehensive campaign reform in the form of the Shays-Meehan proposal. This is something which we must do in the public interest, because I think almost every Member of this Congress, and certainly the public at large, is disgusted with the regrettable situation we find with regard to financing our campaigns.

I originally joined with the other lead sponsors to create a device which would bring about a quick assured vote on a responsible proposal. We have that before us in the form of Shays-Meehan. I would observe that it is a proposal which is endorsed by both my good friend the gentleman from Connecticut (Mr. SHAYS) and the gentleman from Massachusetts (Mr. MEEHAN), and I want to commend them for their effort on this matter and thank them for their assistance to us in this undertaking.

The amendment that is offered by the gentlewoman from New York and I not only strengthens the Shays-Meehan substitute, but it will study campaign reform ideas that are not already addressed in Shays-Meehan. It should please any Member that believes Shays-Meehan does not go far enough. The commission will clearly have the authority and the ability to study and

address any additional improvements needed in our campaign system, consistent with the policies in the Constitution.

I should note that this is a good proposal. It enhances, it expands, it enriches, and it benefits the system that we would find under Shays-Meehan. And I would note that yesterday a large number of my colleagues voted for this. I would note that they now have an opportunity to vote for it and Shays-Meehan both, and I urge them to do so. That is in the public interest and is what the public wants.

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

We had a vote the other night on the commission bill, and it was not quite as successful as I would like, and I think many of those of us who voted for the commission are considering whether we should vote for this particular amendment. If possible, I would like to engage the gentlewoman from New York or the gentleman from Michigan in just a brief colloquy to make sure I understand exactly how this would work.

It is my understanding that if this amendment is adopted, the commission would be part of the Shays-Meehan bill. And if the Shays-Meehan bill passes, the commission, in the form that we had originally proposed it, would be included in that bill. Does that mean that, assuming it is signed into law, that the commission could then go to work, come back to Congress with a package that would amend Shays-Meehan; or would its hands be tied in any particular way?

Mrs. MALONEY of New York. Mr. Chairman, will the gentleman yield?

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

Mrs. MALONEY of New York. As the gentleman knows, the commission bill is an appendage of Shays-Meehan. We would enact in this Congress, send to the Senate, the President would sign into law Shays-Meehan. All of the aspects of Shays-Meehan would become law.

Then, as the gentleman knows, our bill in the next Congress, the commission would go into effect for 180 days with 12 appointments, 4 Republicans, 4 Democrats, 4 Independents. It must have a supermajority of 9 votes to come back with an expedited review. That ensures that at least one Republican, one Democrat and one Independent agree. They can then come back to this floor for an up or down vote.

The likelihood of any part of Shays-Meehan being repealed, although it could be, is about as likely as a two-headed cow coming out of this commission, coming back. I do not think it would happen. I do not believe it would happen. It is beyond belief to me. But it possibly could. Again, it would have to be passed by this House.

Mr. WHITE. That is my understanding, too. Let me just ask the gentleman from Connecticut whether that is his understanding.

We do not exactly know what the commission would do, but it would at least be possible the commission could come back and propose changes that might change the Shays-Meehan approach?

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

Mr. WHITE. I yield to the gentleman from Connecticut.

Mr. SHAYS. We accept the commission bill without any restraints. It is the gentleman's bill, as it is the gentleman from New Jersey (Mr. FRANKS), the gentlewoman from New York (Mrs. MALONEY), and the gentleman from Michigan (Mr. DINGELL).

It could recommend whatever it wants. We would make an assumption that they might not deal, and probably would not deal with items that had already been dealt with, but they are free to do it, and we know that and accept it. And we know the House ultimately has a chance to vote on it. It is truly the gentleman's amendment without any restraints.

Mr. WHITE. Mr. Chairman, I appreciate that very much and, based on those representations, I intend to vote for this amendment.

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

Before I make my presentation, I would like to ask the gentlewoman a question. As I understand it, the gentlewoman will have four Independents as part of the commission. As the only Independent in Congress, that issue is of some significance to me.

We know how Democrats and Republicans might be appointed. Ross Perot is not the only Independent in America. Some of us do not have many billions of dollars but also consider ourselves Independents. How would those Independents be selected?

Mrs. MALONEY of New York. Mr. Chairman, will the gentleman yield?

Mr. SANDERS. I yield to the gentlewoman from New York.

Mrs. MALONEY of New York. How they are selected is the members are appointed by the President on recommendations made by the four leaders in the House and in the Senate. The Republican Speaker, the Democrat minority leader, the Republican leader in the Senate and the Democratic minority leader would make the recommendations.

Mr. SANDERS. Including Independents?

Mrs. MALONEY of New York. Yes.

Mr. SANDERS. Maybe we might want to chat on that. I am not so sure it would be a great idea for the leadership of the Democrat and Republican Party to decide who represents the Independent political movement in this country, of which there are more of than there are Democrats and Republicans. But having said that, I thank the gentlewoman for her efforts.

I would say this, Mr. Chairman. As a strong supporter of Shays-Meehan, and understanding that I would go further,

but I think that is the likely legislation that might pass and I will support it, the main point that we have got to understand is the American people know very, very well today that the political process in Congress and throughout this country is controlled by big money interests who make huge contributions to both political parties.

Just this past week we know that the Republican Party held a fund-raising dinner in Washington for some of the wealthiest and most powerful people in America and they walked away with \$11 million in one night. And, of course, the Democratic party, maybe not quite so successfully, tries hard to do the same thing.

Mr. Chairman, sometimes I think people think that when we talk about campaign finance reform this is an inside-the-beltway issue; that it is something esoteric; that it does not affect them. Wrong. Campaign finance reform is an issue which affects every American in every aspect of public policy.

This week the Republican leadership in the Senate killed legislation that would have required the tobacco industry to compensate our society for the death and disease it has created. Was there some connection between the defeat of this legislation and the many millions of dollars in soft money that went to the Republican Party from the tobacco interest? I think one has got to be very naive not to see the connection.

Mr. Chairman, Americans, people in our country, pay more money than any other people in the industrialized world for prescription drugs, and the Federal Government continues to provide hundreds of millions of dollars in corporate welfare to the pharmaceutical industry. Is there any connection between the \$18 million that the drug companies have provided to both political parties since 1991 and the outrageously high cost of prescription drugs in this country? Once again, one would have to be very naive not to see the connection.

Mr. Chairman, this Congress continues to spend billions of dollars for weapons that we do not need, including B-2 bombers that cost us over \$2 billion a plane. Meanwhile, we cut back on health care, education, desperately-needed housing, Medicare, Medicaid, and many other programs that ordinary Americans need. Is there a connection between the fact that the aerospace industry and military contractors contributed \$5 million during the 1996 election cycle to the high rate of military spending? I think, again, you have got to be naive.

Last year, Mr. Chairman, in the budget bill passed by this Congress, we provided huge tax breaks to some of the largest corporations and wealthiest people in America. Meanwhile, and this is an important point to be heard, the wealthiest one quarter of 1 percent contributed over 80 percent of all campaign contributions. Should we be shocked that, having received all of

this money from the richest people in America, Congress decided that most of the tax breaks would go to the very rich while, at the same time, we cut back on Medicare?

Mr. Chairman, we have heard a whole lot about the role that labor unions play in the political process. Do they contribute a lot of money? Yes, they do. But let us not forget that in the 1995-1996 election cycle corporations and groups and individuals representing business interests outspent labor 11 to 1.

ANNOUNCEMENT BY THE CHAIRMAN PRO
TEMPORE

The CHAIRMAN pro tempore (Mr. COLLINS). The Chair reminds Members not to refer to Senate actions on any other measures.

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

Mr. Chairman, sometimes we hear about a commission and we wonder what more do we need to do to study what we should do to reform the way we raise money for campaigns in this country. And while I have some reservations about this, I do want to say that we do have a vote here today on the Shays-Meehan bill, and I will support that, because I think it is a step in the right direction. However, maybe it does make sense that after passing Shays-Meehan we also talk about what steps we might take in the future, and perhaps this commission is the way to address that.

I view the passage of that measure, the Shays-Meehan bill, as a step, an important step, but only a step towards where we need to end up. I am going to vote for it because it will eliminate the insidious influence of soft money, but it still preserves an element of the status quo in the current way we do business.

The current system is, to many Americans, broken, Mr. Chairman, and it is broken for them beyond repair. They believe it cannot be fixed and they really believe it must be replaced. I have an alternative amendment before this House that we will address within the next few weeks. Unfortunately, several weeks down the line because, as I understand it, we are not going to debate this issue next week, and then we have 2 weeks in the District. But at some point, perhaps, we will get to the alternative that proposes to end the private money chase in campaign finance.

It is called the Clean Money Option. And it is just that. It is an option for those that want to continue to raise money privately and to use private resources in the campaigning. They will be able to proceed on that basis. But there is an option for those of us and the American public who believe we should do away with private resources and influence. It is an approach that has already been passed into law by the Vermont State legislature and the Maine ballot initiative.

Under the clean money system, a candidate agrees to forego all private

contributions, including his or her own, and accepts spending limits and a limited allocation to run their campaign from publicly-financed election funds.

□ 1200

It is not a blank check. Participating candidates must meet all local ballot qualification requirements and gather a significant number of \$5 qualifying contributions from the voters they seek to represent.

Clean-money campaign reform is both simple to understand and sweeping in its scope. It is a voluntary system, as I said, that meets the test of constitutionality under the Supreme Court's ruling in Buckley vs. Valeo that effectively provides a level playing field for all candidates who are able to demonstrate a substantial amount of popular support.

It strengthens American democracy by returning political power to the ballot box. None of the other approaches currently under debate or that will be under debate come close to this comprehensive solution because they all preserve a central role for private money.

What makes the clean-money campaign reform different is that it attacks the root cause of the crisis, namely, a system funded on private money that comes from a small fraction of the electorate and is dominated by wealthy special interests.

As elected public officials, we should owe our allegiance to the people who sent us here, not to the largest campaign contributors. It comes down to this, Mr. Chairman: Who should own the office in which we serve, the public or the private-monied interests?

The public gets this issue, Mr. Chairman. They know what needs to be done. Various clean-money campaign reform bills and ballot initiatives and grass root movements are now in motion in at least 3 dozen states across this country. If we cannot act here in Washington to change this system, the voters will do it for us. Get ready. Because if it is not happening in the states of my colleagues already, it will be; and this is in fact the wave of the future.

Mr. Chairman, the clean-money reform has solutions to particular problems. There are 4 major complaints that voters have about the current system. One is that political campaigns cost too much money and last too long. The solution in our bill would be that campaigns have strict spending limits that could only begin once the money is disbursed.

Another problem cited is that special interests have too much influence and certainly the perception of that. The solution is that participating candidates could not receive direct contributions from private sources.

People complain that candidates spend way too much time chasing campaign contributions. The solution in the bill would be that there would be

no need for that fund-raising. Candidates can focus on the issues and the public concerns if they choose, although they have the option to continue the private-money chase if they like.

The fourth complaint is that good people cannot win. The solution is that the clean-money option would create a level playing field and encourage more people to run.

This clean-money option, Mr. Chairman, is not a pipe dream. It is the law in two states and the subject of budding grass roots advocacy campaigns in nearly 40 others. Four states and localities, Arizona, Massachusetts, Missouri, and New York City, are poised to place similar initiatives on the November ballot.

Moreover, extensive polling has found public support in around 2-1 across all social and demographic groups, even among the self-described conservative Republicans. Newspapers from around the country have editorialized the support of clean money, including U.S.A. Today, The Boston Globe, St. Louis Post Dispatch, The Minneapolis Star Tribune, and many, many others.

Mr. Chairman, this is the direction we go. I hope the commission brings us closer to that point.

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

Mr. Chairman, I rise in support of this amendment.

I would like to take this opportunity to thank my colleagues, especially the gentleman from Michigan (Mr. DINGELL) and the gentlewoman from New York (Mrs. MALONEY) for the merging of their substitute with the Shays-Meehan bill.

In putting together a comprehensive campaign finance reform bill, it is a very difficult task and we look to get proper compromises on both sides of the aisle. The fact is that the gentleman from Michigan (Mr. DINGELL) and the gentlewoman from New York (Mrs. MALONEY) have a good proposal. It is a proposal that stems out from the meeting in Claremont, New Hampshire, 3 years ago, where the Speaker and the President shook hands and greed to establish a commission, and the gentlewoman from New York (Mrs. MALONEY) in a race to the floor of the House to introduce a bill. And I support that effort.

I also want to acknowledge the gentleman from Washington (Mr. WHITE) the gentleman from New Jersey (Mr. FRANKS) and the gentleman from California (Mr. HORN) on the Republican side for all of their efforts.

The merging of the supporters of a commission with the supporters of the Shays-Meehan bill means that we are now at that critical majority where we have a majority of the Members of this House finally ready, willing, and able to pass real campaign finance reform.

That would not be possible without compromises being made, like people

like the gentleman from California (Mr. FARR) and the gentleman from Massachusetts (Mr. TIERNEY) all who have excellent proposals who are merging and coming together with the Shays-Meehan substitute so that we can forge a majority in this House.

If we look at the votes that have been held thus far, it is very encouraging to those who have been fighting for reform. The vote on the commission bill with Members voting present or against it so it will not provide an impediment to passing the Shays-Meehan bill and the most recent votes that would have gutted the Shays-Meehan bill was resoundly defeated.

What we see here is a critical mass of Members from both sides of the aisle, from all parts of the country, who have joined together to reach compromise to pass real campaign finance reform.

I thank the Members on both sides of the aisle who are forging this very important critical majority. I look forward to getting through these amendments as soon as we can. Because the evidence is clear and overwhelming that we have a majority of the Members of this House who are prepared to pass the Shays-Meehan bill.

The CHAIRMAN pro tempore (Mr. COLLINS). The question is on the amendment offered by the gentleman from New York (Mrs. MALONEY) to the amendment in the nature of a substitute offered by the gentleman from Connecticut (Mr. SHAYS).

The question was taken; and the Chairman pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

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

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 325, noes 78, answered "present" 1, not voting 29, as follows:

[Roll No. 250]
AYES—325

Abercrombie	Brown (FL)	Deal
Ackerman	Brown (OH)	DeFazio
Aderholt	Bryant	DeGette
Allen	Burr	Delahunt
Andrews	Calvert	DeLauro
Baesler	Camp	Deutsch
Baldacci	Campbell	Diaz-Balart
Barcia	Capps	Dickey
Barrett (NE)	Cardin	Dicks
Barrett (WI)	Carson	Dingell
Bartlett	Castle	Dixon
Barton	Chabot	Doggett
Bass	Chambliss	Dooley
Becerra	Christensen	Doyle
Bentsen	Clay	Dreier
Bereuter	Clayton	Duncan
Berman	Clement	Dunn
Berry	Clyburn	Edwards
Bilbray	Coble	Ehlers
Bilirakis	Condit	Ehrlich
Bishop	Conyers	Emerson
Blagojevich	Cook	Engel
Bliley	Costello	Ensign
Blumenauer	Cox	Eshoo
Boehlert	Coyne	Etheridge
Bonior	Cramer	Evans
Bono	Crapo	Ewing
Borski	Cummings	Farr
Boswell	Cunningham	Fattah
Boucher	Danner	Fawell
Boyd	Davis (FL)	Fazio
Brady (PA)	Davis (IL)	Filner
Brown (CA)	Davis (VA)	Foley

Forbes	Lee	Rohrabacher
Ford	Levin	Ros-Lehtinen
Fox	Lipinski	Roukema
Franks (NJ)	Livingston	Roybal-Allard
Frelinghuysen	LoBiondo	Royce
Frost	Lofgren	Rush
Furse	Lowey	Ryun
Gallegly	Lucas	Sanchez
Ganske	Luther	Sanders
Gejdenson	Maloney (CT)	Sandlin
Gibbons	Maloney (NY)	Sanford
Gilchrest	Manton	Sawyer
Gillmor	Manzullo	Saxton
Gilman	Markey	Scarborough
Goode	Mascara	Schumer
Goodlatte	Matsui	Scott
Gordon	McCarthy (MO)	Sensenbrenner
Goss	McCarthy (NY)	Serrano
Graham	McGovern	Shaw
Greenwood	McHale	Shays
Gutierrez	McHugh	Sherman
Hall (OH)	McInnis	Shimkus
Hall (TX)	McIntosh	Shuster
Hamilton	McIntyre	Sisisky
Harman	McKinney	Skaggs
Hastings (WA)	Meehan	Skelton
Hefner	Meek (FL)	Slaughter
Herger	Menendez	Smith (MI)
Hill	Metcalf	Smith (NJ)
Hilleary	Mica	Smith, Adam
Hilliard	Millender-	Smith, Linda
Hinojosa	McDonald	Snowbarger
Hobson	Miller (CA)	Snyder
Hoekstra	Minge	Solomon
Holden	Mink	Spence
Hooley	Moakley	Spratt
Horn	Moran (VA)	Stabenow
Houghton	Myrick	Stark
Hoyer	Nadler	Stearns
Hunter	Neal	Stenholm
Hyde	Nethercutt	Stokes
Inglis	Ney	Strickland
Istook	Norwood	Stupak
Jackson (IL)	Nussle	Talent
Jackson-Lee	Olver	Tanner
(TX)	Ortiz	Tauscher
Jefferson	Owens	Tauzin
Jenkins	Packard	Taylor (MS)
John	Pallone	Taylor (NC)
Johnson (WI)	Pappas	Thompson
Johnson, E. B.	Pascrell	Thune
Jones	Pastor	Thurman
Kanjorski	Payne	Tierney
Kaptur	Pease	Towns
Kelly	Pelosi	Trafficant
Kennedy (RI)	Peterson (MN)	Turner
Kildee	Peterson (PA)	Upton
Kilpatrick	Petri	Upton
Kim	Pickett	Velazquez
Kind (WI)	Porter	Vento
Kingston	Portman	Visclosky
Kleczka	Poshard	Walsh
Klink	Price (NC)	Wamp
Knollenberg	Pryce (OH)	Waters
Kolbe	Quinn	Watkins
Kucinich	Rahall	Watts (OK)
LaFalce	Ramstad	Waxman
LaHood	Rangel	Weldon (PA)
Lampson	Redmond	Weller
Lantos	Regula	Wexler
Largent	Riggs	Weygand
Latham	Riley	White
LaTourette	Rivers	Wolf
Lazio	Rodriguez	Woolsey
Leach	Roemer	Wynn
	Rogers	Yates
		Young (AK)

NOES—78

Archer	Doolittle	McDermott
Armey	Everett	McKeon
Bachus	Fossella	Miller (FL)
Baker	Fowler	Mollohan
Balleger	Frank (MA)	Moran (KS)
Bateman	Gekas	Murtha
Boehner	Granger	Neumann
Bonilla	Hansen	Northup
Brady (TX)	Hastert	Oberstar
Bunning	Hayworth	Obey
Burton	Hefley	Oxley
Buyer	Hostettler	Paul
Callahan	Hulshof	Paxon
Canady	Hutchinson	Pickering
Cannon	Johnson (CT)	Pitts
Chenoweth	King (NY)	Pombo
Collins	Lewis (CA)	Radanovich
Combest	Lewis (KY)	Rogan
Crane	Linder	Sabo
Cubin	McCollum	Salmon
DeLay	McCrery	Schaefer, Dan

Shaffer, Bob	Smith (TX)	Tiahrt
Sessions	Souder	Watt (NC)
Shadegg	Stump	Whitfield
Skeen	Thomas	Wicker
Smith (OR)	Thornberry	Young (FL)

ANSWERED "PRESENT"—1

English

NOT VOTING—29

Barr	Johnson, Sam	Morella
Blunt	Kasich	Parker
Coburn	Kennedy (MA)	Pomeroy
Cooksey	Kennelly	Reyes
Gephardt	Klug	Rothman
Gonzalez	Lewis (GA)	Sununu
Gooding	Martinez	Torres
Green	McDade	Weldon (FL)
Gutknecht	McNulty	Wise
Hastings (FL)	Meeks (NY)	

□ 1224

Messrs. TIAHRT, FOSSELLA, BURTON of Indiana and Mrs. NORTHUP changed their vote from "aye" to "no."

Mr. MCHUGH and Ms. MILLENDER-MCDONALD changed their vote from "no" to "aye."

So the amendment to the amendment in the nature of a substitute was agreed to.

The result of the vote was announced as above recorded.

Mrs. KENNELLY of Connecticut. Mr. Chairman, I want to state my strong support for the amendment offered by Representative CAROLYN MALONEY to the Shays-Meehan campaign finance reform bill. This amendment creates a 12-member commission to recommend changes to current campaign finance law.

I am a strong supporter of the Shays-Meehan bill and look forward to its enactment, but we all recognize that there may be some aspects of the current system of financing political campaigns that may not be addressed by the Shays-Meehan bill. The commission will serve as a necessary backstop, so as we encounter unanticipated campaign finance issues, we have a process to review and make recommendations to resolve these issues. I think this commission amendment is an important addition to the Shays-Meehan bill.

I did not support and voted against an earlier substitute to the underlying campaign finance bill that just provided a commission approach to address the abuses in the current campaign finance system. It is way past time for more review and study of the problems in our current system. We know what the problems are and the Shays-Meehan bill addresses these problems. To just enact a review commission would only further delay legislation on this important issue.

Our job here is to make laws. We can not continue to abdicate that responsibility on the issue of campaign finance reform. We have a good bill before us—the Shays-Meehan bill. The Maloney amendment will make this good bill better. Therefore, I strongly support the Shays-Meehan bill with the Maloney commission amendment and I urge all my colleagues to work together to enact this important bipartisan legislation.

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

The CHAIRMAN pro tempore. Without objection, the gentleman from Massachusetts is recognized for 5 minutes.

There was no objection.

Mr. MEEHAN. Mr. Chairman, my understanding is the next amendment will be the Gillmor amendment, at which time a vote would be expected sometime just after 1 o'clock. Then we would go to other amendments, but there would not be a vote after the Gillmor amendment, that would be sometime after 1 o'clock. That is my understanding, and I think it would be helpful to Members to get what the schedule is.

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

Mr. MEEHAN. I yield to the gentleman from California.

Mr. THOMAS. Mr. Chairman, I believe the gentleman has a correct understanding with the only correction being that if we can begin the Gillmor amendment and we can conclude it before 1 o'clock, there is no reason to wait until 1 o'clock to vote on it, if there are only two or three speakers on the Gillmor amendment.

My understanding is that both of the authors of this particular substitute are willing to accept the amendment as written if we could keep to a minimum the discussion of that amendment. As soon as the Gillmor amendment is voted on, that would be the last vote for the day. But if we begin discussing any other amendments, there would be no more votes and we would rise at 2 o'clock regardless of where we were in the discussion of any amendment.

Mr. MEEHAN. Certainly there may be some other people that want to speak on amendments, but I just wanted to get a clear understanding of what the schedule was so that Members could make their plans.

Mr. THOMAS. If the gentleman will yield further, the bottom line is the Gillmor amendment will be the last vote of the day, whenever that occurs prior to 2 o'clock.

AMENDMENT OFFERED BY MR. GILLMOR TO AMENDMENT NO. 13 IN THE NATURE OF A SUBSTITUTE OFFERED BY MR. SHAYS

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

The Clerk read as follows:

Amendment offered by Mr. GILLMOR to Amendment No. 13 in the Nature of a Substitute Offered by Mr. SHAYS:

Add at the end of title V the following new section (and conform the table of contents accordingly):

SEC. 510. PROTECTING EQUAL PARTICIPATION OF ELIGIBLE VOTERS IN CAMPAIGNS AND ELECTIONS.

Title III of the Federal Election Campaign Act of 1971 (2 U.S.C. 431 et seq.), as amended by sections 101, 401, and 507, is further amended by adding at the end the following new section:

"PROTECTING EQUAL PARTICIPATION OF ELIGIBLE VOTERS IN CAMPAIGNS AND ELECTIONS

"SEC. 326. (a) IN GENERAL.—Nothing in this Act may be construed to prohibit any individual eligible to vote in an election for Federal office from making contributions or expenditures in support of a candidate for such an election (including voluntary contributions or expenditures made through a separate segregated fund established by the individual's employer or labor organization) or otherwise participating in any campaign for

such an election in the same manner and to the same extent as any other individual eligible to vote in an election for such office.

"(b) NO EFFECT ON GEOGRAPHIC RESTRICTIONS ON CONTRIBUTIONS.—Subsection (a) may not be construed to affect any restriction under this title regarding the portion of contributions accepted by a candidate from persons residing in a particular geographic area."

Mr. GILLMOR (during the reading). Mr. Chairman, I ask unanimous consent that the amendment to the amendment in the nature of a substitute be considered as read and printed in the RECORD.

The CHAIRMAN pro tempore (Mr. COLLINS). Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. GILLMOR. Mr. Chairman, the amendment which the gentleman from Tennessee (Mr. TANNER) and I are offering would reaffirm in law a vital national interest, namely, that all Americans eligible to vote be treated in the same way by the Federal Election Campaign Act. The Gillmor-Tanner amendment is necessary because proposals have been made, both in this body and at the FEC, which would treat nearly 5 million Americans as second-class citizens politically. Namely, such proposals would deny American citizens who work for American subsidiaries of companies which are headquartered abroad an avenue of political association and participation that is guaranteed all other Americans, namely, the right to voluntarily contribute money to political candidates through political action committees sponsored by their employers.

Mr. Chairman, in my home State of Ohio, more than 218,000 Ohioans are employed by American subsidiaries of companies headquartered abroad, and there are more than 5 million Americans nationwide. That number is growing daily. It will get larger still as soon as the merger between Chrysler and Daimler-Benz is completed to form a new Daimler-Chrysler corporation.

□ 1230

It makes no sense to tell these Americans that today they may contribute to their company's political action committee, but the day the merger is completed they instantly become second class citizens and are denied this avenue of political participation. Even though the name on the paycheck may change, these employees remain American citizens, and the vagaries of corporate mergers should not be permitted to deny them their rights as Americans.

Just as past barriers were erected to discourage participation in the political process, some of today's propositions attempt to deny participation based on where an American chooses to work. Just as discriminatory behavior was wrong then, it is wrong now. Foreign nationals should not be allowed to contribute to American campaigns. That practice is already against the law, and I believe we ought to uphold

that law, and this amendment in no way changes the illegality of foreign campaign contributions.

Furthermore, both the current law and the Federal Election Commission regulations prohibit foreign nationals' contributions to or any foreign national decision-making with respect to either corporate or labor-sponsored political action committees, and those prohibitions would not be amended by this amendment.

In closing, Mr. Chairman, the political rights of American citizens must not be limited by race, gender or place of employment, and a vote for the Gillmor-Tanner amendment would protect the right of American citizens to be treated equally by our current election law and any reforms that may eventually be enacted.

Mr. Chairman, I yield to the gentleman from Connecticut (Mr. SHAYS).

Mr. SHAYS. Mr. Chairman, I know that the gentleman from Tennessee (Mr. TANNER) wants to speak. I just want to speak on behalf of the Meehan-Shays supporters, that we do support this amendment. It is a right of American citizens today.

I know we will have other amendments to consider, but we do support it and would urge others to support it as well.

Mr. GILLMOR. Mr. Chairman, I yield to the gentleman from California (Mr. FAZIO).

Mr. FAZIO of California. Mr. Chairman, I rise in strong support of this amendment which I think is really an affirmation of existing law and one, however, that is needed because the debate, the discussion, of overseas contributions has been muddled to a point where some have implied that perhaps those who work for corporations that are headquartered in other parts of the world should be prevented from participating in our political system.

We are part of a global economy, and increasingly who we work for is going to change during the time in which we work for them. Gentleman pointed out the Daimler-Benz-Chrysler merger as a good example of a long-standing American corporation where its employees have contributed both to its union's political action fund and its corporate PAC, and under some proposals that have been made their rates will be truncated and eliminated.

It seems to me the American people ought to be able to participate in politics regardless of the vagaries of who they work for at any given time. We all know that increasingly the subsidiaries, or even the companies that once were independent have become affiliated with entities that have not only multiple owners in terms of stockholders in most countries in the world, but perhaps the corporate headquarters anywhere else.

This amendment is, I think, an important reassertion of what should be a fundamental right for every American.

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

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

Mr. TANNER. Mr. Chairman, I yield to the gentleman from Maryland (Mr. HOYER).

Mr. HOYER. Mr. Chairman, I would associate myself with the remarks of the gentleman from California (Mr. FAZIO).

Obviously the vagaries of employment are that on any given time a corporate entity may or may not be a foreign-held corporation, but the American citizen who wants to participate and contribute through such devices as are legally available to American citizens to do so should be maintained, and I think that is appropriate, and I support the gentleman's amendment.

Mr. TANNER. Reclaiming my time, Mr. Chairman, I understand the sponsors of the amendment are going to agree to this, and so in order to save time I submit my statement in support of the Gillmor amendment for the RECORD.

Mr. Chairman, I rise to urge my colleagues to support an amendment which I have co-sponsored with my colleague from Ohio, Mr. GILMOR, which would very simply protect the rights of all American citizens who are eligible to vote by ensuring that they will not be discriminated against as the result of changes we make to our campaign finance law.

In our zeal to pass some kind of campaign finance reform, let's not inadvertently take away rights from Americans to participate in our electoral process. I think we all agree that we should be very careful not to pass any reform which hinders Americans from participating.

Our amendment would make it clear that U.S. citizens who work for companies in the United States which happen to be foreign-owned will not lose the rights they presently enjoy to fully participate in federal campaigns.

An amendment being proposed later in this debate would bar U.S. subsidiaries of foreign-owned companies from operating PACS. Under this proposal, the definition of "foreign" would be decided by degree of ownership. Any company that is more than 51 percent foreign-owned would not be allowed to operate a PAC—regardless of the number of employees they have in the U.S. or the extent of their contributions to the U.S. economy.

Let me first reiterate that U.S. law presently forbids foreign nationals from participating in any way in federal elections, including contributing to and making decisions about a PAC.

Many U.S. subsidiaries make substantial contributions to our economy and are stellar corporate citizens. To discriminate against them and the U.S. citizens they hire is simply wrong. For instance, both Hardees and Burger King are foreign-owned, yet they—like U.S.-owned McDonalds—are U.S. institutions which hire American citizens to work in the thousands of restaurants all across my state and throughout this country. It would simply be unfair to deny American employees of Hardees and Burger King the basic right of participating in a PAC while ensuring American employees of McDonalds that they would continue to have the right to fully participate in their own government's election process.

After all, those employees at Hardees and Burger King pay taxes, shop at local stores,

volunteer for the local charities and otherwise contribute to their communities just as their neighbors do who work for U.S.-owned companies. I urge all of my colleagues to ask constituents in your district who work for U.S. subsidiaries if they should be treated as "foreign". I am sure the response will convince you that it is patently unfair to discriminate against these American workers.

U.S. subsidiaries of companies based outside the U.S. are increasingly important participants in the American economy. In my home state of Tennessee:

138,200 Tennessee workers are employed by U.S. subsidiaries.

From 1980 to 1995, Tennessee employment at U.S. subsidiaries increased more than five times faster than all jobs in Tennessee.

Employees at U.S. subsidiaries constitute over 6% of Tennessee's total work force.

Support the rights of ALL Americans to participate fully in our political process and give these employees at U.S. subsidiaries the assurance that we will not treat them as second class citizens.

Support the Gillmor-Tanner amendment.

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

Mr. Chairman, I wanted to take this opportunity because I will be offering amendments later in the month concerning foreign contributions to U.S. campaigns, and I respect my colleague from Ohio and his desire to preserve the rights of U.S. citizens regardless of where they work to participate in our political system. But I have to say to both the gentleman from Connecticut (Mr. SHAYS) and the gentleman from Massachusetts (Mr. MEEHAN) that sometimes what appears is not always everything that should appear in the offering of an amendment, and I think, as we move through this bill, there may be the opportunity to refine some of the concepts in the amendment currently on the floor from other issues that also bear on the subject of national interest versus any purely private interest. And I think under our laws it is pretty clear that U.S. elections should be for U.S. citizens and that we have a problem in this country in foreign money infecting U.S. campaigns on both sides of the aisle.

Mr. Chairman, we have seen what has happened when millions and millions of dollars manages to come into this country either as independent expenditures or for various candidates not being disclosed properly, and in some cases, even though the law says foreign citizens shall not contribute, in fact they end up contributing because the disclosure requirements for foreign contributions are not kept in a separate category at the FEC.

This issue is not as simple as it first appears on the surface, and so I would say with all due respect to my colleague from Ohio, though I respect the right of individual Americans to contribute to campaigns, I draw the line where in fact those contributions are coming from foreign interests. I do not care who those foreign interests are, this is a nationally sovereign country,

and we should be able to safeguard the election processes inside our nation.

Now let me draw an example for those of us who served during this period of time when Toshiba Company through a subsidiary in northern Europe gave away U.S. submarine technology to the then Soviet state, and if I were asked if I think Toshiba should be able to contribute to U.S. elections, I would say absolutely not. Their ability to try to subvert the rightful penalties that they should have paid for that incredible act against this country and our national security should not have been rewarded by allowing that corporation to participate in any way in the U.S. political process.

Now for their employees, for their employees to be able to participate as U.S. citizens they should be able to participate in their elections if they wish to support a candidate absolutely. But there are serious problems with the way in which foreign contributions are booked and with the way in which records are kept at the FEC.

I have studied this now for almost 10 years. I know this issue inside and out.

So I would just say that I would vote present on the proposal offered by the gentleman from Ohio (Mr. GILMOR) if it were brought to a full vote here. I would encourage the gentleman from Connecticut (Mr. SHAYS) and the gentleman from Massachusetts (Mr. MEEHAN) to work with us as we try to get equal disclosure on foreign contributions into the elections in this country and to try to draw a very clear line here on what we are talking about.

Mr. Chairman, there is a difference between U.S. citizens and foreign interest participating in U.S. elections.

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

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

Mr. SHAYS. Mr. Chairman, I thank the gentlewoman from Ohio (Ms. KAPTUR) for the tone of her message and the strength of her message, and I agree with her comments, and one of the challenges that we have is, as these amendments come in, make sure we are touching base with all sides and making sure that we are able to meld this process so we can accommodate the various sincere and real concerns that Members have such as the gentlewoman, and I appreciate her present vote, and I appreciate her comments.

Ms. KAPTUR. Mr. Chairman, I thank the gentleman from Connecticut (Mr. SHAYS) very much, and I thank my colleague from Ohio (Mr. GILMOR) for alerting me to the fact that this amendment would be discussed, and we look forward to working with the gentleman as our amendment comes up on the floor.

Mrs. KELLY. Mr. Chairman, I move to strike the requisite number of words, and I rise in strong support of the Gillmor-Tanner amendment which seeks to ensure that all American citizens are treated equally under the law. The political rights of American voters

should not be determined by where they work.

Just as our Nation has assured equal political participation for all citizens regardless of race, gender or national origin, we should ensure that no class of Americans are denied an avenue of political participation that is available to all other Americans.

In my home State of New York nearly 349,000 American citizens work for American subsidiaries of companies headquartered abroad. It makes no sense that my constituent who works at their American-owned McDonald's can join with fellow employees and contribute to campaigns through a political action committee while their neighbor who works at a foreign-owned Burger King or Hardee's is denied this avenue of participation in our political system.

Mr. Chairman, it is only fair and common sense that we provide in our election law a provision to ensure that all Americans receive the same opportunities and avenues of political participation. I urge my colleagues to support the Gillmor-Tanner amendment.

Mr. PRICE of North Carolina. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of the Gillmor-Tanner amendment. I come from a State where the number of employees of U.S. subsidiaries of corporations headquartered in other countries has grown by 233 percent since 1980. Two of the largest employers in the high-tech Research Triangle Park, for example, Nortel and Glaxo-Wellcome, collectively employ 15,000 people in North Carolina. They make tremendous contributions to the U.S. economy, to the North Carolina economy, and to our local communities. It is unfair to discriminate against American citizens who are employees of these companies.

It is already illegal, Mr. Chairman, for foreign nationals to participate in political action committees. PACs are operated by U.S. employees, and funds for PACs are provided only by U.S. employees. There is no reason to deny U.S. citizens the right to participate fully in the political process, and that includes financial participation.

The Gillmor-Tanner amendment is a straightforward amendment ensuring that all U.S. citizens are treated equally under our campaign finance laws regardless of where they work.

I encourage all colleagues to support this sensible and fair provision.

Mr. FRELINGHUYSEN. Mr. Chairman, I rise in support of the Gillmor amendment. This amendment has a simple objective: it ensures that American citizens who can vote in elections are not prohibited from participating in the political process solely because they work for U.S. subsidiaries of foreign-owned companies.

Although Federal election law already bars foreign nationals and foreign corporations from contributing to Federal candidates, in the current debate on campaign finance reform, amendments have been filed that would not

only restrict foreign nationals from participating, but American citizens employed by foreign-owned companies as well.

Mr. Chairman, while intended to reduce foreign influence on our elections, such a change in election law would only end up excluding a class of Americans from enjoying rights held by all others. This approach would not only be unfair to the 209,000 residents of my state of New Jersey who work for U.S. subsidiaries of foreign-owned companies, but would also be constitutionally indefensible. The Gillmor amendment makes clear that campaign finance reform should apply equally to all Americans, and I urge my colleagues to support it.

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentleman from Ohio (Mr. GILLMOR) to the amendment in the nature of a substitute offered by the gentleman from Connecticut (Mr. SHAYS).

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

RECORDED VOTE

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

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 395, noes 0, answered "present" 3, not voting 35, as follows:

[Roll No. 251]

AYES—395

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Archer
Armey
Bachus
Baesler
Baldacci
Ballenger
Barcia
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bateman
Becerra
Bentsen
Bereuter
Berman
Berry
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (CA)
Brown (FL)
Brown (OH)
Bryant
Bunning
Burr
Burton
Buyer
Calvert
Camp
Campbell
Canady
Cannon
Capps
Cardin

Carson
Castle
Chabot
Chambliss
Chenoweth
Christensen
Clay
Clayton
Clement
Clyburn
Coble
Collins
Combest
Condit
Cook
Costello
Coyne
Cramer
Crane
Crapo
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Ensign
Eshoo
Etheridge

Evans
Ewing
Farr
Fattah
Fawell
Fazio
Filner
Foley
Forbes
Ford
Fossella
Fowler
Fox
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Furse
Gallegly
Ganske
Gejdenson
Gekas
Gibbons
Gillcrest
Gillmor
Gilman
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Greenwood
Gutierrez
Hall (OH)
Hall (TX)
Hamilton
Hansen
Harman
Hastert
Hastings (WA)
Hayworth
Hefley
Hefner
Herger
Hill
Hilleary
Hilliard
Hinchev
Hinojosa
Hobson
Hoekstra
Hooley
Horn
Hostettler

Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inglis
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (WI)
Jones
Kanjorski
Kelly
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kim
Kind (WI)
King (NY)
Kingston
Klecza
Klink
Klug
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Lantos
Largent
Latham
LaTourette
Lazio
Lee
Levin
Lewis (CA)
Lewis (KY)
Linder
Lipinski
Livingston
LoBiondo
Lofgren
Lowe
Lucas
Luther
Maloney (CT)
Maloney (NY)
Manton
Manzullo
Markey
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDermott
McGovern
McHale
McHugh
McInnis
McIntosh
McIntyre
McKeon
McKinney
Meehan
Meek (FL)
Menendez
Metcalf
Mica

Millender-McDonald
Miller (CA)
Miller (FL)
Minge
Mink
Moakley
Mollohan
Moran (KS)
Moran (VA)
Murtha
Myrick
Nadler
Neal
Nethercutt
Neumann
Ney
Northrup
Norwood
Nussle
Oberstar
Obey
Olver
Owens
Oxley
Packard
Pallone
Pappas
Pascrell
Pastor
Paul
Paxon
Payne
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Poshard
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Redmond
Regula
Riggs
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Roybal-Allard
Royce
Rush
Ryun
Sabo
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Scarborough
Schaefer, Dan

Schaffer, Bob
Schumer
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Shimkus
Shuster
Siskiy
Skaggs
Skeen
Skelton
Slaughter
Smith (MI)
Smith (OR)
Smith (TX)
Smith, Adam
Smith, Linda
Snowbarger
Snyder
Souder
Spence
Spratt
Stabenow
Stark
Stearns
Stenholm
Stokes
Strickland
Stump
Stupak
Talent
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thompson
Thornberry
Thune
Thurman
Tiahrt
Tierney
Towns
Traficant
Turner
Upton
Velazquez
Vento
Visclosky
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman
Weldon (PA)
Weller
Wexler
Weygand
White
Whitfield
Wicker
Wise
Wolf
Woolsey
Wynn
Yates
Young (AK)
Young (FL)

ANSWERED "PRESENT"—3

Johnson, E. B. Kaptur Leach

NOT VOTING—35

Baker Green Morella
Barr Gutknecht Ortiz
Blunt Hastings (FL) Parker
Callahan Holden Reyes
Coburn Johnson, Sam Rothman
Conyers Kasich Salmon
Cooksey Kennedy (MA) Smith (NJ)
Cox Lewis (GA) Solomon
Everett Martinez Sununu
Gephardt McDade Torres
Gonzalez McNulty Weldon (FL)
Goodling Meeks (NY)

□ 1300

So the amendment to the amendment in the nature of a substitute was agreed to.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. GOODLING. Mr. Chairman, regrettably I was unavoidably detained for rollcall votes 250 (Maloney Amendment) and 251 (Gillmor Amendment). Had I been present, I would have voted "yes" on both rollcall votes 250 and 251.

PERSONAL EXPLANATION

Mrs. MORELLA. Mr. Chairman, because of a family matter, I unfortunately missed three rollcall votes (249, 250, 251) pertaining to campaign finance reform.

I would have voted "no" on rollcall No. 249, the Thomas amendment to add a nonseverability clause, "yes" on rollcall No. 250, the Maloney amendment providing for a commission on campaign finance reform, and "yes" on rollcall No. 251, the Gillmor amendment to ensure every voter can participate in the political process.

I strongly oppose the Thomas amendment. It goes too far; the amendment strikes the provision in Shays-Meehan stating that if any part of the bill is found unconstitutional, the remainder stays intact, and it adds a provision stating that if any part is found unconstitutional, the entire bill is invalid. This Congress has passed several bills with severability clauses, including the Balanced Budget Act of 1997. Bills that are silent on the issue are considered by the courts to be severable. The Thomas anti-severability approach is highly unusual, and found in only four of the thousands of bills introduced this Congress.

I support the Maloney amendment, which would create a 12-member commission to recommend changes to current campaign finance law. The commission must submit recommendations, approved by at least 9 of the 12 members, within six months of the end of this Congress, and be considered under expedited procedures. The commission would be comprised of an equal number of Republican and Democratic appointees. While I strongly support the Shays-Meehan bill, I favor further reforms to our system, and this commission gives us the opportunity to further reform our system.

AMENDMENT NO. 82 OFFERED BY MR. DOOLITTLE TO AMENDMENT NO. 13 IN THE NATURE OF A SUBSTITUTE OFFERED BY MR. SHAYS

Mr. DOOLITTLE. Mr. Chairman, I offer an amendment to the amendment in the nature of a substitute.

The CHAIRMAN pro tempore (Mr. COLLINS). The Clerk will designate the amendment to the amendment in the nature of a substitute.

The text of the amendment to the amendment in the nature of a substitute is as follows:

Amendment No. 82 offered by Mr. DOOLITTLE to amendment No. 13 in the nature of a substitute offered by Mr. SHAYS:

Strike section 301(20)(B) of the Federal Election Campaign Act of 1971, as added by section 201(b) of the substitute, and insert the following:

"(B) NONAPPLICATION TO PUBLICATIONS ON VOTING RECORDS.—The term 'express advocacy' shall not apply with respect to any communication which provides information

or commentary on the voting record of, or positions on issues taken by, any individual holding Federal office or any candidate for election for Federal office, unless the communication contains explicit words expressly urging a vote for or against any identified candidate or political party."

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

Mr. DOOLITTLE. Mr. Chairman, I am going to offer this amendment which is short and to the point. I believe I will just read it, because it makes the point.

It is entitled the Nonapplication to Publications on Voting Records: The term "express advocacy" shall not apply with respect to any communication which provides information or commentary on the voting record of, or positions on issues taken by, any individual holding Federal office or any candidate for election for Federal office, unless the communication contains explicit words expressly urging a vote for or against any identified candidate or political party.

Mr. Chairman, the effect of this language is to preserve the Buckley opinion, which of course is going to stand whether or not we enact Shays-Meehan. But it is to make sure that we do not place citizens in jeopardy for exercising their God-given right to free speech protected in the U.S. Constitution.

The Buckley case, which is so demeaned by our left-wing reformers, is quite clear on this. And it was a case that was a very strong case by judges, most of whom supported it. We have heard Buckley defamed time and time again. I want to quote a couple of things from Buckley and my colleagues will see why it has remained the constitutional foundation for so many years.

In the words of Buckley, The Federal Election Campaign Act, known as FECA, their regulation:

... apply only to expenditures for communications that in express terms advocate the election or defeat of a clearly identified candidate for public office . . . this construction would restrict the application of FECA regulations to communications containing express words of advocacy of election or defeat, such as "vote for," "elect," "support," "cast your ballot for," "Smith for Congress," "vote against," "defeat," "reject."

Now, here are the so-called magic words that are demeaned by our left-wing reformers. But the reason we have such words is further explained by the Court itself.

... the distinction between discussion of issues and candidates and advocacy of election or defeat of candidates may often dissolve in practical application. Candidates, especially incumbents, are intimately tied to public issues involving legislative proposals and governmental actions. Not only do candidates campaign on the basis of their positions on various public issues, but campaigns themselves generate issues of public interest."

And then we come to this, and this really is the philosophical underpinning of the First Amendment. It ex-

plains how that applies to these disastrous attempts such as Shays-Meehan to abridge our freedom of speech. And it goes on to say:

Whether words intended and designed to fall short of invitation would miss that mark is a question both of intent and effect. No speaker, in such circumstances, safely could assume that anything he might say upon the general subject would not be understood by some as an invitation. In short, the supposedly clear-cut distinction between discussion, laudation, general advocacy, and solicitation puts the speaker in these circumstances wholly at the mercy of the varied understanding of his hearers and consequently of whatever inference may be drawn as to his intent and meaning.

Such a distinction offers no security for free discussion. In these conditions it blankets with uncertainty whatever may be said. It compels the speaker to hedge and trim.

This is why we have all said on our side that Shays-Meehan is patently unconstitutional on its face, because its regulation compels the speaker to hedge and trim.

Now, in Shays-Meehan, they claim they allow voter guides, but their regulation compels the speaker to hedge and trim. Why? Because there is a requirement that it be done in an "educational manner." Clearly, it is intended to require only a flat recitation of facts and to bar commentary or advocacy on an event or issue.

But certainly the scorecards and voter guides put out by issue groups and labor unions do reflect a point of view. They do contain commentary. And under the First Amendment, they have every right to do so.

The CHAIRMAN pro tempore. The time of the gentleman from California (Mr. DOOLITTLE) has expired.

(By unanimous consent, Mr. DOOLITTLE was allowed to proceed for 3 additional minutes.)

Mr. DOOLITTLE. Mr. Chairman, also the requirement in Shays-Meehan is that the publication must contain, "no words that in context have no reasonable meaning other than to urge the election or defeat of one or more clearly identified candidates."

See, this is the inference they are talking about here where whatever inference may be drawn as to its intent and meaning. All of a sudden a Federal bureaucratic czar is going to determine whether or not what citizens have said in their voter guide fell within the law or outside the law. It chills the speech.

Mr. Chairman, I ask my colleagues to just think of this. Any organization that wants to distribute a voter guide, such as the Christian Coalition, such as National Right to Life, such as, I think the Abortion Rights Action League does them, any organization is now going to have to have in the back of its mind, and in its bank account, a half-million dollars, knowing that they will then be prepared to withstand a prosecution by the Federal bureaucratic czar who may determine that through the inference and so forth of the words, that the words fell within the scope of the Shays-Meehan law and, therefore, can be punished.

Now, the First Amendment of course would never allow this. But as we all know, when we have statutes that infringe on the Constitution, the only way to deal with that problem is to go through the extremely time-consuming and costly litigation process. So this puts every issue advocacy group in the country in jeopardy. They will all have to raise more money in order to fight the half-million dollar legal battle. I think that is wrong.

By the way, a voter guide, here is one from the Christian Coalition, this is what a lot of the incumbents who are not casting votes consistent with the wishes of the Christian Coalition get very upset by. This is very influential and it is definitely determined to influence the outcome of elections, which the Constitution says they have the right to do.

But it takes a Member's vote, they have votes probably of 20 different things or so, and it lists the voting records of everybody around the country. But it is an advocacy thing. It does have a point of view, because it says, "How did your congressmen and senators vote on issues critical to the family?" And on the backside it says, "Christian Coalition, giving pro-family Americans a voice in their government again."

Well, I think would it not be safe to infer that if Members are casting antifamily votes as related by the Christian Coalition, that they would think that Member should be defeated rather than elected? I do not think it is a large jump in logic to understand that that would be the intent.

When we get into the language of Shays-Meehan, they then are violating what can be done because this is not neutral. They now have words and context that can add no reasonable meaning other than to urge the election or defeat of one or more clearly identified candidates. Under Shays-Meehan, they are not just doing a flat recitation of facts such as they intend by the words "educational manner."

Therefore, Mr. Chairman, we need this amendment and I urge my colleagues to adopt it.

Mr. LEVIN. Mr. Chairman, I move to strike the last word.

Mr. Chairman, first of all, I am looking for the language of the amendment. It does not really state it correctly. It says nonapplication to publications of voting records. And everybody should understand this goes far beyond voting records. It goes to all communications.

Let me read it. "The term 'express advocacy' shall not apply with respect to any communication which provides information or commentary on the voting record of or positions on issues taken by . . ." So it is anything in a political campaign. ". . . by any individual holding Federal office or any candidate for election for Federal office, unless the communication contains explicit words expressly urging a vote for or against any identified candidate or political party."

So the amendment offered by the gentleman from California is not really related to voting guides. What it does is try to strike all of the language within Shays-Meehan relating to express advocacy, to issue ads. Let no one be unclear about that.

□ 1315

Secondly, I wish we would stop talking about people who are for this bill as left wing reformers, I say to the gentleman from California, because when he says that, he is demeaning the gentleman across the aisle from him, the gentleman from Connecticut (Mr. SHAYS). He is demeaning the gentleman from Tennessee (Mr. WAMP) who has been actively involved, the gentleman from Maryland (Mr. GILCHREST), the gentleman from New York (Mr. BOEHLERT), the gentleman from California (Mr. CAMPBELL), the gentleman from South Carolina (Mr. SANFORD), and others, and Mr. McCAIN.

My colleagues may disagree with their fellow or sister Republicans. Do not call them by an epithet. This debate serves better than that. No one is calling my colleagues a right wing nut.

We are also not demeaning the Supreme Court. By the way, if it is patently unconstitutional on its face, then do not present an amendment. The court will eliminate it. The problem with my colleague's position is that that is not true, and that is what they are worried about.

The 9th Circuit, which is not filled with left wing reformers, has interpreted the decision, the Buckley decision. There is a circuit that disagrees with it. But the 9th Circuit has said this, and we essentially, in this bill, attempt to follow the language in Furgatch or the gist of it.

Here is what they say: We begin with the proposition that express advocacy is not strictly limited to communications using certain key phrases. The short list of words included in the Supreme Court opinion in Buckley does not exhaust the capacity of the English language to expressly advocate the election or defeat of a candidate.

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

Mr. LEVIN. I am happy to yield to the gentleman from California.

Mr. DOOLITTLE. Mr. Chairman, Furgatch is an express advocacy case and is perfectly consistent with our beliefs in the Buckley case. Furgatch, as I understand the case, the court named, I do not know, seven or eight words in the Buckley case, and Furgatch, the facts of the case amounted to essentially the same thing. That is all it says. But it is express advocacy. It does not advocate blurring the line between express advocacy of election or defeat of a candidate versus everything else.

Mr. LEVIN. I say to the gentleman, then, go back and read Shays-Meehan. Go back and read it, because all it says is, within the last 60 days, especially if there is express advocacy, if you attack

a candidate, but do not say vote against, or if you say things that do not exactly say vote for, that, still, if the clear purpose is a political ad, it shall fall within independent expenditures and be controlled by the regulations with the FEC.

Mr. DOOLITTLE. Mr. Chairman, will the gentleman yield again?

Mr. LEVIN. I yield to the gentleman from California.

Mr. DOOLITTLE. Only to say, right up until now and even now, it is clear we do not have to look at what the purpose or the intent is. Unless the words themselves are express and advocating the election or defeat of a candidate, then it is not subject to regulation.

The man in Furgatch said, I think it is Harvey Furgatch ran this ad and said, do not let them do this, meaning defeat them. I think they were talking about Jimmy Carter. It is quite clear. We should not seek to blur the line.

The CHAIRMAN pro tempore. The time of the gentleman from Michigan (Mr. LEVIN) has expired.

(By unanimous consent, Mr. LEVIN was allowed to proceed for 3 additional minutes.)

Mr. LEVIN. Mr. Chairman, I would suggest, then, between now and next week that the gentleman should get together with the gentleman from Connecticut (Mr. SHAYS) and the gentleman from Massachusetts (Mr. MEEHAN) because I just think that his language is contrary to what he says he understands Furgatch to be.

He says, unless the communication contains explicit words expressly urging a vote for or against any identified candidate. That is, rewrite your amendment, then.

Let me just go on. Let me just finish, if I might. It goes on to say, a test requiring the magic words elect, support, et cetera, or their nearly perfect synonyms, for finding of express advocacy would preserve the First Amendment right of unfettered expression only at the expense of eviscerating the Federal election campaign ad.

No one is trying to gag anybody. If they want to do a political ad that essentially wants people to vote for or against, what they say is fall within the independent expenditure and other provisions of the law, which has limits on what can be expended and has requirements for disclosure, which is not true of these ads that are clearly campaign ads, that are clearly political ads.

But the people do not know who put the money up. They are hidden. They are endless. There is a flood of hidden, in terms of its support, of hidden money. That is what we say should not happen.

Now, look, in terms of the brochures, voter guides, if you think the language on voter guides is not clear enough, then amend that. But the gentleman from Connecticut (Mr. SHAYS) and the gentleman from Massachusetts (Mr. MEEHAN) have carefully tried to spell this out.

They say that a printed communication is not included if it presents information in an educational manner solely about the voting record or position on the campaign issue of two or more candidates. If it is not education, if it is essentially political, it should fall within the purview of the ad.

Now, look, no one is talking about a czar. We have laws on independent expenditures that the FEC has to enforce. The Supreme Court was worried about this 20 years ago. A lot has happened in the last 20 years, to include this bombardment of so-called issue ads that are really political ads.

If Members adopt this amendment, they are essentially eviscerating the issue advocacy provisions, the effort in Shays-Meehan to call and regulate political, what is really political and a campaign ad that is really a campaign ad.

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

Mr. Chairman, I would like to lend my voice to the debate on campaign finance reform and reluctantly stand in opposition to the amendment of my good friend, the gentleman from California (Mr. DOOLITTLE).

The issue at hand is express advocacy, and the courts have made a number of statements on this, and there are a number of conflicting comments on express advocacy and whatever the magic words are. Buckley makes a statement. Lower courts have been split on this issue.

But I think it is very important, if for no other reason, for the Congress to have some legislative history on what express advocacy is. I am of the strong opinion that when we do this, the Shays-Meehan legislative framework provides the kind of structure we need to ensure that those who want to advocate a position, an issue, or even a candidate be heard in a responsible manner.

Shays-Meehan does not limit the First Amendment rights for free speech. It provides a framework in which rigorous mental debate, rigorous mental effort, intellectual discussion can be pushed for. It does not limit free speech. It holds speech to a standard. It holds free speech and those who are giving it to be held accountable. It just does not let the broad array of anybody's opinion based on good judgment, good facts, or based on absolutely nothing go out into the free media. So I have a strong position, and I would hope my colleagues vote for Shays-Meehan.

I just want to make a couple of other points. Our responsibility as Congress is to ensure protection from the public against corruption. I do not think anybody in this House Chamber would say that too much money or money expended in years passed or in this election cycle, especially in some of the elections and special elections that are going on right now do not put forth or masquerade as putting forth the truth.

We have too much money in certain instances being put forth against Republicans and Democrats that do not support good, legislative, fundamental, sound issues. We as Members of Congress, I strongly feel, have the broad ability to protect the public in the political process from corruption and the appearance of corruption.

The Supreme Court specifically noted on a number of times that contribution limits do not undermine robust and effective discussion for candidates. Myself, I do not take, and I am not advocating this for everybody, even though I have an amendment, I do not take any PAC money. I do not take any money out of the district. You have to be eligible to vote for me as a candidate to contribute to my campaign.

That way, I do not raise a whole lot of money in campaign, but I can tell my colleagues that my campaigns, my discussions in campaigns, and my debates, even though I have been outspent six to one, seven to one, eight to one all across the board in most of my campaigns, I still have a rigorous and robust debate.

I would advocate that for everyone. But I think this Congress has the right, the power, and the broad responsibility to protect the public from political corruption and the appearance of corruption.

The Shays-Meehan bill does not affect, I will throw this in very quickly, State campaigns or State politics or State elections. It does regulate State party activity to the extent that it affects Federal elections. I think this is a positive thing.

Mr. Chairman, I will make two last quick points. Number one, the Supreme Court makes a statement. They make a ruling, and that is fine. To the extent we live with that, but we still have the option and the ability and the freedom and the responsibility to question that decision. That is what democracy is.

We are debating this issue. It is an exchange of information with a sense of tolerance for somebody else's opinion wherever they lie on the political spectrum. Then we vote. That is what is happening here.

The last point I would like to make is, in my judgment, the question here is, will we continue to allow campaign ads to bypass campaign finance laws simply because they appear to be such?

The CHAIRMAN pro tempore. The time of the gentleman from Maryland (Mr. GILCHREST) has expired.

(On request of Mr. DELAY, and by unanimous consent, Mr. GILCHREST was allowed to proceed for 2 additional minutes.)

Mr. GILCHREST. Mr. Chairman, let me make this one last point, the question is should campaign ads escape finance laws simply because they are crafted to masquerade as something else? I do not think so. So I strongly urge my colleagues to vote for Shays-Meehan.

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

Mr. GILCHREST. I yield to the gentleman from Texas.

Mr. DELAY. Mr. Chairman, I appreciate the gentleman yielding to me. He is a dear friend of mine, and I appreciate my dear friend's well intentions. But we are debating the Doolittle amendment that exempts certain groups like the Christian Coalition from this bill and allows the Christian Coalition to pass out their voter guides.

The gentleman made two statements, and I ask him to clarify them for me. The gentleman said these groups should be held accountable. My question is, by whom? Second, that these groups are corrupting. They are corrupting. What about the Christian Coalition is corrupting the process by handing out a voter guide?

Mr. GILCHREST. Mr. Chairman, reclaiming my time, I think, number one, we, as Members of Congress, should continue to debate the kinds of language and the kinds of things that the overall American public would consider as real campaign advocacy.

There is an election in New Mexico right now, I would tell my colleagues of this House, where the kinds of campaign rhetoric against one of the candidates, which happens to be a Republican, is absolutely false. There are blatant lies. That is what I would assume and strongly feel that this legislation would get at.

I would never say that the Christian Coalition in its information packet about candidates and their voting record is masquerading as something other than what it is. I think they would be protected under Shays-Meehan. I do not see the Christian Coalition packet of information about Members of Congress any different from that of the League of Women Voters.

The CHAIRMAN pro tempore. The time of the gentleman from Maryland (Mr. GILCHREST) has again expired.

(On request of Mr. DOOLITTLE, and by unanimous consent, Mr. GILCHREST was allowed to proceed for 3 additional minutes.)

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

Mr. GILCHREST. I yield to the gentleman from California.

Mr. DOOLITTLE. Mr. Chairman, what does the gentleman understand the term in the Shays-Meehan to mean in an educational manner?

Mr. SHAYS. Mr. Chairman, will the gentleman yield? I can answer.

Mr. GILCHREST. I yield to the gentleman from Connecticut.

Mr. SHAYS. Mr. Chairman, we just need to know exactly what is in the bill, and then we can argue it. We say a voting record and voting guide exception. The term "express advocacy" does not include a printed communication that prevents information in an educational manner solely about the voting record or position on a candidate issued on two or more candidates that is not made in coordination with the candidate, political

party, or agent of the candidate or party or a candidate's agent or a person who is coordinating with a candidate's agents. Third, it does not contain a phrase such as vote for, reelect, support, cast your ballot for, name of candidate for Congress, name of candidate in 1997, vote against, defeat, reject, and so on.

□ 1330

This 1994 Christian Coalition guide is legal. And what the gentleman wants to do is he wants to strike out the very language we put in the bill. I would just point out to the gentleman this is allowed under our bill, and the gentleman is taking it out.

Mr. GILCHREST. Reclaiming my time, Mr. Chairman, I would say to the gentleman from California that I would agree with the interpretation of the author of the bill; that the statement the gentleman from Connecticut (Mr. SHAYS) just read in no uncertain terms protects the brochure that the gentleman is holding for the Christian Coalition.

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

Mr. GILCHREST. I yield to the gentleman from California.

Mr. DOOLITTLE. Then support my amendment and then it will make it unambiguous. The problem with the Shays-Meehan language is it is ambiguous because we have the phrase "in an educational manner".

Mr. GILCHREST. Reclaiming my time, my interpretation of the bill and that section of the bill is that if we take that out, then what the gentleman is trying to do becomes more ambiguous. I think the specifics of the Shays language offers a concrete protection for the Christian Coalition's advocacy material.

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

Mr. GILCHREST. I yield to the gentleman from Michigan.

Mr. LEVIN. I wish to say to the gentleman from California that he says it relates to voting records. It is a misstatement of what it applies to. It applies to any communication. And it says that it will not be covered by Federal regulation unless there are explicit words urging a vote for or against.

What the gentleman is doing is trying to totally vitiate the express advocacy provisions. And the gentleman has said it so well, the gentleman who has the time. The gentleman is so right in saying that we should not allow ads to masquerade for something that they are not.

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

Mr. GILCHREST. I yield to the gentleman from Texas.

Mr. DELAY. The gentleman is absolutely wrong. He is reaffirming the express advocacy affirmed by the Supreme Court through Buckley-Valeo, Colorado, and many other decisions.

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

Mr. Chairman, I rise today to speak to two issues which are very much related around this issue, which is soft money and express advocacy. Both are currently being used to deliver campaign ads by skirting campaign laws.

Soft money is meant to be used for general party building. It is meant to benefit the party as a whole, not to benefit any particular candidate. Express advocacy ads are meant to speak to issues and not to expressly advocate for the election or defeat of any single candidate. Currently, both of these laws and both of these activities have huge loopholes that are being exploited shamelessly by groups across the political spectrum.

Consider a real, not hypothetical, series of ads that ran this last cycle in New York. The people who ran these ads argued that publicly attacking one candidate in a race is not a benefit to the other candidate and should not be considered so. It is an interesting interpretation. \$750,000 of soft money was spent to attack one candidate in a two-candidate race under the argument that this should be protected because it was, of course, not a benefit to the other candidate.

Let me tell my colleagues what the express language used was. On the air, the suggestion was that candidate number one was for more taxes, for more welfare. Candidate number one would tax and spend. Candidate number one was responsible for the mess in Albany. And the ad finished up by flashing the telephone number of the candidate and urging viewers to call and tell this candidate to cut taxes, not take another bite out of our paychecks.

Now, my understanding is that when these ads aired, there were no tax votes imminent in the assembly where that candidate was serving. There was no specific issue that was mentioned. The only message that one can glean from this particular ad was the one that was meant to be gleaned, which is to turn public opinion against the featured candidate, and \$750,000 of soft money was used to air these ads.

The reforms embodied in Shays-Meehan are meant to shut down these sort of semantic shenanigans. Changes are needed because parties and organizations on both sides of the political aisle are currently abusing the system. My belief is that those who are pursuing real issue advocacy should have no problem doing so in a system reformed by Shays-Meehan. This is just another alarmist argument meant to frighten Members away from the reforms that our constituents want.

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

Ms. RIVERS. I yield to the gentleman from Massachusetts.

Mr. MEEHAN. Actually, Mr. Chairman, the gentleman has brought up an interesting point. These ads, that are supposedly issue ads, let us talk turkey here and do one of the ads. I have it right here.

Now, this is an ad we cannot find out where the money came from, but it was spent by a tax exempt organization founded on June 20th, 1996 called Citizens For a Republic Education Fund. Here is the ad.

"Senate candidate Winston Bryant's budget as Attorney General increased by 71 percent. Bryant has taken taxpayer funded junkets to the Virgin Islands, Alaska and Arizona. And spent \$100,000 on new furniture. Unfortunately, as the State's top law enforcement official, he's never opposed the parole of any convicted criminal, even rapists and murderers. And almost 4,000 Arkansas prisoners have been sent back to prison for crimes committed while they were out on parole. Winston Bryant: government waste, political junkets, soft on crime. Call Winston Bryant and tell him to give the money back."

Now, if somebody wants to run an ad like that, that is fine, but the American public has a right to know who funded that ad. The American public has a right to know what money is behind that kind of a negative ad.

And that is what we are talking about here. The gentleman's amendment would gut our ability to have the public know who has funded that ad. Voters in any district, in any State, anywhere in America have an absolute unequivocal right to know who funded that particular ad, as well the first amendment guarantees a right to run that ad. That is a negative ad that can be run anywhere in America. But the public deserves to know who funded an ad like that.

And that is what this debate, by the way, is all about. The question is does the public have a right to know when somebody blatantly uses a negative political ad in a race and spends \$300,000. The public has a right to know.

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

Mr. Chairman, it is my intention to save at least 2 of those 5 minutes for any individuals who wishes to engage me in debate so that we have a good exchange of views, and, indeed, I would like to begin with a point that has, to my judgment, not yet been raised.

The amendment by my good friend and colleague, the gentleman from California (Mr. DOOLITTLE), not only puts in a provision regarding the use of the so-called magic words as the only definition of express advocacy, but it strikes the provision in the bill that has other tests, and that is where I wish to focus. I have not heard the debate focus on it yet. Because one of those other tests says that the so-called advocacy in question cannot be "made in coordination with a candidate." Instead, the amendment of the gentleman from California says that as long as the magic words are not used, "vote for this candidate", "vote against this candidate", it is to be permitted.

So the legislative history will be absolutely clear, if the amendment of the

gentleman from California passes, it will replace this language in the bill of the gentleman from Connecticut (Mr. SHAYS). So that it was the intention of the author and the intention of the House, if we pass this, to allow, as express advocacy, to allow as any advocacy so long as it does not use the words, "even if it is in coordination with a candidate."

Now, here is the example that I want to emphasize. Suppose, for example, then, that the Christian Coalition or the National Abortion Rights Action League, to choose a different point of view, sits down with a candidate and says, "When do you want the voter guide to go out; how big print do you want; which issues do you want to suggest that we inform the public about; give us the good photograph instead of the bad photograph." In other words, they operate hand in glove with the candidate. That would be permitted under the amendment of the gentleman from California so long as the words "vote for" or "against" were not used.

Because I think that has to be an inadvertent error, I will now yield to my colleague from California as much time as he would like to take, hoping he will save me some time to respond, to explain if I have it wrong.

Mr. DOOLITTLE. Mr. Chairman, let me say that my amendment is pretty clear, I think. What the gentleman was describing was exactly what Bill Clinton and AL GORE did in this last election.

Now, Shays-Meehan wants to make that illegal. I do not want to make that illegal, although I will render it unnecessary because we will wipe away this monstrous regulation in present law that the big government, is that okay to say, or the pro-government reformers gave us 25 years ago, and instead we will just remove the limits and then the contributor can give to the candidate. That is the natural flow of money. We will not have to have these diversions and circumventions, soft money, issue advocacy, et cetera. It can just go right to the candidate.

I do not outlaw any of that, because we have a first amendment which protects speech.

Mr. CAMPBELL. I want to reclaim my time so I can respond to the gentleman, and then maybe we will get unanimous consent to continue, but I would like to respond. It is always a pleasure dealing with my colleague from California. He is honest, direct, and he has admitted my point was right, and let me repeat it.

What President Clinton did in the last campaign, which would be outlawed by the gentleman from Connecticut, is permitted by the gentleman's amendment. And that means, to wit, that the candidate sits down with a group, works through which issues will be identified in the so-called legislative information card, works out the text, works out the timing, works out the printing, works out the picture, works out everything to help the candidate,

but so long as the magic words are not used, it is permitted.

My friend from California is candid. He admits that is what his amendment will do, and that is why we must vote against it.

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

Mr. CAMPBELL. I yield to the gentleman from Texas.

Mr. DELAY. I wanted to quickly point out, Mr. Chairman, the fact that the gentleman from Massachusetts, when he brought this ad up, has nothing to do with the gentleman's amendment. What we are talking about are voter guides. That is what his amendment addresses and has nothing to do with what the gentleman from Massachusetts is trying to portray. We are talking about voter guides here.

And the point I would make is a different point than the gentleman was pointing out. The gentleman from Connecticut failed to read, if he had read the last of his bill, where it says, "no reasonable meaning other than to urge the election or defeat." And I pointed out that in the voter guide I held up, the Christian Coalition guide, if we took that guide and distributed it in a church, then a reasonable meaning person would describe that as advocacy for the person that was against abortion, against homosexual type things that are on that voter guide.

The CHAIRMAN pro tempore. The time of the gentleman from California (Mr. CAMPBELL) has expired.

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

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

Mr. CAMPBELL. I yield to the gentleman from Texas.

Mr. DELAY. So the point is that the Christian Coalition, NARAL, or anybody else would not, under the Shays-Meehan bill, be able to put out their voter guides.

Mr. CAMPBELL. I thank the gentleman for his courtesy, Mr. Chairman, and I want him to stay in the well just to be sure. My point was a different one, and I will just hammer my point home, because I believe I have the right to do so.

The language in the Doolittle amendment removes the prohibition against coordinated expenditures for voter guides. So I am not now dealing with what the gentleman's dispute with the gentleman from Massachusetts may be, but just on this one question. I read the Doolittle amendment as saying that even if an organization works with the candidate for choosing the issues, for how they phrase them, for when the voter guides go out and how many people get it, indeed, the addresses that it is sent to, so long as they do not use the words "vote for" or "vote against", it would be permitted.

Now, that issue, the gentleman from Texas did not address. I want to make clear he is not disagreeing with me

that that is the effect of the amendment of the gentleman from California.

Mr. DELAY. Well, if the gentleman wishes to continue to yield, I would suggest he yield to the gentleman from California, because he knows more about his amendment on that particular point.

Mr. CAMPBELL. I will be happy to do so, but I wanted to hammer home the point first that the gentleman from Texas was not disagreeing with me.

The CHAIRMAN pro tempore. The time of the gentleman from California (Mr. CAMPBELL) has expired.

(On request of Mr. DOOLITTLE, and by unanimous consent, Mr. CAMPBELL was allowed to proceed for 2 additional minutes.)

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

Mr. CAMPBELL. I yield to the gentleman from California.

Mr. DOOLITTLE. What I would say to the gentleman, Mr. Chairman, is that while I support the coordination language that we talked about, I want to make the point that this amendment does not deal with it. All this amendment deals with is basically allowing communication with regard to voting records to require terms of express advocacy.

Mr. CAMPBELL. The gentleman's amendment begins, and I am reading, "Strike section 30.120(b)", and what the gentleman strikes in that is exactly what I quoted, the prohibition on coordination. So I really did think the gentleman did not intend this. That is what I prefaced this by.

But if the gentleman looks at his amendment, it begins, "Strike section 30.120(b)", and section 30.120(b) says we cannot do this if, among other things, it is coordinated.

□ 1345

Mr. DOOLITTLE. Mr. Chairman, if the gentleman will continue to yield, I am trying to get a copy of the language to respond. I am looking at what our language strikes, and it does not say anything about coordination.

Mr. CAMPBELL. I direct the attention of the gentleman to 30.120(b) on page 12 of the draft bill, line 14 of the voting record and voting guide exception. I draw the attention of the gentleman to little 2, line 21, that is "not made in coordination with the candidate."

You are striking that provision. Your amendment says "strike section 30.120(b)."

Mr. DOOLITTLE. I just got a copy of the bill. Give me the line again.

Mr. CAMPBELL. Page 12, line 21.

Mr. DOOLITTLE. I guess we are not going to be able to clear this up because I do not really have the same text that the gentleman does. This is going to continue and we will address the issue upon continuation.

Mr. CAMPBELL. In closing, anyone can make a mistake. I am not suggesting that the gentleman has. But if he has, I do not think he intended that result. It is, nevertheless, a devastating

result and it is reason to vote against the amendment.

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

Mr. Chairman, I rise today in opposition to the amendment by my colleague the gentleman from California (Mr. DOOLITTLE) and I oppose this amendment because it strikes me at the very heart of what is good about the Shays-Meehan campaign finance bill, a bill which, although it is not a perfect bill, but which addresses two of the major loopholes in current campaign finance law.

Current law, and under Shays-Meehan as well, free speech is not opposed, people have the right to address issues. But the topic that I want to speak about in a very personal and direct way, because it happened to me just a few months ago, has to do with so-called issue ads. These ads are not issue ads when they directly support or attack a candidate's point of view even though they do not expressly say "vote for" or "vote against." They use the picture of the candidate. They mention the candidate's name.

I want to even become more personal with my own experience. In a hard-fought race in the 22nd District of California, my opponent and I both faced this new phenomenon in our current campaign situation. I am speaking now about \$300,000 ads that were used to support me. And I opposed those ads because they were issue ads that did direct voters to vote for me but did not do so under current laws, which, in the right way, regulate the way campaigns should be run.

In other words, they did so under this giant loophole which we have allowed and these laws, these issues and the people behind them which are not disclosed, the amount of money that they can contribute is not limited, the source of their funds are not disclosed, and these ads are not accountable. They directly influence the way campaigns are handled.

It even became common knowledge in my race in the special election in California in March that eventually these issue people said, candidates themselves will be incidental in congressional races, that they are looking for these people who espouse particular issues, particular ideas about issues, who want to have a platform and they see the congressional campaign as a very good platform on which to run their issues.

They do not care about the people who live in the district. They do not particularly care about the candidate. They want a national platform and a national voice for their issue. And maybe it is a good issue. Maybe it is not.

But by not regulating this particular part of campaigns, we are allowing them access to the way candidates become elected officials and it is really doing an injustice I believe to the very core of what this House of Representatives is about.

If we are elected to represent constituents, then we owe it to those constituents to speak to the issues which they care about and which we feel legitimately qualified to speak about. And it is the responsibility of this House to do something about our races.

I am not talking about presidential races. I am not talking about state raises. I am talking about how we are elected to this House. We are elected every 2 years. These people, those folks who want their issues put before the public, they know they have got a great audience in our congressional races. And they told us in March, in California in the 22nd District, "You watch out now, we are going to do this in your races," I am talking about people that supported me, "and then we are going to go full bore in November across this country and we are going to change the way elections occur."

We have the responsibility I believe. And that is why, when I came to Congress, the day after I was sworn in, I knew I owed it to my constituents to get busy on this and I asked, where is the bill that is bipartisan that will address this issue of these so-called sham ads?

I feel very deeply about this particular part. I am not talking about the voter cards. I am talking about the ads on television, very expensive ads. They crowded our airwaves in California to the degree that constituents came up to me and said, "What is this? This does not sound like anything we have been talking about in your race."

It is demeaning to the process by which we come to this place. It is turning off our constituents. It is making them feel like we and they are pawns to a national idea, a good idea or a bad idea. I am not debating the merits of the issue. I am talking about what we are doing here in this body.

The CHAIRMAN pro tempore (Mr. COLLINS). The time of the gentlewoman from California (Mrs. CAPPS) has expired.

(On request of Mr. DOOLITTLE, and by unanimous consent, Mrs. CAPPS was allowed to proceed for 3 additional minutes.)

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

Mrs. CAPPS. I yield to the gentleman from California.

Mr. DOOLITTLE. Mr. Chairman, the gentlewoman and I think feel similarly about the trend of our elections. We draw different conclusions as to what is the cause of this. But in response to the question "where is the bill that addresses this?" I would submit my bill addresses this, H.R. 965. Because I would submit it is the severe limits on hard-money contributions, which are contributions by contributors directed to candidates, that are driving this problem.

The Constitution allows, under the various court rulings, which I think are generally correct, people to contribute and express their point of view. It limits contributions right now to

candidates. But they can still, under the Constitution, comment on issues.

As my colleagues heard me quote from Buckley the line between issues and candidates, it is hard to distinguish. That is why the Court in order to preserve free speech, said that, in order to fall under the scope of regulation, they have to have words of express advocacy which are clearly related to the election or defeat of the candidate.

What I think this bill is going to do is actually go against the result my colleague seeks to achieve and I frankly seek to achieve, which is that more of our money in campaigns should be centered from the candidate, not from groups out on the periphery that are getting as close to the line as they can without crossing it and influencing the election.

Mr. FARR of California. Mr. Chairman, will the gentlewoman yield?

Mrs. CAPPS. I yield to the gentleman from California.

Mr. FARR of California. The campaign of the gentlewoman from California (Mrs. CAPPS) is very well-known in this country. And what she is saying is her campaign was taken over by outside influences, both her campaign and her opponent's, and these outside influences were not accountable to anybody in their district because they did not have to disclose who they were and where the money came from.

Basically, what is happening here is the American public knows there is a campaign season, there is a beginning and there is an end and they know what goes on in between. There ought to be something we know who is saying it.

They could call somebody a rotten SOB. They could call somebody good. They could call somebody evil. They could say all kinds of things about them. But as long as they do not have to say vote for or against them but they say everything but that, they can destroy them. And they as a consumer, as a voting person, they have no idea who has paid for all that. They do not even know who it is because they usually make up fake titles about what they are. They are always good citizens for something, but then all they do is talk about evil.

So the campaign of the gentlewoman showed to America something that we in Congress were not even aware was going to happen, and that is that it is totally out of control, that we are going to have messages all over this country by people that are totally unaccountable.

If we pass this amendment, it will make it worse. Because the amendment says they can have any commentary, any commentary, they can say anything about anybody they want to as long as they do not say vote yes or no. So they put out this message that is very evil and derogatory and they do not have to be accountable.

That is not the way the American public is. Everything we are doing in

this country is trying to make consumers have more information. We are labeling what they eat. We are labeling what we sell them. We are labeling what they borrow their money from. And we ought to label what their candidates have to deal with. It is a bad amendment.

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

First of all, I know the gentleman from Massachusetts (Mr. MEEHAN) a while ago was talking about this ad that ran, and I am assuming it ran on television. I assume it ran on television.

Mr. MEEHAN. If the gentleman will yield, I did not see it on television, but I read the transcript of it and it was a television ad and about \$300,000 worth.

Mr. WHITFIELD. Reclaiming my time, I think all of us are very much concerned about any ads that run without a disclaimer.

I talked to some FEC lawyers yesterday about that very point; and it is my understanding that if an ad like that runs anywhere without a disclaimer, they can go to the Federal Communications Commission because they have a law and regulations that prohibit those type of ads.

I agree with the gentleman that we do not need ads running on television or anywhere else that does not have a disclaimer on them. But the FEC does have some rules that disclaimers are required.

Mr. MEEHAN. If the gentleman would further yield, it is not so much the problem of the disclaimer on the bottom of the advertisement. The problem is that nobody knows where this money came from. The problem is we have an ad that is clearly meant to influence an election; and when we run ads that are clearly meant to influence an election, the public has a right to know where the money came from. That is what the issue is.

Mr. WHITFIELD. The only point I would raise there is that that brings up the whole issue of the right of privacy of individuals who contribute or organizations that contribute; and the Supreme Court, in certain cases, has indicated that they have a right to keep that private. But that is another issue that we could talk about another day.

Mr. MEEHAN. If the gentleman would continue to yield, people have a right to privacy. However, when people spend their money to influence elections in this country, the Supreme Court has clearly indicated that the public does have a right to know who is spending money and how much they are spending and where it is coming from to influence elections.

Under this amendment that is being offered by the gentleman from California (Mr. DOOLITTLE) basically, it says, any communication, any commentary on the voting record positions or anything else would be okay. That is a different right to privacy.

Mr. WHITFIELD. Well, all I would say is that, if the gentleman is talking

about the hard money, of course, anybody can go down to the FEC and get a record and they will know who gave him money or anybody else in this Chamber and it is spelled out very explicitly.

I think soft money is a little bit of a different issue. If it is independent expenditures, they are required to file their report with the FEC anyway. In issue advocacy, if it is a political committee, it is required to file a report.

But my colleague is right, other groups do not have to file a report. And I think we can find some cases where the Court has said that is free speech and it is a little bit different than hard money and they do not have to go file all these reports, because they can make the argument that in filing all these reports it provides an obstacle for people engaging in the political process.

I want to just touch on for a moment, the reason that I object to what my colleagues all have done on this voting record guide is that in paragraph 3 they basically lay out the language as set out in Buckley vs. Valeo, the so-called bright line, and if they had stopped after the word "reject," I mean, I would not have had any problem with it myself. But the Court has repeatedly said that they do have to use these express words.

□ 1400

As a matter of fact, the question I would ask, the FEC is a group of government employees and they are going to have to make the decision about what does this mean. Does this ad, or a campaign slogan or words in context have no reasonable meaning other than to urge the election or defeat of one or more clearly identified candidates? I think different people looking at a particular ad can come up with different conclusions.

I would say to the gentleman that in the Maine case, almost the exact language was used in that case where it said could only be interpreted by a reasonable person as containing advocacy of the election or defeat of one or more clearly identified candidates, and the Supreme Court ruled that as unconstitutional. I think the point we are trying to make is I think you are going to be inviting another overturn by the Supreme Court on that.

The gentleman mentioned the Furgatch case which is exactly right. Basically they said the simple holding of Furgatch was in those instances where political communications do include an explicit directive to voters to take some course of action, then they are going to say that that is express advocacy. In that case, they said, "Don't let him do it."

I would also say to the gentleman that that case was decided in the Ninth Circuit. The Ninth Circuit has been turned over 27 of 28 times it went to the Supreme Court. I think we have a legitimate concern about the stifling of speech that could go on by the way you

are expanding this definition. That is simply the point that I would like to make.

Mr. SHAYS. Mr. Chairman, subject to the agreement I think of all sides, this debate will continue, and we will have further information provided from both sides, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. COBLE) having assumed the chair, Mr. COLLINS, Chairman pro tempore of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 2183) to amend the Federal Election Campaign Act of 1971 to reform the financing of campaigns for elections for Federal office, and for other purposes, had come to no resolution thereon.

LEGISLATIVE PROGRAM

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

Mr. FAZIO of California. Mr. Speaker, I yield to the gentleman from Florida (Mr. GOSS) so I may traditionally as I do at this time of the week inquire of the majority as to the schedule for the coming week.

Mr. GOSS. Mr. Speaker, I thank the distinguished gentleman from California for yielding.

Mr. Speaker, I am pleased to announce that we have concluded legislative business for this week.

The House will next meet on Monday, June 22, at 12:30 p.m. for morning hour and at 2 p.m. for legislative business.

On Monday, we will consider a number of bills under suspension of the rules, a list of which will be distributed to Members' offices. Members should note that we do not expect any recorded votes before 5 p.m. on Monday, June 22.

On Monday, we will also consider H.R. 4059, the Military Construction Appropriations Act, and H.R. 4060, the Energy and Water Development Appropriations Act.

On Tuesday, June 23, the House will meet at 9 a.m. for morning hour and 10 a.m. for legislative business. We will again consider a number of bills under suspension of the rules, a list of which will be distributed to Members' offices.

On Tuesday, the House will also take up the Agricultural Appropriations Act. Mr. Speaker, on Tuesday evening, Republicans and Democrats will face off in the annual charity congressional baseball game. We hope to finish legislative business by 5 p.m. and head to the diamond for batting practice.

On Wednesday, June 24, the House will meet at 10 a.m. to consider the following legislation:

The Treasury and General Government Appropriations Act; and the Department of Defense Appropriations Act.

On Thursday, June 25, the House will meet at 10 a.m. to consider the Legislative Branch Appropriations Act.

Mr. Speaker, we hope to conclude legislative business for the week by 6 p.m. on Thursday, June 25.

Friday, June 26, as we know marks the beginning of the Independence Day District Work Period from which the House will return on Tuesday, July 14.

Mr. FAZIO of California. If I could reclaim my time, I would like to ask the gentleman if he could tell us when we would next begin debate on the campaign finance reform issue. It looks, as it appears to, that we will be on appropriations bills all week. Is there a date in the future, 2, 3 weeks out when we might get back to this subject we have just been debating today?

Mr. GOSS. If the gentleman will yield further, as the distinguished gentleman well knows, the debate is well underway on this and has certainly caught the interest of the Members, and I think the people who are interested in this subject and will continue on. Obviously next week we have a very heavy schedule of appropriations bills which are, I think, the highest priority for this body at this time, and so my guess is, unless we have some kind of a serious change in what I have outlined, that we will not get back to the question of campaign finance until shortly after the break. It is impossible to say exactly when, but there is a general understanding that it will happen at about that time, so far as we can foresee the schedule at this moment.

Mr. FAZIO of California. Reclaiming my time, I am constrained to note that we have taken up three amendments and we have 258 of them in order that are nongermane and a number more that obviously are germane and could be developed here on the floor. I am concerned obviously that, while the debate has begun, we have not made a lot of progress on this very important issue.

Could the gentleman tell me whether we would be in late on Monday evening as well as Wednesday evening, given the fact that the baseball game will intrude on Tuesday and we are obviously hoping to get away on schedule on Thursday. Is there any sense the Members could obtain as to how late we would be here on Monday and Wednesday?

Mr. GOSS. If the gentleman will yield further, I would estimate, although I would not want to guarantee, but the best guess at this point would appear to be 7 p.m. to 8 p.m. as a range for Monday night, and, depending on other matters, it looks like now 10-ish or about Wednesday.

Mr. FAZIO of California. Reclaiming my time, is it possible that we would take up a budget decision to go to conference at any time next week which would involve, as the gentleman from South Carolina has been intending to offer, an instruction of conferees on the budget resolution?

Mr. GOSS. If the gentleman will yield further, I am advised that that is a subject that is very timely and in fact is presently under discussion and

that we will have to await further notice from the leadership on.

Mr. FAZIO of California. But that is, reclaiming my time, a possibility that we might have before the 14th of July, at least a conference on the budget resolution?

Mr. GOSS. If the gentleman will yield further, I think that there are many possibilities for continuing good legislation, and, as he knows, we will seize them all. With regard to the gentleman's observations on the number of amendments on campaign finance, surely we are going to have a full, deliberative debate on this subject which is, of course, what we all want.

Mr. FAZIO of California. Mr. Speaker, I appreciate the gentleman's comments.

ADJOURNMENT TO MONDAY, JUNE 22, 1998

Mr. GOSS. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 12:30 p.m. on Monday next for morning hour debates.

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

There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY NEXT

Mr. GOSS. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule be dispensed with on Wednesday next.

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

There was no objection.

CARVILLE'S ENEMIES LIST

(Mr. KINGSTON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KINGSTON. Mr. Speaker, you know there are a lot of lists in the world. There is the top 40 list of hit music, there is the top 10 list that Letterman is so famous for. There is the list of the World Series winners, the most valuable players, the Oscar winners and so forth. But then of course the White House keeps a series of lists. We all remember the list Secretary of Energy Hazel O'Leary had of friendly and unfriendly reporters. There are the lists that the White House had of 900 private citizens who were deemed enemies of the State because they were Republicans, and of course there is the donors list which they have in the tax-paid-for computer at the White House.

But now there is a new list put out by James Carville, the Clinton right-hand man. This is the list of enemies of the administration. Who is on this list?

Such hard-core right wingers as Lamar Alexander. Keep that in mind next time putting on a plaid shirt. Such guys as the gentleman from Illinois (Mr. HYDE); oh, is he not a fire storm kind of guy? I mean one of the fairest and most respected Members of the House from both sides is on the list as an enemy of the State.

And then there is Bill Bennett. Of course we know what he did. He wrote that book of virtues which is offensive to the administration.

So I am going to submit this for the RECORD, Mr. Speaker.

JUNE 18, 1998.

JUDICIAL WATCH UNCOVERS CARVILLE "ENEMIES LIST"

CARVILLE DOCUMENTS AND FILES SHOW INFORMATION COMPILED ON PERCEIVED CLINTON ADVERSARIES

Documents produced by James Carville and his Education Information Project (EIP) in response to a Judicial Watch subpoena in its Filagate case show that Carville uses the organization as a means to compile information on perceived adversaries of President Clinton. In addition to Judicial Watch, the documents indicate that Carville targets and/or keeps files on the following persons and groups:

Independent Counsel Kenneth Starr, Independent Counsel Donald Smaltz, House Speaker Newt Gingrich, Congressman Henry Hyde, Richard Mellon Scaife, Olin Foundation, Landmark Legal Foundation, Congressman Dan Burton, Congressman Bob Barr, David Bossie, Kathleen Willey, Jacob Stein, Judge David Sentelle, Jim Guy Tucker, Paula Jones, Citizens for Honest Government, Bradley Foundation, Senator Jesse Helms.

Senator Fred Thompson, Senator Lauch Faircloth, Pat Robinson, David Brock, Floyd Brown, Governor Mike Huckabee, Congressman Jack Kingston, Brent Bozell, Concord Coalition, Common Cause, Susan Carpenter McMillan, Gil Davis, David Hale, Dick Morris, Richard DeVos/Amway, Lamar Alexander, Bill Bennett, Joe DiGenova.

The documents also indicate that Carville likely works with Clinton lawyers David Kendall and Mickey Kantor in compiling some of his information on Kenneth Starr. Other evidence produced by Carville suggest that EIP considered, at least, using President Clinton's private investigator Terry Lenzner and his firm IGI to investigate Independent Counsel Kenneth Starr.

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 1997, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

AWARD OF DIRECTOR'S MEDAL TO RICHARD G. FECTEAU AND JOHN T. DOWNEY ON JUNE 25, 1998

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida (Mr. GOSS) is recognized for 5 minutes.

Mr. GOSS. Mr. Speaker, I rise today to recognize the extraordinary service and sacrifice for this Nation of two officers of the Central Intelligence Agency, Mr. Richard G. Fecteau and Mr. John T. Downey.

On June 25, 1998, George Tenet, the Director of the Central Intelligence Agency, will present the Director's Medal to Dick Fecteau and Jack Downey for reasons that, to some extent, I am able to describe in this forum today.

Except for their kind indulgence in allowing me to commemorate this event on the floor of the House, Dick Fecteau and Jack Downey will receive their awards as privately and as quietly as they served, and sacrificed for, our country.

In 1951, fresh from college, Dick Fecteau and Jack Downey joined the clandestine service of the Central Intelligence Agency. After a period of training, they were sent to east Asia to conduct agent re-supply and pick-up operations over China as part of our war effort in Korea.

In such operations, Mr. Fecteau and Mr. Downey were to drop supplies and to retrieve agents for debriefing by flying in low, among the trees, and literally snatching agents from the ground. These operations are extremely difficult and demanding in peacetime. Needless to say, in war zones, they are outright perilous.

In November 1952, Mr. Fecteau and Mr. Downey were part of a crew that was to fly into China, swoop to tree level, and snatch an agent from the ground. As their plane descended and approached the snatch site, it was hit by machine gun and small arms fire. The plane crashed and burned, killing the two pilots. Mr. Fecteau and Mr. Downey survived, but they were captured by the forces of the People's Republic of China.

In 1954, 2 years later, China sentenced Mr. Fecteau and Mr. Downey to life in prison. Their sentencing was, I understand, the first time that the families of the two learned that they were still alive. Over the next 20 years, Mr. Fecteau and Mr. Downey were subjected to extensive and aggressive interrogations and to long periods of solitary confinement. Year after year the two endured this suffering and deprivation and they did so with dignity and courage and an abiding faith in our country.

This Nation ultimately did not fail them. In December of 1971, nearly 20 years later, our government finally obtained the release of Dick Fecteau. And in March of 1973, we obtained the release of Jack Downey.

Dick Fecteau returned to the agency and continued his career. In 1976 he retired and joined the staff of Boston University, his alma mater, as assistant director of athletics. He retired from BU in 1989. Today Dick Fecteau lives with his wife, Peg, outside of Boston.

Jack Downey retired from the agency in 1973. Some of us feel that a baccalaureate from Yale is perfectly serviceable; but Jack, however, went on from there to Harvard Law School, and in 1976 he entered legal practice. In 1990 he was appointed to the bench in Con-

necticut and became a senior judge in the State system. Today Judge Downey lives with his wife, Audrey, in New Haven.

These, Mr. Speaker, are the extraordinary stories of two extraordinary people. Their awards, it seems to me, are most properly for the totality of their lives; for answering their country's call; for engaging in perilous operations under fire; for enduring unimaginable hardship in Chinese prisons; and, perhaps most of all, for returning to their families, to their communities and to their country and continuing to contribute and give and make a difference in their communities.

□ 1415

These awards, Mr. Speaker, are for the extraordinary lives of Dick Fecteau and Jack Downey. I am honored to commemorate their lives before this body.

Dick and Jack, thank you and Godspeed. May this Nation always have citizens such as you to count on.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Hawaii (Mr. ABERCROMBIE) is recognized for 5 minutes.

(Mr. ABERCROMBIE addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from the District of Columbia (Ms. NORTON) is recognized for 5 minutes.

(Ms. NORTON addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

STOP CODDLING YELTSIN

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. SOLOMON) is recognized for 5 minutes.

Mr. SOLOMON. Mr. Speaker, I would like to insert for the record an excellent article on Russia policy by our colleague BEN GILMAN, the Chairman of the International Relations Committee.

Unlike the Clinton administration, Chairman GILMAN cuts to the heart of the matter concerning Russia's economic problems. Instead of the simple-minded, knee-jerk reaction of giving the Russian government more money, as President Clinton has proposed, Chairman GILMAN correctly places the blame, and responsibility, for Russia's woes where it belongs: squarely on the shoulders of the Russian government.

This massively corrupt regime, composed almost entirely of former Communist party bureaucrats, has engaged in wholesale theft of money and wealth that properly belongs to Russian, American, and international taxpayers.

It is a scandal of worldwide proportions and it has been not just neglected, but in fact contributed to, by the Clinton administration's policy of maintaining a wide open spigot of tax-

payer money to the Russian government, unlinked in any way to Russian government behavior or policy.

Chairman GILMAN has done us a favor by enlightening us with this article, Mr. Speaker. Let us hope that the Administration, and this Congress, heed his advice to at least temporarily stanch the money flow to the Russian regime and begin demanding real economic reform and better foreign policy behavior from Boris Yeltsin.

STOP CODDLING YELTSIN

President Clinton has announced his support for a possible new IMF loan to Russia, potentially totaling \$10 billion. Instead of rushing to provide that assistance to President Boris Yeltsin's government, we ought to stop, ask some questions and seek changes in Russian policies.

Russian foreign policy today appears to have one unfortunate objective. With his oft-repeated mantra of seeking a "multipolar world," Yeltsin's foreign minister and foreign director of Russia's intelligence service, Yevgeny Primakov, appears intent on creating challenges to America's global leadership, challenges we must assume the United States will overcome only after providing concessions to Russia.

Thus, just as the United States seeks to persuade Russia to participate in the larger effort by the community of nations to fight proliferation of weapons of mass destruction, enforce United Nations mandates in places such as Iraq and pursue solutions to other global problems, Primakov appears more interested in pursuing a price for Russia's cooperation.

Despite American concerns, the Yeltsin government has extensive relations with Iran, a supporter of international terrorism intent on becoming a regional military power in the Persian Gulf. Russia provides advanced weapons and military technology to China, likely to contribute to future challenges to the ability of American forces to defend our friends in the Pacific, as Chinese missile firings off Taiwan have portended, Communist Cuba, with Russian encouragement, continues to seek Soviet-design reactors, despite American concerns.

As America seeks to stabilize the former Soviet states, Russia has involved itself in ethnic conflicts on its periphery through covert arms supplies and other means, and has cut its neighbors' access to energy pipelines. Moscow has failed to ratify the START II arms reduction treaty and demands questionable revisions in other arms treaties. Oddly, despite its financial constraints, the Yeltsin government has found the means to help finance the Soviet-style dictatorship of President Alexander Lukashenko in Belarus.

Yeltsin's government is characterized as "reform-minded" but suffering from massive tax evasion. The reality is a bit different. Yeltsin's personal support for reforms has in fact been inconsistent. At key points since 1991, he has simply withdrawn to his dacha, leaving lower officials to fend for themselves. At other times he has reversed steps needed to move forward.

But this unwillingness to pursue reforms vigorously has now caught up with Yeltsin. Despite massive debt rescheduling, private loans, considerable foreign aid and large loans from the IMF and World Bank, Russia is now approaching a fiscal train wreck. The pain of planned budget cuts might indeed be alleviated by an additional IMF loan, but another worrisome reality in Russia—corruption and related flight of capital—underlines how temporary that relief would be.

Veniyamin Sokolov, a director of the Russian equivalent of the U.S. General Accounting Office, recently visited the United

States, speaking of the routine theft of money from Russian government and industry. Russian nuclear reactor operators, coal miners and other average workers have protested over unpaid wages in recent years. It would seem that that problem can now be traced to such theft.

A recent study brings home to us the consequences of this, estimating that while Russia's foreign borrowings in recent years have totaled \$99 billion, a full \$103 billion in capital has been spirited out of the country. Thus, much that Russia has borrowed has not gone into productive investment to create a bigger tax base but has instead filled the gaps left by the disappearance of billions of dollars worth of Russian capital. Meanwhile, Russian households and entrepreneurs starve for such capital, operating on a barter basis, which, again, cuts into Russia's tax base.

Now Russia's borrowing to pay its bills has created burgeoning short-term debt payments. Last year, a quarter of the government budget went to pay debt interest, and that figure will now rise.

Boris Yeltsin cannot simply make bellicose statements about tax cheats and resume business as usual. And American officials should not rationalize new loans by simplistically depicting a "reform-minded" government. It is also not an answer to say that without loans nuclear-armed Russia would fall apart, with subsequent instability placing America at risk. Given current trends in Russia, such instability is already likely, and soon, unless President Clinton insists on real change in Russian foreign and domestic policy now.

If President Yeltsin fails to attack corruption at the highest levels, Russian money will continue to disappear—and the Russian people's patience is not limitless. Unless Yeltsin engages in comprehensive economic reform—and stays engaged—foreign investment in Russia will not grow. Finally, if President Yeltsin doesn't begin to work sincerely with the United States to prevent proliferation of weapons of mass destruction to countries such as Iran and Iraq, and to resolve ethnic conflicts, particularly in the Balkans and the Caucasus, Russian domestic instability will be compounded by growing instability outside Russia's borders.

This is a pivotal moment in our relationship with Russia. Now is the time to insist on steps by President Yeltsin that will put the American-Russian relationship—and reforms in Russia—back on the right track.

INTERNATIONAL MONETARY FUND

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 1997, the gentleman from New Jersey (Mr. SAXTON) is recognized for 60 minutes as the designee of the majority leader.

Mr. SAXTON. Mr. Speaker, I have taken this time today to talk about an issue which I think is of extreme importance to the American people and, I must say, one that does not get front-page newspaper attention very often. That issue involves a request by our administration for \$18 billion to fund the International Monetary Fund.

As I said, this is not always a front-burner issue, and so I take this time today to reflect on it inasmuch as Vice President GORE yesterday made some rather disparaging remarks about those of us who do not share his position that it would be timely at this time to vote for an appropriation of \$18 billion to add to the International Monetary Fund.

Mr. Speaker, yesterday Vice President GORE, I think, made some rather exaggerated and unfortunate political remarks on a variety of subjects including this one:

According to press reports today the Vice President labeled opponents of the IMF appropriation, or at least those of us who would like to reform the IMF operation along with some kind of an appropriation, the Vice President labeled us as under the influence of a dangerous and growing isolationism.

Mr. Speaker, this attempt to associate IMF reformers with isolationism is simply not credible.

In recent months I have talked to a number of economists who are opposed to the IMF operation as it stands today. Some of these economists have testified before us at the Joint Economic Committee as well as other committees here in the Congress both in this House and in the other body. If we have disagreements of policy, we ought to talk about it. But not one of the economists critical of the IMF was an isolationist or a protectionist, and neither am I. If we have these disagreements, they ought to be discussed openly, and that is why I am here today.

Let us talk about these issues: transparency, moral hazard, subsidized interest rates, taxpayer exposure and other conditions that are associated with IMF loans to other countries. Unfortunately the Vice President seems more inclined to score partisan points rather than to discuss the substance of IMF issues.

Mr. Speaker, let me discuss these issues one at a time.

First, the amount of money that the IMF has at its disposal and then what it has requested through our administration as an additional appropriation or quota. Second, the issue of moral hazard, which essentially means loaning money at subsidized interest rates. Three, conditions that are associated with IMF loans which have oftentimes proven to be less than helpful to the receiving economies that we are trying to boost up. Fourth, the issue of secrecy. The IMF does operate largely in a cloak of secrecy, and therefore a fourth point that I will discuss this afternoon is that of more transparency for the IMF. Fifth, exposure of taxpayer dollars. Yes, if we vote for an appropriation of \$18 billion, there surely will be an exposure of taxpayers' dollars, and \$18 billion even here in Washington, Mr. Speaker, as you know is still a lot of money. And six, the sixth point that I would like to speak on this afternoon is that the IMF, the International Monetary Fund, does have available assets at its disposal which it has as of this date left remained untapped, and depending on how you count that can be as much as very close to 80 or \$90 billion.

So let me begin by saying what got my attention on this issue almost a year ago was the amount of money that the IMF today has in its coffers

which have come from the United States Treasury and their current request for 18 or \$17.9 billion, and I am going to say 18 billion because it is a round number. Actually the number for the record, Mr. Speaker, is 17.9 billion, pretty close to 18 billion.

Since 1945, when the IMF was put into business for the first time, our total appropriations, called a quota, total quota dollars to the IMF have been \$36 billion. Last summer the IMF came to the Department of the Treasury and Treasury Secretary Rubin came to the Congress and said they needed an extra \$18 billion.

Now you do not have to be an expert at arithmetic or math to understand that \$18 billion is about 50 percent of what we have given them since 1945, and, Mr. Speaker, I would point out to all those who are listening that \$18 billion is a tremendous amount of money particularly in light of the fact that we are fighting here every day to keep our budget balanced. \$18 billion, a 50 percent increase, Mr. Speaker, in 1 year after 45 years of accumulating expenditures, which now have come to \$36 billion; it seems like a lot to ask us to do, \$18 billion in one single appropriation.

And I was surprised, therefore, to find out even after that request came to us that that is about half what they think they will need. In other words, if they have already gotten 36 billion, and they have now indicated that they are going to come back in a few years for another \$18 billion, that means they want to increase our quota by a hundred percent or very close to it.

And so I begin to ask myself, I said this is very curious. For the past 53 years we have given or lent them \$36 billion, and in 1 year they came back and wanted 18. There must be some reason for this. So we began to study almost a year ago what it is the IMF does with our money and why it is that they might need this kind of an increase. And we found, Mr. Speaker, that in countries recently like Korea, and Russia, and Indonesia, and Thailand large amounts of money have been left to institutions in those countries to help bolster their economic position, and what we found, Mr. Speaker, was that these loans on average over the last decade or so have averaged about 4.7 percent in terms of the interest rate that the IMF charges with moneys that we have provided and, I must say, that other countries have provided as well.

Now I would ask anyone who is listening today if they could get a loan in today's market at 4.7 percent, I dare say that there would be a lot of people who would be anxious to get those kinds of loans, and, as a matter of fact, that is exactly what happens with the countries around the world where these loans are offered at 4.7 percent. They like this program, and so, as their economies begin to falter for one reason or another, perhaps it is because of faults that are inherent in their banking systems; we had a banking system problem here a few years ago when we

had savings and loans fail; perhaps it is something like that or perhaps there are some other economic difficulties in some of their institutions in their countries, and they say, "Well, where do we go for help? I mean how do we solve this problem? Well, we have got some very painful things that we could do on our own, or we could ask the International Monetary Fund to give us one of those subsidized loans at 4½ or 4.7 percent."

And so what this does, Mr. Speaker, is to create a tremendous demand in the world markets for subsidized loans subsidized by American taxpayers' dollars for loans from the IMF, and that, we discovered, was the reason, after a great deal of study, that the IMF needs more money. Because of their policies they are expanding their role in the world economy to the point where they have requested this 50 percent increase in quota from the United States and, we believe, will be back, if they are successful in obtaining this and expanding their economic activities throughout the world, we believe that in just a few years they will be back with another request for a like amount.

Now we asked the question of ourselves: Is this what we want to believe is an appropriate use of these kinds or these numbers of dollars from United States taxpayers, and that is a question that I guess everyone can answer for themselves, but it seems to me that we have some domestic needs, we had some discussions this morning about our national security and how we are spending less today than we were in 1985 in real dollars, and so there are many things that we want to consider when we begin to look at whether or not we want to appropriate this kind of money to provide for an expansion of an international loan program being subsidized by American taxpayers dollars.

The third point that I would like to mention is the IMF practice of imposing what we think are sometimes appropriate but oftentimes inappropriate conditions that go along with the loans. And the way this happens is that the IMF officials, oftentimes represented also by, I might say, officials from the United States Treasury, in offering to make loans negotiate certain types of conditions that go along with the loans. For example, it may be thought that it would be a good idea to change the way a country has its banking system structured, or at some times the IMF officials might think it is a good idea to devalue currency, or they may think it is a good idea to get out of a deficit spending program that may be inherent in some country's practices by increasing taxes. And those of you who have heard me talk many times before know that those of us on the Joint Economic Committee, at least on the Republican side and I think it is fair to say on both sides of the aisle have questions about whether or not these conditions are appropriate.

As a matter of fact, a few weeks ago I had the opportunity to visit with some officials from the Korean government in Korea, and we talked about these matters and the reforms that are underway as part of the conditions of loans the International Monetary Funds have made in Korea, and there were questions raised about whether or not they were appropriate by me, and there was a great deal of talk about it, and then, as I went out and left the meetings and rode out through the commerce sections of Seoul there in South Korea, I noticed that there were some signs on the shop windows, and of course they were written in Korean and I could not tell what they said. But in the middle of the signs, the three American letters IMF. IMF were there in the middle of the signs.

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So I said to the gentleman who was with me, what do these signs say in Korea that have the letters "IMF" in the middle? He said, well, they say different things, but they are all very meaningful. They essentially say that the IMF is here and that things are very bad, and that the IMF is part of that because of the conditions that the IMF apparently has imposed, and therefore, we are having a big sale because nobody can afford to buy our goods at regular market prices, and so we have cut-rate sales going on because the IMF is here. That is because, Mr. Speaker, the conditions that are imposed by the IMF are often very harmful and hurtful to the economy of the countries that the IMF is proposing to try to help.

So what we might want to do if we are going to address the issues involved here with the IMF, and I hope the Vice President may take note of these things, is to have a thorough review of how the IMF arrives at its decisions, not only about interest rates, but also about this point focusing on conditions that accompany the loans.

Number 4, Mr. Speaker, we discovered during our studies of the International Monetary Fund that it is, in fact, very difficult to study the International Monetary Fund and how it works because they work in a cloak of secrecy. We began last summer making requests for information from the IMF, and it was not forthcoming. We asked again and again and again for information and it was not forthcoming. We soon learned that the IMF does, in fact, insist upon a level of secrecy that prevents those of us who are here in Congress, representatives of the American people, prevents us from doing an in-depth study of the IMF in answering such questions as: what are the criteria that are used to identify a country that needs help? What are the criteria that are used to identify conditions that are imposed? What are the criteria that are used for studying the effects of loans that are made by the IMF? And questions as those are things that we, as responsible individuals who are asked to

vote for an \$18 billion appropriations, ought to have access to before we, as representatives of the American people, are asked to vote on those issues.

So as to the issue of secrecy or transparency, we call upon them for a more transparent system so that we can see into the system and see what it is doing.

Now, I must say in fairness that part-way through the process the officials from the IMF said to my staff, tell Congressman SAXTON to come over, and if he promises to look at the documents, and if he promises not to tell anybody what he sees, well, he is welcome to come.

Mr. Speaker, that is not the point. The point is that the American people who provide these dollars, and economists and experts in financial matters in this country, have as much right to see that information as Members of Congress or as people who administer the IMF itself. So this issue of transparency or secrecy is the fourth point that I believe needs to be strongly addressed.

The fifth point is what I call exposure of taxpayers' dollars. Now, there are those who advocate the \$18 billion appropriation without reforms; there are those who say that this really does not cost the taxpayers a dime. I think that was the phrase that was used; it does not cost the taxpayers in this country a dime, because in exchange for the \$18 billion, we get a promissory note. So the promissory note becomes an asset in our portfolio, and in exchange, there is simply a transfer of assets.

I have a hard time, I have a hard time with that because if we have the \$18 billion, we can apply it against our national debt; or if we decide in this body that we need to spend it on national security, we can spend it on national security; or if we decide that we want to spend it on education or environmental protection, we can do that; or if we decide we want a tax cut, we can apply it to the cost of a tax cut. But I dare say that it would be somewhat difficult to take the IMF's IOU or the promissory note that they signed for us and make the same kinds of use of it so it may be considered an asset, but it is certainly not a liquid asset; it is certainly not the same kind of asset that we transfer to the IMF in exchange for the promissory note.

So I have a difficult time understanding the argument that it does not cost the taxpayers a dime for that reason, and I also have a difficult time understanding how it is that that great big bureaucracy that is downtown here in Washington, D.C. known as the IMF with thousands of square feet of office space and secretaries and administrators and computers and all of those things that have to be paid for that comes out of the IMF funds as well. So whether we accept the argument that trading dollars for an IOU does not cost, if we accept the fact that that does not cost the taxpayers a dollar,

which I do not, so there certainly is an expenditure and there certainly is an exposure of taxpayer dollars.

Now, so far here today I have tried to be as explicit as possible about the fact that the IMF already has \$36 billion of our money and it has asked for a 50 percent increase, because they want to expand their activities, because they believe it is the right thing to do, and we ought to question that and have an opportunity to study it and talk about it.

Second, there is the issue that we call moral hazard; that is, continuing to bail people out with subsidized interest rates, which is not a very painful thing for them to do. As a matter of fact, I have said this before, and I do not mean to trivialize this issue, but if there were a bank across the street from the front of the Capitol that had a sign on the front of it that said, come on over and we will provide you with a 4.5 percent interest rate, I bet there would be a long line in front of that building. So this issue of moral hazard and subsidized interest rates encourages the wrong kind of behavior. It encourages the kind of behavior that we are trying to quell or to stop because of the incentive that is built into receiving low, cut-rate, subsidized loans.

Also, the conditions that are imposed on countries, whether or not they are helpful, perhaps sometimes they are hurtful. I believe that sometimes they are, and I have gone into that. The issue of transparency or secrecy is also I believe very important, and the issue of the exposure of taxpayers' dollars is also important.

Let me conclude with point number 6 which I think is very important. Secretary Rubin and other proponents, both in the United States Treasury as well as in the IMF, and some people here in the House have said, they need the money. Whether one agrees with everything the IMF does or not, they perform a valuable function and therefore, they really need the money.

I would just point out to my colleagues, Mr. Speaker, the IMF currently has assets that include \$40 billion in cash, \$25 billion in a program which gives them the authority to borrow \$25 billion; they have \$30 billion in gold. Now, if I add all of this up, that looks like it comes to \$95 billion in assets already, and some are making the argument that they need the money

because of the need to go around the world and expand programs.

So I guess I would just return to my initial point that the Vice President brought this issue up yesterday, and it was reported in today's newspapers that we who oppose flat out appropriating \$18 billion without reforms are somehow isolationists, that is not true; nothing could be further from the truth. If we can get the transparency that we need, if we can study the process through which the officials at the IMF proceed, if we can understand the necessity for the conditions that we think are sometimes harmful; if we can do something about this moral hazard issue so it does not encourage people to come back to us time after time after time for bailout after bailout after bailout, then perhaps those of us who call ourselves IMF reformers will be willing to proceed with a new IMF appropriation of some kind.

So, Mr. Speaker, I have made the points here that are important to be made. I am sorry that the Vice President has an inaccurate assessment of our motivations. They are, in fact, honorable, and we, in fact, do want the IMF to work, and we think that with some changes, it will work, and this House ought to proceed to seriously consider those changes or those reforms in conjunction with any appropriation that is made for these purposes.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. MCDADE (at the request of Mr. ARMEY) for today, on account of medical reasons.

Mr. MARTINEZ (at the request of Mr. GEPHARDT) for today, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. FAZIO of California) to revise and extend their remarks and include extraneous material:)

Mr. ABERCROMBIE, for 5 minutes, today.

Ms. NORTON, for 5 minutes, today.

(The following Members (at the request of Mr. GOSS) to revise and extend their remarks and include extraneous material:)

Ms. ROS-LEHTINEN, for 5 minutes, today.

Mr. SOLOMON, for 5 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Mr. FAZIO of California) and to include extraneous material:)

Mr. ADAM SMITH of Washington.

Mr. BONIOR.

Mr. KIND.

Ms. ESHOO.

Mr. KLECZKA.

Mr. SERRANO.

Mrs. CLAYTON.

Mr. TOWNS.

Mr. KENNEDY of Massachusetts.

Ms. NORTON.

Mr. CLYBURN.

Mr. GREEN.

Mr. HAMILTON.

Ms. JACKSON-LEE of Texas.

Mr. LIPINSKI.

(The following Members (at the request of Mr. GOSS) and to include extraneous material:)

Mr. PAPPAS.

Mr. BURTON of Indiana.

Mr. FRANKS of New Jersey.

Mr. GILMAN.

Mr. ROGAN.

Mr. GOODLING.

Mrs. MORELLA.

Mr. PACKARD.

(The following Members (at the request of Mr. SAXTON) and to include extraneous material:)

Mr. DELAY.

Mr. GEKAS.

ADJOURNMENT

Mr. SAXTON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 41 minutes p.m.), under its previous order, the House adjourned until Monday, June 22, 1998, at 12:30 p.m. for morning hour debates.

EXPENDITURE REPORTS CONCERNING OFFICIAL FOREIGN TRAVEL

Reports concerning the foreign currencies and U.S. dollars utilized for official foreign travel during the first quarter of 1998 by Committees of the U.S. House of Representatives, as well as a consolidated report of foreign currencies and U.S. dollars utilized for speaker-authorized official travel during the second quarter of 1998, pursuant to Public Law 95-384, and for miscellaneous groups in connection with official foreign travel during the calendar year 1998 are as follows:

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON HOUSE OVERSIGHT, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 1998

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²

FOR HOUSE COMMITTEES
PLEASE NOTE: If there were no expenditures during the calendar quarter noted above, please check the box at right to so indicate and return.

¹ Per diem constitutes lodging and meals.
² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

BILL THOMAS, Chairman, May 20, 1998.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, TRAVEL TO COLOMBIA, CHILE, ARGENTINA, AND PERU, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 2 AND APR. 9, 1998

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Dr. James Ford	4/2	4/3	Colombia		271.00						271.00
	4/3	4/5	Chile		548.00						548.00
	4/5	4/7	Argentina		546.00						546.00
	4/7	4/9	Peru		612.00						612.00
Committee total					1,977.00						1,977.00

¹ Per diem constitutes lodging and meals.
² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

JAMES FORD, May 4, 1998.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, TRAVEL TO TAIWAN, THAILAND, BURMA, MALAYSIA, AND THE PHILIPPINES, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 4 AND APR. 17, 1998

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Albert Santoli	4/5	4/8	Taiwan		805.00						805.00
	4/8	4/14	Thailand		1,140.00						1,140.00
	4/13	4/13	Burma								
	4/14	4/15	Malaysia		177.00						177.00
	4/15	4/17	Philippines		198.00						198.00
Committee total					2,320.00						2,320.00

¹ Per diem constitutes lodging and meals.
² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

ALBERT M. SANTOLI, May 5, 1998.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, TRAVEL TO KENYA, AND SUDAN, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN MAY 25 AND MAY 31, 1998

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Kimberly A. Miller	5/25	5/31	Kenya		412.00						412.00
Commercial Airfare	5/27	5/30	Sudan		560.00						560.00
							6,759.57				6,759.57
Committee total					972.00		6,759.57				7,731.57

¹ Per diem constitutes lodging and meals.
² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

KIMBERLY A. MILLER, June 4, 1998.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

9736. A letter from the Assistant Secretary, for Legislative Affairs and Public Liaison, Department of the Treasury, transmitting the annual Report to Congress for 1996 and 1997 on The Operation of the Enterprise for the Americas Facility; to the Committee on Agriculture.

9737. A letter from the the Acting Director, the Office of Management and Budget, transmitting the cumulative report on rescissions and deferrals of budget authority as of June 1, 1998, pursuant to 2 U.S.C. 685(e); (H. Doc. No. 105—274); to the Committee on Appropriations and ordered to be printed.

9738. A letter from the Acting Director, Office of Management and Budget, transmit-

ting the Mid-Session Review of the 1998—2003 budget, pursuant to 31 U.S.C. 1106(a); to the Committee on the Budget.

9739. A letter from the Clerk, United States Court of Appeals, transmitting two opinions of the United States Court of Appeals for the District of Columbia Circuit; to the Committee on Education and the Workforce.

9740. A letter from the Director, Defense Security Assistance Agency, transmitting a report authorizing the transfer of up to \$100M in defense articles and services to the Government of Bosnia-Herzegovina, pursuant to Public Law 104—107, section 540(c) (110 Stat. 736); to the Committee on International Relations.

9741. A letter from the Director, Defense Security Assistance Agency, transmitting the listing of all outstanding Letters of Offer to sell any major defense equipment for \$1 million or more; the listing of all Letters of Offer that were accepted, as of March 31,

1998, pursuant to 22 U.S.C. 2776(a); to the Committee on International Relations.

9742. A letter from the Administrator, Environmental Protection Agency, transmitting the semiannual report on activities of the Inspector General for the period October 1, 1997, through March 31, 1998, and the semiannual Management Report for the same period, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform and Oversight.

9743. A letter from the Secretary of Agriculture, transmitting the 6-month report in compliance with the Inspector General Act Amendments of 1988, pursuant to Public Law 100—504, section 104(a) (102 Stat. 2525); to the Committee on Government Reform and Oversight.

9744. A letter from the Acting Assistant Attorney General, Department of Justice, transmitting a report entitled "Compliance Simplification and Enforcement Reform

Under Sections 213 and 223 of the Small Business Regulatory Enforcement Fairness Act of 1996"; to the Committee on the Judiciary.

9745. A letter from the Director, Office of Government Relations, Smithsonian Institution, transmitting a copy of the "Annual Proceedings of the One-Hundred Sixth Continental Congress" of the National Society of the Daughters of the American Revolution, pursuant to 36 U.S.C. 18b; to the Committee on the Judiciary.

9746. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Track Safety Standards; Miscellaneous Proposed Revisions [Docket No. RST-90-1, Notice No. 8] (RIN: 2130-AA75) received June 18, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9747. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Waiver For Canadian Electric Utility Motor Carriers From Alcohol And Controlled Substances Testing [FHWA Docket No. FHWA-97-3202] received June 18, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9748. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Safety Zone; Skull Creek, Hilton Head Island SC [COTP Savannah 98-034] (RIN: 2115-AA97) received June 18, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9749. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Safety Zone: Great Catskills Triathlon, Hudson River, Kingston, New York [CGD01-98-040] (RIN: 2115-AA97) received June 18, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9750. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Special Local Regulations: EZ Challenge Speed Boat Race, Ohio River, Beech Bottom, West Virginia [CGD08-98-037] (RIN: 2115-AE46) received June 18, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9751. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations; Atlantic Intracoastal Waterway, FL [CGD07-98-029] (RIN: 2115-AE47) received June 18, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9752. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Merger of the Uniform States Waterway Marking System with the United States Aids to Navigation [USCG 97-3112] [CGD 97-018] (RIN: 2115-AF45) received June 18, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9753. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations; Atlantic Intracoastal Waterway, FL [CGD07-98-025] (RIN: 2115-AE47) received June 18, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9754. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations; Passaic River, NJ [CGD01-97-020] (RIN: 2115-AE47) received June 18, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9755. A letter from the General Counsel, Department of Transportation, transmitting

the Department's final rule—Airworthiness Directives; Eurocopter France Model SA 330F, G, and J Helicopters [Docket No. 97-SW-07-AD; Amendment 39-10572; AD 98-12-16] (RIN: 2120-AA64) received June 18, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9756. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Amendment to Time of Designation for Restricted Areas; CA [Airspace Docket No. 98-AWP-13] (RIN: 2120-AA66) received June 18, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9757. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Raytheon Aircraft Company Models 35, A35, B35, and 35R Airplanes [Docket No. 98-CE-55-AD] (RIN: 2120-AA64) received June 18, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9758. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; British Aerospace Model H.P. 137 Jetstream Mk.1, Jetstream Model 3101, Jetstream Model 3201, and Jetstream 200 Series Airplanes [Docket No. 97-CE-110-AD; Amendment 39-10577; AD 98-12-23] (RIN: 2120-AA64) received June 18, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9759. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Realignment of Colored Federal Airway; AK [Airspace Docket No. 98-AAL-3] (RIN: 2120-AA66) received June 18, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9760. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Alteration of Restricted Areas; New Jersey and New York [Airspace Docket No. 98-AEA-3] (RIN: 2120-AA66) received June 18, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9761. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Revision of Class E Airspace; Homer, AK [Airspace Docket No. 98-AAL-2] received June 18, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9762. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Aerospaiale Model ATR42 and ATR72 Series Airplanes [Docket No. 97-NM-64-AD; Amendment 39-10589; AD 98-13-01] (RIN: 2120-AA64) received June 18, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9763. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Airbus Model A320 Series Airplanes [Docket No. 97-NM-194-AD; Amendment 39-10586; AD 98-12-33] (RIN: 2120-AA64) received June 18, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9764. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Fokker Model F27 Mark 100, 200, 300, 400, 500, 600, and 700 Series Airplanes [Docket No. 98-NM-98-AD; Amendment 39-10588; AD 98-12-35] (RIN: 2120-AA64) received June 18, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9765. A letter from the General Counsel, Department of Transportation, transmitting

the Department's final rule—Airworthiness Directives; Construcciones Aeronauticas, S.A. (CASA) Model CN-235 Series Airplanes [Docket No. 98-NM-85-AD; Amendment 39-10587; AD 98-12-34] (RIN: 2120-AA64) received June 18, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9766. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Pilatus Aircraft Ltd. Model PC-12 Airplanes [Docket No. 97-CE-08-AD; Amendment 39-10596; AD 98-13-08] (RIN: 2120-AA64) received June 18, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9767. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Alexander Schleicher Segelflugzeugbau Model AS-K13 Sailplanes [Docket No. 98-CE-04-AD; Amendment 39-10593; AD 98-13-05] (RIN: 2120-AA64) received June 18, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9768. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Glaser-Dirks Flugzeugbau GmbH Models DG-100 and DG-400 Gliders [Docket No. 97-CE-133-AD; Amendment 39-10592; AD 98-13-04] (RIN: 2120-AA64) received June 18, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9769. A letter from the U.S. Trade Representative, Office of the President, transmitting a report on recent developments regarding implementation of section 301 of the Trade Act of 1974, covering the period June 1996 through January 1998 and reflects the effectiveness of this trade remedy in eliminating or reducing foreign unfair trade practices, pursuant to 19 U.S.C. 2419; to the Committee on Ways and Means.

9770. A letter from the Executive Director, Civil Air Patrol, transmitting the 1997 Civil Air Patrol Report to Congress, pursuant to 36 U.S.C. 207; jointly to the Committees on National Security and Transportation and Infrastructure.

9771. A letter from the Assistant Secretary (Civil Rights), Office for Civil Rights, transmitting the Fiscal Year 1997 Annual Report to Congress, pursuant to 20 U.S.C. 3413(b)(1); jointly to the Committees on Education and the Workforce and the Judiciary.

9772. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a report entitled "Report to Congress on Iran-Related Multilateral Sanction Regime Efforts," pursuant to Public Law 104-172; jointly to the Committees on International Relations, Banking and Financial Services, and Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and references to the proper calendar, as follows:

Mr. HYDE: Committee on the Judiciary. H.R. 3849. A bill to amend the Communications Act of 1934 to establish a national policy against Federal and State regulation of Internet access and online services, and to exercise congressional jurisdiction over interstate and foreign commerce by establishing a moratorium on the imposition of exactions that would interfere with the free flow of commerce conducted over the Internet, and for other purposes; with amendments (Rept. 105-570, Pt. 2). Ordered to be printed.

Mr. GOODLING: Committee on Education and the Workforce. H.R. 3892. A bill to amend the Elementary and Secondary Education Act of 1965 to establish a program to help children and youth learn English, and for other purposes; with an amendment (Rept. 105-587). Referred to the Committee of the Whole House on the State of the Union.

Mr. SKEEN. Committee on Appropriations. H.R. 4101. A bill making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs, for the fiscal year ending September 30, 1999, and for other purposes (Rept. 105-588). Referred to the Committee of the Whole House on the State of the Union.

TIME LIMITATION OF REFERRED BILL

Pursuant to clause 5 of rule X the following action was taken by the Speaker:

H.R. 1965. Referral to the Committees on Ways and Means and Commerce extended for a period ending not later than August 7, 1998.

H.R. 2281. Referral to the Committees on Ways and Means and Commerce extended for a period ending not later than June 26, 1998.

H.R. 3849. Referral to the Committees on Ways and Means and Commerce extended for a period ending not later than June 26, 1998.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of Rule X and clause 4 of Rule XXII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. MCCOLLUM (for himself, Mr. SCHUMER, Mr. HYDE, Mr. CONYERS, Mr. BUYER, Mr. GEKAS, Mr. BARR of Georgia, Mr. HUTCHINSON, Mr. CHABOT, Mr. COBLE, Ms. JACKSON-LEE, Mr. MEEHAN, Mr. GRAHAM, Mr. WEXLER, and Mr. CUNNINGHAM):

H.R. 4090. A bill to provide for a national medal for public safety officers who act with extraordinary valor above and beyond the call of duty; to the Committee on the Judiciary.

By Mr. SKEEN:

H.R. 4091. A bill to dissolve the Minerals Management Service of the Department of the Interior; to the Committee on Resources.

By Mr. ABERCROMBIE (for himself, Mr. SANDERS, Mr. SANDLIN, Mrs. LOWEY, Ms. DELAURO, Mr. BOSWELL, Ms. MILLENDER-MCDONALD, Mr. FORD, Mr. BORSKI, Mrs. MINK of Hawaii, and Mr. CUMMINGS):

H.R. 4092. A bill to amend title XVIII of the Social Security Act to increase the amount of payment under the Medicare program for pap smear laboratory tests; to the Committee on Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. DELAURO (for herself, Mr. HILLIARD, Mr. HASTINGS of Florida, Mr. FROST, Mr. KLECZKA, Mr. SANDLIN, Mr. LAMPSON, Ms. PELOSI, Mr. MALONEY of Connecticut, Mr. WYNN, Mr. MENENDEZ, Mr. LEWIS of Georgia, and Mr. CUMMINGS):

H.R. 4093. A bill to amend the Public Health Service Act and Employee Retirement Income Security Act of 1974 to require group health plans and health insurance coverage to establish hospital lengths of stay based on a determination by an appropriate physician in consultation with the patient;

to the Committee on Commerce, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FRANKS of New Jersey (for himself and Mr. MEEHAN):

H.R. 4094. A bill to provide for comprehensive brownfields assessment, cleanup, and redevelopment; to the Committee on Commerce, and in addition to the Committees on Ways and Means, and Small Business, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GEJDENSON (for himself, Mr. GILMAN, Mr. HAMILTON, Mr. BERMAN, Mr. SMITH of New Jersey, Mr. ROHR-ABACHER, Ms. PELOSI, Mr. McDERMOTT, Ms. ROS-LEHTINEN, Mr. PAYNE, Mr. CLEMENT, Mr. VENTO, Mrs. MORELLA, Mr. DELAHUNT, Mr. OLVER, Mr. LUTHER, Mr. MILLER of California, Ms. WATERS, Mr. HASTINGS of Florida, Mr. JACKSON, Mr. BARRETT of Wisconsin, Mr. MINGE, Mr. SHERMAN, Mr. ACKERMAN, Ms. RIVERS, Mr. GUTIERREZ, Mr. WEXLER, Mr. FRANK of Massachusetts, Mr. KENNEDY of Rhode Island, Mr. CUMMINGS, Mr. BROWN of Ohio, Mr. NADLER, Ms. VELAZQUEZ, Mr. TOWNS, Mr. DIXON, Mr. KILDEE, Mr. ROTHMAN, Ms. HOOLEY of Oregon, and Mr. MORAN of Virginia):

H.R. 4095. A bill to provide that the President shall attempt to establish an international arms sales code of conduct with all Wassenaar Arrangement countries; to the Committee on International Relations.

By Mr. GEKAS (for himself, Mr. HAYWORTH, Mr. BALLENGER, Mr. BARTLETT of Maryland, Mrs. BONO, Mr. BRYANT, Mr. BURTON of Indiana, Mr. CANADY of Florida, Mr. CHABOT, Mrs. CHENOWETH, Mr. COBLE, Mrs. CUBIN, Mr. DEAL of Georgia, Mr. DUNCAN, Mr. EHRLICH, Mr. ENGLISH of Pennsylvania, Mr. EWING, Mr. GIBBONS, Mr. GILCHREST, Mr. HANSEN, Mr. HERGER, Mr. HILLEARY, Mr. HOSTETTLER, Mr. ISTOOK, Mr. JONES, Mrs. KELLY, Mr. KINGSTON, Mr. KOLBE, Mr. LARGENT, Mr. LAHOOD, Mr. LEWIS of California, Mr. LEWIS of Kentucky, Mr. LINDER, Mr. MICA, Mr. NEUMANN, Mr. PAXON, Mr. PITTS, Mr. POMBO, Mr. RADANOVICH, Mr. REDMOND, Mr. SALMON, Mr. SCARBOROUGH, Mr. BOB SCHAFFER, Mr. SESSIONS, Mr. SHADEGG, Mr. SMITH of Texas, Mr. SMITH of Michigan, Mr. SNOWBARGER, Mr. STUMP, Mr. TALENT, Mr. THOMAS, Mr. TIAHRT, Mr. WATKINS, and Mr. WATTS of Oklahoma):

H.R. 4096. A bill to amend title 5, United States Code, to provide for Congressional review of rules establishing or increasing taxes; to the Committee on the Judiciary, and in addition to the Committees on Ways and Means, and Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. NORTON:

H.R. 4097. A bill to provide transitional community employment for unemployed persons, and other individuals in poverty, who live in certain identified communities, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined

by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. OBERSTAR:

H.R. 4098. A bill to authorize the Commandant of the Coast Guard to convey the real property comprising Coast Guard Light Station Two Harbors, located in Lake County, Minnesota, to the Lake County Historical Society; to the Committee on Transportation and Infrastructure.

By Mr. RIGGS:

H.R. 4099. A bill to amend the Older Americans Act of 1965 to authorize appropriations for fiscal years 1999, 2000, 2001, 2002, and 2003, and for other purposes; to the Committee on Education and the Workforce.

By Mr. MCCOLLUM:

H.R. 4100. A bill to amend title 18, United States Code, with respect to the employment of Federal prisoners, and for other purposes; to the Committee on the Judiciary.

By Mr. SKEEN:

H.R. 4101. A bill making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 1999, and for other purposes.

By Mr. FOX of Pennsylvania (for himself, Mr. NETHERCUTT, Ms. FURSE, Mr. McNULTY, Mr. BALDACCIO, Ms. LOFGREN, Ms. KILPATRICK, Mr. CUMMINGS, Mr. ROMERO-BARCELO, Mr. TOWNS, Mr. UNDERWOOD, Mr. FROST, Mr. FORBES, Mr. SANDERS, and Mr. PAPPAS):

H. Con. Res. 291. Concurrent resolution expressing the sense of the Congress that a postage stamp should be issued to raise public awareness of diabetes and to promote public support for diabetes research; to the Committee on Government Reform and Oversight.

By Mr. CAMPBELL (for himself, Mr. PAYNE, and Mr. HASTINGS of Florida):

H. Con. Res. 292. Concurrent resolution calling for an end to the recent conflict between Eritrea and Ethiopia, and for other purposes; to the Committee on International Relations.

By Mr. DELAY:

H. Res. 480. A resolution expressing the sense of the House of Representatives concerning the assertion of protective function privilege; to the Committee on the Judiciary.

By Mr. WATTS of Oklahoma (for himself, Mr. BUNNING of Kentucky, and Mr. RYUN):

H. Res. 481. A resolution expressing the sense of the House of Representatives that professional sports leagues and the International Olympic Committee should help reinforce the unacceptability and harmfulness of illegal drug use by establishing clear guidelines and penalties, and that athletes using illegal drugs who do not identify the person who provided the illegal drugs and successfully complete a drug treatment program should be suspended from play for a minimum of one year without pay; to the Committee on Commerce, and in addition to the Committee on International Relations, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 65: Mr. BARTLETT of Maryland.

H.R. 619: Mr. BORSKI, Mr. STOKES, Mr. EHLERS, Mr. DIAZ-BALART, and Mr. KIND of Wisconsin.

H.R. 1126: Mr. ENGEL, Mr. MORAN of Kansas, and Mr. ROHRBACHER.
 H.R. 1146: Mrs. MYRICK.
 H.R. 1231: Mr. PAPPAS.
 H.R. 1234: Mr. BRADY of Pennsylvania and Ms. JACKSON-LEE.
 H.R. 1334: Mr. SHAYS, Mr. SISISKY, Mr. KING of New York, and Mr. McNULTY.
 H.R. 1382: Mr. BROWN of California, Mr. LAFALCE, Mr. DOYLE, and Mr. SAWYER.
 H.R. 1401: Ms. ROS-LEHTINEN.
 H.R. 2023: Ms. MCCARTHY of Missouri.
 H.R. 2110: Ms. WOOLSEY.
 H.R. 2273: Mr. PASCRELL, Mr. OBERSTAR, Mr. LIVINGSTON, Mr. SCHUMER, Mr. GILMAN, Mr. SERRANO, and Mr. DOOLEY of California.
 H.R. 2613: Mr. EHLERS and Mr. CLYBURN.
 H.R. 2721: Mr. NEY.
 H.R. 2819: Mr. WELLER and Mr. JEFFERSON.
 H.R. 2826: Mr. ACKERMAN.
 H.R. 3053: Mr. HILLIARD and Mr. HASTINGS of Florida.
 H.R. 3101: Mr. KLECZKA.
 H.R. 3248: Ms. CHRISTIAN-GREEN.
 H.R. 3290: Mr. FOLEY, Mr. BERMAN, Mr. KUCINICH, Mr. FRELINGHUYSEN, Mr. QUINN, Mr. CAMP, and Mr. JEFFERSON.
 H.R. 3342: Mr. KILDEE.
 H.R. 3506: Mr. KENNEDY of Massachusetts, Mr. DIXON, Mr. WISE, Mr. BROWN of California, Mr. BENTSEN, and Mr. DAVIS of Florida.
 H.R. 3572: Mrs. EMERSON, Mr. DOOLITTLE, Mr. KILDEE, Mr. WATTS of Oklahoma, Mr. BARCIA of Michigan, Mr. KLUG, Mr. LEWIS of Georgia, Mr. SKELTON, and Mr. CHRISTENSEN.
 H.R. 3584: Mr. LUCAS of Oklahoma.
 H.R. 3605: Mr. JEFFERSON and Ms. HOOLEY of Oregon.
 H.R. 3637: Mr. ENGEL, Ms. KILPATRICK, Ms. NORTON, Mr. VENTO, Mr. SAWYER, Ms. MCKINNEY, and Mr. DAVIS of Illinois.
 H.R. 3660: Mrs. THURMAN.
 H.R. 3672: Mr. MANTON and Mr. KLECZKA.
 H.R. 3720: Mr. SENSENBRENNER and Mr. PETERSON of Minnesota.
 H.R. 3764: Mr. KENNEDY of Rhode Island, Ms. SLAUGHTER, Mr. BEREUTER, and Mr. LAMPSON.
 H.R. 3810: Mr. PALLONE, Mr. SMITH of New Jersey, Mr. PAPPAS, Mr. ROTHMAN, Mr. FRELINGHUYSEN, Mr. MENENDEZ, and Mr. LOBIONDO.
 H.R. 3865: Mr. HOBSON, Mr. PARKER, Mr. WOLF, Mr. DICKEY, Ms. DUNN of Washington,

Mr. HULSHOF, Mr. MCCOLLUM, Mr. MICA, Mr. OXLEY, Mr. SHIMKUS, Mr. JONES, and Mr. COBLE.
 H.R. 3870: Mr. REDMOND, Mr. HAYWORTH, Ms. PRYCE of Ohio, Mr. PAPPAS, and Mr. SNOWBARGER.
 H.R. 3879: Mr. LAHOOD and Mr. ROYCE.
 H.R. 3888: Mr. BISHOP and Mr. CASTLE.
 H.R. 3892: Mr. HILLEARY.
 H.R. 3911: Mr. STARK and Ms. ESHOO.
 H.R. 3925: Ms. WOOLSEY.
 H.R. 3980: Mr. WATTS of Oklahoma.
 H.R. 3995: Ms. LEE, Mr. COYNE, Mr. KENNEDY of Massachusetts, Mr. GEJDENSON, Mr. FROST, and Mrs. THURMAN.
 H.R. 4005: Mr. MCCOLLUM.
 H.R. 4018: Mr. MINGE, Mr. MORAN of Virginia, Mr. TIERNEY, Mr. KENNEDY of Massachusetts, Mr. MCDERMOTT, and Mr. GUTIERREZ.
 H.R. 4019: Mr. BLUNT and Mr. HYDE.
 H.R. 4032: Mr. HAYWORTH, Mr. LATOURETTE, and Mr. WAMP.
 H.R. 4065: Mr. CANNON and Mr. MANZULLO.
 H.R. 4066: Mr. PAYNE, Mr. PAPPAS, and Mr. HALL of Ohio.
 H.R. 4075: Mr. GOODE.
 H.J. Res. 123: Mr. SKEEN, Mr. MORAN of Kansas, Mr. HILL, Mr. SESSIONS, Ms. STABENOW, and Mr. SHIMKUS.
 H. Con. Res. 27: Mr. BRADY of Pennsylvania and Mr. KLECZKA.
 H. Con. Res. 210: Mr. FORD.
 H. Con. Res. 224: Mr. SHAYS.
 H. Con. Res. 254: Mr. WATTS of Oklahoma and Mr. SNYDER.
 H. Con. Res. 268: Mr. ACKERMAN.
 H. Con. Res. 288: Mr. ENGLISH of Pennsylvania, Mr. MICA, and Mr. ADERHOLT.
 H. Con. Res. 290: Mrs. EMERSON, Mr. SMITH of Michigan, and Mr. KLUG.
 H. Res. 37: Mr. ENGLISH of Pennsylvania.
 H. Res. 171: Ms. JACKSON-LEE.
 H. Res. 218: Mr. OWENS, Mr. ROMERO-BARCELÓ, Ms. DELAURO, Mr. COOK, Mr. KIND of Wisconsin, and Mr. LAMPSON.

DISCHARGE PETITIONS— ADDITIONS OR DELETIONS

The following Members added their names to the following discharge petitions:

Petition 1 by Mr. YATES on H. Res. 141: Glenn Poshard and David E. Bonior
 Petition 4 by Ms. SLAUGHTER on H.R. 306: Pat Danner, Peter A. DeFazio, Thomas M. Barrett, Leonard L. Boswell, Eddie Bernice Johnson, Cynthia A. McKinney, Rod R. Blagojevich, Dennis J. Kucinich, Anna G. Eshoo, Zoe Lofgren, George Miller, Sam Farr, W.G. Bill Hefner, Sam Gejdenson, Barbara Lee, Vic Fazio, Carolyn B. Maloney, Marcy Kaptur, Carolyn C. Kilpatrick, Bruce F. Vento, Bob Clement, Elizabeth Furse, Maxine Waters, Dale E. Kildee, Jim McDermott, Bernard Sanders, Sheila Jackson-Lee, John Lewis, Sherrod Brown, James P. McGovern, Lloyd Doggett, Nick Lampson, Ted Strickland, Chet Edwards, Frank Pallone, Jr., Maurice D. Hinchey, Carrie P. Meek, Charles E. Schumer, Steny H. Hoyer, Eliot L. Engel, Patrick J. Kennedy, David E. Bonior, Ciro D. Rodriguez, Sander M. Levin, Lynn N. Rivers, and Lynn C. Woolsey.

AMENDMENTS

Under clause 6 of rule XXIII, proposed amendments were submitted as follows:

AG. APPROPs., FY 99

OFFERED BY: MR. BEREUTER

AMENDMENT No. 1: At the end of the title relating to "GENERAL PROVISIONS", insert the following new section:

SEC. . Section 538(f) of the Housing Act of 1949 (42 U.S.C. 1490p-2(f)) is amended by adding after and below paragraph (5) the following:

"The Secretary may not deny a guarantee under this section on the basis that the interest on the loan, or on an obligation supporting the loan, for which the guarantee is sought is exempt from inclusion in gross income for purposes of chapter 1 of the Internal Revenue Code of 1986."

H.R. 4060

OFFERED BY: MR. FOLEY

AMENDMENT No. 1: Page 15, line 23, after the first dollar amount, insert the following: "(reduced by \$5,000,000)".