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House of Representatives

The House met at 11 a.m.

PRAYER

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

Let us pray using the words of President George Washington's prayer for his country.

''Almighty God: We make our earnest prayer that Thou wilt keep the United States in Thy holy protection; that Thou wilt incline the hearts of the citizens to cultivate a spirit of subordination and obedience to government; and entertain a brotherly affection and love for one another and for their fellow citizens of the United States at large. And finally that Thou wilt most graciously be pleased to dispose us all to do justice, to love mercy, and to demean ourselves with that charity, humility, and pacific temper of mind which were the characteristics of the Divine Author of our blessed religion, and without a humble imitation of whose example in these things we can never hope to be a happy nation. Grant our supplications, we beseech Thee.'' Amen.

THE JOURNAL

The SPEAKER. 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. Will the gentleman from Arizona [Mr. HAYWORTH] come forward and lead the House in the Pledge of Allegiance.

Mr. HAYWORTH 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.

REPUBLICAN CONTRACT WITH AMERICA

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

Mr. ALLARD. Mr. Speaker, our Contract With America states the following:

On the first day of Congress, a Republican House will require Congress to live under the same laws as everyone else; cut committee staffs by one-third; and cut the congressional budget.

We kept our promise.

It continues that in the first 100 days, we will vote on the following items: A balanced budget amendment—we have kept our promise; unfunded mandates legislation—we have kept our promise; line-item veto—we have kept our promise; a new crime package to stop violent criminals—we have kept our promise; national security restoration to protect our freedoms—we have kept our promise.

Now we are working on: Government regulatory reform; welfare reform to encourage work, not dependence; family reinforcement to crack down on deadbeat dads and protect our children; tax cuts for middle-income families; Senior Citizens' Equity Act to allow our seniors to work without government penalty; commonsense legal reform to end frivolous lawsuits; and congressional term limits to make Congress a citizen legislature.

This is our Contract With America.

NOT EVERYONE IS CELEBRATING THE CONTRACT ON AMERICA

(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, today, as Republicans plan yet another celebratory press conference to congratulate themselves for doing the jobs they are paid to do, many Americans are not celebrating.

Children are not celebrating the fact that Republicans will pay for their so-called reform by eliminating all Federal nutrition programs, including the School Lunch Program.

Senior citizens are not celebrating the fact that Republicans will balance the budget by putting Social Security and Medicare on the chopping block.

Police officers are not celebrating the fact that the Republicans' idea of crime control means taking cops off the street and putting guns on the street.

And, finally, working families are not celebrating the fact that the Republicans' idea for cutting waste, means cutting crucial student loan programs that have helped to educate generations of middle class kids.

Once the rhetorical fireworks are over and the smoke has cleared, we will be able to clearly see who stands behind the Republican contract—the very special interest lobbyists they once vowed to drive from this town. The first 50 days of the 104th Congress have given the special interests plenty to celebrate.

HALFWAY POINT OF CONTRACT WITH AMERICA

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

Ms. ROS-LEHTINEN. Mr. Speaker, today marks the half-way point of the Contract With America. This Congress has passed more major legislation in 50 days than most other Congresses would

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The balanced budget amendment, the line-item veto, and unfunded mandates reform are all geared toward making the Federal Government a servant of the American people and not a millstone around their necks.

Mr. Speaker, Republicans are committed to bringing real change to Washington, the type the American people voted for last November. We have kept our promise for the first 50 days and we will keep it for the next 50 days.

TALK ABOUT PORK

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

Mr. GUTIERREZ. Mr. Speaker, every American who cares about pork—and believes my colleagues' claims that we have a new Congress that is putting America on a pork-free diet—should pay close attention to the debate about defense spending today.

You will learn that my friends on the other side of the aisle have not stopped the pork from sizzling, they have simply put a new name on the menu. You see, the bill we are considering adds more than $600 million to our deficit.

Why? Largely because my Republican colleagues have tacked on close to a billion dollars in spending that the Secretary of Defense does not even want.

But of course, my friends, that billion is not pork.

You see, in the Republican restaurant, investment in job training, or building new schools—now that is pork. So today, my colleagues will work to eliminate $300 million to train our kids for better jobs and help them learn in decent schools.

Think about those priorities the next time you hear one of my colleagues talk about pork. Remember, it is not the size of the spending. It is where it is spent that makes them squeal.

PASS THE PAPERWORK REDUCTION ACT

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

Mr. JONES. Mr. Speaker, 50 days ago, Congress started a revolution to change business as usual. We made a pledge with the American people to make Government smaller, less expensive, and less intrusive. We have worked hard to deliver on this promise.

Congress has become more accountable than ever before, has started to repaying out the paperwork, which in turn denies the employer from hiring additional workers to produce the company's product or service.

The Government is a regulatory mess. Let us continue the bipartisan spirit this Congress has formed and pass the Paperwork Reduction Act to help the small businesses of America.

THE FIRST 50 DAYS OF THE CONTRACT WITH AMERICA

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

Mr. SERRANO. Mr. Speaker, the 50th day of the mean-spirited, reactionary, insensitive, indifferent, right wing, extremist, antipoor, antichildren, Constitution bashing, bordering on racist, contract on America is now before us.

If we read the fine print we will find out what the Republicans want to give the American people: Orphanages for poor children, no lunch for poor children, abolish prenatal care for women, deny our communities of police officers, allow Government agents to break into our homes without a search warrant.

By dishonestly claiming to balance the budget, destroy the Social Security and Medicare programs, the elephants have been very busy in the first 50 days.

God help you if you are poor, a minority, or the Constitution. The elephants are going to stomp all over you in the next 50 days.

CORPS OF ENGINEERS VERSUS OSHA

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

Mr. HEFLEY. Mr. Speaker, a contractor in Kansas City was laying pipe for the Army Corps of Engineers when brackish, green water seeped into the cut. The corps tested the water and told the contractor that there was no health risk—get on with the job.

Three months later, the Occupational Safety and Health Administration fined the contractor for failing to protect his employees.

As the employer commented, ''You had one Government agency [telling us] the material was not hazardous and that we were to proceed, and another agency citing us for exposing workers to an alleged hazardous material.''

FEDERAL RESERVE BOARD IS SUBJECT TO THE JURISDICTION OF CONGRESS, NOT THE WHITE HOUSE

(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, the Constitution says only Congress can draw money from the Treasury. It also says only Congress can coin money, regulate the value thereof and regulate the value of foreign money. Only Congress, the Constitution says, can regulate commerce with foreign nations.

The question I ask, Congress, is under what authority did Robert Rubin sign an agreement to bail out Mexico? To me it is unbelievable.

Now, the Washington Times reported that our bailout is going to bail out the Mexican banks and Mexican companies. Ladies and gentlemen, we are bailing out Mexican banks, we are putting our banks on the line here and our taxpayers in the fire.

I disagree with this. I think the Federal Reserve Board is subject to the jurisdiction of Congress, not the White House. It is time for a constitutional court case to determine that.

I plan to challenge the bailout in court.

AFRICAN-AMERICAN CHILDREN ARE BORN DISADVANTAGED

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

Mr. FRANKS of Connecticut. Mr. Speaker, children who have an inheritance of property or money are born with an advantage. Studies have shown that children with parents who have a college education are born with an advantage. Both have an advantage over those who have no inheritance or college-educated parents.

For numerous reasons, African-Americans fall into the latter category most frequently. Mr. Speaker, these advantages are good because families have earned these advantages. We all want our children to have these advantages in our competitive society. The question is, Mr. Speaker, do we want to help those less fortunate?

Mr. Speaker, we must remember that, like a chain, our Nation is as strong as our weakest link.

passed a couple of bills that are not too bad. They are almost identical to bills the Democratic Congress passed the last time; that is, the line-item veto, making Congress live by the laws that we pass.

What else have we done? Well, we have taken cops off the streets, attempted to return to the billion-dollar nonsense of star wars, allowed governments to break down your door without a search warrant yesterday, stopped tax credits for many American small businesses.

Giving this Congress credit for the actions of these first 50 days is like giving a driver's license to a teenager based on the number of car accidents he has had.

WHAT HAS BEEN GOING ON AT THE WHITE HOUSE DURING THE FIRST 50 DAYS?

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

Mr. HAYWORTH. Mr. Speaker, quite rightly, the attention of America has been focused on this Chamber during the last 50 days, but it is only fair to ask what has been going on at the White House during the first 50 days of our Contract With America.

The President's embattled Commerce Secretary finds himself the subject of yet another Justice Department corruption probe. The President supposedly laid down the law with baseball owners and players—they did not listen to him either—in an unsuccessful bid to end the baseball strike.

Then the President sent a Surgeon General nominee to the Hill, misled Congress several times at to the number of abortions this nominee performed, and then attacked the pro-life movement for being concerned.

Mr. Speaker, while the Republicans have been busy with our Contract With America, the White House has been trying to legitimize a Cabinet Secretary's alleged corruption, attempted to play umpire in a millionaires' dispute, and failed to do a thorough background check on a Cabinet nominee, while all the while misrepresenting the nominee's record.

Mr. Speaker, Republicans are worried about average, everyday American concerns, not worried about millionaires, corrupt politicians, or left-wing political movements.

That is why we will move in the next 50 days to enact our Contract With America.

January 1 of this year, reformulated gasoline has been required by the Clean Air Act in southeastern Wisconsin and other areas of this country. This reformulation contains either ethanol, MTBE, or ETBE.

Immediately, constituents started calling to complain of engine problems and reduced mileage, but more importantly they complained of adverse health effects.

I recently spoke with an allergist, Dr. Roger Hirsch, who confirmed that he noticed a pattern of symptoms for his patients starting in the second week of January. These symptoms included respiratory problems, lightheadedness, low-grade headaches, and itchy and burning eyes.

When these symptoms reoccurred 3 to 4 weeks later, Dr. Hirsch began to suspect that there was a common cause. Going by the flood of calls received by my office, other congressional offices, and State and Federal hotlines, there certainly is.

To address this problem, my colleague, Mr. BARRETT, and I are introducing legislation today that would suspend the reformulated gas requirement until the complaints of adverse health effects are thoroughly examined. The onus would be on EPA to prove that this fuel is safe.

Mr. Speaker, I urge my colleagues to join us by cosponsoring this bill. We are all for clean air, but we should not create health hazards achieving it.

SUPPORT THE CORPORATION FOR PUBLIC BROADCASTING

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

Mr. TORKILDSEN. Mr. Speaker, when the subcommittee marks up its rescission package this evening, the Corporation for Public Broadcasting's fate will hang in the balance. I rise in opposition to zeroing out funding for this important component of our public education system.

The debate is primarily philosophical, not fiscal. Governmemt spends money on its priorities, and quality educational programming should remain a priority. Consider that public television's greatest reach is consistently among preschoolers. In 1993, 83 percent of America's preschoolers, our children and grandchildren, watched PBS. Almost half of all Massachusetts residents young and old watch a local PBS affiliate every week.

Cable is not a substitute, as many cannot afford cable. PBS reaches 99 percent of the country. Broadcast television is not the answer either, as the

FIRST 50 DAYS SAID TO BE MARKED BY POLITICAL EXPEDIENCY AND SYMBOLISM

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

Mr. VENTO. Mr. Speaker, we have now seen 50 days of the GOP majority in Congress in which symbolism reigns supreme. The people of the Nation, children, families students, and older Americans, are at risk. They are concerned and they are worried, and they should be. These actions promise to undercut the basic needs of working men and women.

During these first 50 days of the GOP they have retreated from the active, positive role of the Government, the cooperative role, and have replaced it with confrontation and threats of denial of benefits to those who need help in our society. The new majority has tried to make a virtue of their political actions. It will not work.

A deliberate Congress is necessary, and consideration in this Congress has been pushed aside by the new majority in the name of political expediency. The lockstep votes of the GOP have demonstrated a discipline—in fact, an almost ideological stand, not pragmatism—that prevails in this House today.

Mr. Speaker, the actions of these first 50 days cannot be totaled or added up today. They will have to be added up in the names of those who endure the human suffering that is going to be created by the abandonment of the American people by this new majority's actions.

THE POSITIVE RESULTS OF THE FIRST 50 DAYS OF THE CONTRACT WITH AMERICA

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

Mr. TIAHRT. Mr. Speaker, what has the Republican majority done in the past 50 days that the Democrats were not able to do in the past 40 years?

More votes, more hours, more hearings, more debate, more bipartisanship, more bills reported and real, positive change in the way business is done in Washington, DC.

Republicans are on a roll and no matter how hard the Democrats have tried to support business as usual, we will continue working hard to change Congress in the next 50 days. We will keep

that is smaller, more efficient and friendlier to the American people.

SUPPORT THE MINIMUM WAGE WITH THE MINIMUM TRUTH

(Ms. EDDIE BERNICE JOHNSON of Texas asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, in the last few days I have gotten a tremendous number of calls from people concerned about what might happen to the minimum wage. One of the reasons why much of that concern is coming is because I represent a district right next to one of our leaders here, Mr. ARMEY, who has been talking about doing away with the minimum wage altogether and talks about Charlie, who lost his job because of an increase in the minimum wage back in 1977.

Well, they tell me that is not true, and I saw in the Washington Post yesterday that it was proven that was not a true story.

I simply ask, Mr. Speaker, that when our leaders get up to attempt to talk about why they want certain policies, they should just tell the truth. No one has lost a job because of an increase in the minimum wage.

Mr. Speaker, I would ask all of us to look very closely at what we pledge when we say, ''with liberty and justice for all.'' Our working poor have to be considered. We cannot expect that all of us will know how to make decisions if we do not have at least a minimum truth in our support of the minimum wage.

THE SPEAKER TARGETED IN POLITICAL INVESTIGATION, SAYS THE MIAMI HERALD

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

Mr. LAHOOD. Mr. Speaker, I have an article here that appeared in the Miami Herald on February 21 that says they will find some dirt on GINGRICH, and one of our colleagues is quoted as saying that people have been assigned by House Democrats to ''investigate Gingrich on a daily basis,'' and ''we are going to stay on his back.''

I really doubt if the American people sent our colleagues here to try and downgrade or to try and develop some sort of a list of how we can do in a particular Member of this House. I think the American people sent us here to do the people's business and to pass legislation and work together.

THE PEOPLE SEEK ANSWERS

(Mrs. KENNELLY asked and was given permission to address the House for 1 minute.)

Mrs. KENNELLY. Mr. Speaker, 50 days into the Contract With America and there seem to be more questions than answers.

I want to know, how do we protect public safety and at the same time say we do not need more police on the streets, especially in our urban centers that have such problems?

How do we prepare the next generation to work in a more complicated, competitive world and say, ''Oh, no, we don't need student loans anymore, and if we have them, they are going to be harder to pay for''?

How do we stand up for the average working person and at the same time say, ''Let's have a tax cut'' that is so big we could not pay for it unless we increased the deficit or at least broke our promise to our older Americans and decimated Medicare?

And, finally, how do we protect the Constitution of the United States and pass legislation that totally disregards the privacy of each and every one of our homes?

As we move into the second 50 days, these questions are going to have to be answered, and I am sure there will be other questions. My only hope is that as the American people see what is in this contract, they will not wish that they had negotiated an escape clause for their own protection.

FARM ISSUES DESERVE MORE ATTENTION

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

Mr. CHAMBLISS. Mr. Speaker, farmers deserve a break from the burdensome and bureaucratic regulations which dictate how agribusiness is run. Last night after much deliberation we passed a permanent tax break to help cover the cost of health insurance for farmers and other small businessmen. This is only one step toward relieving the farmer's burden—we must do much more.

Congress needs to re-implement the investment tax credit so farmers will have an incentive to expand their operations. We need to pass legislation that will ease the burden of private property takings. We need to pass a capital gains tax reduction which will allow farmers to invest in further improvements on their farm. The farmers should be able to leave their farms to

WHO HAS BENEFITED BY THE CONTRACT WITH AMERICA?

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

Mrs. CLAYTON. Mr. Speaker, on the last day of this Congress, I stated, At the end of each day, I believe it is important to be honest and to ask the question:

Who was helped—and who was hurt—by what we did?

We are now at the 50th day.

Who have we helped?

Mr. Speaker, on day one, I also stated, This Nation is strong because we have historically made a place for all who live here, including those who are weak—the young, the poor, the frail, the disabled.

Soon we will consider welfare reform legislation. The future of Federal nutrition programs hangs in the balance under that proposed bill.

We have another 50 days left on the 100-day promise to change America.

Who are we helping? Who are we hurting?

We have not helped the seniors. With the balanced budget amendment, Social Security and Medicare will likely be cut?

We have not helped workers. The unfunded mandates bill leaves workers protections at risk.

We have not helped our youth. The crime bill would jail them rather than deter them.

GEORGE WASHINGTON'S BIRTHDAY AND THE ANNUAL MEETING OF THE AMOSKEAG VETERANS IN NEW HAMPSHIRE

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

Mr. BASS. Mr. Speaker, today is George Washington's birthday and that is certainly an important event, but it is also the annual meeting of the Amoskeag Veterans.

The Amoskeag Veterans is perhaps New Hampshire's oldest standing militia, maybe one of the oldest in the country. The Amoskeag Veterans meet twice a year, on George Washington's birthday and on Bunker Hill Day. They are indeed a regiment of 72 American citizens who are battle-ready.

As we discuss the defense supplemental today, I hope the people of this country and my colleagues here in Congress will be advised that this group has been around for over 200 years. It

minute.)

Mr. WISE. Mr. Speaker, today marks the 50th day of the Republican contract for America. They like to boast and they punchout with a hole puncher each contract item. Let us look at what they have punched out so far.

They have punched out police on the beat, the 100,000 police officers that this Congress provided last year. They punched out open rules by closing them to honest debate.

They have punched out taxpayers with $40 billion for a new star wars.

Who gets punched out in the next 50 days? Well, they are going to punch out tax cuts for the wealthy. That will really help a lot. They are going to punch out senior citizens by the cuts that have to come under the balanced budget amendment. They are going to punch out veterans. They are going to punch out middle income families when they restrict student loans.

They are going to punch out kids—that is gutsy—with student nutrition cutbacks, with cutbacks on hot lunches and breakfasts.

Mr. Speaker, one would think that George Foreman had run for the Congress. But the fact is that we should not be here punching people out. Each punchout they do is a knockout to the American economy.

RECOUNTING THE SUCCESSES AT THE HALFWAY POINT OF THE CONTRACT

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

Mr. DREIER. Mr. Speaker, as I listen to my friend talking about punching out certain interests in this country, I am struck by the fact that he fails to recognize the tremendous success of the first 50 of the 100 days.

We have had the most open debate process that this institution has witnessed in years. With the crime bill that we passed, we are going to allow local governments to make the determination as to how they can best deal with the crime problem, and if they want to put 100,000 police officers on the street, I am convinced that if that number is actually right, which I certainly question, this measure that we passed will be able to do that.

The fact is that we have had tremendous success during these first 50 days of the 100 days, and as we mark George Washington's birthday, it is pathetic, absolutely pathetic, that one of our colleagues has to do what the Democrats have unfortunately resorted to

Mr. Speaker, that is pathetic. It is absolutely pathetic that all they are doing is resorting to digging up dirt.

DEMOCRATS BEING GAGGED BY REPUBLICANS

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

Mr. VOLKMER. Mr. Speaker, yes, this is the 50th day. But we got a long way to go. You know, this Congress will be in session for about another year and 10 months, so let us see what happens in that year and 10 months.

What has happened in the first 50 days is not very much. When you add it up, there has only been one bill that has been passed and become law, and that same bill is a bill that we as Democrats passed last year and everybody agreed to, and that is the compliance bill.

Nothing else has become law. The balanced budget amendment? That is still sitting over in the Senate. They are going to vote on it next week. They do not even know if they are going to pass it or not. Nothing else is moving. Nothing else has become law.

Folks, they say that great things are happening. Well, what have been the great things happening? We have been gagged. Many of us have amendments to bills. We cannot offer them. They will not let us offer them. They have a timetable. They say, ''We have to do it now, right now; you cannot offer your amendment. It is going to happen today.''

I wish more people would watch what happens here today and see how Democratic minority Members are gagged by the rules of the majority today, tomorrow, Friday, all next week, and all through this 50 days.

IMPRESSIVE ACCOMPLISHMENTS OVER LAST 50 DAYS

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

Mr. DIAZ-BALART. Mr. Speaker, today we properly focus upon how much we have accomplished in just 50 days. The list is impressive: A balanced budget amendment, a line-item veto, a tough and commonsense crime bill, unfunded Federal mandates reform, and setting priorities for America's foreign policy and national defense.

Now, Americans may ask how will this affect me? Let me answer. A balanced budget amendment means your children and grandchildren will have a

eral mandate reform means you will no longer have to pay the hidden taxes from the Federal Government passing down mandates to State and local governments. Setting national security priorities ensures that America will maintain its strong leadership in the world in future generations.

Mr. Speaker, we are making real changes, changes that will help the American people, and we will continue.

CONTRACT WITH AMERICA A CAMPAIGN GIMMICK

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

Mr. DOGGETT. Mr. Speaker, I came here to serve the families of the people of Austin, TX, not to serve as a contractor for NEWT GINGRICH. This contract is nothing more than a campaign gimmick, and if it is fully imposed, it will be the people of Austin, TX, and across this country who suffer.

The contract rejects community policing and crime prevention programs that work in Texas. It would turn over our health and safety standards to the tobacco companies and the other special interests. And the cost of this contract? At more than $1 trillion, it threatens our financial security.

Some of the concepts in the contract are good, but I learned long before going to law school from my parents that you do not listen to the salesperson's hype, you read the fine print, the little bitty words on the back of the contract. And when you do that, you find out that this so-called Contract With America is devastating to middle-class families across this country.

This contract goes too far, too fast, too extreme. It can and should be rejected.

PROMISES MADE ARE PROMISES KEPT

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

Mr. RIGGS. Mr. Speaker, today we celebrate the midway point in the Contract With America. Only 50 days into this historical 104th Congress, Republicans have said no to business as usual in Washington. We have already passed a balanced budget amendment, a line-item veto, and have brought Congress under the same laws as the rest of the

by keeping our word and our promises to the American people. In this Congress, promises made are promises kept.

FEDERAL RESERVE INTEREST RATE POLICY THREATENING AMERICA

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

Mr. MASCARA. Mr. Speaker, why is it that every time the economy begins to improve in the eyes of the Federal Reserve that is bad? Is bad news good news? That is a true fiscal oxymoron.

I will never understand the Federal Reserve. I will never understand why every time the economy is growing and jobs are being created, Alan Greenspan and his colleagues decide to slam the brakes on by raising interest rates.

The recent boost in interest rates by the feds is the seventh increase in the past year. Short-term interest rates have doubled from 3 to 6 percent. Long-term rates are expected to hit 9 percent, a level we have not seen since the early 1990's.

These hikes are beginning to put a stranglehold on the people of the country and the 20th Congressional District in Pennsylvania. Economists are predicting an economic slowdown, but the Federal Reserve is still not satisfied. Unbelievably, Mr. Greenspan and his colleagues feel that unemployment remains too low.

Good news is bad news? Bad news is good news? I frankly do not get it. Mr. Greenspan, stop hurting the recovery that is under way.

IMPROVING THE HOUSE SCHEDULE

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

Mr. WOLF. Mr. Speaker, we began the 104th Congress with a commitment to improve the House schedule to make this Congress more family friendly, recognizing that the first 100 days of this session would be devoted to fulfilling the legislation promised in the Contract With America entailing long days and a full House schedule during this time.

We have worked hard to keep on that contract schedule and trying to balance the floor schedule with time for family has been difficult. But I believe there are a few ways we can adjust the House floor routine in an effort to improve upon the family friendliness of this Congress.

least provide the floor staff with some help when the schedule goes into the late hours so that the staff can spend some time with their families.

Mr. Speaker, schedules, nerves, and tempers are beginning to fray. An earlier starting time could not only help in moving the House's business along, but it could also allow some additional family time, and truly make this a family friendly Congress.

SCHOOL LUNCH PROGRAM NECESSARY FOR AMERICA

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

Mr. FIELDS of Louisiana. Mr. Speaker, I rise in strong opposition to the Republican attempt to dismantle the Nation's School Lunch Program. I think it is a shame and a disgrace for my colleagues on the other side of the aisle to choose to tamper with something as basic as a school lunch.

Currently, 57 percent of all students participate in this most needed program. We cannot abort our responsibility as national law makers and put tens of thousands of young innocent school children at the risk of not having the opportunity to have a balanced meal during the course of a school day, many of which depend on this meal as their only source of nutrition for the entire day.

I believe that this Congress has a direct interest in the health and welfare of the Nation's children; making sure that each child attending school receives a well-balanced meal each school day.

This is a responsibility and an obligation that one Member of this Congress is not willing to give up, and I hope my colleagues agree.

SAVE THE NADEP

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

Mr. STEARNS. Mr. Speaker, as the Defense Department prepares the latest list of military sites it will recommend for shutdown, there is one site that any objective observer would conclude does not belong on that list—the Jacksonville Naval Aviation Depot.

Since the 1993 round of base closings cut the Nation's number of naval aviation depots in half, the Jacksonville NADEP's unique role as a cornerstone of America's military readiness has only increased. The core purpose of a

of any other NADEP. In fact, the Jacksonville NADEP is so efficient that in 1994 it actually turned a profit of $27 million.

Mr. Speaker, the American people want the strongest possible national defense at the lowest possible cost. If the Defense Department wants to achieve this goal, the Jacksonville NADEP is the last base it would ever want to close.

SUPPORT URGED FOR KOREA/VIETNAM MEMORIAL NATIONAL EDUCATION CENTER

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

Mr. MCHALE. Mr. Speaker, I rise today to voice my wholehearted support for the Korea/Vietnam Memorial National Education Center, now being created in my district of Pennsylvania.

President John F. Kennedy once said that ''a nation reveals itself not only by the men it produces but also by the men it honors, the men it remembers''. For too long, some among us have chosen to forget about the conflicts in Korea and Vietnam; to push aside the sacrifices made on our behalf by those who served in the uniform of our country. We asked much of them, and gave little in return.

We must now remember these events, and pay honor to those who made the sacrifices which democracy often put on those whom Lincoln called the ''common people''—men and women of ordinary means, but also of extraordinary courage and uncommon valor.

The Korea/Vietnam Memorial National Education Center, will serve as a living tribute to the men and women who answered the call of their country, and as a lesson for those to whom we will entrust our hard-fought peace.

I ask that the members of this body join me in supporting this important memorial to our veterans, and to brave patriots from freedom-loving countries throughout the world, who deserve no less than this tribute. The Korea/Vietnam Memorial National Education Center is our chance to let them know that they matter, and that we care.

CONTRACT WITH AMERICA NOT HELPING AMERICANS

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

in the so-called ''Contract With America.'' During the first 50 days of this session, not one job has been created, not one family is more secure, not one working, middle-income individual is better off, and not one child is more secure.

While the Republicans have spent these first 50 days fighting for tax cuts for the wealthy of society, we Democrats are fighting for a minimum wage increase to make work pay and break the cycle of welfare dependency. While Republicans are proposing cuts on Medicare and AFDC, we are fighting to save Medicare and protect child nutrition programs, which are so vital to many poor children.

If the current proposals continue, children will be the real losers under this contract.

CONTRACT WITH AMERICA HELPING AMERICANS

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

Mr. GOSS. Mr. Speaker, I am not sure how the previous speaker knew that not one person was better off in America. I have talked to a lot of people in America in my district and they are very happy with what is going on. The polls indicate people are better off and definitely happier with the way things are going in this Congress.

We are not just up passing bills. Americans know that. We are up here taking away from Big Brother in Washington, the Government, and we are returning the control of this country to the people we work for, the people all across America.

We are doing something else too, something that perhaps the former majority who are now the minority failed to do, and that is we are keeping our word. We are accomplishing exactly what we said we would do in the election. We are out here working harder in January and February than this Congress has ever worked, certainly more than it has in the last 40 years. We have had four times as many hours in session, we have had eight times as many votes, we have had six times as many committee meetings. The reason for all of that is not because we want more Government, it is because we want less Government. We are cutting down Government, that is what this is about, and we are returning it to the people.

everyone or a four-letter word that Speaker GINGRICH has not uttered—jobs.

Speaker GINGRICH's policies have not and will not create one new job or make the life of one American better.

But it will make the lives of millions of Americans worse:

The elderly who will see Medicare destroyed.

The college kids who will pay thousands of dollars more for student loans.

And the children who will not have school lunches to eat.

In fact, for all Speaker GINGRICH's talk, only one bill has been signed into law so far—congressional accountability. When we passed this last year, it was blocked by Republicans in the Senate.

Let us face it, it is no great accomplishment to vote on the first 5 items in a pollsters top 10 list.

Speaker GINGRICH promised a revolution.

So far this is more like the phony war.

□ 1145

THOUGHTS ON 50 DAYS' PROGRESS

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

Mr. STUPAK. Mr. Speaker, today is the 50th day of the Republicans 100-day Contract on America. Congratulations on putting forth a goal and sticking to it.

It is important to have goals and objectives in our lives and in legislation. Legislative goals should be those that are achievable through a consensus with America, not goals that stick it to America. It should be a contract with all of America.

We Democrats do not need a plan to stick this to that or a contract with this group against that group. Our contract has always been the same. We work hard, ensure a thoughtful, deliberate process.

So let us look back at the first 50 days of the Democratic majority in 1993. By now two bills had already been signed into law: the national motor-voter bill and the family and medical leave bill, with little or no Republicans support. In the GOP first 50 days, only one bill, the Congressional Accountability Act, has been signed into law, just one, and that was with 400 Members voting for it in a bipartisan manner.

Even though the score, using the GOP marker, is two to one in favor of the Democrats, let us forget the 100-day marker. But rather, let us be

permission to address the House for 1 minute.)

Mr. HILLIARD. Mr. Speaker, I rise today to comment on this occasion of the half-way point of the Republican's 100-day Contract for America. During the recent election, the Republican Party snowed the people of this Nation with empty, meaningless promises.

While this contract may sound good on the surface, its provisions are vague and unrealistic at best. The worst, I fear, will result in deceptive and detrimental and consequences for our country.

This contract cuts student loan funding and availability.

This contract cuts taxes for the wealthy, while at the same time taking food out of the mouths of children and young mothers.

This contract would end public assistance for the poor and disabled, with no provisions for putting people to work.

It has taken the majority party of this House 50 days to pass three contract items. It will soon become clear that the remainder of the Republicans' proposals are bad ideas masked in falsehood and obscurity. The contract for America is bad, deceptive, and dangerously detrimental for senior citizens.

WHAT DOES THE RECORD SHOW OF THE FIRST 50 DAYS?

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

Ms. SLAUGHTER. Mr. Speaker, last night I saw a wonderful cartoon in the latest issue of Business Week. It had an elephant dressed in an obviously very expensive suit, wearing a button on the lapel that said, ''Been robbed, raped, maimed or murdered? Call a block grant.'' That has a lot to say about what we have done here in the first 50 days.

We took the crime bill that was passed last year, took away all preventive measures and took away the police on the street who will make the streets safer for us. And that, along with trashing the Constitution, are two very important things that have happened here in the past 50 days. And all Americans ought to know it.

We have done very little to address the problems that are really on the minds of Americans today. They have educated their children at great expense.

Mr. DREIER. Mr. Speaker, will the gentlewoman yield?

first 50 days taking place on CNN right now over in the Cannon caucus room.

I thank my friend for yielding.

A REMAKE OF THE BODY SNATCHERS?

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

Mr. DEFAZIO. Mr. Speaker, is this a replay of the first 100 days of FDR? That is what the Republican leadership would have the American people believe. Or is it more like a really bad remake of ''Invasion of the Body Snatchers,'' some alien force has taken over the other side as they march lockstep and they will not consider any problems that they are creating with their contract. No matter how problematic, no matter how contradictory, no matter how poorly drafted their proposals, the contract must go forward, the alien force says.

Today $3 billion more for a needy Pentagon. They cannot make ends meet on a $271 billion budget. The American people know that. And next week we eliminate the School Lunch Program and the Program for Women, Infants, and Children because we cannot afford it.

Is there a little contradiction here? Is this 100 days to address the real needs of the American people akin to FDR, or is it a nightmarish remake of ''Invasion of the Body Snatchers''?

Make up your own mind.

THIS IS WAR

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

Ms. JACKSON-LEE. Mr. Speaker, we are not dealing with the celebration of a contract. We are simply looking at a war where people are pitting one group of citizens against another. It is simple and clear to the children and women and those who are in need, working families, that we are in war with today.

I would like to celebrate what the 103d Democratic Congress did that really focused on working families: family leave, motor-voter law, reducing the deficit, responding to families and small businesses and, yes, providing opportunities for our youth to get educational loans.

What we are doing right now is fighting in a war that seems to be depend-

eat and, yes, we are going to continue to fight against gutting the crime bill, taking police off the streets. And we are finally going to stand against welfare punishment, because we believe in welfare reform.

Mr. Speaker, this is a war, and we are going to win this war for working Americans.

BALANCING THE BUDGET

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

Mr. DOYLE. Mr. Speaker, on November 8, the citizens of the 18th Congressional District in Pennsylvania sent me to Congress with a clear message. They wanted Government waste and inefficiency eliminated, they wanted the pork barrel, spendthrift ways of the past to change, they wanted our deficit brought down. I heard that message loud and clear, and I was proud to cosponsor the Democratic balanced budget amendment with CHARLIE STENHOLM and work to have it passed in this House with the help of the Republican majority.

I stand here today to express my extreme disappointment, that the very first spending package produced by the Republican majority since the passage of that balanced budget amendment would increase the 1995 deficit by $282 million and add $645 million to the deficit over 5 years.

It is ironic that when Republicans want to spend billions to build star wars, there is no mention of balanced budgets, but if it is lunches for our school children, Republicans want to abolish it in the name of a balanced budget.

Watch the vote today on the defense supplemental bill and we will see who is really serious about balancing the budget.

ON THE FIRST 50 DAYS

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

Ms. MCKINNEY. Mr. Speaker, today marks the first 50 days of the 104th Congress, and my Republican colleagues are boasting about how much they have accomplished. The fact of the matter is, they have produced a lot of icing, but there ain't no cake.

While the Contract With America does a great deal for you if you earn over $200,000 a year, for the rest of us it

care, the minimum wage or job security.

Once again, this leads to the question, who really is controlling the contract? I think it is time for an outside counsel.

SETTING THE RECORD STRAIGHT

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

Mr. LIVINGSTON. Mr. Speaker, I am a little bit puzzled by the speaker that preceded the gentlewoman who was just at the podium. I do not know where the gentleman gets his numbers, but the fact is that the emergency supplemental that is intended to repay the Defense Department for the missions directed by President Clinton in Haiti and Iraq and Bosnia and all the others is a $3.2 billion package, paid for by $1.8 billion in defense rescissions or cuts and $1.4 billion in nondefense rescissions or cuts, and it nets out to a savings of $14 million.

In other words, we are cutting $14 million more than we are spending.

The gentleman's figures are totally inaccurate. I hope this statement for the RECORD will reflect these corrected amounts accordingly.

MORE THOUGHTS ON THE CONTRACT'S PROGRESS

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

Mr. TUCKER. Mr. Speaker, my colleagues on the other side of the aisle are taking this moment to bask in the glory of what they call their first 50 days. And they are sticking their chest out, Mr. Speaker, and hoping that all of America will remember what they have done here.

Well, I hope all of America does remember what they have done here, Mr. Speaker. When they do things like slashing programs for children's lunches so that young people cannot go to school worrying about learning and eating at the same time, when they cut off student loan programs so as our young people matriculate they will not be able to go into modes of higher education, this is what I hope that the American people will remember about what they have done here on the floor of the House, because, Mr. Speaker, it is something certainly not worthy to be remembered for.

immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 92

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. 889) making emergency supplemental appropriations and rescissions to preserve and enhance the military readiness of the Department of Defense for the fiscal year ending September 30, 1995, and for other purposes. The first reading of the bill shall be dispensed with. General debate shall be confined to the bill and the amendments made in order by this resolution 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 and shall be considered as read. Points of order against provisions in the bill for failure to comply with clause 2 of rule XXI are waived. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule an amendment in the nature of a substitute consisting of the text of H.R. 889 modified as follows: on page 16, after line 12, insert a new title V consisting of the text of the bill (H.R. 845) rescinding certain budget authority, and for other purposes. The amendment in the nature of a substitute shall be considered as read. Points of order against that amendment in the nature of a substitute for failure to comply with clause 7 of rule XVI or clause 2 or 6 of rule XXI are waived. No other amendment shall be in order except the amendment in the nature of a substitute printed in the report of the Committee on Rules accompanying this resolution, which may be offered only by Representative Obey of Wisconsin or his designee, shall be considered as read, shall be debatable for one hour equally divided and controlled by the proponent and an opponent, and shall not be subject to amendment. Points of order against the amendment in the nature of a substitute for failure to comply with clause 2 of rule XXI are waived. At the conclusion of consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendment as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the amendment in the nature of a substitute made in order as original text. The previous question shall be considered as ordered on the bill and any amendment thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore (Mr. EMERSON). The gentleman from California [Mr. DREIER] is recognized for 1 hour.

Mr. DREIER. Mr. Speaker, all time yielded is for the purpose of debate only, and I yield the customary 30 minutes to the gentleman from Dallas, TX [Mr. FORST], pending which I yield myself such time as I may consume.

order to foster fiscal responsibility the Committee on Rules has reported a fair and balanced rule for this emergency defense supplemental.

□ 1200

Mr. Speaker, the rule makes in order as an original bill for the purpose of an amendment an amendment in the nature of a substitute consisting of the text of H.R. 889, which makes emergency supplementary appropriations for military readiness, and rescinds $1.46 billion in defense spending, amended to add the text of H.R. 845, a bill rescinding $1.4 billion in budget authority for a range of low-priority foreign aid and domestic spending programs.

In order to permit the House to consider the texts of two bills together, this rule waives clause 7 of rule XVI pertaining to germaneness and clause 6 of rule XXI regarding reappropriations.

The rule provides for 1 hour of general debate and an amendment in the nature of a substitute, which may be offered by the ranking minority member of the Committee on Appropriations or his designee. That amendment shall not be subject to amendment. Finally, the minority is provided with one motion to recommit, with or without instructions.

Due to the unforeseen nature of emergency appropriations, the rule waives clause 2 of rule XXI against the bill and the amendment consisting of the text of H.R. 889 and H.R. 845. The rule prohibits unauthorized appropriations.

In the name of fairness, the amendment in the nature of a substitute provided to the rule by the ranking minority member of the Committee on Appropriations will receive the same rule waiver.

Mr. Speaker, changing the culture of deficit spending is not easy. The American people need only look to the other body to observe the daily antics of reactionaries fighting to stop bipartisan proposals such as the balanced budget amendment and an effective line-item veto.

In the past, Congress simply added emergency spending to the deficit. Even with a Federal budget of $1.5 trillion, there was always an excuse why offsetting spending cuts could not be found.

Mr. Speaker, things have changed. Our new leadership in the House has committed itself to finding offsets for all supplemental spending bills. The deficit buck stops here. Make no mistake, this defense supplemental addresses a true emergency. As the Preamble to the Constitution so clearly

ria, Iraq, Rwanda, and the Korean Peninsula have created an emergency. The Secretary of Defense and our leader military commanders have indicated that without these supplemental funds being provided by March 31, readiness and training will be cut back to dangerous levels.

Mr. Speaker, I would like to repeat this. The Secretary of Defense and our leading military commanders have indicated that if these supplemental funds are not available by March 31, readiness and training will be back to dangerous levels.

This rule provides a procedure to consider this emergency defense supplemental in a manner that is fiscally responsible. The Committee on Appropriations met the challenge of reporting rescissions to fully offset all the new spending, a challenge that the President has, unfortunately, not met.

In addition, the minority is given both a substitute amendment and a motion to recommit with instruction to offer alternatives.

To those who believe that far more can be done in the area of rescissions, I totally agree. That day is coming. The chairman of the Committee on Appropriations testified before our Committee on Rules that a major rescissions bill will be coming to the floor soon, possibly in March. That rescission, because it is not related to a national security emergency, will be considered under a much more open amendment process.

Mr. Speaker, this is a fair, balanced, and responsible rule. It provides the minority with two opportunities to provide alternative proposals. It provides the same substantive waivers to the amendment as are provided to the bill. All new spending, even though we have an emergency, is offset.

Finally, Mr. Speaker, this rule increases the likelihood we can maintain military readiness by enacting the necessary legislation by March 31.

Mr. Speaker, I urge my colleagues on both sides of the aisle to support this fair, balanced, and very responsible rule.

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

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

Mr. Speaker, since the end of the cold war, the United States has called upon the men and women of our armed services to perform duties ranging from humanitarian assistance, to peacekeeping, to engaging in an all out war. And these duties have been performed ably and with honor in an era of decreased funding for the entire Federal budget.

to provide these funds, and we are fulfilling our responsibility by acting on that request. There is no other acceptable course of action.

But, Mr. Speaker, I must rise in opposition to House Resolution 92 which provides for the consideration of H.R. 889, the Department of Defense emergency supplemental, as well as for the consideration of H.R. 845 which rescinds $1.4 billion in domestic discretionary budget authority. I want to be very clear that I support the provision of supplemental appropriations to the Defense Department in order that we, as a nation, do not find our strategic and defensive posture compromised.

But, Mr. Speaker, just a few short weeks ago I joined with over two-thirds of my colleagues in this body in supporting a constitutional amendment to balance the budget of the United States. That amendment did not exempt defense spending from its requirements, yet I cannot help but think that this supplemental—whether designated as an emergency or not—is not paid for and only adds to the deficit which we are so committed to erasing.

The Committee on Appropriations has recommended, in addition to the DOD supplemental, a bill which rescinds $1.4 billion in discretionary domestic spending which purports to cover the expenditures provided in the supplemental. However, there are many on this side of the aisle who wonder if these cuts are nothing more than a fig leaf. There seems to be some question whether our colleagues in the Senate will use domestic cuts to pay for defense increases. But, whether the Senate enacts these domestic rescissions or not, this bill still creates an outlay shortfall—nearly $300 million in this fiscal year and $645 million over the next 5 fiscal years. Mr. Speaker, where I come from those numbers can only mean one thing: We are adding to, not subtracting from, the deficit.

For that reason, Mr. Speaker, I urge my colleagues to vote ''no'' on this rule in order that the Committee on Rules might reconsider how we might deal with the critical necessity of meeting these urgent requirements of the branches of our Armed Forces while not adding to the national debt.

As this rule is constructed, there is really only one opportunity for Members to vote to not increase the deficit while at the same time assuring that DOD readiness is not impaired—by fully compensating the Defense Department for its contingency expenses. The Rules Committee has allowed for the consideration of only one amendment, a substitute by the gentleman from Mr. Speaker, I must ask why is only the Obey substitute made in order? Why is it necessary to consider this supplemental under such a restrictive rule? When the House considered the most recent supplemental—the 1994 California earthquake emergency supplemental—the Committee on Rules provided for the consideration of six amendments, not just one amendment, the Obey amendment in this case. Chairman SOLOMON then protested that the rule was too restrictive. He said, and I quote: ''Even when you move a bill with all deliberate speed, you must still deliberate—that is, carefully weigh and debate the merits of the legislation and consider amendments to improve on it.'' I would recommend to my colleagues that the chairman's words are every bit as relevant today as they were 1 year ago.

In addition, Mr. Speaker, when the House considered a supplemental appropriation in May 1993, under an open rule, my colleagues on the other side protested that the rule was not open enough. I would quote Mr. GOSS who said, ''True this is an open rule, but because of the rules of the House, there are several important amendments that were brought to the Rules Committee that will not be allowed to be considered, even under this open rule.'' Mr. Speaker, the Democrats on the Rules Committee have not even asked for an open rule in the case of House Resolution 92. What we have asked for is an opportunity for the House to consider amendments which might allow the House to fulfill its commitment to deficit reduction, not for a closed rule as has been reported out by the committee.

Therefore, Mr. Speaker, I would renew my appeal that this rule be defeated in order that the Committee on Rules might have an opportunity to quickly reconsider a rule for this supplemental. Time is of the essence, but so is our commitment to the defense of this Nation and to deficit reduction.

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

Mr. DREIER. Mr. Speaker, I yield myself such time as I may consume, to simply respond to my friend, the gentleman from Texas, by making it very clear that there is an important distinction between this year and last. That is, we have offsets, so that must be underscored time and time again.

We are not going into deficit spending here, we are having offsets, which this Committee on Appropriations, under the leadership of the gentleman from Louisiana [Mr. LIVINGSTON], has adequately recognized.

rection.

Let me say, Mr. Speaker, that I come at this from the same position I have always taken. When I went down to see President Clinton right after he was elected, I said ''Mr. President, we have been cutting the defense budget substantially over the last 6 or 7 years, and we have been trying to do it in a way where we did not end up with a hollow force. We did not want the disaster we had after World War II, after Korea, and after Vietnam.

I said to him that the only way that I can support this reduced budget, which he was proposing, was if he sent a supplemental appropriation for extraneous operations. As many of the Members know, I opposed the Somalia incursion, and yet last year, in a bipartisan effort, we funded that program substantially without offsets.

The Haiti invasion I personally supported. Most of the members of the subcommittee did not support it. However, we felt very strongly that the Congress passed legislation which supported Haiti, and this helps to refund money that the military has already spent. There is no way that we can continue the type of readiness we need to deploy troops quickly if we offset this money.

Mr. Speaker, I know there are two plans. One is to offset if from the rescissions, and one is to offset if from the Defense Department. I do not like either, but my proposal is that we move this supplemental forward. I am in favor of a restrictive rule. I feel very strongly about it, that we have to move this forward so that in the end we will be able to work this thing out.

In working with the new chairman, the gentleman from Florida, BILL YOUNG, and the gentleman from Louisiana, BOB LIVINGSTON, the chairman, there has been no proposal that I have made that they have not listened to and tried to find a way to work out.

I understand the pressure. I did not vote for the balanced budget amendment. Two-thirds of the House did, so I understand why there is a feeling that it is necessary, but I support the administration's position that this money should not be offset.

Actually, Mr. Speaker, if we were to offset all the money for these kinds of operations, it destroys the very thing we have done over the last few years, and that is to try to very delicately reduce the size of the force and make money available when there is an extraneous operation.

Many of the Members on the subcommittee feel exactly the same way, many of the Members of the floor feel

about, because I do not think the offsets can be found from the Defense Department without hurting the very viability and readiness of the Defense Department.

I feel strongly that there should be a restricted rule, that we should move forward with this legislation. All the Commanders in Chief of the various regions have said to us they have to have this legislation by the end of March. It is absolutely essential we get it through the House, that we get it over to the Senate, let the Senate act on it, and then we will work our will in conference.

Mr. Speaker, I just want to add that I understand what the gentleman from Wisconsin [Mr. OBEY] is trying to do. I feel very strongly, I am against that just as much as I am against the rescissions, so may feeling is very clear. My position is very clear. I am against any offsets. I think this bill should not be offset. I do not think we ought to take it out of the hide of the military.

On the other hand, I think we ought to move this legislation forward. I think this is the only way to get the legislation through in any method so we can start addressing it in the Senate.

□ 1215

I support what the Committee on Rules has done. I think this is the only kind of a rule that will expedite the matter and we should pass the legislation as quickly as we can and get to conference where we can work out the details.

Mr. FROST. Mr. Speaker, for the purpose of debate only, I yield 5 minutes to the gentleman from Massachusetts [Mr. MOAKLEY], ranking member of the Committee on Rules.

Mr. MOAKLEY. Mr. Speaker, I thank my colleague, the gentleman from Texas [Mr. FROST], for yielding me this time.

Mr. Speaker, today we are being force-fed another closed rule that will prevent Members from trying to repair two badly flawed bills.

That is right, I said bills. This rule makes one bill out of two Republicans say that is because the two bills are closely linked, one is designed to pay for the other.

But according to the Washington Post that will not happen. The Post reported that Senate Appropriations chairman HATFIELD said the Senate will not consider domestic cuts to pay for military spending.

Since it takes both Houses to rescind appropriations it looks like Republicans do not have a way to pay for this increased military spending. Because if this bill still adds $282 million to the deficit this year and $645 million over 5 years.

And today's emergency supplemental directly contradicts the position Republicans took on the National Defense Revitalization Act.

Republicans who voted for H.R. 7 said in effect that they wanted to put the House on a path to restore the firewalls between defense and domestic spending.

But soon after voting to restore the firewalls with H.R. 7, Republican Members are voting to ignore them with this bill.

Mr. Speaker, I would be interested in knowing whether my Republican colleagues want the firewalls or not.

I urge my colleagues to oppose this rule and give Members a chance to fix this bill. And this bill needs all the help it can get.

That is why I am surprised the Republicans on the Rules Committee put out this closed rule. Plenty of Members, both Democratic and Republican, have lots of good ideas on how to cut spending.

I wonder, Mr. Speaker, what the Republican leadership is afraid of.

I urge my Republican and Democratic colleagues who want a chance to cut Government spending to join me in opposing the rule.

Mr. DREIER. Mr. Speaker, we have seen the bipartisan nature of support for this rule with the statement from the gentleman from Pennsylvania [Mr. MURTHA].

Mr. Speaker, I yield 4 minutes to the gentleman from Indian Rocks Beach, FL [Mr. YOUNG], the distinguished chairman of the Subcommittee on National Security of the Committee on Appropriations.

Mr. YOUNG of Florida. Mr. Speaker, I want to thank my colleague the gentleman from Pennsylvania [Mr. MURTHA], a former chairman of this subcommittee, for the strong support that he gave us as we put this bill together. I think that he would disagree with the previous speaker, as do I, that this bill is flawed. Is it perfect? Absolutely not. I do not think I have ever seen a perfect bill before the House since I have been here. But this is a good bill.

The problem that we face today is time, Mr. Speaker. When I was designated chairman of this subcommittee in the middle of November, I began meeting with folks at the Pentagon, the Defense Department, the civilian leaders, the military leaders, with commanders in the field, with war fighters. My question was, ''What do we need to look forward to for the next fourth-quarter training, flying hours, steaming hours, all kind of training was going to be degraded to the point that it would have a serious effect on readiness.

We committed to moving this bill expeditiously so that we could get it to the Defense Department by March 31. We are a week behind. We set a schedule that would move us along expeditiously. We are a week behind that schedule. We had difficulty getting a request for this supplemental from the administration. We finally got it. The truth is, we marked up ahead of the administration's request just to keep on our timetable.

One of the reasons that the administration hesitated in sending a request down here was that they were afraid this would become a target, or a vehicle for all kind of mischievous or extraneous nondefense-related activities. They did not want that to happen. Neither did we. So we have brought this out under a rule where the gentleman from Wisconsin [Mr. OBEY] has every opportunity to rewrite every section of this bill. He will do so in a substitute that he will offer here shortly.

But we have got to keep on track. We cannot sit here and decide what we think is right based on what we assume might happen in the other body. We should not be assuming what the other body might do. We have got to keep this bill moving. We will get into the debate as to why after we pass the rule, but this rule is a good rule to expedite this emergency defense supplemental.

Mr. FROST. Mr. Speaker, for purposes of debate only, I yield 3 minutes to the gentleman from Wisconsin [Mr. OBEY].

Mr. OBEY. Mr. Speaker, I will very reluctantly vote for this rule because it provides for the offering of an amendment which I want to offer and I think it would come with ill grace if I did not support it. But I would simply say that I hope that Members are not fooled by this process that is going on today.

What has happened is very simple. The President sent down a $2.5 billion supplemental. He offset it with $700 million in rescission, leaving a gap of about $1.8 billion added to the deficit.

The committee decided they were going to add $670 million to the bill. They also added about $700 million to the rescission, so they also wound up with a $1.8 billion gap in spending. Then both sides got the benefit of almost $400 million in CBO scoring adjustments which means that at this point, the original bill that came out of the committee added $1.4 billion to the deficit.

ate, and that would have left us with that still $1.4 billion deficit hole in the bill.

So now reacting to that problem, what this rule is going to do is to merge the two bills so that the ''let's pretend'' second part of the act gets merged with the real first act and somehow they then want to suggest that the bill is entirely paid for.

The problem is it is still not paid for. It is paid for on the budget authority side but it is not paid for on the outlay side. As everyone knows in this place, the deficit is measured by outlays.

The fact is that even if you adopt this rule today, you will wind up if you vote for this package as is adding $282 million to the deficit this fiscal year and $644 million to the deficit over 5 years. That from a crowd that says that we are supposed to balance the budget through a constitutional amendment. I find that ironic indeed.

That is why I am offering my amendment. My amendment simply says this: It says instead of adding all of the bells and whistles and all of the let's pretend gimmicks in the second bill, let's drop everything except the administration's original request so that you have got a bill that costs $2.5 billion, and then give the Secretary of Defense the authority to make reductions in low-priority items and pork items in order to balance off the book. That is the only way we can keep a commitment to balance the budget.

Mr. DREIER. Mr. Speaker, I yield 3 minutes to my very good friend, the gentleman from Sanibel, FL [Mr. GOSS], my colleague on the Committee on Rules and chairman of the Subcommittee on Legislative Process.

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

Mr. GOSS. Mr. Speaker, I thank my friend from greater metropolitan San Dimas, CA, for yielding me this time.

I thank the gentleman from California [Mr. DREIER] and as well the gentleman from New York [Mr. SOLOMON], the distinguished chairman of the Committee on Rules, for their hard work in crafting what I think is a very fair and well-tailored rule. The purpose is to implement a policy that many of us have long advocated around here, and, that is, paying for what we do. This rule will allow us to marry together an important defense appropriations supplemental bill needed to provide for military missions already undertaken as described by the gentleman from Florida [Mr. YOUNG] with a rescissions package designed to actually pay for I have seen it so far.

As best I can tell, the gentleman from Wisconsin [Mr. OBEY] has suggested temporarily granting a power I thought he opposed, that is, the line-item veto authority to the Secretary of Defense, a distinguished but nevertheless unelected official, and this is all without ensuring congressional review.

For those who thought H.R. 2, the line-item veto act passed by this House last month, was a little too much delegation of power away from Congress, I would have to think that the Obey approach, giving line-item veto to the Secretary of Defense, would be completely out of bounds. But that remains to be seen.

Finally, I wish to comment on the substance of this defense supplemental appropriations bill. The bulk of the money is earmarked to cover the costs of unbudgeted contingency operations in places like Somalia and Haiti. This is money that has already been spent and some of us think unwisely in part. Now the bill is coming due.

Although I strongly support our military, as we all do, and recognize that at this point we have no choice but to settle up our accounts on missions already underway or done, I am really troubled by the administration's tendency to embark on costly, ill-defined peacekeeping adventures around the globe without consulting with the Congress, and then coming forward after the fact and saying, ''Oh, we've got to have some money.''

This trend was especially disturbing in the case of Haiti where the administration did find a lot of time to seek U.N. approval for its plans but somehow or other did not seem interested in coming up to get some congressional support in advance for sending our troops there.

We have drained funds from our troops readiness to pay for what is arguably the misuse of our military in Haiti, and many Americans, including this one, strongly resent it.

Mr. Speaker, I fully expect a broad discussion of foreign policy and the appropriate use of our troops to continue as we move into the regular budget cycle. That is what we do. But in the meantime, I urge support for this creative rule, even though I know very full well there are those on the other side of the aisle who voted for misadventures such as the one we have experienced in Haiti who now do not want to pay for the bill.

We must pass this bill. It is a matter of life and death for our troops that we count on.

tention the inappropriate, business-as-usual way in which rescissions were generated for the DOD supplemental appropriations bill.

In the last days of the 103d Congress, the House voted on whether to eliminate $289.5 million of pork in the HUD portion of the VA, HUD and Independent Agencies' appropriations bill. One-hundred-seventy-nine Members voted with me to eliminate these earmarks; 189 did not. Today I planned to offer an amendment that would give this body a second chance to do the right thing—to vote to eliminate those earmarks in this rescission package. Unfortunately, last night, the Rules Committee denied us this opportunity.

Does this bill rescind any ''items of congressional interest,'' ''directed appropriations,'' or ''special purpose grants?'' The answer, of course, is no. Instead of going after pork-barrel appropriations, the bill's drafters chose to cut $1.3 billion from merit-based, competitively awarded research and development programs—vital investment in our Nation's future.

My colleagues in the House know of my active opposition to the practice of earmarking. In the past, a large majority of those who joined me in that effort came from my colleagues on the other side of the aisle. I am extremely disappointed that the first rescission package brought to the floor contains not a single cut to earmarked projects.

Although, my esteemed colleagues on the Appropriations Committee will be marking up another rescission package later this week, it will be too late to recapture the pork projects funded at HUD. Of the $289.5 million in HUD earmarks, $94.5 million has already been obligated. The obligation of another $149.2 million is in process. All of these funds have been obligated since the first of this year, which must be a record rate to get earmarks out the door. By the time the next rescission package comes to the floor of the House, there will be not a penny left to rescind.

In all my years in Congress, I have heard hundreds of speeches decrying pork-barrel politics, the majority of them coming from my Republican colleagues. Indeed the Republican views on the fiscal year 1994 Budget Act included a strong plea for the elimination of earmarking. However, perhaps my Republican colleagues are finding it harder to cut pork now that they are in the majority. Of the HUD earmarks nearly 32 percent goes to five States who elected Republican Governors or Senators in the last election.

vantage point, whether you call these projects a silk purse or a sow's ear, it looks like it will be business as usual in the 104th Congress.

□ 1230

Mr. DREIER. Mr. Speaker, may I inquire of my friend from Dallas how many speakers there are on his side?

The SPEAKER pro tempore (Mr. EMERSON). The gentleman indicates he has one additional speaker.

Mr. DREIER. Mr. Speaker, how much time is remaining on both sides?

The SPEAKER pro tempore. The gentleman from California [Mr. DREIER] has 13 minutes remaining and the gentleman from Texas [Mr. FROST] has 13½ minutes remaining.

Mr. FROST. Mr. Speaker, for the purposes of debate only, I yield 4 minutes to the gentlewoman from California [Ms. HARMAN].

(Ms. HARMAN asked and was given permission to revise and extend her remarks.

Ms. HARMAN. Mr. Speaker, I am for the supplemental, for a strong defense, and a supporter of the balanced budget amendment, but I rise in opposition to the rule for H.R. 889, because it does not permit adequate debate on the technology reinvestment project, a key dual-use technology program. I hoped to offer an amendment consistent with the approach of the bill providing additional rescissions—as recommended by the Department of Defense—that would have permitted the restoration of approximately half the funding for fiscal year 1995 for TRP. Unfortunately, I was denied the ability to offer my amendment.

Even though my amendment has been shut out, I rise now to express my strong support for the TRP program.

I believe that TRP is misunderstood, and its problems exaggerated. Without the TRP approach, DOD will not be able to access, shape, and afford much of the technology it needs.

TRP gives DOD greater access to affordable, leading-edge technology by leveraging commercial capabilities and markets for military benefit. Let me repeat that; for military benefit. A great many defense needs can be served better and less expensively using commercial means.

TRP projects are competitively awarded—as a result, these projects have been awarded to qualified companies and consortiums throughout the country and throughout our districts. These awards—which require a 50 percent match for the applicant—are based on the requirement that the

of scrutiny as the TRP. Receiving both considerable praise and criticism, the program was modified to expand participation by small business and increase the military services' involvement to ensure rapid integration into defense weapon systems.

Obviously, these changes have not satisfied the new majority. if we need to modify TRP further, by all means, let's do so. But I urge my colleagues to vote against rescinding all of the TRP funding and against killing a key dual-use technology program—it's too important for our industrial base as well our national security.

Mr. FROST. Mr. Speaker, if this is the concluding speaker of the gentleman from California, I would then sum up by simply stating we continue to be opposed to the rule. I would ask the House to reject this rule.

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

Mr. DREIER. Mr. Speaker, this is a very bipartisan rule, the support that has emerged from the ranking minority member of the committee and the former chairman of the Defense Appropriations Subcommittee has demonstrated that.

Mr. Speaker, I yield the balance of my time to the distinguished gentleman from Metairie, LA [Mr. LIVINGSTON], chairman of the Committee on Appropriations.

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

Mr. LIVINGSTON. Mr. Speaker, I thank my friend from California for yielding time to me, and I rise in strong support of the rule. As he said, it does have bipartisan support. I think it is a good rule, a fair rule, and in the name of restoring funds to the Defense Department that are needed for emergency purposes to avoid a wholesale curtailment of operations and to avoid a risk of failure to support our young people in uniform, I think that it is very important that we not only support the rule, but that we support the bill.

The rule before us basically does three things. First it merges two bills developed by the Committee on Appropriations; namely, the defense supplemental and a companion rescission bill into one legislative proposal. The net effect of those two actions is to rescind approximately $14 million in budget authority more than we appropriate. That is, we are actually taking back $14 million in budget authority that we appropriated last year in excess of what we are spending on defense.

aircraft carriers in which young service people are killed, when an F–15 shoots down two U.N. helicopters filled with U.S. and U.N. personnel, that such programs as an advanced automatic train control system for the Bay Area Rapid Transit System that cost $39 million of taxpayers' funds is necessary. Likewise, when tanks are forced to stop, and their crews are forced to get out because the engines in those tanks are risking the possibility of catching fire and exploding, and then they do their tank maneuvers by walking around in the desert, I have a hard time explaining why the Diversity in Cultural Change Program involving manufacturing at the University of Wisconsin, which expends $3.3 million in taxpayers funds, or the Holistic Approach to Preparing Students to Learn and Lead in New Manufacturing paradigm at a cost of $3.7 million, or the Realization Coalition, whatever that is, at $6.6 million are necessary.

So I think those cuts are well placed. I think if we are going to prepare for the maintenance, the operations, the training of service people, we have to make cuts where cuts can be made, and those programs are not, in my opinion, necessary to the defense of the Nation.

As a second part of this rule, it grants to my ranking minority member, the gentleman from Wisconsin [Mr. OBEY], an amendment in the nature of a substitute, and I supported this request at the Committee on Rules because I support his right to offer such an amendment, even though I do not agree with the substance of his amendment and do not understand why delegating to the Secretary of Defense the authority for line-item vetos over appropriations bills for the Defense Department is necessary.

□ 1240

Third, this rule specifically grants to the minority a motion to recommit with or without instructions. I support that right even though proponents of this motion to recommit do not want to pay, apparently do not want to pay for the defense of the Nation, even though they are the same people who wanted to send our troops to Haiti last year.

So, Mr. Speaker, I may differ with my ranking member in his budget priorities, but I support this rule because it allows him to discuss his priorities and bring them to a vote.

I thank the chairman of the Committee on Rules, the gentleman from New York [Mr. SOLOMON], and the distinguished member, the gentleman from California [Mr. DREIER], and all of the

the package, even with the two bills fused, will add $644 million to the deficit on the outlay side over the next 5 years and $300 million in deficit in outlays for this year alone?

Mr. LIVINGSTON. If the gentleman intends to deal only with outlays, it would be one of the first times, I think, that he has done so. As the distinguished member, former chairman of the Committee on Appropriations, knows, our committee deals with budget authority, we do not deal with outlays.

As far as the payment of this package, we deal with budget authority.

Mr. OBEY. If the gentleman would yield further, is it not true the deficit is measured only in outlays and not in budget authority, is that not true?

Mr. LIVINGSTON. I would say to the gentleman that in the out years the budget authority pays for the bill, then ultimately the bill will be paid for.

Mr. OBEY. Is it not true that the deficit is measured only in outlays?

Mr. LIVINGSTON. The deficit is measured—ultimately is measured in outlays, and ultimately the outlays will follow the budget authority and does so by a surplus of $14 million.

Mr. DREIER. Mr. Speaker, I urge strong support of this bipartisan bill, and I yield back the balance of my time.

Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER pro tempore (Mr. EMERSON). The question is on the resolution.

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

Mr. DREIER. 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 282, nays 144, not voting 8, as follows:

[Roll No. 151]

YEAS—282

Allard
Andrews
Archer
Armey
Bachus
Baesler
Baker (CA)
Baker (LA)
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bateman
Bereuter
Berman
Bilbray
Bilirakis
Bishop
Bliley
Blute
Boehlert
Boehner
Bonilla
Bono
Brewster
Browder
Brownback
Bryant (TN)
Bunn
Bunning
Burr
Burton
Coble
Coburn
Collins (GA)
Combest
Condit
Cooley
Costello
Cox
Cramer
Crane
Crapo
Cremeans
Cubin
Cunningham
Davis
de la Garza
Deal
DeLay
Dellums
Diaz-Balart
Dickey
Dicks
Doggett
Doolittle
Dornan
Doyle
Dreier
Duncan
Dunn
Ehrlich
Emerson
English
Ensign
Everett
Ewing
Farr
Fawell
Fazio
Fields (TX)
Flanagan
Foley
Forbes
Fowler
Fox
Franks (CT)
Franks (NJ)
Frelinghuysen
Frisa
Funderburk
Gallegly
Ganske
Gekas
Geren
Gilchrest
Gillmor
Gilman
Goodlatte
Goodling
Goss
Graham
Greenwood
Gunderson
Gutknecht
Hall (TX)
Hamilton
Hancock
Hansen
Hastert
Hastings (WA)
Hutchinson
Hyde
Inglis
Istook
Johnson (CT)
Johnson, Sam
Jones
Kasich
Kelly
Kim
King
Kingston
Kleczka
Klink
Klug
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Laughlin
Lazio
Leach
Lewis (CA)
Lewis (KY)
Lightfoot
Lincoln
Linder
Lipinski
Livingston
LoBiondo
Longley
Lucas
Manzullo
Martini
Mascara
McCollum
McCrery
McDade
McHale
McHugh
McInnis
McIntosh
McKeon
Metcalf
Meyers
Mica
Miller (FL)
Minge
Molinari
Montgomery
Moorhead
Morella
Murtha
Myers
Myrick
Nethercutt
Neumann
Ney
Norwood
Nussle
Obey
Oxley
Packard
Parker
Paxon
Payne (VA)
Petri
Riggs
Roberts
Rogers
Rohrabacher
Ros-Lehtinen
Roth
Roukema
Royce
Sabo
Salmon
Sanford
Saxton
Scarborough
Schaefer
Schiff
Seastrand
Sensenbrenner
Shadegg
Shaw
Shays
Shuster
Sisisky
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Spratt
Stark
Stearns
Stenholm
Stockman
Stump
Stupak
Talent
Tate
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thornberry
Thornton
Tiahrt
Torkildsen
Torres
Traficant
Upton
Vucanovich
Waldholtz
Walker
Walsh
Wamp
Watts (OK)
Waxman
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)
Zeliff
Zimmer

NAYS—144

Abercrombie
Ackerman
Baldacci
Becerra
Beilenson
Bentsen
Bevill
Bonior
Borski
Boucher
Brown (CA)
Brown (FL)
Brown (OH)
Bryant (TX)
Cardin
Chapman
Clay
Clayton
Clyburn
Coleman
Collins (IL)
Collins (MI)
Conyers
Coyne
Danner
DeFazio
DeLauro
Deutsch
Dingell
Dixon
Dooley
Durbin
Edwards
Engel
Eshoo
Evans
Fields (LA)
Filner
Flake
Foglietta
Ford
Frank (MA)
Frost
Furse
Gejdenson
Jacobs
Jefferson
Johnson (SD)
Johnson, E. B.
Johnston
Kanjorski
Kaptur
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
LaFalce
Lantos
Levin
Lewis (GA)
Lofgren
Lowey
Luther
Maloney
Manton
Moakley
Mollohan
Moran
Nadler
Neal
Oberstar
Olver
Ortiz
Orton
Owens
Pallone
Pastor
Payne (NJ)
Pelosi
Peterson (FL)
Pickett
Poshard
Rangel
Reynolds
Richardson
Studds
Tanner
Tejeda
Thompson
Thurman
Torricelli
Towns
Tucker
Velazquez
Vento
Visclosky
Volkmer
Ward
Waters
Watt (NC)
Wise
Woolsey
Wyden
Wynn
Yates

NOT VOTING—8

Ehlers
Fattah
Gonzalez
Hoyer
Meek
Peterson (MN)
Rush
Williams

□ 1300

Mr. LUTHER changed his voted from ''yea'' to ''nay.''

Mr. COSTELLO changed his 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.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 450, REGULATORY TRANSITION ACT OF 1995

Mr. GOSS, from the Committee on Rules, submitted a privileged report (Rept. No. 104–45) on the resolution (H. Res. 93) providing for the consideration of the bill (H.R. 450) to ensure economy and efficiency of Federal Government operations by establishing a moratorium on regulatory rulemaking actions, and for other purposes, which was referred to the House Calendar and ordered to be printed.

PARLIAMENTARY INQUIRY

Mr. TAYLOR of Mississippi. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore (Mr. EMERSON). The gentleman will state it.

Mr. TAYLOR of Mississippi. Mr. Speaker, my parliamentary inquiry is with regard to section 749 of the House rules, and in particular clause 1 of rule XIV, in which Members are prohibited from addressing anyone but the Speaker, and in particular the practice that has apparently taken place today of Members wearing badges to relay a message rather than addressing their message through the Speaker.

Mr. Speaker, I realize this has happened in the past in the House, but I

Mr. TAYLOR of Mississippi. Mr. Speaker, can I count on the Speaker to enforce the rule?

The SPEAKER pro tempore. Members will abide by the rule. When addressing the Chair they must remove their badges.

GENERAL LEAVE

Mr. LIVINGSTON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the bill, H.R. 889, and that I may include tabular and extraneous material therein.

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

There was no objection.

EMERGENCY SUPPLEMENTAL APPROPRIATIONS AND RESCISSIONS FOR THE DEPARTMENT OF DEFENSE FOR FISCAL YEAR 1995

The SPEAKER pro tempore. Pursuant to House Resolution 92 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 889.

□ 1304

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 consideration of the bill (H.R. 889) making emergency supplemental appropriations and rescissions to preserve and enhance the military readiness of the Department of Defense for the fiscal year ending September 30, 1995, and for other purposes, with Mr. THOMAS of California in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the bill is considered as having been read the first time.

Under the rule, the gentleman from Louisiana [Mr. LIVINGSTON] will be recognized for 30 minutes, and the gentleman from Wisconsin [Mr. OBEY] will be recognized for 30 minutes.

The Chair recognizes the gentleman from Louisiana [Mr. LIVINGSTON].

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

Mr. Chairman, on Friday, February 10, the House Committee on Appropriations ordered reported two bills: H.R. 889, a bill providing for emergency supplemental appropriations for the Department of Defense; and H.R. 845, a unbudgeted contingency operations in Haiti, Somalia, Southwest Asia, Bosnia, Korea, and refugee support in the Caribbean. Without these reimbursements, defense readiness will suffer severe and immediate impacts. These necessary appropriations are partially offset by rescissions within the Department of Defense totaling $1.460 billion. The remainder of the offsets, $1.4 billion that are necessary in order to make the entire package budget authority neutral come from rescissions in H.R. 845, in foreign aid programs and low priority discretionary domestic programs.

I want all my colleagues to understand that it is the policy of the Republican leadership to pay for all supplemental whether they are emergencies or not. We're doing that. The reason the committee developed two bills is that in order to pay for the offset shortfall of the Defense supplementals of $1.4 billion, we reported a companion rescission bill of like amount.

I also want to eliminate any confusion at this point. The rescission bill we are considering today is not the rescission bill I have been talking about since January. Development of that bill is on track. In fact, five subcommittees are meeting this very day to report out their rescissions. We expect to have the bill on the floor in early March. The rescissions we are considering today is just a slice of that bill—in order to pay for the Defense supplemental.

The rescissions were developed in a manner that tried to minimize the number of accounts. In order to do this we sought activities that had larger dollar amounts available for rescission. These activities can be grouped into four categories:

The first is: Low priority defense and international programs, including $110 million for the Russian Army Officer Resettlement Program, which has been deemed an unnecessary expensive program; $100 million of atomic energy waste cleanup, funds that are not needed this year; $70 million from the Emergency Immigration Fund, monies available for reduction because of a lack of Haitian and Cuba refugees; and $62 million from the African Development Fund, monies that can't be spent because our government hasn't begun replenishment negotiations.

The second category is low priority domestic programs, including the following: A $200 million youth training program that doesn't work and which even President Clinton wants to cut in fiscal year 1996; a $100 million school velopment program for the Penn Station in New York City; and another unauthorized $400 million wind tunnel program for NASA.

Finally, in the fourth category we scaled back a Presidential increase of $107 million for the National Institute of Standards Industrial Technology Program. This will still leave an increase of $125,000,000 for that program in fiscal year 1995.

In order to explain a few points that I hope our colleagues will keep in mind as we proceed to consider the two bills now merged into one, let me explain the following:

First, it is the leadership's desire that all supplemental funds, even emergencies, be paid for completely. Our approach again does just that.

□ 1310

Second, as the distinguished chairman of the National Security Subcommittee will point out, we have made significant cuts in wasteful nonproductive Department of Defense programs, and we cannot in good conscience go further.

In fact, the President has just sent to this Congress a defense budget that represents a real decline in defense for the 11th straight year, representing a 71-percent cut in procurement of new weapons systems over those 11 years.

This policy is now directly threatening the safety and lives of our young men and women who need our support to defend our country. Although I personally opposed some of the questionable military ventures in Haiti and Somalia and Rwanda and other places that depleted these funds, the fact is that the money has been spent, and we must pay the bills.

That means that we must move this bill through the Congress by the end of March to avert a readiness crisis at the Pentagon.

Mr. Chairman, as you can see, the two bills that were developed in committee are not intimately linked together, and I urge their adoption and the passage of this bill.

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

The CHAIRMAN. The gentleman from Louisiana [Mr. LIVINGSTON] has consumed 6 minutes.

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

Mr. Chairman, this is really where the rubber hits the road for those Members who have told their constituents that they want to support a balanced budget and for those Members who have voted for a constitutional amendment on a balanced budget.

burse DOD for the costs that it incurred in operations such as Haiti and hold the line on the deficit is to vote for the Obey amendment which will be offered at the end of an hour on general debate.

Let me walk Members through the numbers so they understand what is going on, because it is fairly complicated.

The administration, before the balanced budget amendment was passed, sent down a request to spend $2.5 billion to replenish Pentagon accounts, and they offset that with $700 million in suggested cuts, leaving a deficit of $1.8. billion.

Then the appropriations subcommittee, when they marked up the bill, added $670 million in what they considered to be high-priority items. They added a similar amount in rescissions so they, too, came to the House with a bill which was adding $1.8 billion to the deficit, minus $400 million which was an adjustment that CBO provided both the administration's approach and the committee approach, which left each proposal with a $1.4 billion deficit.

So then to try to deal with the fact, the committee produced a second trailer rescission bill, which purported to cut $1.4 billion in spending but instead of taking that our of Pentagon programs, they took it out of nondefense programs.

The problem is that that was a separate bill. It was not going to go anywhere in the Senate. Everybody understood that and so the committee, wisely, finally faced reality and at least in a small concession to reality voted on the rule to merge both bills so that at least they were more credible in pretending that the bill was paid for.

But I would point out to my colleagues, if you campaigned and told your people, I am going to cut budget authority, then go ahead and vote for this bill without my amendment. But if you told your people, I am going to cut the deficit, then you have absolutely no choice but to vote for the Obey amendment. Because if you do not, you will be, by your vote, adding $300 million to the deficit this year and $644 million over 5 years.

The reason I say that is because while we are talking about budget authority, the deficit is measured only by what we actually spend, not what we authorize down the line but what we actually spend in any fiscal period. And that is determined only on the outlay side.

So if you do not vote for the Obey amendment, you will be going home and having to explain to your folds that you needed to actually balance this baby out, instead what you did is, you said, well, they ought to go after some other domestic programs.

I would point out that virtually every appropriations subcommittee is today marking up and tomorrow will be marking up on bills which will cut $14 billion out of this year's spending on the domestic side of the ledger. It seems to me that any domestic cuts which are being made in this bill, it seems to me that given the fact you have got $14 billion more in cuts in very important programs that affect your home towns, it seems to me that what you ought to be doing is taking the domestic cuts which are provided for in this bill and using those on the domestic side of the ledger, on those rescissions so you ease the squeeze on other programs for working families. That is what you would also be doing if you voted for the Obey amendment.

So what my amendment will do, when we get a chance to offer it, is to simply strip away all of the add-ons that the committee made on both the spending side and the rescission side and simply give the Defense Department the authority to simply scrub their budget to find $2.5 billion in low priority, nonreadiness, nonquality of life issues or areas. So if they want to dig into their budget and find $2.5 billion of pork to pay for it, they can, without damaging domestic programs and without damaging key defense programs.

It seems to me, if you want to go home with a straight face and say that you did not meet yourself coming back on the very first financial vote that you cast after you posed for political holy pictures and voted for the balanced budget amendment to the Constitution, it seems to me that if you want to measure up to that political promise you made when you voted for that resolution, you will vote for the Obey amendment. If you do not, pure and simple, you will be adding almost $300 million to the deficit this year, almost $700 million to the deficit over 5 years.

And regardless of the way anybody tries to fancy talk their way out of it, that is a fact. CBO says it is a fact. Everybody who scores us says it is a fact. And you know it is a fact.

The CHAIRMAN. The gentleman from Wisconsin [Mr. OBEY] has consumed 7 minutes.

Mr. LIVINGSTON. Mr. Chairman, I yield 8 minutes to the gentleman from Florida [Mr. YOUNG], the distinguished chairman of the Defense Subcommittee of the Committee on Appropriations.

were several things that I asked him to agree to, which he agreed to. But we have a good, bipartisan national defense bill here today. That is what we are talking about, is national defense.

Why are we here today? We are here today because the President, over fiscal years 1994–95, has sent troops to Bosnia, has sent troops to Somalia twice, to the area of Korea, to the southwest Asian area, to Rwanda, to perform refugee interdiction off Cuba, and Haiti. And at one time, these contingency operations have involved approximately 100,000 American troops in deployments that were not planned and not paid for.

□ 1320

Where did the money come from, then, to pay for these contingencies? It came from the fourth quarter operations and maintenance and training accounts of all of the military services.

What does that mean? It means that by March 31, and this is according to the Pentagon and the Department of Defense, as of March 31 if the money has not been replaced that was spent for these contingencies that most of us were not even consulted about, that fourth quarter training is going to be degraded. The word ''degraded'' came from General Shalikashvili, the Chairman of the Joint Chiefs.

He made that point in a public hearing, that training in the fourth quarter will be seriously degraded if we do not return this money. That is what we are here for.

In addition to that, Mr. Chairman, the subcommittee added some additional readiness enhancements. We identified about $2 billion worth of similar readiness requirements that had not been provided for in anybody's request, except the field commanders and the war-fighting military.

We looked through that list and picked out $670 million that we added to this emergency readiness package.

Mr. Chairman, what is the biggest part of that additional readiness package? It is salary increases for the soldiers and the sailors and the Marines and the airmen and the airwomen and all of those who serve in the military, whether they are in the continental United States or whether they are deployed somewhere overseas on a permanent basis, or whether they are part of these contingency operations; a pay increase that this Congress required but did not provide the necessary money to fully fund. That is the biggest item in the enhancement package that we added on.

defense today is going to be one of the easiest appropriation votes Members are going to have this year, because there are going to be a lot of cutting amendments.

Nevertheless, Mr. Chairman, we came up with a rescission package that we took from nonessential items that were paid for through the defense budget that really did not add a whole lot to our national defense.

Therefore, we bring to the Members a bill, and despite all the arguments about budget authority or budget outlays or CBO numbers here and CBO numbers there, I am not really into the politics of this. I am not really into the juggling of the numbers to make something appear to be something that it is not.

I am here to provide for the strongest national defense possible for the least amount of money; in other words, squeezing to get as much as we can out of the defense dollar. That is what this bill does. We are setting a new precedent with this bill, and we are making history today, because we are for the first time paying for this supplemental appropriations bill, despite the fact that it is an emergency.

Someone just asked me out in the Speaker's lobby, ''You guys are spending for this and spending for that.'' Back up. We guys did not spend this money. We had no part of the decision in spending this money. The President of the United States decided to go to these various contingencies. He spent the money.

From a political standpoint, we could have just sat back and waited for him to send his budget request. We could have sat on it for weeks or months. That would have been very irresponsible for us to do, because this money is necessary by March 31 or we are going to stand down flying hours.

Red Flag, Members all know about Red Flag and Top Gun. Would it not be a shame to close down these training activities, and they would be closed down, if we do not provide this money? Red Flag and Top Gun are the best experience that a combat pilot will ever have, other than going into actual combat. Members can talk to any pilot anywhere in the world that has ever gone to Top Gun or Red Flag, and they will tell us that, that this is what prepares them to be superior in the air.

Would it not be a shame for us to delay this bill and have to cancel Red Flag or Top Gun? Would it not be a shame that we do not have enough money for flying time and spare parts to keep the airplanes going so that our flyers and or pilots can stay proficient has been suggested and hinted that maybe there were some pet projects in here, maybe we did something for some Congressmen that is buried that would be helpful to that Congressman or Congresswoman personally, politically, back in their districts.

There is nothing in this bill to provide a special interest project of any kind to any member of the Congress, to any defense contractor, to any special interest. There is no money in here for that. These monies are directed to the U.S. Department of Defense for training, for operations, for maintenance, for spare parts, for keeping airplanes and ships and guns and tanks and everything ready to use and ready to be used for training. It brings back our accounts that are being sorely depleted. This is readiness at its best.

Mr. Chairman, when I talk about readiness, it is important, because some of these programs are down the road. It is important to note, and one of the very distinguished generals who testified just this week before our subcommittee made the point ''There is more to readiness than just readiness. There is immediate readiness, there is midterm readiness, and there is long-term readiness. If we do not do the things today to prepare us for midterm and long-term readiness, we are going to be in serious trouble.''

Members all know the story about the three Army divisions that were rated C–3, which is considerably below the readiness rating that we would like them to have. Our colleague, the gentleman from South Carolina [FLOYD SPENCE], made this notation in a public statement.

It was argued at the Pentagon that that was not true, but finally they came back and admitted, yes, it was true. We just cannot afford to let our military be affected in this way.

Mr. Chairman, this is a good bill. Put aside the arguments over politics, or who got to offer an amendment and who did not get to offer an amendment. Remember, this is just part of the procedure. We have to go to the other body. They have to go to the subcommittee, their full committee, to the floor. We have to go to conference.

We need to expedite this activity. I ask that Members pay close attention to the debate that follows as to the seriousness of this national defense readiness bill.

Mr. OBEY. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, I would simply like to point out that all of the projects that the gentleman from Florida [Mr. YOUNG] indicated ought to proceed will There is not. The pay raise was provided last year. The military personnel will get that pay raise whether the Obey amendment passes or whether it does not. That is a red herring. The only question is where are we going to get the money for the remainder of the pay raise.

If we pass the Obey amendment, we will get it out of pork that Congress put in the DOD bill. If we do not pass the Obey amendment, we will have to cut into domestic programs in order to finance it. I think the choice is clear.

Mr. Chairman, I yield 2 minutes to the gentleman from Indiana [Mr. VISCLOSKY].

Mr. VISCLOSKY. Mr. Chairman, I rise today in strong support of the amendment offered by the distinguished gentleman from Wisconsin, the ranking member on the Appropriations Committee, Mr. OBEY. Mr. OBEY's amendment keeps the books clean. It provides only what the administration asked for and pays for it.

Mr. Chairman, on January 26, 1995, the House of Representatives passed a resolution to make balancing this Nation's budget a constitutional mandate.

Once ratified, the balanced budget amendment will take its place along side the right to free speech, the right to vote, freedom of religion, and the abolition of slavery.

The Members of this House considered a balanced budget so fundamental that they flocked to the floor to support it.

I supported the balanced budget amendment, because I want the budget balanced. I have urged my colleagues not to use the balanced budget amendment to give the appearance of good fiscal policy, while, in reality pushing the hard choices off until the next century.

Today, less than a month later, the balanced budget amendment will get its first at bat. If the House fails to enact the Obey amendment, the balanced budget amendment will be zero for 1 so far this season, not even good enough for a replacement player.

We will raise this Nation's deficit by $645 million by the year 2000, just 2 years before the balanced budget amendment kicks in.

This legislation we consider today contains $3.2 billion in new spending, $2.53 billion in emergency funds the Clinton administration requested, and $670 million of Republic add-ons. Despite a promise to the contrary and despite their best efforts, the Republican majority has failed to pay for all this new spending. All told, this borrow and

est in the next 2 years alone for the new defense spending they refuse to pay for today.

Clearly the most disturbing aspect of today's debate is what it means for the rest of this Congress. In the next couple of weeks we are going to have to come up with an additional $15 billion in rescissions—this year's share of the Contract on America and the California flood relief bill.

If this Congress doesn't have the intestinal fortitude to come up with $3 billion in cuts—balanced budget amendment or not—how are we possibly gong to come up with $15 billion?

Mr. Chairman, this legislation makes a sham of the balanced budget amendment, and it deceives the American people. It is a relapse back into a terrible habit I thought we would finally overcome, that of sending our children the bill for our own failed leadership.

I urge my colleagues, support the balanced budget amendment. Support the Obey amendment.

□ 1330

Mr. LIVINGSTON. Mr. Chairman, I yield 2 minutes to the gentleman from California [Mr. HUNTER].

Mr. HUNTER. I thank the gentleman for yielding me the time.

Mr. Chairman, let me thank the chairman of the full committee and the chairman of the subcommittee and the gentleman from Pennsylvania [Mr. MURTHA] who I know worked so hard to put this together.

Mr. Chairman, this really is an emergency supplemental. We use the term ''emergency'' many times, but this really is an emergency. Those of us on the Committee on Armed Services just had the Joint Chiefs of Staff in front of us a few minutes ago, and we asked the chiefs what would happen in terms of training and readiness if we did not pass this thing. General Sullivan, Chief of Staff of the Army, said, ''Readiness will drop off the table.''

He expanded on that by saying all training, all army training will cease May 31. He furthered that by saying he would have to stop the purchase of spare parts. The Commandant of the Marine Corps, General Mundy, said under this new policy of going around the world, as the chairman has pointed out, exercised by the Clinton administration, the Marine Corps has increased what is known as personnel tempo. That means whipping personnel around the world, a few days back at home, then back out in the field, by 300 percent over what it was during the cold war.

This is an absolute emergency to get this money in. Let me just say as a

the ammunition, the spare parts and the maintenance for the young men and women who operate this military, vote ''yes'' on this bill.

Mr. OBEY. Mr. Chairman, I yield 4 minutes to the distinguished gentleman from Pennsylvania [Mr. MURTHA], the ranking Democrat on the Subcommittee on National Security.

Mr. MURTHA. Mr. Chairman, a couple of things I wanted to mention about the seriousness of this legislation. All of us take credit for the number of jobs that have been reduced in the Federal Government. Out of the 150,000 jobs that will have been reduced over a 3- or 4-year period, 80 percent of those jobs came from defense, active and civilian side. Fifteen percent of the budget is defense today, defense-related. In 1960, 50 percent of the budget, or the money that we spent in the Federal Government, was for defense. It is 4 percent of the GDP. That is the lowest level of spending in history. And when somebody gets up and says you can take just a small percentage out of defense and, for instance, I have to say that the gentleman from Wisconsin [Mr. OBEY] and I normally agree that these things should not be offset. He feels strongly now because it is coming out of domestic. I do not think it ought to be offset because it is an emergency and we cannot afford to take this out of defense, and I hope in the end we will be able to work this out.

We can no longer afford to pay for these operations out of the hide of the Defense Department, because all we do is reduce readiness. All these deployments, some were agreed to, some were not agreed to, by the Congress. Some were advocated by the Congress, some were not. The President has every right to deploy troops in an emergency situation, in a national security situation. I have urged every White House over the years to consult with Congress when it is for humanitarian deployment so that we will know what the cost is and how we are going to pay for it.

The gentleman from Pennsylvania [Mr. MCDADE] and I last year worked with the national security adviser, and we came up with language that said the White House will confer with Congress before they make humanitarian deployments. No President likes to do that.

I remember when Secretary Weinberger came before the Congress, and you could not ask him one question because if you had 5 minutes, your 5 minutes were gone. I would say to him, ''You can't reduce taxes, increase defense and balance the budget, because

ture. And anything we take out of defense hurts readiness. It hurts quality of life.

I went down to Fort Campbell. Sixty percent of the children going to school on the base needed some kind of supplement from the Federal Government. They were living and had to have some sort of help to pay for their meals.

We have got a backlog of real property maintenance of $12 billion, and depot maintenance of $2 billion. So anybody who thinks there is an excess of money in the Defense Department does not understand how the system works. In the end we will have another reprogramming, we will have all kinds of changes made in the amount of money the Defense Department has. It is absolutely essential they get this legislation as quickly as possible so we can go to conference and get the whole thing worked out.

I would urge the Members to support this supplemental.

Mr. LIVINGSTON. Mr. Chairman, I yield 3 minutes to the gentleman from Alabama [Mr. CALLAHAN], the distinguished chairman of the Subcommittee on Foreign Operations of the Committee on Appropriations.

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

Mr. CALLAHAN. Mr. Chairman, I rise in support of this supplemental appropriations bill for defense, paid for through various rescissions.

Let me just give a brief history of one interest I have in this bill, that is, the aid to build new homes for Russian soldiers because their governors contended that they could not move them out of the Baltics without a place to live.

So we concocted, or at least the administration did, concocted a program where the United States of America would pay for their housing.

Let me further refresh your mind and tell you that President Yeltsin and President Clinton met, first in Vancouver, and then in Tokyo, and the devised this plan where the United States of America would give them about $160 million to build new homes. Why? Because they said there was no place for them to live, no existing available homes:

We were insisting that the Russians get out of the Baltics, and the President, rightfully, so, was questioning Mr. Yeltsin about that. ''Let's get these troops out of the Baltics, let's get them back to Russia.''

Mr. Yeltsin says, ''We don't have any homes for them to live in.''

and now are giving Russian officers $25,000 each to buy an existing home.

Now, since they contended the existing homes were not available, the Russians either misled us and told us an untruth. I should think that they were erroneous and not lying to us, but, nevertheless, that is where we are.

Included in this bill is a provision to rescind $100 million of that money that was an asinine program to begin with and is even more asinine today. Because, No. 1, we cannot afford it. And, No. 2, I do not know why we should give a golden parachute to Russian military retirees, and I do not know why we should be building new homes when now existing homes are available.

This is a very small part of this rescission package, but it is a very important, a very symbolic message that we must send to the American people.

□ 1340

I serve on the Military Construction Subcommittee, and the Defense Department is telling us that they desperately need moneys for 77,000 of our own active military people in order that they can have decent housing, and we are telling them that we do not have the money.

How can we tell them that and at the same time tell the Russians, well, you people served well, come on back to Russia and we are going to give you a voucher for $25,000. This is just one good reason to support this bill and I urge Members to support it.

Mr. OBEY. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Texas [Mr. WILSON] ranking member of the Subcommittee on Foreign Operations.

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

Mr. WILSON. Mr. Chairman, I would like just to point out several things about the rescission of the money for the housing for the Russian officers.

No. 1, this was a clear-cut deal that was made between the President of the United States and Boris Yeltsin in Vancouver. The deal was, the agreement America signed on to was if you will take your soldiers out of the Baltics we will assist in furnishing housing for the officers. That was not only a deal made by the President of the United States but it was then validated by the Congress, and by this rescission we are pretty well telling the Russians that it is very difficult to make a deal with the United States which the United States will keep, because the Russians then did withdraw their troops from the Baltics and now we are withdrawing our part of the agreement.

will cost $65 million of the $105 million just to abrogate those contracts before the lawsuits are filed.

This is a very bad idea. It is America reneging on its word. It is provocation to the Red Army and furthermore it is not going to save a penny.

Mr. OBEY. Mr. Chairman, may I inquire how much time is remaining on both sides?

The CHAIRMAN. The gentleman from Wisconsin [Mr. OBEY] has 14 minutes remaining, and the gentleman from Louisiana [Mr. LIVINGSTON] has 11 minutes remaining.

Mr. OBEY. Mr. Chairman, I yield 2 minutes to the gentleman from Ohio [Mr. STOKES].

Mr. STOKES. Mr. Chairman, I rise today in strong opposition to H.R. 889. Not only does this measure falsely proclaim to be budget neutral by virtue of offsets contained in a companion bill, H.R. 845, it provides moneys not requested by the Defense Department and not related to any new costs for unplanned defense operations. These moneys are provided by cutting other important domestic programs.

Let me clarify that I am not in opposition to our fulfilling critical obligations to defense responsibilities we maintain as a result of continuing activities around the world. I support this administration's efforts to fulfill these responsibilities. I do not, however, support unfair and unnecessary reductions to domestic programs—to the sum of $1.4 billion—to fund other defense programs that could be funded from dollars already available to that agency.

Furthermore, Mr. Chairman, we are making these cuts and misleading the American public to believe that they offset the defense supplemental. In fact, in terms of the actual spending that will result from this supplemental, the offsets fall far short. Both in fiscal year 1995 and over the next 5 years, 5-year spending by the supplemental will be nearly $650 million more than the 5-year savings from the offsets provided from cutting these domestic programs.

Mr. Chairman, among the programs slated for cuts are critical training programs for our Nation's youth. Moneys to be utilized for training and employment services for youth ages 14–21 would be eliminated. Many of these young people are at a critical juncture in their lives and at risk of dropping out of school. In my hometown, Cleveland, such a cut would reduce invaluable resources to this program by $1.3 million and reduce the number of people served by 700.

lic schools alone need $800 million just to bring them up to standard. The moneys provided in fiscal year 1995, while hardly enough to address the national need, is at least a beginning down payment to providing safe and updated facilities in which our children can learn.

It is even more important, Mr. Chairman, that the American public know these actions come when, at this very moment, the Appropriations Subcommittees are beginning to mark up the next round of additional cuts in nondefense, domestic programs. These subsequent cuts are expected to total $15–$20 billion and are to pay for disaster relief and to serve as a down payment on the Republican Contract With America. How can we in good conscience support these unnecessary defense additions knowing what's ahead for our domestic programs?

Mr. Chairman, I am opposed to using domestic discretionary spending to offset defense funding that is not associated with the emergency supplemental. I urge my colleagues to vote against this measure and to support the amendment to be offered by the gentleman from Wisconsin [Mr. OBEY].

Mr. LIVINGSTON. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Washington [Mr. NETHERCUTT] a member of the Subcommittee on Defense.

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

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

Mr. Chairman, I rise today in strong support of H.R. 889, the Department of Defense emergency supplemental appropriations bill and H.R. 845, the companion recission bill. I certainly commend Chairman LIVINGSTON and Chairman YOUNG for reporting out an emergency supplemental that is fully paid for without burdening the Nation with any new taxes.

The have worked very diligently to bring this bill to the floor today, despite the fact that the administration submitted its request to us only 16 days ago on February 6.

At present, the full readiness of our Armed Forces is in jeopardy. Our troops have been engaged in an excessive number of unplanned and unbudgeted operations around the world, resulting in the deployment of 100,000 American troops within the past 4 months with nearly 50,000 troops remaining deployed today. This situation has forced our military leaders to pay

days from now, our men and women in uniform will suffer from a drastic cutback in supplies and training.

Let me share with my colleagues just a few of the consequences of inaction on this bill would have:

All U.S.-based Army units would have to stop most major training by May 31; four Navy carrier airwings would be forced to stand down and 500 aircraft would be grounded; and flight hours in the Air Force would be cut in half.

The next time a hot spot such as Bosnia or Korea or Kuwait flares up and the President orders our troops abroad on a mission, our troops will be less prepared for possible combat than they should be or will be using equipment that is below par.

Despite the urgency of this supplemental, the committee at the behest of the Speaker has fully offset all $3.2 billion of additional spending in the bill through specific recissions. This is a significant departure from previous committee practice, where the cost of emergency supplementals was enacted because it was in the national interest to do so.

Like many of my new colleagues in the freshman class, I was elected to cut government spending and maintain a strong national defense. This bill does both things.

We are now charged as Members of Congress with making hard choices that set priorities on spending scarce Federal dollars. We must decide which programs of lower priority must be cut in order to pay for the objectives of policy we enact into law. The recissions the committee has recommended are fair. The end result will be less government spending.

We have no greater priority in this body then to those American men and women in uniform who risk their lives each day to protect our borders and our vital interests abroad.

We also have, in light of the passage by this House of a constitutional amendment to balance the budget, an obligation to offset all increased spending, emergency or otherwise, and we are doing so in this bill.

Mr. Chairman, the choice is simple. We must pass this supplemental to keep our promise to the men and women of our Armed Forces, and in our current national financial condition, we must pay for it to keep our promise to the men and women of our Nation.

I strongly urge my colleagues to support this legislation.

Mr. OBEY. Mr. Chairman, I yield 2 minutes to the gentlewoman from New York [Mrs. LOWEY].

into the Pentagon's coffers, above and beyond what it needs, makes absolutely no sense. But offsetting those increases with cuts in funding for programs such as job training, school restoration, and the renovation of a vital component of our Nation's transportation infrastructure is bad policy, plain and simple. Is this the mandate that the voters sent last November? I don't believe so.

Quite simply, Mr. Chairman, the priorities reflected in this bill are fundamentally flawed. This is a classic guns versus butter debate. Instead of having the Pentagon trim some of its own fat this bill asks our children to shoulder the costs. Talk about shortsightedness: cutting $100 million needed for the repair, renovation, and construction of public elementary and secondary schools and slashing $200 million from the Department of Labor's training and employment services should make very clear who is serious about job creation, wage enhancement, and the American dream. Actions speak louder than words.

The legislation will also have a devastating impact upon one of the linchpins of our Nation's entire transportation infrastructure. I am speaking of the proposed rescission of $40 million for the redevelopment of Penn Station in New York City.

Mr. Chairman, it's pick on New York time again. Seventy five million passengers pass through Penn Station every year—that's 500,000 passengers a day. Penn Station is Amtrak's busiest station in the country. In fact, it serves more than 40 percent of all of Amtrak's passengers nationwide. It is also the hub for the New York City transit system, the Long Island Railroad, and New Jersey Transit. But ask any one of those passengers and they will tell you that the principal rail station of the largest city in the United States is falling apart. Penn Station is dangerous, and within 10 years the station is projected to exceed its maximum pedestrian occupancy level.

In order to address this situation, the Federal Government, the State of New York, and New York City have embarked on a cooperative plan to rebuild Penn Station.

This project enjoys bipartisan support, including that of Senators MOYNIHAN and D'AMATO, Gov. George Pataki, and Mayor Guiliani.

Mr. Chairman, the contract on America has claimed it's first victim from New York, it is outrageous that the Republican majority is stealing from Penn Station to increase the Pentagon's budget. There is no good reason why this project was singled out for the budget

easing the growing gridlock on our highways. The shops, restaurants, and other businesses that will develop in and around the station will also mean much-needed revenues for the local economy and the Federal Treasury.

The same people who criticize New York City for being too dirty and crowded are the ones most against efforts to improve Penn Station. But anyone who doubts the merits of the station's redevelopment project need only look a few blocks from where we stand today—to Union Station. Once an uninviting and unsafe gateway to our Nation's Capital, Union Station—rebuilt with millions of Federal dollars—now stands as a national model for urban renewal. I think most of my colleagues would agree that the money spent on Union Station was a wise investment. So, too, will be this investment in Penn Station.

☐ 1350

Mr. LIVINGSTON. Mr. Chairman, I yield 2 minutes to the gentleman from New Jersey [Mr. FRELINGHUYSEN], a distinguished member of the Committee on Appropriations.

Mr. FRELINGHUYSEN. Mr. Chairman, I thank the gentleman from Louisiana for yielding time to me.

Mr. Chairman, I rise in support of H.R. 889.

As a freshman Member and a member of the Appropriations Committee, I commend Chairman LIVINGSTON and the chairman of the Defense Subcommittee, BILL YOUNG, for a job well done.

Mr. Chairman, let me say to my colleagues this bill is unusual. For the first time in recent years, we are paying in full for a supplemental emergency spending bill.

In the past 2 fiscal years alone, Congress spent over $13 billion in emergency spending with no offsetting cuts.

For this first time in a long time, this supplemental is not a Christmas tree full of special projects. The needs of the Defense Department are genuine, well documented and in line with our goal of combat readiness.

This supplemental bill simply replenishes accounts that have been depleted due to emergency spending for our operations abroad. Even with approval of this bill, personnel and readiness-related funding shortfalls will still exceed $2 billion for the remainder of fiscal year 1995.

We may disagree over the particular reductions, but that's the point. Each one of us could have written a different bill with different cuts. I can guarantee my colleagues that we will all have ample opportunities to offer those cuts as we move forward with the next round of rescissions and tough choices.

Virginia [Mr. MOLLOHAN].

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

Mr. MOLLOHAN. Mr. Chairman, I find myself in a difficult position here today. On the one hand, I readily acknowledge the necessity of this Defense Department supplemental because it is important to assure our military readiness. On the other hand, the rule which I just voted against—but which passed—couples this supplemental with domestic rescissions, and that is not acceptable.

Given the current budget climate, and shrinking discretionary caps, our domestic discretionary funds are all the more precious. Paying for increases in defense spending by taking money away from important domestic programs sets a dangerous precedent—one that I cannot support. Particularly when this is only the first in a series of dips we will make this year into the domestic discretionary accounts.

I oppose the domestic rescissions package proposed here today based on the policy choices it reflects. For example, the proposed $107 million rescission from the Advanced Technology Program—an initiative at the core of President Clinton's competitiveness agenda.

I welcome this opportunity to tell you about the merits of the ATP Program—the successes it can claim and its importance to our Nation's future manufacturing capability. But first I want to focus in on one point—U.S. competitiveness.

In today's global economy, our Nation is lagging behind in terms of dollars spent on research and development. In fact, in terms of civilian research and development, the U.S. ranks 28th out of 40 nations in the percentage of government funds allocated. And U.S. business investment in research and development is not making up the difference. It too is declining.

And while we sit here proposing to rescind funding from the ATP Program, across the oceans our competitors—Japan, England, Germany, Australia, and Portugal, just to name a few—are investing heavily in similar initiatives. For example, Japan is strategically targeting more than $600 million in resources to a government-private sector cost-shared program very much like ATP. They also sponsor several other programs aimed at developing basic technologies for industry. And why are they spending precious Government dollars on these programs? Because they realize that it will increase their competitiveness in ing—ATP recipients pay more than half the total cost of the research and development. This helps ensure that companies have a vested interest in the success of projects and in timely commercialization.

Some would assert that if the technology was worth developing, the private sector would do it themselves. This is simply not true. ATP projects focus on precompetitive, generic technologies. Those that industry cannot afford to develop on their own; those that will push them beyond state-of-the-art in technology development for the future.

Additionally, the report accompanying this package suggests that a rescission of $107 million in fiscal year 1995 will not do harm to the ATP Program, that it allows for funding all of our commitments. The real issue is that while a substantial amount of the ATP's appropriation for fiscal year 1995 has not been obligated as yet, essentially the entire appropriation has been committed. If this rescission package is approved, ATP will have to cancel about half of their existing competitions. Companies that have formed joint R&D ventures and that have typically invested tens of thousands of dollars in good-faith proposal writing efforts will be faced with a government which is unable to honor its commitments. Companies will conclude that the ATP Program cannot be relied on, and they will be reluctant to submit proposals in the future. This could have a devastating impact on the program.

I think as a nation it is time for us to face facts. We have underinvested in technology development. What we need now is to work to build our manufacturing capability and increase our competitiveness in the global marketplace. This goal will not be served by rescinding money from programs central to our competitiveness agenda. In fact, it would have the opposite effect. In a way, Mr. Chairman, rescinding money from ATP is very much like eating our economic seed corn. I urge my colleagues to vote ''no'' on this bill.

Mr. OBEY. Mr. Chairman, I yield 1 minute to the gentleman from Connecticut [Mr. GEJDENSON].

Mr. GEJDENSON. Mr. Chairman, this is a bill that has one serious defect among the others, and that is the reduction in funds for the Technology Reinvestment Project and the Advanced Technology Project.

Along with the gentleman from West Virginia [Mr. MOLLOHAN], this is even worse than what we have done in the past. If we have watched, Japan took mercialization of defense technologies in the long-term, we will not have a defense which has the technologically capable systems within it.

The cost of maintaining these systems as we reduce the buy will be critical to include commercialization.

These are two important programs. The provision offered by the gentleman from Wisconsin [Mr. OBEY] protects them.

Mr. Chairman, I rise today in opposition to H.R. 889, the Department of Defense Supplemental Appropriations Act. While I support the administration's request for emergency funds to replenish its accounts for U.S. troop deployments overseas, I am dismayed that the Republicans would choose to use this emergency appropriation bill as a vehicle to kill critical dual-use technology programs like the Technology Reinvestment Project [TRP] and the Advanced Technology Program [ATP].

The rescission bill before us wipes out $502 million from TRP and $100 million from ATP. While opponents have labeled the TRP as industrial policy, and have pointed to the limited failed projects, TRP continues to be a key component to our post-cold war defense strategy. The program assists our defense companies diversify into commercial markets, and develop practical commercial technologies and products while simultaneously maintaining and improving our military superiority. Our defense industries have always been the leaders in developing cutting edge technologies, and with Government-industry partnership programs like TRP, they will continue to be. Further, having industry develop these technologies in the commercial marketplace, with the assistance of TRP, allows the Federal Government to reduce its investment in research and development of modern weapons programs and thus save taxpayers money.

Southeastern Connecticut, a region heavily dependent on Department of Defense contracts, has some of the world's most highly skilled scientists, engineers, and craftsmen in the world. However, with the end of the cold war, many defense businesses have either closed their doors completely or are barely maintaining a work force half of what they were in the late 1980's. I have always maintained that we can utilize these skills not only for defense purposes, but for commercial applications as well. And since the advent of the TRP in 1992, I have been able to witness firsthand, the successes of defense diversification.

The School of Engineering at the University of Connecticut [UConn], located in my district, received $4 million to create an Engineering Academy for Southern New England. UConn, in partnership with other New England colleges, will educate engineers to lead industry in improving the region's manufacturing competitiveness.

The Photomics Research Center, another TRP participant, is helping small photonics firms in New England convert from defense-

the Naval Undersea Warfare Center for our Navy's submarines to clean up oil spills and limit the kind of environmental damage that occurred when the Exxon Valdez ran aground off the Alaskan Coast.

Once dependent on Government contracts for weapons systems, defense contractors are now developing new technologies which are maintaining and creating jobs in the fields of manufacturing, transportation, energy, and environmental cleanup. The unique TRP, which is not needs-based but rather is a competitive program and requires a 50-50 cost sharing between Government and industry, will maintain our Nation's technological and military edge. And by preserving this unique Government-industry partnership program, valuable technologies developed in the commercial marketplace will be available at lower costs to the Department of Defense.

This program has always enjoyed the support of both Democrats and Republicans. I urge my colleagues on both sides of the aisle to continue to support this program by voting ''no'' on this bill and ''yes'' on the Obey substitute. The Obey substitute provides the requested amount of $2.5 billion and protects the TRP.

Mr. LIVINGSTON. Mr. Chairman, I yield 4 minutes to the gentleman from Florida [Mr. YOUNG].

Mr. YOUNG of Florida. Mr. Chairman, I thank the gentleman for yielding time to me.

Mr. Chairman, I yield to our colleague, the gentlewoman from California [Ms. HARMAN].

Ms. HARMAN. Mr. Chairman, I request a colloquy with the gentleman from Florida and the chairman of the House Appropriations Subcommittee on National Security, Representative BILL YOUNG. We would like to emphasize that dual-use technology is a valuable resource to the Department of Defense and is supported by both sides of the aisle.

Mr. YOUNG of Florida. I will respond to the gentlewoman by saying that there is broad support to preserve the defense industrial and technology base by encouraging the development of technologies with both civilian and military applications.

Ms. HARMAN. As I said earlier in the debate, such dual-use technology is a key defense strategy for affordable, leading-edge technology. Programs such as the TRP's precision laser machining project employ dual-use technology to enhance technological superiority of defense systems while lowering cots. The PLM consortium represents what has been called a dual-use triple play—first, it brings together defense and commercial firms to put the speed and precision of military laser technology to work in machine shops

Mr. YOUNG of Florida. I would respond to the distinguished gentlewoman that we do believe in the concept of dual use technology and that it provides significant benefits. In fact, the fiscal year 1995 defense appropriations bill contains $1.5 billion for dual-use efforts this year, and we are not rescinding any of that money here.

Now, the difference between dual-use programs and TRP is this: Dual-use programs go directly to military items, military issues. TRP does not necessarily do that, and we are going to scrub the TRP requests in the fiscal year 1996 bill to make sure if they are funded they will be directly related to national defense and nothing else.

I thank the gentlewoman for her inquiry.

In the few seconds I have left, I want to point out to the Members that this is something very unusual. We have received a communication from the Citizens against Government Waste. Their first sentence says,

> The Council for Citizens against Government Waste strongly endorses H.R. 845 and H.R. 889, which together make supplemental appropriations for the Department of Defense and pay for the increases with spending cuts. We oppose the Obey substitute and all other amendments. Together, H.R. 845 and H.R. 889 comprise good faith, pro-taxpayer legislation for which the Committee on Appropriations should receive credit and support, and we urge your vote for the committee's package.

That is, again, a pretty substantial statement.

In addition, if the Members would be willing to check with the American Legion or VFW or some of the other veterans organizations or military service organizations, I believe they would find also considerable support for the package that we present today.

Mr. OBEY. Mr. Chairman, I yield 1 minute to the gentlewoman from California [Ms. PELOSI].

Ms. PELOSI. Mr. Chairman, I thank the gentleman for yielding.

I rise in strong opposition to the defense supplemental appropriations bill and in strong support of the Obey substitute.

The original bill is objectionable in many scores. For example, it takes $1.4 billion from the domestic budget, Head Start, education, job training. It takes $1.4 billion from that and puts it to defense purposes.

In addition to that, it increases the deficit over the next 5 years, increases the deficit over the next 5 years.

Some of the cuts it makes in the domestic budget include school construction and youth employment job training. What it also cuts is the dual-use

strong objection to deleting this environmental restoration.

We are all for readiness for our forces. In order for them to be ready, they must be able to read. Let us not cut the domestic budget, and let us cut the deficit.

□ 1400

Mr. OBEY. Mr. Chairman, I yield 1 minute to the gentleman from Texas [Mr. DOGGETT].

Mr. DOGGETT. I thank the gentleman for yielding this time to me.

Mr. Chairman, the Gingrich-ites who run this place have been calling at every opportunity for a balanced budget. Today they are celebrating the 50th day of their contract, and they are talking about a balanced budget.

But, you know, more than any media event they pull off around the country today, what happens on this bill and this Obey substitute will tell the American people whether there is any meaning to that contract, because at this first opportunity with a bill to do something about the budget deficit, how much do we cut under this proposal? Not one penny. In fact, we add to the budget deficit.

They say they are paying for this bill? I say let us stop paying for our defense by borrowing more money. Instead of a balanced budget, what this Congress is doing is digging in the same old deficit hole, and the Gingrich-ites tell us what we need are more shovels, not to stop digging in that same hole.

The Obey substitute provides what amounts to a line-item veto to assure a commitment to a pay-as-you-go finance, and it is essential it be adopted.

Mr. OBEY. Mr. Chairman, I yield 1 minute to the gentleman from Colorado [Mr. SKAGGS].

Mr. SKAGGS. I thank the chairman for yielding this time to me.

Mr. Chairman, chapter II of this bill would save some $100 million in funding for environmental restoration and waste management at DOE. The committee report says the reductions are not to affect direct cleanup activities. It expresses no position regarding funding for work to stabilize plutonium and reduce vulnerability to criticalities and other risks at other sites, at DOE sites which have serious public health and safety implications.

I would like to ask the chairman if these efforts as well are to be directed in the same way as direct cleanup efforts?

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

million reduction.

Mr. SKAGGS. I thank the gentleman.

Mr. OBEY. Mr. Chairman, I yield 30 seconds to the gentleman from New York [Mr. SCHUMER].

Mr. SCHUMER. I thank the ranking member.

I would just like to say that this bill, in addition to all the other reasons not to vote for it, it takes a gratuitous slap at New York by gutting the revitalization of Penn Station.

Seventy five million riders pass through the station every year. It is heavily used, and it is a mess.

Yet this takes back that money and puts it into a lot of other things that are far less needed than what we have here.

I would urge every Member of New York, whether they been Democrat or Republican, to vote against this bill so we can save the money for Penn Station and finally get that station moving again.

Mr. OBEY. Mr. Chairman, I yield 1 minute to the gentlewoman from California [Ms ESHOO].

(Ms. ESHOO asked and was given permission to revise and extend her remarks.)

Ms. ESHOO. Mr. Chairman, I thank the gentleman for yielding this time to me.

Mr. Chairman, I am disappointed that the first spending package produced by the majority after passing the balanced budget amendment increases the deficit by $645 million over 5 years.

The Obey substitute cuts the deficit in fiscal year 1995 and is budget-neutral over 5 years.

It allows the Secretary of Defense to protect critical programs like the Technology Reinvention Program which leverages commercial technology in a way that benefits both the Defense Department and the commercial sector.

Mr. Chairman, in a front page story yesterday, the Washington Post reported that our Nation's military leaders are increasingly convinced modern warfare is experiencing revolutionary technological changes. National security experts believe those nations who do not maintain a technological edge will face serious threats to their security.

Now, at a time when America needs to make wise investments in defense technology, the Republicans' budget-busting shopping cart of defense priorities is full of last year's models and outdated strategy.

The Obey substitute reduces the deficit, cuts pork and allows budget priorities to be based on national security

marks.)

Mr. FARR. I thank the gentleman for yielding this time to me.

Mr. Chairman, rather than voting for a measure that would seriously increase the deficit by nearly $645 million over 5 years while making fatal cuts to domestic programs such as the school improvement fund, youth job training programs, the INS emergency fund, and environmental cleanup and restoration efforts, I support the Obey substitute.

Mr. Chairman, this is a responsible alternative to the Republican emergency supplemental. It adds an additional $670 million in unrequested defense spending without identifying offsets for this spending.

This plus-up of the emergency supplemental is not for emergency funding. The Republicans are trying to tell the American people they are in favor of balancing the budget. The Obey substitute would allow the Department of Defense to guide the rescissions from lower-priority defense programs to offset this supplemental appropriations bill. It does not affect domestic cuts.

In my central California district, the cuts to the youth job training programs would impact many disadvantaged youth.

I ask my colleagues to support the Obey substitute.

Mr. OBEY. Mr. Chairman, I yield 1 minute to the distinguished gentleman from California, [Mr. BROWN], the ranking member of the Committee on Science.

(Mr. BROWN of California asked and was given permission to revise and extend his remarks.)

Mr. BROWN of California. I thank the gentleman for yielding this time to me.

Mr. Chairman, I rise in support of the Obey substitute, in opposition to the bill.

My primary problem with the bill is that it resorts to the rescission of civilian programs, and it takes about half of the total rescissions from the area of technology, with which I am deeply concerned as ranking member of the Committee on Science.

The technology programs which are proposed to be cut have been described by several previous speakers, and I do not need add to that.

I would just like to make the point, however, that these programs have been developed over course of a number of years. They did not begin with the Clinton administration. They began, actually, with the Reagan and Bush administrations.

They need to be defended or else the future of this country and its techno-

fect, would make significant imporvements to the bill we are considering.

The amendment would provide the President's request of $2.54 billion in new budget authority to pay for peace-keeping missions, and no more. It would not make available an additional $670 million to increase defense readiness, which we simply do not need.

The amendment is deficit neutral. New spending would be offset totally with reductions in other defense accounts that the Secretary of Defense would allocate. Cuts in higher priority investment programs, like education and training and R&D, would not be made under this amendment to pay for defense increases.

Mr. Chairman, the direction taken in H.R. 889 is unwise and detrimental to the future of this country. The bill, if adopted in its present form, would lead us down a path that will eviscerate the R&D infrastructure of the United States.

The bill proposes increases in defense programs well above what the President has asked for, and would pay for those increases by making disproportionate cuts in R&D programs that have greater long-term payoffs.

The rescissions in this bill total $2.9 billion. About $1.3 billion or 45 percent of those cuts would be in competitively awarded, merit-based R&D programs. These cuts represent 2 percent of the entire Federal support for R&D in the current fiscal year.

Two programs that would be crippled under H.R. 889 are the Department of Defense Technology Reinvestment Program [TRP], and the Department of Commerce Advanced Technology Program [TRP]. Both of these programs leverage Federal funding with matching funds from the private sector to undertake high-risk, long-term R&D projects that have potential for large economic payoffs. These are the kinds of investments we should be making, and the Obey amendment would allow that.

Thirty years ago, Federal R&D support was over 2 percent of gross domestic product [GDP]. That level of support has eroded drastically since then. If the Congress adopts the President's fiscal year 1996 budget, Federal support for R&D would fall below 1 percent of GDP to its lowest level since 1958. This bill would make a bad situation even worse.

For years the Federal Government has given inadequate support for R&D, education and training, and other valuable public investments. This neglect has contributed significantly to the decay in our society and to the decline in our economic competitiveness and living standards. We can not let this situation continue.

We must make the investments today that are necessary to improve the future of the country and all our citizens. The Obey amendment is a step in that direction.

I urge my colleagues, on both sides of the aisle, to put aside political differences and narrow interest and to do what is right for the

Defense rescissions	DOD	TRP & Defense conversion	537.0	19
	DOD	High definition systems	15.0	1
	DOD	Environmental restoration	150.0	5
	DOD	Procurement	758.2	27
Defense subtotal			1,460.2	51
Domestic rescissions	DOC/NIST	Adv Technology Prog (ATP)	107.0	4
	NASA	Wind tunnels	400.0	14
	DOE	Clean Coal Program	200.0	7
	DOE	Environmental restoration	100.0	4
	DOE	Youth Job Training Program	200.0	7
		Other domestic programs	395.1	14
Domestic subtotal			1,402.1	49
Total rescissions			2,862.3	
Net new budget authority			346.1	

Mr. OBEY. Mr. Chairman, I yield myself the balance of the time.

I simply say, in closing, that despite the comments that have been made by three previous speakers, this bill is not paid for, this bill is not paid for, this bill is not paid for, this bill is not paid for.

It is almost $700 million short of being paid for over 5 years, almost $300 million short of being paid for over 1 year.

If you have told your constituents that you are for a constitutional amendment to balance the budget and then you vote for this bill today without the Obey amendment, you are meeting yourself coming back.

Mr. LIVINGSTON. Mr. Chairman, I yield myself the balance of the time.

I point out to the gentleman that the contentions that the bill is not paid for are ridiculous. We have not paid for supplementals in the past; we are paying for this one.

The fact is this bill costs $3.2 billion, and the defense rescissions in this bill are $1.8 billion in budget authority and nondefense rescissions are $1.4 billion, and there is a surplus of $14 million in the rescission over the cost of the bill.

This bill is needed, Mr. Chairman. We are talking about a 35-percent decline in the Defense Department in the last 11 years. The procurement amount has gone down by 17 percent over these last 11 years. We are cutting maintenance, we are cutting operations, and we are cutting training hours.

Secretary Perry on November 16, was quoted as saying that 3 divisions of the 12 Army divisions were way below adequate preparedness.

Even the President himself, on the 1st of December, said that he was at least $25 billion short on defense, and, as a matter of fact, GAO says we are $150 billion short on defense adequacy.

We are finding that jet engines are not getting repaired, troops are not getting adequate training hours, and Naval Reserves have stopped drilling. Training in Abrams tanks has been cut back because their engines are not being adequately repaired.

Military recruits have less than high school diplomas.

We are seeing accidents like F–15's shooting down U.N. helicopters and F–14's colliding. A F–14 crashed on the west coast. There was an accident on the Nimitz that killed a young seaman. Just in the last 3 days a Huey helicopter went into the sea overrunning Somalia, and a crewman was killed.

Mr. Chairman, the minority for some reason comes up with the idea, the frivolous idea, about not paying for this bill. They say we have not paid for it. We have paid for it. It is needed.

Mr. Chairman, I urge the adoption of this bill.

Mr. PASTOR. Mr. Chairman, I wish to speak in support of a much-maligned program that is being proposed for rescission under the Defense Department supplemental appropriations bill for fiscal year 1995, the Technology Reinvestment Program [TRP]. No one in this Chamber questions the need for the urgent supplemental appropriations bill for the Department of Defense. The funds are necessary to cover the costs of U.S. peacekeeping and humanitarian missions abroad. What many of us question, including myself, is the way we go about paying for these emergency costs by terminating funds for important programs like the Technology Reinvestment Program.

TRP is a unique program. It is designed to ensure that the United States has the most advanced military technology available and the most competitive commercial products found in the world marketplace. Advances in technology are occurring at a faster rate in the commercial world than in the defense industrial sector. The purpose of TRP is to give the military advance access to commercial technologies and thereby enhance our military capabilities at less expensive costs. TRP promotes the development of spin-on and spin-off technology. Under the program the Federal Government acts as an agent—a partner, if you will—in fostering public-private partnerships to develop advanced technologies with military and commercial applications.

One theme I constantly hear from both Democrats and Republicans is that Congress should develop a framework which encourages greater cooperation among government, business, and academia. TRP does just that. And with only a 2-year lifespan, this Chamber is now deciding that programs like TRP are a waste of taxpayer's moneys. This decision was made by the House Appropriations Committee without the benefit of serious public hearings. Isn't it ironic, Mr. Speaker, that while we agree in theory on the need for greater public-private partnerships, the bill we are considering rescinds $500 million for a program that will assist our military to leverage the commercial base.

Mr. Speaker, I call my colleagues' attention to recent communications I have received from Arizona attesting to the importance of the Technology Reinvestment Program. For this and other reasons, I intend to vote against H.R. 889.

ARIZONA STATE UNIVERSITY,
Tempe, AZ, February 16, 1995.

Hon. ED PASTOR,
Representative, Cannon House Office Building, Washington, DC.

DEAR REPRESENTATIVE PASTOR: Last week the Washington Post ran an article that was critical of a Technology Reinvestment Project (TRP) funded program at Arizona State University. The ASU project had been singled out for having a rather nondescript title and thus may become a possible target for elimination as part of H.R. 889.

I am enclosing for you a review of that project, which we are happy to re-title, ''Manufacturing Across the Curriculum''.

Manufacturing Across the Curriculum has been a very effective program to re-engineer the educational relationship among the ASU Colleges of Engineering and Business with Arizona's largest high technology employers. Together, with the assistance of federal funding, we have created a new way to educate engineers and business students that gives them the kinds of skills necessary to immediately enter manufacturing positions and contribute to the success of these companies. We have found a way to eliminate the ''ramping up'' time necessary for new hires to these companies.

One of the most innovative and exciting parts of the ASU TRP is the placement of our students at companies such as Intel, where they actually take over full manufacturing lines. Realize the extent of corporate commitment this represents in the event that the students' errors may actually shut

appropriate to keep this project from being eliminated simply because it was poorly titled. We would encourage those who have criticized this project to read the attached summary explaining its purpose and accomplishments prior to committing themselves to its demise.

Thank you for your continued interest in and support of meaningful research activities at Arizona State University.

Sincerely,

ROBERT E. BARNHILL,
Vice President.

CARBORUNDUM MICROELECTRONICS,
Phoenix, AZ, February 10, 1995.

Representative ED PASTOR,
Cannon House Office Building,
Washington, DC.

DEAR CONGRESSMAN PASTOR: The new Congress has been quoted in recent news articles to have expressed concerns regarding the value and future of the Department of Defense sponsored Technology Reinvestment Program (TRP). We believe that the TRP is valuable to both the United States and to our Phoenix, Arizona based business. We are convinced that without it, from both a defense technology and industrial manufacturing standpoint, our country would be relinquishing a vital competitive position.

Carborundum's Microelectronics Design and Manufacturing Center in Phoenix was recently selected by the Advanced Research Projects Agency of DOD to lead a TRP program to develop more affordable electronic packaging based upon a new high performance ceramic material (aluminum nitride). If successful, this program will provide a dramatic and much needed improvement in the performance and reliability of ceramic electronic packaging for the DOD.

The continued advancement of ceramic electronic packaging is essential in the design of the future's competitive electronic systems, whether commercial or defense related. The TRP investment in this effort is in direct support of a critical U.S. industrial technology that was nearly lost to offshore manufacturers, and more specifically to the Japanese. In fact, over 80% of the current ceramic packaging needs of DOD are supplied by Japan. The playing field in this arena has not been level. The Japanese have been, both through financial and other means, subsidized by their government, while at the same time, American industry has maintained a robust competitive position, defending a basic national capability, with its own funding sources.

At our Phoenix, Arizona facility, we are determined to use the TRP 50/50 funding program to expedite the development of a new superior ceramic packaging material, aluminum nitride. We believe in the spirit of the new TRP format that relies on the joint investment of both government and industry. We are convinced that the result of this effort will be a lower cost, economical material that will meet the technical and cost objectives of the DOD. In addition, spin off benefits will include the development of a wealth generator for our country, increased market share for American industry, and an expansion in our Arizona employment base.

This technology is important now and for the 21st Century. The TRP provides the necessary defense, saves taxpayers money, and creates jobs, most of my colleagues would be jumping up to support it.

Well, there is such a program, and it's called the Technology Reinvestment Project, or TRP. But rather than support such a program, this bill would kill it.

That's a sad case of misplaced priorities, and I hope funding for TRP will be fully restored before this defense supplemental appropriations bill is sent to the President.

TRP was created in 1993 to deal with two conflicting realities of the post-cold-war world. The first reality is that our national security depends ever more on superior technology. The second reality is that in an age of huge budget deficits, we often can't afford to develop such technology solely for defense.

The answer to that dilemma is the concept of dual-use technology—cutting-edge technology that has both defense and commercial applications.

The TRP program is the centerpiece of our dual-use strategy. TRP awards matching funds to industry-led projects that have the potential both to strengthen our national defense and to develop competitive commercial products.

I want to underscore two critical aspects of this program. One is that projects are competitively selected purely on the basis of merit. Two, the program requires private industry to put up matching grants. For an investment of less than $500 million a year, TRP has leveraged billions of private dollars for research and development.

To me, that sounds like a great deal for the taxpayer.

I know that TRP works because I've seen the results in my own district.

TRP funding has made possible a partnership in Wallingford, CT, between Dow Chemical Co. and United Technologies Corp. to develop lighter, quieter, more fuel-efficient materials for aircraft construction. These new materials will be used on both the F–22 advanced tactical fighter and commercial aircraft. Because of these commercial opportunities, production costs for the Defense Department may be reduced by as much as 50 percent.

There are winners all around.

The Defense Department wins because its getting a better jet fighter.

Taxpayers win because they're paying less for critical defense technology.

The two companies involved win because they're developing whole new commercial markets.

And the people of my district win because good-paying jobs are being created.

At the direction of then-chairman, Ron Dellums, the National Security Committee staff last year surveyed TRP grant winners from the first year of the program. Responses were received from less than a fourth of the winners. But even that small number estimated a potential annual commercial market of $4.7 billion for their new technologies, creating or sustaining 18,000 jobs. Keep in mind that's on various overseas military expeditions and pay for it by cutting both defense and domestic programs.

It is the first time in my memory where Congress has cut domestic programs—like clean coal technology, worker retraining, and new school construction—to pay for our invasion of Haiti, missions to Bosnia, our withdrawal from Somalia, and Cuban refugee programs. This legislation takes money from potential job-creating initiatives like clean coal technology and worker retraining and instead funnels into wasteful programs such as paying back our allies for equipment they used to help with our invasion of Haiti.

There is no reason why other defense programs, or our foreign aid program, cannot be cut to accommodate this supplemental appropriation. It makes no sense to me to cut or eliminate programs which actually help people find jobs in order to help the Pentagon balance its budget.

Two programs in particular will, if eliminated, be very detrimental to my congressional district.

The Clean Coal Technology Program faces a $200 million cut from 1996 and 1997, a program which is essential to exploring future markets for high-sulfur Illinois coal; and the $100 million new school construction fund, which will be eliminated under this bill. This program is one from which the Carterville School District is interested in vying for funding for construction of its new school.

Mr. Chairman, to shift domestic funds to pay for overseas military operations is a troublesome precedent. I urge my colleagues to vote against this misguided bill and vote for the Obey substitute, which will pay for this supplemental by using defense funds and not cut into domestic programs.

Mr. COLEMAN. Mr. Chairman, I rise in support of a supplemental appropriation for the Department of Defense and in opposition to the rescissions contained in H.R. 889, the Department of Defense Supplemental Appropriations and Non-Defense Appropriations Rescissions Act of 1995. I feel that this piece of legislation cuts many defense programs important to our national security and that the President's request is justified emergency spending which should not be offset.

I support our military's forays into diverse countries like Rwanda, Somalia, Bosnia, and Haiti. I also want to improve the combat readiness of our Armed Forces which this bill begins to do. However, this bill goes too far in gutting vital programs such as the Technology Reinvestment Program [TRP], environmental restoration programs, and a program to help Russian and Eastern Europe pay for dismantling weapons, among others.

A program such as the TRP is very important to our national security interests. I, and others, feel that the TRP is vitally necessary to our country's future as we position ourselves strategically in the post-cold-war era.

targeting are in the following thrust areas: computers and software, electronics, sensors, simulation and manufacturing. Pushing these areas will ensure that commercial firms in this country can supply the superior technologies that will maintain our military advantage.

This bill also cuts $150 million in environmental restoration projects going on throughout the country. As you know, Mr. Chairman, DOD environmental programs support the readiness of U.S. forces by protecting military personnel and their families from environmental, safety, and health hazards. The programs ensure the usefulness and long-term viability of DOD lands and facilities. Major environmental priorities include actions to achieve compliance with existing laws and regulations, pollution prevention, and cleanup of past contamination. We simply cannot cut these funds.

In 1990, Congress and President Bush agreed that we needed to maintain the flexibility to fund unforeseen emergencies. Congress and President Bush recognized then that we do not have a reliable method to budget for these unforeseen costs.

No one could have, nor did anyone, predict the number of conflicts to which our military would be asked to respond. What we can not afford to do is to continue to depend on an unreliable method to forecast the scope of these supplementals. We should not begin the practice of haphazardly cutting programs in the middle of their fiscal year to pay for defense missions or natural disasters. Until Congress devises a method to budget for these unforeseen costs, we should keep the supplementals to the minimum amount and classify them as what they are—emergencies.

Mr. OBEY, the distinguished ranking member of the Appropriations Committee, has offered an equitable alternative. The Obey substitute offsets defense spending with defense cuts without requiring cuts in nondefense programs. The Obey substitute grants the Secretary of Defense the authority to reduce or eliminate funding of low-priority defense programs without jeopardizing military readiness. Unlike the majority's bill, the Obey substitute is deficit neutral.

Mr. Chairman, given that as we speak committee staff is working on additional $15 billion in cuts in nondefense programs to pay for disaster relief supplemental and the so-called Contract With America, I believe it is unconscionable to ask nondefense programs to pay for peacekeeping and military relief missions.

Mr. Chairman, I strongly support a supplemental appropriation for Defense. I oppose the rescissions contained in H.R. 889. Therefore, I cannot support the Department of Defense Supplemental Appropriations and Non-Defense Appropriations Rescissions Act in its current form.

Mr. MCDADE. Mr. Chairman, I would like to take this opportunity to commend my friend, BILL YOUNG, who as chairman of the Subcommittee on National Security moved quickly and skillfully to bring together this vital emergency supplemental—despite the inaction and the lack of communication from the White House. This subcommittee has always worked in a bipartisan manner in the interest of maintaining our national defense, and I know we will continue to do what we can to preserve our military capabilities.

Mr. Chairman, I will be brief. During the past 16 months, American men and women have been scattered across the globe to take part in 13 different contingency operations—in places like Haiti, Bosnia, Somalia, Rwanda, Iraq, and Korea. These operations—which have involved the deployment of more than 100,000 U.S. troops—are not planned expenses in the annual military budgets. We do not plan for operations like these—but we do have to pay for them.

The annual defense budget is a peacetime budget—it is to train and equip our troops, to support them, and to keep them ready for when we need to call upon them. And let me remind you all that the 1995 defense budget was the 10th consecutive year of reduced defense spending, in constant dollars. Ten straight years of defense cuts—a 35-percent reduction between 1985 and 1995.

This emergency supplemental is an emergency. If we don't pay now, our troops will pay later. Both the Secretary of Defense and the Chairman of the Joint Chiefs of Staff testified that if this supplemental is delayed, then regular training, flight hours, and needed equipment repair and maintenance will not get done this year. Our readiness will be degraded, and our troops will suffer.

As has been noted, this emergency supplemental does contain offsets and rescissions which free up the readiness moneys we need for our troops without adding to the deficit. Half of the cuts in the supplemental come from low-priority DOD accounts, and half come from non-DOD rescissions.

I am pleased that we have been able to put together a budget-neutral Defense supplemental. The 104th Congress is listening to the American people and we are attacking the deficit. But I want to caution that we may not always be able to find offsets to pay for military contingency operations. If we commit our troops to these operations, I firmly believe we must be prepared to pay for them—and not decimate the readiness accounts in the regular defense budget.

I believe that when we commit our troops to these unplanned operations and put them in harm's way, we also make the commitment to keep up their training, their equipment, and their morale. That's what this bill does, and I urge its adoption.

Mr. RICHARDSON. Mr. Chairman, I have great reservation about today's Defense rescissions bill. I am concerned that H.R. 889 cuts into important programs that puts Americans in the battlefield at-risk and this is the reason I am opposing it. The Appropriations committee has cut funding for many important programs including the System Improvement Committee's actions are inconsistent with its intent of preserving the readiness of our troops. By indiscriminately cutting the SIP Program, Congress is turning a blind eye to our electronic warfare needs in the name of readiness. Why sacrifice force structure for readiness? Readiness and force structure must be addressed simultaneously. I hope that this issue will be fully addressed before these cuts are finalized.

This is the first time in 13 years I have voted against a Defense bill—I do so not only because it affects Cannon Air Base in my district but because it is a bad bill.

Mr. NADLER. Mr. Chairman, I rise in support of the substitute to the bill. The gentleman from Wisconsin's substitute would successfully offset the $2.5 billion in supplemental defense appropriations requested by the administration, without eliminating valuable programs which invest in our Nation's future. I am particularly concerned about maintaining congressional commitment for the Penn Station/Farley Building renovations in my district in New York City.

Penn Station is the single most heavily used intermodal transportation facility in the country, serving passengers not only in the Northeast corridor, but also to and from points south and west. In fact, 75 million passengers use Penn Station each year. This station is a significant component of our passenger rail infrastructure.

A number of regional private and public entities have acknowledged that the current underground facility is inadequate, decrepit, and overcrowded, pushing Amtrak, commuter-train and subway riders into the same space. These entities have committed funding for improvements to the station. So far, the Long Island Railroad has completed its $200 million portion of the project. New York City and State have signed an agreement to fund their $100 million share. New Jersey transit will renovate its portion as Amtrak moves to the Farley Building. Amtrak will fund its portion of the project with revenues from commerce that will be attracted to the renovated Farley Building. Additionally, the Federal Railroad Administration and the Department of Transportation have sited Penn Station renovations as a high priority project, and the administration has proposed a $50 million expenditure for the project in fiscal year 1996. During a time when we are seeking funding based on public-private partnerships, this rescission is particularly shortsighted.

Congress provided $10 million in fiscal year 1994 for this project, and should continue its contribution to the public/private partnership which will benefit many Americans throughout the country. The funding which is proposed to be rescinded today is modest compared with other transportation expenditures for projects serving far fewer Americans.

In conclusion, Mr. Speaker, the Penn Station project is underway, the State and local governments have committed to pay for the bulk of the project, and Federal support makes

ations for which no funds were budgeted. Because these operations were not foreseen or planned for, enormous sums consumed by these operations cannot be compensated through normal budgetary channels within the Department of Defense.

The administration has stated that this is an emergency situation. Without additional funding, military readiness will be seriously jeopardized and we will be unable to fully finance the long overdue military pay raise Congress promised last year. It should be stressed that this is an emergency of the administration's own making. Many of the administration's military adventures abroad are not only expensive, but highly questionable. But if we don't replace the funds robbed from personnel and readiness concerns, the administration won't suffer, and this Congress won't suffer. But the people who will suffer are the men and women of the U.S. military who are trying to carry out their orders without adequate support. For that reason I support these bills.

Under our budget rules we don't have to offset this spending, we could simply increase the deficit. The administration wanted us to do just that. But, we can't just follow the letter of the law, we have to follow the spirit in which it is intended and do what's best for our Nation.

Both the administration and Congress have a moral obligation to offset the spending contained in this bill. The administration abdicated their responsibility, we can't afford to do the same. We have to be willing to do what the administration wasn't willing to do—we have to pay for things as we go. We have to make the tough choices and bring spending under control.

This bill will ensure that our Armed Forces get the funding they need to carry out their missions, while at the same time we will fulfill our obligation to bring the deficit under control.

I urge my colleagues to support these bills and the rule.

The CHAIRMAN. All time for general debate has expired.

Pursuant to the rule, the bill is considered as having been read for amendment under the 5-minute rule.

Pursuant to the rule, an amendment in the nature of a substitute consisting of the text of H.R. 889, modified by adding the text of the bill, H.R. 845, is considered as an original bill for the purpose of amendment and is considered as having been read.

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

H.R. 889

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, to provide emergency supplemental appropriations for the Department of Defense to preserve

For an additional amount for ''Military Personnel, Army,'' $69,300,000: *Provided,* That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

MILITARY PERSONNEL, NAVY

For an additional amount for ''Military Personnel, Navy,'' $49,500,000: *Provided,* That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

MILITARY PERSONNEL, MARINE CORPS

For an additional amount for ''Military Personnel, Marine Corps,'' $10,400,000: *Provided,* That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

MILITARY PERSONNEL, AIR FORCE

For an additional amount for ''Military Personnel, Air Force,'' $71,700,000: *Provided,* That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

RESERVE PERSONNEL, NAVY

For an additional amount for ''Reserve Personnel, Navy,'' $4,600,000: *Provided,* That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

OPERATION AND MAINTENANCE

OPERATION AND MAINTENANCE, ARMY

For an additional amount for ''Operation and Maintenance, Army,'' $958,600,000: *Provided,* That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

OPERATION AND MAINTENANCE, NAVY

For an additional amount for ''Operation and Maintenance, Navy,'' $347,600,000: *Provided,* That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

OPERATION AND MAINTENANCE, MARINE CORPS

For an additional amount for ''Operation and Maintenance, Marine Corps,'' $38,000,000: *Provided,* That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

OPERATION AND MAINTENANCE, AIR FORCE

For an additional amount for ''Operation and Maintenance, Air Force,'' $888,700,000: *Provided,* That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

and Maintenance, Navy Reserve,'' $6,400,000: *Provided,* That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

PROCUREMENT

OTHER PROCUREMENT, ARMY

For an additional amount for ''Other Procurement, Army,'' $28,600,000, to remain available until September 30, 1997: *Provided,* That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

OTHER PROCUREMENT, AIR FORCE

For an additional amount for ''Other Procurement, Air Force,'' $8,100,000, to remain available until September 30, 1997: *Provided,* That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

OTHER DEPARTMENT OF DEFENSE PROGRAMS

DEFENSE HEALTH PROGRAM

For an additional amount for ''Defense Health Program,'' $14,000,000: *Provided,* That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

TITLE II

RESCINDING CERTAIN BUDGET AUTHORITY

DEPARTMENT OF DEFENSE—MILITARY

OPERATION AND MAINTENANCE

OPERATION AND MAINTENANCE, AIR FORCE

(RESCISSION)

Of the funds made available under this heading in Public Law 103–335, $15,000,000 are rescinded.

OPERATION AND MAINTENANCE, DEFENSE-WIDE

(RESCISSION)

Of the funds made available under this heading in Public Law 103–335, $18,800,000 are rescinded.

ENVIRONMENTAL RESTORATION, DEFENSE

(RESCISSION)

Of the funds made available under this heading in Public Law 103–335, $150,000,000 are rescinded.

FORMER SOVIET UNION THREAT REDUCTION

(RESCISSION)

Of the funds made available under this heading in Public Law 103–335, $80,000,000 are rescinded.

PROCUREMENT

AIRCRAFT PROCUREMENT, AIR FORCE

(RESCISSIONS)

Of the funds made available under this heading in Public Law 103–139, $15,000,000 are rescinded.

Of the funds made available under this heading in Public Law 103–335, $71,400,000 are rescinded.

Of the funds made available under this heading in Public Law 103–335, $30,000,000 are rescinded.

DEFENSE PRODUCTION ACT PURCHASES

(RESCISSION)

Of the funds made available under this heading in Public Law 103–139, $100,000,000 are rescinded.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY

(RESCISSIONS)

Of the funds made available under this heading in Public Law 103–139, $28,300,000 are rescinded.

Of the funds made available under this heading in Public Law 103–335, $19,700,000 are rescinded.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY

(RESCISSIONS)

Of the funds made available under this heading in Public Law 103–139, $1,200,000 are rescinded.

Of the funds made available under this heading in Public Law 103–335, $58,900,000 are rescinded.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR FORCE

(RESCISSIONS)

Of the funds made available under this heading in Public Law 103–139, $93,800,000 are rescinded.

Of the funds made available under this heading in Public Law 103–335, $75,800,000 are rescinded.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE

(RESCISSIONS)

Of the funds made available under this heading in Public Law 103–139, $77,000,000 are rescinded.

Of the funds made available under this heading in Public Law 103–335, $491,600,000 are rescinded.

RELATED AGENCIES

NATIONAL SECURITY EDUCATION TRUST FUND

(RESCISSION)

Of the funds made available under this heading in Public Law 102–172, Public Law 103–50, Public Law 103–139, and Public Law 103–335, $161,287,000 are rescinded: *Provided*, That the balance of funds in the National Security Education Trust Fund (established pursuant to section 804 of the David L. Boren National Security Education Act of 1991 (50 U.S.C. 1904)), other than such amount as is necessary for obligations made before the date of the enactment of this Act, is hereby reduced to zero: *Provided further*, That no outlay may be made from the Fund after the date of the enactment of this Act other than to liquidate an obligation made before such date and upon liquidation of all such obligations made before such date, the Fund shall be closed: *Provided further*, That no obligation may be made from the Fund after the date of the enactment of this Act.

emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

MILITARY PERSONNEL, NAVY

For an additional amount for ''Military Personnel, Navy,'' $68,200,000: *Provided*, That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

MILITARY PERSONNEL, MARINE CORPS

For an additional amount for ''Military Personnel, Marine Corps,'' $3,000,000: *Provided*, That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

MILITARY PERSONNEL, AIR FORCE

For an additional amount for ''Military Personnel, Air Force,'' $70,400,000: *Provided*, That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

RESERVE PERSONNEL, ARMY

For an additional amount for ''Reserve Personnel, Army,'' $6,500,000: *Provided*, That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

RESERVE PERSONNEL, NAVY

For an additional amount for ''Reserve Personnel, Navy,'' $5,000,000: *Provided*, That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

RESERVE PERSONNEL, MARINE CORPS

For an additional amount for ''Reserve Personnel, Marine Corps,'' $1,300,000: *Provided*, That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

RESERVE PERSONNEL, AIR FORCE

For an additional amount for ''Reserve Personnel, Air Force,'' $2,800,000: *Provided*, That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

NATIONAL GUARD PERSONNEL, ARMY

For an additional amount for ''National Guard Personnel, Army,'' $11,000,000: *Provided*, That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

NATIONAL GUARD PERSONNEL, AIR FORCE

For an additional amount for ''National Guard Personnel, Air Force,'' $5,000,000: *Provided*, That such amount is designated by

suant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

OPERATION AND MAINTENANCE, NAVY

For an additional amount for ''Operation and Maintenance, Navy,'' $107,000,000: *Provided*, That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

OPERATION AND MAINTENANCE, MARINE CORPS

For an additional amount for ''Operation and Maintenance, Marine Corps,'' $46,000,000: *Provided*, That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

OPERATION AND MAINTENANCE, AIR FORCE

For an additional amount for ''Operation and Maintenance, Air Force,'' $80,400,000: *Provided*, That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

OPERATION AND MAINTENANCE, ARMY RESERVE

For an additional amount for ''Operation and Maintenance, Army Reserve,'' $13,000,000: *Provided*, That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

OPERATION AND MAINTENANCE, NAVY RESERVE

For an additional amount for ''Operation and Maintenance, Navy Reserve,'' $18,000,000: *Provided*, That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

OPERATION AND MAINTENANCE, MARINE CORPS RESERVE

For an additional amount for ''Operation and Maintenance, Marine Corps Reserve,'' $1,000,000: *Provided*, That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

OPERATION AND MAINTENANCE, AIR FORCE RESERVE

For an additional amount for ''Operation and Maintenance, Air Force Reserve,'' $2,600,000: *Provided*, That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD

For an additional amount for ''Operation and Maintenance, Army National Guard,'' $10,000,000: *Provided*, That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

GENERAL PROVISIONS

SEC. 401. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 402. Notwithstanding sections 607 and 630 of the Foreign Assistance Act of 1961 (22 U.S.C. 2357, 2390) and sections 2608 and 2350j of title 10, United States Code, all funds received by the United States as reimbursement for expenses for which funds are provided in this Act shall be deposited in the Treasury as miscellaneous receipts.

This Act may be cited as the ''Emergency Supplemental Appropriations and Rescissions for the Department of Defense to Preserve and Enhance Military Readiness Act of 1995''.

TITLE V

That the following rescissions of budget authority are made, namely:

CHAPTER I

DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES

DEPARTMENT OF JUSTICE

IMMIGRATION AND NATURALIZATION SERVICE

IMMIGRATION EMERGENCY FUND

(RESCISSION)

Of the amounts made available under this heading in Public Law 103–317, $70,000,000 are rescinded.

DEPARTMENT OF COMMERCE

NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY

INDUSTRIAL TECHNOLOGY SERVICES

(RESCISSION)

Of the amounts made available under this heading in Public Law 103–317 for the Advanced Technology Program, $107,000,000 are rescinded.

CHAPTER II

ENERGY AND WATER DEVELOPMENT

DEPARTMENT OF ENERGY

ATOMIC ENERGY DEFENSE ACTIVITIES

DEFENSE ENVIRONMENTAL RESTORATION AND WASTE MANAGEMENT

(RESCISSION)

Of the amounts made available under this heading in Public Law 103–316 and prior years' Energy and Water Development Appropriations Acts, $100,000,000 are rescinded.

CHAPTER III

FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED AGENCIES

MULTILATERAL ECONOMIC ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

INTERNATIONAL FINANCIAL INSTITUTIONS

CONTRIBUTION TO THE AFRICAN DEVELOPMENT FUND

(RESCISSION)

Of the funds made available under this heading in Public Law 103–306, $62,014,000 are rescinded.

CHAPTER IV

DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES

DEPARTMENT OF ENERGY

CLEAN COAL TECHNOLOGY

(RESCISSION)

Of the funds made available under this heading for obligation in fiscal year 1996, $50,000,000 are rescinded and of the funds made available under this heading for obligation in fiscal year 1997, $150,000,000 are rescinded: *Provided,* That funds made available in previous appropriations Acts shall be available for any ongoing project regardless of the separate request for proposal under which the project was selected.

CHAPTER V

DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, EDUCATION, AND RELATED AGENCIES

DEPARTMENT OF LABOR

EMPLOYMENT AND TRAINING ADMINISTRATION

TRAINING AND EMPLOYMENT SERVICES

(RESCISSION)

Of the funds made available under this heading in Public Law 103–333 for carrying out title II, part C of the Job Training Partnership Act, $200,000,000 are rescinded.

DEPARTMENT OF EDUCATION

SCHOOL IMPROVEMENT PROGRAMS

(RESCISSION)

Of the funds made available under this heading in Public Law 103–333 for new education infrastructure improvement grants, $100,000,000 are rescinded.

CHAPTER VI

DEPARTMENT OF TRANSPORTATION AND RELATED AGENCIES

DEPARTMENT OF TRANSPORTATION

FEDERAL RAILROAD ADMINISTRATION

LOCAL RAIL FREIGHT ASSISTANCE

(RESCISSION)

Of the available balances under this heading, $13,126,000 are rescinded.

PENNSYLVANIA STATION REDEVELOPMENT PROJECT

(RESCISSION)

Of the funds made available under this heading in Public Law 103–331, $40,000,000 are rescinded.

CHAPTER VII

DEPARTMENTS OF VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT, AND INDEPENDENT AGENCIES

INDEPENDENT AGENCIES

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

NATIONAL AERONAUTICAL FACILITIES

(RESCISSION)

Of the funds made available under this heading in Public Law 103–327, for construction of wind tunnels, $400,000,000 are rescinded.

The CHAIRMAN. No other amendment shall be made in order except an amendment in the nature of a substitute printed in House Report 104–44.

For what purpose does the gentleman from Wisconsin rise?

AMENDMENT IN THE NATURE OF A SUBSTITUTE OFFERED BY MR. OBEY

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

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

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

Amendment in the nature of a substitute offered by Mr. OBEY:

Strike all after the enacting clause and insert the following: That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, to provide emergency supplemental appropriations for the Department of Defense to preserve and enhance military readiness for the fiscal year ending September 30, 1995, and for other purposes, namely:

TITLE I

EMERGENCY SUPPLEMENTAL APPROPRIATIONS

DEPARTMENT OF DEFENSE—MILITARY

MILITARY PERSONNEL

MILITARY PERSONNEL, ARMY

For an additional amount for ''Military Personnel, Army,'' $69,300,000: *Provided,* That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

MILITARY PERSONNEL, NAVY

For an additional amount for ''Military Personnel, Navy,'' $49,500,000: *Provided,* That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

MILITARY PERSONNEL, MARINE CORPS

For an additional amount for ''Military Personnel, Marine Corps,'' $10,400,000: *Provided,* That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

MILITARY PERSONNEL, AIR FORCE

For an additional amount for ''Military Personnel, Air Force,'' $71,700,000: *Provided,* That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

RESERVE PERSONNEL, NAVY

For an additional amount for ''Reserve Personnel, Navy,'' $4,600,000: *Provided,* That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

OPERATION AND MAINTENANCE, NAVY

For an additional amount for ''Operation and Maintenance, Navy,'' $347,600,000: *Provided,* That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

OPERATION AND MAINTENANCE, MARINE CORPS

For an additional amount for ''Operation and Maintenance, Marine Corps,'' $38,000,000: *Provided,* That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

OPERATION AND MAINTENANCE, AIR FORCE

For an additional amount for ''Operation and Maintenance, Air Force,'' $888,700,000: *Provided,* That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

OPERATION AND MAINTENANCE, DEFENSE-WIDE

For an additional amount for ''Operation and Maintenance, Defense-Wide,'' $43,200,000: *Provided,* That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

OPERATION AND MAINTENANCE, NAVY RESERVE

For an additional amount for ''Operation and Maintenance, Navy Reserve,'' $6,400,000: *Provided,* That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

PROCUREMENT

OTHER PROCUREMENT, ARMY

For an additional amount for ''Other Procurement, Army,'' $28,600,000, to remain available until September 30, 1997: *Provided,* That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

OTHER PROCUREMENT, AIR FORCE

For an additional amount for ''Other Procurement, Air Force,'' $8,100,000, to remain available until September 30, 1997: *Provided,* That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

OTHER DEPARTMENT OF DEFENSE PROGRAMS

DEFENSE HEALTH PROGRAM

For an additional amount for ''Defense Health Program,'' $14,000,000: *Provided,* That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

to carry out this paragraph, the Secretary of Defense, to the maximum extent feasible (1) shall cancel or reduce only programs, projects, and activities that the Secretary determines are of the lowest priority; and (2) shall not cancel or reduce any program, project, or activity that the Secretary determines directly affects force readiness or the quality of life for service members and their families. No rescission, cancellation, or reduction under this paragraph shall take effect until 30 days after the Secretary of Defense submits to the Congress a notification of the proposed cancellations and reductions.

TITLE III

GENERAL PROVISIONS

SEC. 301. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 302. Notwithstanding sections 607 and 630 of the Foreign Assistance Act of 1961 (22 U.S.C. 2357, 2390) and sections 2608 and 2350j of title 10, United States Code, all funds received by the United States as reimbursement for expenses for which funds are provided in this Act shall be deposited in the Treasury as miscellaneous receipts.

This Act may be cited as the ''Emergency Supplemental Appropriations and Rescissions for the Department of Defense to Preserve and Enhance Military Readiness Act of 1995''.

The CHAIRMAN. The gentleman from Wisconsin [Mr. OBEY] will be recognized for 30 minutes, and the gentleman from Louisiana [Mr. LIVINGSTON] will be recognized in opposition for 30 minutes.

The Chair recognizes the gentleman from Wisconsin [Mr. OBEY].

Mr. OBEY. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, I need, I think, to once again explain something. This is very elemental, but very important.

It is true that the Committee on the Appropriations operates by approving new budget authority, but in fact, ever since the Budget Act was passed, we must abide by the CBO scoring on outlays because the deficit is determined by what our outlays are, not what our budget authority is. And the fact is that, while we have a great effort on the Republican side of the aisle to suggest that this package is paid for today, in fact it is not. The Congressional Budget Office, which is the neutral scorekeeping operation, indicates very clearly that this bill will result in almost $300 million more in outlays than we would have if we did not pass it, and over 5 years it would result in spending almost $700 million more in outlays, which is the only way to count under the budget rules, to the deficit over 5 years.

Now what is happening here is very simple. Both sides agree that we ought to reimburse the Pentagon for expenses

numbers.

I say to my colleagues, ''You cannot do that if you want to look your constituents squarely in the eyes. The fact is that without the Obey amendment you will go home tonight having voted to expand the deficit, and that will be the first vote that you have cast on an appropriation bill since you proudly told your constituents that you were for a balanced budget amendment to the Constitution.''

I say that to cast an inconsistent vote like that is—well, I will not say it. It would be against the House rules, but it would not be kind. Let me simply explain the amendment.

What the amendment says is that we should simply go back to the original administration request, provide the $2.5 billion to replenish the funds that the Pentagon wanted replenished, and then, to make certain that it is paid for, we simply give the Secretary of Defense the authority to select low priority, nonreadiness, non-equality-of-life programs for rescissions in order to fully pay for it. That is all this amendment does.

Now I would suggest to my colleagues, ''Why?'' Why should we shield projects such as the Wyoming project to assist the Fish and Wildlife Service to ensure that young ferrets have the best opportunity to survive when released into wild prairie dog colonies? Why are we going through this elaborate charade to protect those kinds of projects? What we are asking is to pay for what the Pentagon is asking for, give the Secretary of Defense the ability to knock out baloney like that rather than going after other items which are of much higher priority to the Defense Department and much higher priority to some people who are concerned about domestic programs.

Why should we also refuse to scrub the defense budget for the last one-half of 1 percent that would be necessary to honestly balance the budget on this bill? I ask, ''Why shouldn't we do that? Why should we continue to protect, for instance, the two executive jets added to the defense bill last year despite the fact that the Pentagon never requested them? Why should we be looking at adding $21 million to extend and upgrade the runway and fueling system at Tinker Air Force Base even though Tinker Air Force Base may be scheduled for base closing under the next base closing round?''

So, to me it is very simple, it is very simple. I say to my colleagues, ''If you want to go home to your constituents tonight and say that you have actually

is give the Secretary the authority to eliminate low grade projects and low grade pork such as the items I've mentioned rather than going after much more important programs in the budget.''

I urge my colleagues to vote for the Obey amendment.

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

Mr. Chairman, I want to point out that the gentleman's amendment would, in fact, eliminate $1.46 billion in specific, specific Department of Defense, rescissions that the committee has identified as being low priority, and that is twice the amount of actual rescissions that anybody, the President, the Defense Department, has ever talked about. In the President's letter he says he would ask the Secretary of Defense to identify approximately $700 million in nonspecific reductions. He has not identified them. He just says he will allow the Secretary of Defense to just pick them out of a hat. We do not know what they are going to be. Second, the Obey substitute grants line-item veto authority to the Department of Defense to do exactly the same thing, to find, cancel, and reduce up to $2.25 billion in previously appropriated funds. No congressional review is provided. The cancellation is automatic after 30 days of notification. It gives the Department of Defense, the Secretary of Defense, the authority to just pick them out of the hat without any congressional review. Third, it eliminates the enhanced readiness funding that the Department of Defense and all of their leaders say they desperately need by $670 million. Fourth, it would eliminate some $1.4 billion in nondefense offsets that we have used to pay for the programs that everybody on the other side says we are not paying for. We have specified nondefense items proposed for reduction in the companion bill that has been incorporated in this bill that are low priority.

We have an opportunity to reduce spending, and we should do it mainly in the foreign aid programs and low-priority domestic programs. The real flaw, Mr. Chairman, in the Obey amendment is that even if we give the Secretary line-item veto authority to cut $2.5 billion, he cannot do it. He is not going to do it. He could not even find $700 million like the President wanted him to find initially as stated in a letter to our committee last month. To this very day the Secretary of Defense has yet to identify 1 red cent of cuts, not 1 red cent.

even guarantee budget authority cuts.

□ 1420

In fact, the argument has been made that by adopting the Obey substitute and giving the Secretary of Defense line-item veto authority, he can make the bill outlay-neutral. Well, who knows? Who knows what the Secretary might do? Who knows what programs he might cut? Depending on the mix of cuts he picks, we might not get as many outlay cuts as are in the bill that is actually before us today. What if the Secretary goes after long-lead procurement? What if he goes after critical readiness accounts?

Giving the Secretary line-item veto is just buying a pig in a poke—we take specific cuts now and capture the savings now. Actually the substitute makes no sense at all.

Mr. Chairman, I urge the House to defeat the Obey substitute and vote ''aye'' on the final bill.

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

Mr. OBEY. Mr. Chairman, I yield myself 30 seconds.

Mr. Chairman, the gentleman says that the Obey amendment does not guarantee that this money will be saved? I want to quote from page 5, lines 22, 23, and 24:

> Of the total funds made available for the Department of Defense in Public Law 103–335, $2,250,000,000 are rescinded.

Mr. Chairman, we cannot get more plain than that.

Mr. Chairman, I yield 5 minutes to the distinguished ranking minority member of the Subcommittee on Defense, the gentleman from Pennsylvania [Mr. MURTHA].

Mr. MURTHA. Mr. Chairman, in December I took a trip down to Fort Hood, where I met with 3 of the division commanders. In the continental United States there are eight divisions, and I met with three of them. We talked about the readiness at Fort Hood and the problem they have had with lack of money in order to maintain readiness.

I do not mean to say that if they were to be deployed, by the time transportation would be available they would not be ready to move. But they were in a state of sea readiness, which is substantially below the rate we would like to see if they were to go into combat tomorrow. We could probably get them up to a top level in 30 to 45 days.

But the key to our success in deploying troops to Saudi Arabia in order to stop the Iraqis was the fact that we had troops ready to move and we were able

From Fort Hood I went down to Fort McPherson, where I met two more of the division commanders. So I met with five of the eight division commanders. Each one of them said to me that their readiness was on shaky grounds, that they had a state of readiness where they were concerned about the amount of money available.

I disagree with what the gentleman from Wisconsin is trying to do. In the past we have always felt that emergency supplementals should not be offset. He takes a different position, and I understand that. His position is that because of the balanced budget amendment, it ought to be offset. I take the position, the same position I have always taken, that this is an emergency supplemental, we are paying for deployments that the President ordered, they are humanitarian type deployments in most cases—the Kuwaiti deployment was paid for by the Kuwaitis—and they should not be offset.

As a matter of fact, when I was down at Fort McPherson, we went on down to Fort Bragg, and I talked to a couple of NCO's who are doing the training. The one NCO who had been in the Army for about 5 years took two salad dressing containers, and he said, ''This is the way I train my troops. I move this salad container''—I said, ''Wait a minute. You are not using this one?'' He said, ''No, we don't have what's necessary in order to do an adequate job of training because the money has been cut back so much.''

This is an example from enlisted people of what is involved in the actual training.

We had a terrible tragedy the other day at one of the bases. Some of the Rangers were involved. That is very difficult training. It is some of the most difficult training in any of the Armed Forces. They push them to the hilt. I do not know that happened there. I hope this did not happen because of inadequate supervision. I hope it did not happen because they did not have the money to get the helicopters out there. I have no idea what the results were, but I am concerned when those kinds of accidents start to happen.

At one time in the 1970's we only flew about 12 hours a month. We had accidents with some of the airplanes of the Air Force, and we had a very high accident rate. When we start losing the training time, we start increasing the accidents, and it is counterproductive and it costs us a lot more money.

We have been very careful in the way we have reduced the structure of the Armed Forces. As I said before, we

Obviously, our main line of defense is nuclear deterrence. We also have to worry about the possibility of somebody floating a nuclear device into one of our harbors, and we have to spend money on those kinds of things.

I am convinced that the offset that my friend, the gentleman from Wisconsin [Mr. OBEY], offers goes too far. I am not in favor of rescissions, but I would rather see Mr. OBEY's offset defeated, have us pass the bill as it is, and will work it out in conference.

Mr. Chairman, I urge a defeat of the Obey substitute and passage of the bill so we can get it to conference.

Mr. LIVINGSTON. Mr. Chairman, I am delighted to yield 2 minutes to the distinguished gentleman from Tennessee [Mr. HILLEARY].

Mr. HILLEARY. Mr. Chairman, I rise to engage the gentleman from California [Mr. LEWIS], the chairman of the subcommittee dealing with NASA, in a colloquy, if he is willing.

Mr. LEWIS of California. Mr. Chairman, if the gentleman would yield, I would be happy to do so.

Mr. HILLEARY. Mr. Chairman, as the gentleman is aware, my district contains the Engineering Development Center at Arnold Air Force Base near Tullahoma, and we believe that is an ideal place to locate new aeronautical facilities for NASA.

I was wondering if the gentleman could clarify the effect that this rescission bill will have on our ability to develop new wind tunnels.

Mr. LEWIS of California. Mr. Chairman, if the gentleman will yield, the rescission bill does specifically put on the block the authority for some $400 million for proposed wind tunnels. Frankly, it is time for us to rethink that whole technology and the Federal Government's appropriate role in it. It does not necessarily eliminate the possibility of the Federal Government's being involved over time.

Mr. HILLEARY. I think one of the stipulations with this original $400 million we are rescinding in this bill was that the President would include in his fiscal year package for 1996 an additional $400 million.

Mr. LEWIS of California. That is correct.

Mr. HILLEARY. And he did not do that.

Mr. LEWIS of California. Yes. When the $400 million was appropriated last year, the NASA appropriation bill contained a statutory requirement that the administration at least match the funds in the fiscal year 1996 budget. However, they did not do so.

bill today. Over time I fully expect that our subcommittee will address the question in a different way and perhaps redesign whatever the role of the Federal Government is that may be involved. I do expect that technology to go forward.

Mr. HILLEARY. Mr. Chairman, I thank the gentleman.

Mr. OBEY. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, the exchange that we just heard demonstrates why the committee bill does not in fact balance the budget. On the wind-tunnel item, that money was appropriated subject to authorization. It has never been authorized.

Therefore, CBO itself has indicated correctly that since it has not been authorized, it cannot be spent. Even though it cannot be spent, the committee amendment cuts the money and pretends it saves money. CBO says we have not saved any money by cutting the wind-tunnel item because there was no money there to be spent in the first place.

Mr. Chairman, that is why the Republican proposal does not balance the budget, because it cuts funny money, and it does it twice.

Mr. Chairman, I yield 3 minutes to the gentleman from Florida [Mr. PETERSON].

□ 1430

Mr. PETERSON of Florida. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I support the Obey amendment for several different reasons. I would prefer, first of all, that we did not offset this money. I think that we are talking about an emergency appropriation here, and I think we are setting a precedent here that is very, very dangerous. Here is why.

We are going to look into the future and future administrations are going to have to look at national security decisions, that is, as to whether or not we are going to do some early intervention, that is to say take care of the cold before we get pneumonia in national security. We are going to have to look at that as a budgetary problem, as opposed to a national security problem.

I think we are going to have administrations in the future not taking the kinds of early action that we must in order to protect the national security of this country.

Now, that is the first side. However, if we are going to offset this, and if we are going to start out by taking $1.8 billion out of the Defense Department

money to assist the Russian Government and some of the satellite countries to reduce the nuclear threat, then that threat reemerges to us and we have to increase our DOD budget to meet that new threat. That is part of it.

The other part on that particular element, Nunn-Lugar, we are taking out of Russia and the satellite countries nuclear scientists and allowing them to stay in the country instead of selling their information to Iraq, Iran, Libya, and other rogue countries throughout the world that would in fact bring us a greater threat, thereby again increasing the DOD budget.

The TRP I think has been adequately discussed here. Clearly that is a program that makes us money, the transfer of technology between civilian and military in a joint use. We are getting 100 percent more on our dollar than we would otherwise.

Then there is the Russian housing that everybody wants to make fun of. Mr. Chairman, Russia is not a potted plant. They are a threat to this country from a national security standpoint, and we have got to do everything in our power to make sure that that threat does not rise beyond our ability to meet it.

Mr. LIVINGSTON. Mr. Chairman, might I inquire how much time each side has?

The CHAIRMAN. The gentleman from Louisiana [Mr. LIVINGSTON] has 24½ minutes remaining, and the gentleman from Wisconsin [Mr. OBEY] has 15½ minutes remaining.

Mr. LIVINGSTON. Mr. Chairman, I yield myself 1 minute to point out only the Penn Station and the wind tunnel projects were both appropriated but not authorized. We are rescinding the appropriations. That is a real rescission. They were appropriated in previous bills. So we are cutting those out until such time as this House deliberates in the authorization committees and determines that they are worthwhile projects and should go forward.

As far as the Nunn-Lugar money, we are not cutting any money out to denuke the Russians. We are cutting money out to resettle the Russian soldiers in $25,000 plush complexes when some of our own service people are living in substandard housing.

Finally, I just want to reiterate, this entire bill is supported by the Citizens Against Government Waste. Tom Shatz, the president of that group, said that this is good faith, pro-taxpayer legislation for which the Appropriations Committee should receive credit

my distinguished colleague and chairman of the Committee on Appropriations for yielding and the fine job he is doing, along with the entire Committee on Appropriations.

As a member of the Committee on National Security for now 9 years and this session chairman of the Research and Technology Subcommittee, I have to share with my colleagues the frustration that I felt this morning sitting in on our hearing, full committee hearing, where we had the heads of the services come in and practically beg us to support the supplemental on the floor today. They made some very dire predictions to us of what would occur if we did not in fact fund this supplemental, and told us in very real terms what would happen in terms of Army training, shutting down at the end of May of this year, the Navy not being able to go forward with maintenance and operations and upkeep of our basic naval ships and vessels, and what really bothered me is that here we are now facing the prospect of funding a supplemental, which I totally support and congratulate the chairman and the subcommittee chairmen for fully paying for, when the real debate here should be focused on the administration's policy of committing our troops in places without the prior consent of this body.

As I pointed out last week on the House floor during the debate on the National Security Revitalization Act, what frustrates me the most today is a situation like we see going on in Haiti where we are using DOD dollars to pay the salaries and the benefits of troops from Bangladesh, Nepal, Guatemala, and other Third-World nations.

Here we are using DOD money to fund the full costs and benefits for foreign troops, when a unit of 600 troops of the Second Armored Division in Texas had to train in a tank range as though they were in tanks, because we did not have enough money to support the fuel and maintenance costs of keeping that tank unit operational and prepared.

Here we have a situation where the defense budget has been cut over 5 years by 25 percent, yet during that same 5-year time period, nondefense spending in the defense bill has increased by 361 percent. So while we are dramatically downsizing the amount of defense spending, we are rapidly increasing those items in the defense budget that our good leadership has seen fit to take out and say hey, we have a readiness problem. We have a problem with modernization, and we cannot fund these other niceties that Members of Congress want to stick in

want to use my time for the purpose of engaging in a colloquy with the gentleman from Florida [Mr. YOUNG].

Mr. Chairman, I want to clarify the language included in H.R. 889 as it relates to the rescission of $150 million in environmental cleanup activities. Is it the committee's intent for the Secretary of Defense to retain discretion over the remaining $1.6 billion included in the Defense environmental restoration account?

Mr. YOUNG of Florida. Mr. Chairman, will the gentleman yield?

Mr. UNDERWOOD. I yield to the gentleman from Florida.

Mr. YOUNG of Florida. Yes, that is the intention of the committee.

Mr. UNDERWOOD. I also understand that the legislation still enables the Department of Defense to proceed with their fiscal year 1995 environmental restoration program. Is that correct?

Mr. YOUNG of Florida. The gentleman is correct.

Mr. UNDERWOOD. I thank the chairman for clarifying this matter which will support the release of $1.3 million from DERA for the cleanup of excess military lands identified for transfer to Guam under Public Law 103–339.

Mr. Chairman, I rise today in opposition to H.R. 889 and in support of the Obey amendment. I oppose the legislation before us not because I do not believe in being fiscally responsible, but because the current bill would seriously hamper our commitment to environmental cleanup and jeopardize the process of transfer of military lands in which we are engaged throughout our Nation. The Obey amendment offers a sensible alternative.

The package before us today would rescind $150 million from the Defense environmental restoration account or DERA. While I understand the difficult task that the appropriators had in coming up with rescissions that will fund ongoing contingency operations, I believe that taking it from DERA is the wrong place to look.

DERA is part of the so-called nontraditional defense spending that is under attack these days. It may be easy to assume that by curtailing funding for environmental surveys and studies we will reduce DOD's responsibilities. The reality is quite the contrary.

By taking this action today, we will not reduce DOD's responsibility one iota. And environmental cleanup is not something that we can relegate to the private sector or assume that charities will take over. This is not so much a Government program, as a Government responsibility. The Secretary of Defense requested this $150 million in fiscal year 1995 for a reason. It is not frivolous or unimportant spending.

Without funding, DOD is left with what I term an unfunded liability. They are still responsible for cleanup and the condition of

years have relied on local bases for an economic stimulus will be left without the resources to affect their economic future.

There are programs in the fiscal year 1995 budget that the Secretary of Defense did not request. It is his job to decide what our Nation's defense priorities should be. Why don't we let him decide these matters instead of having 435 Secretaries of Defense in Congress step in.

I urge my colleagues to reject the approach taken in H.R. 889 and instead vote for the Obey amendment that would leave the rescissions up to the discretion of the Secretary of Defense, where the authority should rest.

Mr. LIVINGSTON. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, in the next few weeks I want to promise all my friends who worry about not making real cuts that this committee will in fact be back on the floor with approximately $15 billion in real cuts. So if the other side is concerned we are not seeing sufficient numbers of cuts today, I hope they will stick with me, shoulder-to-shoulder, as these new cuts come to the floor. I look forward to their enthusiastic support, and I promise the House that they are coming.

Mr. Chairman, I reserve the balance of my time, and inform the Chair I only have one additional speaker, and we would ask that he close.

The CHAIRMAN. The gentleman from Louisiana [Mr. LIVINGSTON] has 19½ minutes remaining, and the gentleman from Wisconsin [Mr. OBEY] has 14½ minutes remaining. Under the rule, the gentleman from Louisiana has the right to close.

Mr. OBEY. Mr. Chairman, I yield 3 minutes to the gentleman from South Carolina [Mr. SPRATT].

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

☐ 1440

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

Mr. Chairman, one key advantage of the Obey amendment is that it will allow the Secretary of Defense to decide what to cut and what not to cut in order to pay for this supplemental. In particular, this is why I rise to speak in support of it, it will allow the Secretary to avoid some $250 million in rescissions from environmental restoration and waste cleanup accounts, $150 million off the DOD account and $100 million off the DOE account.

Now, I know there is a widespread notion in this body and outside this body that somehow or another these appropriations do not really belong in the defense spending bill anyway, that

quired by law. They are imposed on the Department by regulations, by court decrees that they have entered into in State after State. And we are not just skimming these accounts, $150 million off DOD, $1.78 billion seems like it is not that big a hit, $100 million does not sound like much when DOE gets about $3 billion for this particular type of activity. But they are already at the margin because DOD has already squeezed these accounts and so has DOE.

And do not take my word for it. Let me quote the eloquent words of Gov. Pete Wilson of California in a letter he wrote to the Secretary of Defense dated January 25, 1995.

> The recent decision by Congress to cut environmental restoration for 1995 continues a disturbing trend begun last year when Congress rescinded 507 million from the BRAC account. California was reassured that this rescission would not affect environmental work at closing military bases, but work was indeed scaled back at several California military bases due to the cut. If the Federal Government will not keep its cleanup obligations, how can we expect private industry to do the same?
>
> California expects DOD to comply with the federal/state cleanup agreements it has sighed at California military bases. DOD is contractually obligated to seek sufficient funding to permit environmental work to proceed according to the schedule contained in those agreements. California will not hesitate to assert its rights under those agreements to seek fines and penalties and judicial orders compelling DOD to conduct the required environmental work.

If we pass this supplemental, we will in effect say that DOD is not subject to the same laws as other businesses.

Mr. OBEY. Mr. Chairman, I yield 30 seconds to the gentleman from New York [Mr. ACKERMAN].

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

Mr. ACKERMAN. Mr. Chairman, I rise in strong opposition to the bill and in support of the Obey substitute.

The bill rescinds more than $500 million from the Technology Reinvestment Program and would kill the TRP which leverages commercial technology in a way that benefits both the Defense Department and the private sector.

The TRP's mission is to maintain our defense industrial and technological base by promoting an integrated, national industrial capability which provides the most advanced, affordable military systems and the most competitive commercial products.

The defense industry on Long Island has been hard hit by downsizing and TRP has provided opportunities to develop dual use technologies that contribute to our national defense. Map potentially hazardous radioactive environments in order to prevent health and safety threats due to radiation contaminated materials. The system is also valuable for low-cost development of defense weapon systems and surveillance of nuclear sites for treaty verification applications. Comparable systems are not currently available.

Target Rock Corp., Peerless Instruments Co. of Elmhurst, NY, and MPR Associates of Alexandria, VA, have collaborated on a proposal to develop zero emissions control valves. These valves are hermetically sealed and prevent inadvertent leakage of hazardous material. The valves are designed to help U.S. manufacturing companies cost effectively meet the fugitive emissions requirements for volatile organic compounds defined in the Clean Air Act and the current EPA and OSHA regulations for personnel safety from these emissions. The valves are a direct technology spin-off from the valve technology that is critical to the U.S. Navy's nuclear fleet.

Mr. Chairman, the TRP has come under intense criticism that it does not have military applications. These are but two of many examples that show that dual-use technology can and does work. There are similar examples nationwide.

I believe that it is too early to judge the TRP. Even when research and development programs are focused entirely on military applications, it can take many years before such programs actually produce technology that can be incorporated into battlefield weapons.

Mr. Chairman, the Appropriations Committee should have considered alternative cuts. The thousands of defense workers who helped us win the cold war deserve our support during the transition to a civilian economy. The TRP provides that support.

I urge my colleagues to support the Obey substitute and save the TRP.

Mr. OBEY. Mr. Chairman, I yield 3 minutes to the gentleman from Minnesota [Mr. SABO], the distinguished ranking Democrat on the Committee on the Budget.

Mr. SABO. Mr. Chairman, I thank the gentleman from Wisconsin [Mr. OBEY] for yielding time to me.

I rise in support of the Obey amendment. This bill clearly increases the deficit over the next year and over 5 years. Clearly, the House has spoken and said that emergency supplementals should be a thing of the past.

Personally, I do not agree with that judgment. I think the Federal Government should be able to respond to emergencies, both international and domestically, at times of great need.

However, the House overwhelmingly said ''no'' when we passed the balanced budget amendment. We said that the Congress would need to live within certain limits regardless of what happened internally or externally and that we in making decisions over our appropriating process.

The Obey amendment lets the Department make its judgments on programs that they deem to be of lower importance and of lower priority to pay for the bill.

It is an amendment that is thoroughly consistent with what the House has done in recent weeks, and I urge its adoption.

The CHAIRMAN. The gentleman from Wisconsin [Mr. OBEY] has 9 minutes remaining.

Mr. OBEY. Mr. Chairman, I yield 1½ minutes to the gentleman from Massachusetts [Mr. STUDDS], the distinguished former chairman of the Committee on Merchant Marine and Fisheries.

Mr. STUDDS. Mr. Chairman, I thank the gentleman for yielding time to me. I rise in support of his amendment.

I would like to say a brief word, if I may, about the rescission of $150 million in the environmental restoration account. There is a lot of talk these days about contracts. Let me suggest to Members that if they support this rescission we will be violating a very important contract. I site a place in Cape Cod because I know it best, but there are dozens replicated all over the country.

A military installation, Otis Military Reservation, has polluted the groundwater of four communities, poisoned the drinking water of thousands and thousands of people. There is an obligation, a contract, if you will, to clean that up. It is an obligation dictated by common sense. It is an obligation dictated by common sense. It is an obligation dictated by the requirements of the public health and dictated by the law.

If we refuse to give the Defense Department this money, that obligation stands, that mandate stands. It is, horror of horrors, at that point an unfunded mandate. And that work will stop. Whether it will stop at Cape Cod or the other installations around the country, I do not know, but it will stop.

The problem will not go away. The obligation will not go away. The mandate will not go away. But the funds to fulfill it will.

I urge Members to think very, very carefully about that before voting for this bill.

Mr. OBEY. Mr. Chairman, I yield 1½ minutes to the gentleman from California [Mr. DELLUMS], the distinguished former chairman of the Committee on Armed Services.

ministration presented a $2.6 billion supplemental request. The Committee on Appropriations chose to fund $2.5 billion of that $2.6. Then on top of that added $670 million for so-called readiness enhancement. So what we are looking at now is not a $2.6 billion but a rather $3.2 billion bill.

We raided $1.5 billion of a number of domestic programs. It is a Robin Hood in reverse, as it were. The military budget is huge, some $200 billion. Many of these domestic programs have been scraped to the bone. There is no need, it seems to me, to do that. The Pentagon was about the business of finding the necessary dollars to fund these 670 million dollars' worth of programs that are high priority. It seems to me what the Committee on Appropriations did was inappropriate at this time.

Finally, the authorization process is just going forward, Mr. Chairman. All of us, the dance that is going to be done is fiscal 1996, I call it the ''readiness dance. Everybody is going to try to ''out readiness'' each other.

The one account that probably will end up overfunded is the readiness account. We do not need to do it in the supplemental.

For those reasons, let us bring back some reason and sanity to this process. In that regard, I would rise in support of the Obey amendment.

Mr. OBEY. Mr. Chairman, I yield myself 1½ minutes.

Mr. Chairman, this bill has two fundamental flaws, both of which my amendment attempts to correct. The first is that despite the fact that the gentleman from Louisiana has indicated that $15 billion in domestic cuts, rescissions, will be provided in the next 2 weeks, they still insist on digging into the domestic side of the budget for an additional $700 million. Why do they do it? So that they shield low priority pork in the defense budget from scrubbing by the Secretary of Defense. That is why it is done.

The second problem is that even after they do that, even after they pretend that their bill is paid for, they still wind up with $640 million being added to the deficit over 5 years and $284 million being added in this year alone.

□ 1450

Mr. Chairman, I would simply say to my friends on the other side of the aisle, if they are going to vote for the constitutional amendment to balance the budget, then they should not tell the American people that the first time they actually have an opportunity to produce on that promise by actually doing something real, on a real bill, which spends real dollars or cuts real

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

Mr. GEPHARDT. Mr. Chairman, I rise today to urge my colleagues to reject this defense supplemental and to vote for the Obey substitute. I urge all of us to step back for a moment and take a step back from the technical details of the bill, and to realize that we are voting today on something much larger and much more important than the details of this bill.

This vote is about the trust of the American people. It is about a Congress that keeps its promises, and is not afraid to match rhetoric with reality.

Last month, Mr. Chairman, we passed a balanced budget amendment. Now we are being asked to approve our first spending bill since passing that amendment, our first opportunity to make good on that commitment.

However, the defense bill that has been offered by the majority does not honor that commitment, it corrupts it. It does not draw down the Federal deficit, it increases it by $645 million over the next 5 years. In my opinion, Mr. Chairman, it does not preserve the trust of the American people, it trades it away in a flash of red ink.

Mr. Chairman, I ask Members this question: Can we afford to say one thing and then a few days later do the opposite? Is that really our idea of leadership? This is not serious public policy, Mr. Chairman, it is bold-faced hypocrisy. I may not have agreed with the final language of the balanced budget amendment, but I believed my colleagues when they said they would lay out a diet of fiscal responsibility. However, this spending bill is not a diet, it is a spending binge.

Thankfully, there is a choice. We can support the Obey substitute, which meets America's needs without busting the budget. This substitute provides every penny our Defense Department needs to maintain readiness, and it actually cuts the deficit by $128 million next year alone, without increasing the deficit at all over the next 5 years.

Best of all, if we choose this substitute, we choose serious policy over hypocrisy.

Mr. Chairman, whether we like it or not, this first opportunity after the balanced budget amendment sends a powerful message. I urge Members to make it a message of responsibility, a message of commitment, a message of reason, not one of recklessness.

There can be no good reason to bust this budget after the balanced budget amendment. Vote for the Obey substitute, vote for a bill that will balance

such an outstanding job on this bill.

Mr. YOUNG of Florida. Mr. Chairman, I thank the gentleman for yielding me this time.

Mr. Chairman, I want to respond to something the gentleman from Massachusetts [Mr. STUDDS] mentioned about environmental cleanup. The decision we take here on the environmental issue here does not have a thing to do with moneys appropriated for environmental cleanup. To the contrary, we still leave about $1.65 billion available for cleanup.

There is a fund of $400 million for the study of potential future cleanups, potential future cleanups. Of that $400 million, we ask to rescind $150 million. It will not have an adverse effect on environmental cleanup.

Mr. Chairman, the issue seems to be whether or not the bipartisan bill presented by the subcommittee and the full committee is baloney, as the gentleman from Wisconsin [Mr. OBEY] has said, and I understand what baloney is; or that it is a charade, as the gentleman said, and I understand what a charade is; or that it is a red herring, as the gentleman suggested, and I do understand what a red herring is; or that we are posing for holy pictures.

Here is where I have a little problem, because I do not know what a holy picture is. I do not know what it means to pose for holy pictures. I have heard that statement an awful lot, Mr. Chairman, from the gentleman from Wisconsin, but I do not really understand what posing for holy pictures means.

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

Mr. YOUNG of Florida. I yield to the gentleman from Wisconsin for 20 seconds for a response as to what a holy picture is.

Mr. OBEY. Mr. Chairman, it is obvious that the gentleman is not Catholic.

Mr. YOUNG of Florida. Mr. Chairman, there is a strong debate here today about whether or not the bipartisan committee bill is paid for, but we believe that it is paid for, honestly, sincerely. We have reason to believe that it is paid for, because the numbers add up. We have been very specific.

Now, if we want to compare, we are dealing now with the Obey substitute, compare the Obey substitute with the bipartisan committee bill and we cannot do it. The reason we cannot do it is that the Obey substitute does not have any specifics in the area of rescissions, no specifics. How do we compare?

The Obey substitute may never pay out in outlays, because we do not know and he does not know today what the

makes the Secretary of Defense even more powerful, because he could veto whatever and it would not have to come back to Congress for a reconsideration, or a re-vote, where a line-item veto would have to.

Mr. OBEY. Mr. Chairman, will the gentleman yield on that point?

Mr. YOUNG of Florida. I yield 20 seconds to the gentleman from Wisconsin.

Mr. OBEY. Mr. Chairman, I would like to make the point that the amendment provides the Secretary cannot make those cuts until it gives Congress 30 days' notice, which is the normal notice during the reprogramming process, so if we object, we can work it out with him.

Mr. YOUNG of Florida. However, Mr. Chairman, the procedure for overriding a veto in the line-item veto is nonexistent in the Obey substitute. The point is, we are specific. If we read the report, we can see exactly what we are providing money for and exactly what we are rescinding.

I want to repeat something I said earlier. A reporter asked me about ''You guys spending this money.'' We did not spend this money. This money was spent by the President of the United States when he sent about 100,000 American troops around the globe in the last year to Bosnia, Somalia, Rwanda, Cuba, Haiti, Southwest Asia, Korea, and the list goes on and on.

He did not come to Congress to get authority for those contingencies or for those deployments, but now we have a bill and we have to pay for it. The responsible position is to pay for it.

Mr. Chairman, I just suggest that Congress has that responsibility, and not the Secretary of Defense. If the Secretary of Defense had authority to rescind programs, let me tell Members one of the things that is in this bill for 1995 that they wanted to get rid of, and it was made very public. That was the money we put in there for breast cancer research. That was suggested to us at the subcommittee, and we said no, we are not going to rescind the breast cancer research money.

Shortly thereafter, the President issued a directive to the Secretary, ''No, you cannot rescind it, either.''

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

Mr. YOUNG of Florida. Mr. Chairman, if the gentleman from Missouri will let me finish what I have to say, and then if I have time, I will be glad to yield to him. He is a very strong proponent of the national defense, and we know that.

Mr. Chairman, the question of housing has come up, housing for the soldiers in the military are having to live in substandard housing.

We want to correct that, Mr. Chairman. We want to make the money available to pay for the 2.6-percent pay increase for members of the military. If Members will check with the commissaries and the bases where Members might reside, in their districts, find out how many young soldiers—sailors, airmen, marines, male or female—how many of them are coming with food stamps. Over 11,000 of our young troops are eligible for food stamps, because of their expenses and their low incomes.

□ 1500

We provide in our package, our enhancement package, for the additional 0.6 percent of the pay raise.

I made a commitment, as many of us have many times, that I would not vote to send an American soldier into combat or a hostile situation without knowing that I had done the very best to provide them with the best training and the best technology possible before sending them into a hostile situation. I am going to stick by that commitment and this bill that we consider today is a part of that commitment.

I want to speak for some of these people who are going to be affected by this bill and their training, or their morale, their readiness, their quality of life.

I want to speak in behalf of the Marine gunnery sergeant and all of his colleagues who are on the U.S.S. *Essex* off Somalia today.

Or the wife and kids of the Army Special Forces lieutenant who are left behind in Fort Bragg, NC, while he works the countryside in Haiti.

Or the Air Force reservist flying airlift missions in support of operations around Bosnia.

The Navy families left behind in San Diego as their loved ones are deployed on the aircraft carrier *Constellation* in the Persian Gulf.

The AWACS crews flying over Saudi Arabia checking on Saddam Hussein.

The Marine F–18 pilot flying out of Aviano, Italy enforcing the no-fly zone over Bosnia in Operation Deny Flight.

The Army personnel manning the Patriot missile battalion we sent to Korea because of the increased tensions there.

The fighting unit at Twenty-nine Palms where they are forced to live in barracks that were damaged by the Joshua Tree earthquake and never repaired.

The 10th Mountain Division from Fort Drum which has been deployed over the past 2½ years to Florida for worse shape than the runways at Pendleton.

What I am saying is this bill is addressing those types of issues, and it is important that we pass this bill with its specifics and not take a pig in the poke as offered by the Obey substitute.

Mr. Chairman, I yield to my friend, the gentleman from Missouri [Mr. SKELTON].

Mr. SKELTON. My friend, the gentleman from Florida, will recall on two occasions last week, I spoke as strongly as I possibly can in favor of taking care of the troops. I think that your measure today is a giant step in that direction.

One of the items that you could have very well mentioned is the fact that several hundred millions of dollars was taken out of training for the Army in Europe and put into family housing, in taking care of the troops there. But when we cut back on training, that cuts back on readiness. I think that this is a measure in the right direction. I wish the gentleman well.

Mr. YOUNG of Florida. I thank the gentleman for his comments. I can say that no one has a higher credibility in this House of Representatives than the gentleman from Missouri [Mr. SKELTON].

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

Mr. YOUNG of Florida. May I inquire of the Chair how much time we have remaining?

The CHAIRMAN. The gentleman from Florida has 10 minutes remaining.

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

Mr. OBEY. I thank the gentleman for yielding.

I simply want to again point out that this bill has nothing whatsoever to do with whether servicemen will or will not get their pay raise. As the gentleman knows, they will get their pay raise whether the Obey amendment passes or not. They have already gotten it. The only question is, Will the money to reimburse the Pentagon for that pay raise come from low-priority defense projects, including pork projects, or will it come from other domestic programs which are cut?

They already have their pay raise. Your bill does not change that, my amendment does not change that, and we both know it.

Mr. YOUNG of Florida. I have to say to the gentleman that I disagree, that in our additions for readiness, we specifically mention the amount of money that would pay for the .6 percent of the pay raise that we did not fund.

If we do not appropriate this money and fund that additional amount, then

grant that the troops already have their pay raise and will continue to get their pay raise? Is that not the truth? It is and you know it.

Mr. YOUNG of Florida. But it has come at the expense of training, which is readiness.

Mr. OBEY. I thank the gentleman.

Mr. YOUNG of Florida. We are trying to be honest with the Pentagon and honest with the troops and appropriate the money that we have directed the Pentagon to spend for pay increases.

Mr. OBEY. I thank the gentleman for making that clear. They are getting the pay raise.

Mr. YOUNG of Florida. Mr. Chairman, I want to repeat that the Obey amendment does not specify any of this. We are up front. We are honest. We have given you the target to look at. We have listed item by item by item for rescission, we have listed item by item for inclusion in the bill. This is an up-front, genuine, sincere effort to make sure that our military forces have what they need for quality of life and to be trained for readiness.

The minority leader spoke eloquently here on the floor just a few minutes ago and he says we are not voting on the details of this bill today. I disagree with that. We are going to vote here in a few minutes on the details of the Obey substitute. Following that, we are going to vote on the details of this bill.

Do not try to read anything else into it. We have been up front, we have been very specific. You know what the details are.

He mentioned also that this has come after passing the balanced budget amendment, and that is true, but what he failed to say was this money was spent before this Congress ever convened. This money was spent. We are paying it back. That is the only responsible thing to do.

We could have sat back and waited and not done anything, let the administration push and cry and shove. We decided that was not the responsible way to do this. In fact, we had to pull them to get them to send down their requests for the supplemental. In fact, we marked this up on the 27th day of January and did not get their request until February 6. So we are pulling and expediting this emergency supplemental.

The minority leader also mentioned corrupting the system. I am not exactly sure what he meant there. I think that fits into the category of holy pictures. He talked about a flash of red ink. Our numbers again are specific. The numbers of the gentleman ers, the regimental commanders, the colonels and the generals and you ask them what is the problem with readiness and they will give you a many-page report on where readiness is short. We have denied readiness requirements dealing with flying hours and training and steaming and spare parts and ammunition accounts and things of this nature. The fact is we could spend a lot more to make our readiness more ready.

I want to make this last point. Readiness today is one issue. Readiness this time next year is something else, and readiness this time 5 years from now is something else again. What we do today not only deals with today's readiness but also next year and 5 years down the road and maybe even 10 years down the road.

We have an important responsibility today. I am satisfied that we are going to do it properly and we are going to vote against the unspecific Obey substitute and we are going to vote for the bipartisan committee bill.

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

Mr. YOUNG of Florida. I yield briefly to the gentleman from Minnesota.

Mr. SABO. Let me just simply ask a question. Clearly there are many of us who think the Federal Government should be able to respond to emergencies, whether they are international or domestic. Clearly the House said ''no'' when we adopted the balanced budget amendment. I am just curious what your judgment is for the future. We are wrapped up in this discussion now in its consistency, and I clearly think the Obey amendment is consistent with the balanced budget amendment. But let us project to the future. Let us assume that the decision is made that we need to deploy troops, whether it is made by the President as Commander in Chief or whether it is made by Congress.

How will that deployment be paid for in the future and what kind of procedure does Congress have to do to make that decision in the future under that amendment?

Mr. YOUNG of Florida. As the gentleman well knows, there is a proposal from the Department of Defense that we should consider that would deal with that very issue, how do you give the Pentagon flexibility to pay for these kind of contingency operations. But the best answer is this. If there is going to be a major contingency operation, a deployment of U.S. troops, the President should consult with the Congress and the Congress should be a player, because now we are having to

□ 1510

Now as far as the gentleman's suggestion that there might be a better way, there might be. We will monitor that very closely as we go through the fiscal year 1996 process.

Mr. SABO. Would I not be right in saying that if we follow that amendment, 50 percent of the Congress could choose to deploy troops but it would require 60 percent of the House and the Senate to raise the debt ceiling to pay for the deployment of those troops.

Mr. YOUNG of Florida. That is a hypothetical question, and what I am saying to the gentleman is we do not affect the balanced budget with this bill because we are paying for the bill with specifics. I realize there are disagreements, but tell me how many outlays would we save with the Obey substitute next year or the year after, can the gentleman tell me?

Mr. SABO. The Obey substitute requires, Mr. Chairman, the Obey substitute requires that the outlays be there to pay for it. The amendment clearly increases outlays by about $288 billion in the current fiscal year and about $600 billion over 5 years.

Mr. YOUNG of Florida. I yield back to the gentleman from Louisiana.

Mr. LIVINGSTON. I thank the gentleman. I think that the gentleman has explained his case. I would hope that we could break this off and get to a vote.

I yield back to the gentleman to wrap it up.

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

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

Mr. DICKS. Mr. Chairman, I want to commend the gentleman from Florida. We have a crisis here. We have to replenish these accounts or we are not going to have money in the fourth quarter for the readiness of our troops. Anybody can vote whatever way they want on the Obey amendment, but we have to pass this supplemental. So we will have our vote on Obey. But I want to compliment the gentleman for being out in front trying to get this thing done, because if we do not get it done by the end of this, we are in serious trouble in terms of readiness of our troops. The Comptroller called me this morning and said, NORM, we have got to get this thing through the House. So let us vote on this after we vote on the Obey substitute.

Mr. YOUNG of Florida. Mr. Chairman, I thank the gentleman for his comments and commend him for his support.

pired.

The question is on the amendment in the nature of a substitute offered by the gentleman from Wisconsin [Mr. OBEY].

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

RECORDED VOTE

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

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 167, noes 260, not voting 7, as follows:

[Roll No 152]

AYES—167

Abercrombie	Gutierrez	Olver
Ackerman	Gutknecht	Orton
Andrews	Hall (OH)	Owens
Baesler	Hamilton	Pallone
Barcia	Harman	Pastor
Barrett (WI)	Hastings (FL)	Payne (NJ)
Becerra	Hefner	Payne (VA)
Beilenson	Hilliard	Pelosi
Bentsen	Hinchey	Peterson (FL)
Berman	Holden	Peterson (MN)
Bevill	Hoyer	Pomeroy
Bishop	Jackson-Lee	Poshard
Bonior	Jacobs	Rahall
Boucher	Jefferson	Rangel
Brown (CA)	Johnson (SD)	Reed
Brown (FL)	Johnson, E. B.	Reynolds
Brown (OH)	Johnston	Rivers
Bryant (TX)	Kanjorski	Roemer
Cardin	Kaptur	Rose
Chapman	Kennedy (MA)	Roybal-Allard
Clay	Kennedy (RI)	Sabo
Clayton	Kildee	Sanders
Clyburn	Kleczka	Sawyer
Coleman	LaFalce	Schroeder
Collins (IL)	Lantos	Schumer
Collins (MI)	Levin	Serrano
Conyers	Lewis (GA)	Skaggs
Costello	Lincoln	Slaughter
Coyne	Lipinski	Smith (MI)
Danner	Lofgren	Spratt
Deal	Lowey	Stark
DeFazio	Luther	Stokes
DeLauro	Maloney	Studds
Dellums	Manton	Stupak
Deutsch	Markey	Thompson
Dingell	Martinez	Thornton
Doggett	Matsui	Thurman
Doyle	McCarthy	Torres
Durbin	McDermott	Torricelli
Engel	McHale	Towns
Eshoo	McKinney	Traficant
Evans	McNulty	Velazquez
Farr	Meehan	Vento
Fazio	Menendez	Visclosky
Fields (LA)	Mfume	Volkmer
Filner	Miller (CA)	Ward
Flake	Mineta	Waters
Ford	Minge	Watt (NC)
Frank (MA)	Mink	Waxman
Frost	Moakley	Williams
Furse	Moran	Wise
Gejdenson	Morella	Woolsey
Gephardt	Nadler	Wyden
Gibbons	Neal	Wynn
Gordon	Oberstar	Yates
Green	Obey	

NOES—260

Allard	Baldacci	Bass
Archer	Ballenger	Bateman
Armey	Barr	Bereuter
Bachus	Barrett (NE)	Bilbray
Baker (CA)	Bartlett	Bilirakis
Baker (LA)	Barton	Bliley
Blute	Frelinghuysen	Nussle
Boehlert	Frisa	Ortiz
Boehner	Funderburk	Oxley
Bonilla	Gallegly	Packard
Bono	Ganske	Parker
Brewster	Gekas	Pastor
Browder	Geren	Paxon
Brownback	Gilchrest	Petri
Bryant (TN)	Gillmor	Pickett
Bunning	Gilman	Pombo
Burr	Goodlatte	Porter
Burton	Goodling	Portman
Buyer	Gordon	Quillen
Callahan	Goss	Quinn
Calvert	Graham	Radanovich
Camp	Green	Ramstad
Canady	Greenwood	Regula
Castle	Gunderson	Richardson
Chabot	Gutknecht	Riggs
Chambliss	Hall (TX)	Roberts
Chenoweth	Hancock	Rogers
Christensen	Hansen	Rohrabacher
Chrysler	Hastert	Ros-Lehtinen
Clement	Hastings (WA)	Roth
Clinger	Hayes	Roukema
Coble	Hayworth	Royce
Coburn	Hefley	Salmon
Collins (GA)	Heineman	Sanford
Combest	Herger	Saxton
Condit	Hilleary	Scarborough
Cooley	Hobson	Schaefer
Cox	Hoekstra	Schiff
Cramer	Hoke	Scott
Crane	Horn	Seastrand
Crapo	Hostettler	Sensenbrenner
Cremeans	Houghton	Shadegg
Cubin	Hunter	Shaw
Cunningham	Hutchinson	Shays
Davis	Hyde	Shuster
de la Garza	Inglis	Sisisky
DeLay	Istook	Skeen
Diaz-Balart	Johnson (CT)	Skelton
Dickey	Johnson, Sam	Smith (NJ)
Dicks	Jones	Smith (TX)
Dixon	Kasich	Smith (WA)
Dooley	Kelly	Solomon
Doolittle	Kennelly	Souder
Dornan	Kim	Spence
Dreier	King	Stearns
Duncan	Kingston	Stenholm
Dunn	Klink	Stockman
Edwards	Klug	Stump
Ehrlich	Knollenberg	Talent
Emerson	Kolbe	Tanner
English	LaHood	Tate
Ensign	Largent	Tauzin
Everett	Latham	Taylor (MS)
Ewing	LaTourette	Taylor (NC)
Fawell	Laughlin	Tejeda
Fields (TX)	Lazio	Thomas
Flanagan	Leach	Thornberry
Foglietta	Lewis (CA)	Tiahrt
Foley	Lewis (KY)	Torkildsen
Forbes	Lightfoot	Upton
Fowler	Linder	Vucanovich
Fox	Livingston	Waldholtz
Franks (CT)	LoBiondo	Walker
Franks (NJ)	Longley	Walsh
Frelinghuysen	Lucas	Wamp
Frisa	Manzullo	Watts (OK)
Funderburk	Martini	Weldon (FL)
Gallegly	Mascara	Weldon (PA)
Ganske	McCollum	Weller
Gekas	McCrery	White
Geren	McDade	Whitfield
Gilchrest	McHugh	Wicker
Gillmor	McInnis	Wilson
Gilman	McIntosh	Wolf
Goodlatte	McKeon	Young (AK)
Goodling	Metcalf	Young (FL)
Gordon	Meyers	Zeliff
Goss	Mica	Zimmer
Graham	Miller (FL)	
Green	Molinari	
Greenwood	Mollohan	
Gunderson	Montgomery	
Gutknecht	Moorhead	
Hall (TX)	Murtha	
Hancock	Myers	
Hansen	Myrick	
Hastert	Nethercutt	
Hastings (WA)	Neumann	
Hayes	Ney	
Hayworth	Norwood	
Hefley	Nussle	
Heineman	Ortiz	
Herger	Oxley	
Hilleary	Packard	
Hobson	Parker	
Hoekstra	Pastor	
Hoke	Paxon	
Horn	Petri	
Hostettler	Pickett	
Houghton	Pombo	
Hunter	Porter	
Hutchinson	Portman	
Hyde	Quillen	
Inglis	Quinn	
Istook	Radanovich	
Johnson (CT)	Ramstad	
Johnson, Sam	Regula	
Jones	Richardson	
Kasich	Riggs	
Kelly	Roberts	
Kennelly	Rogers	
Kim	Rohrabacher	
King	Ros-Lehtinen	
Kingston	Roth	
Klink	Roukema	
Klug	Royce	
Knollenberg	Salmon	
Kolbe	Sanford	
LaHood	Saxton	
Largent	Scarborough	
Latham	Schaefer	
LaTourette	Schiff	
Laughlin	Scott	
Lazio	Seastrand	
Leach	Sensenbrenner	
Lewis (CA)	Shadegg	
Lewis (KY)	Shaw	
Lightfoot	Shays	
Linder	Shuster	
Livingston	Sisisky	
LoBiondo	Skeen	
Longley	Skelton	
Lucas	Smith (NJ)	
Manzullo	Smith (TX)	
Martini	Smith (WA)	
Mascara	Solomon	
McCollum	Souder	
McCrery	Spence	
McDade	Stearns	
McHugh	Stenholm	
McInnis	Stockman	
McIntosh	Stump	
McKeon	Talent	
Metcalf	Tanner	
Meyers	Tate	
Mica	Tauzin	
Miller (FL)	Taylor (MS)	
Molinari	Taylor (NC)	
Mollohan	Tejeda	
Montgomery	Thomas	
Moorhead	Thornberry	
Murtha	Tiahrt	
Myers	Torkildsen	
Myrick	Upton	
Nethercutt	Vucanovich	
Neumann	Waldholtz	
Ney	Walker	
Norwood	Walsh	
Nussle	Wamp	
Ortiz	Watts (OK)	
Oxley	Weldon (FL)	
Packard	Weldon (PA)	
Parker	Weller	
Paxon	White	
Petri	Whitfield	
Pickett	Wicker	
Pombo	Wilson	
Porter	Wolf	
Portman	Young (AK)	
Quillen	Young (FL)	
Quinn	Zeliff	
Radanovich	Zimmer	

NOT VOTING—7

Browder	Gonzalez	Tucker
Ehlers	Meek	
Fattah	Rush	

□ 1529

Messrs. ALLARD, SCOTT, and DOOLEY changed their vote from ''aye'' to ''no.''

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

The result of the vote was announced as above recorded.

The CHAIRMAN.

According to CBO, the total of 1995 appropriations enacted to date is only $135 million under the 1995 outlay cap in the 1995 budget resolution. After subtracting all of the cuts, this bill still adds $282 million to outlay spending for 1995. That means it breaks the budget resolution cap by $147 million.

All this motion does is to tell the committee to go back and scrub the bill to find that extra $147 million so that you do not break the budget cap that all of you told your constituents in the last election was already too high.

If you want to balance the budget, if you have any commitment at all to balancing the budget, you have no choice but to vote for this recommittal motion. Otherwise you will not be balancing the budget, you will be busting the budget.

Mr. Speaker, I yield to the gentleman from Minnesota, the former chairman of the Committee on the Budget, the gentleman from Minnesota [Mr. SABO].

Mr. SABO. I thank the gentleman from Wisconsin for yielding.

Mr. Speaker, is the gentleman from Wisconsin telling me that the bill in its current form would spend $147 million more than the discretionary spending caps we set in 1995?

Mr. OBEY. The gentleman is correct. It breaks the budget to the tune of $147 million.

Mr. SABO. So, the first spending bill which this new Congress is considering will exceed the discretionary spending caps in the budget resolution of 1995?

Mr. OBEY. The gentleman has got it.

Mr. SABO. I am surprised.

Mr. OBEY. I am not.

Let me simply say: What this means is that in the very first financial bill that you are voting on, after you told the country you were going to balance the budget by voting for a constitutional amendment to balance the budget, you are going to vote to bust the budget and add $147 million to our spending for this fiscal year.

If this is what you are going to do in the first bill that you vote on after you have voted for that constitutional amendment, I am very interested to see what the deficit is going to look like after you vote on the rest of the items in the contract.

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

The SPEAKER pro tempore. The gentleman from Louisiana [Mr. LIVINGSTON] is recognized for 5 minutes in opposition to the motion to recommit.

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

□ 1540

But of we agreed with him, if his motion to recommit passed the House, this would effectively send this bill back to committee to find an additional $282 million in cuts. Never mind that we have come up with $1.46 billion in defense cuts, never mind that we have come up with $1.4 billion in foreign aid and domestic cuts, all in budget authority. Mr. OBEY says that he is not satisfied. He is not satisfied even though most of the people that are voting for his motion to recommit, most of the people that voted for his substitute, voted to put our troops into Haiti, and most of us on this side voted against it. Now they do not want to restore the money that was expended in Haiti and all of those other places where this President detailed our troops, and this now has cut short our ability to train and maintain the forces of the United States.

Mr. Obey's own substitute——

Mr. OBEY. Mr. Speaker, will the gentleman yield for a correction on one number?

Mr. LIVINGSTON. Mr. Speaker, I want to complete my statement.

The fact is we have come up with a bill that has $14 million more in cuts compared to the amount of money we want to spend. We are rescinding in budget authority an amount equal, and then some, compared to the amount we are spending. Mr. OBEY's motion to recommit, does not do this.

Now look at the calendar. The fact is that within a couple of weeks we are going to be asking for some monumental rescissions, and we will hope that all of the people who have sounded so interested in balancing the budget will join with us and vote for all of the cuts that are coming out of the subcommittees today, tomorrow, and Fridays. Some $10 billion, perhaps $15 billion, in rescissions are coming out of those subcommittees, and I hope that all of my colleagues will vote for every one of those cuts.

I say to my colleagues, ''Whether you do that or not, sending this bill back to the committee puts it off the table for now. It denies the Defense Department the needed funds for operations, and I'm sorry that it gives Mr. OBEY another bite at the apple because we would have to revisit this bill in the context of a larger rescission bill.''

This is an emergency, and the motion to recommit is a bad idea. It is bad for the national security of the Nation. It undercuts the responsible cuts the committee has made to pay for this bill, it ties the needed supplemental funds up unnecessarily, and I urge every question is on the motion to recommit.

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

RECORDED VOTE

Mr. OBEY. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 163, noes 264, not voting 7, as follows:

[Roll No. 153]

AYES—163

Abercrombie	Gordon	Pastor
Ackerman	Green	Payne (NJ)
Andrews	Gutierrez	Payne (VA)
Baesler	Hall (OH)	Pelosi
Barcia	Hamilton	Peterson (FL)
Barrett (WI)	Hastings (FL)	Peterson (MN)
Becerra	Hilliard	Pomeroy
Beilenson	Hinchey	Poshard
Bentsen	Holden	Rahall
Berman	Jackson-Lee	Rangel
Bishop	Jacobs	Reed
Bonior	Jefferson	Reynolds
Borski	Johnson (SD)	Richardson
Boucher	Johnson, E. B.	Rivers
Brown (CA)	Johnston	Roemer
Brown (FL)	Kaptur	Rose
Brown (OH)	Kennedy (MA)	Roybal-Allard
Bryant (TX)	Kennedy (RI)	Sabo
Cardin	Kildee	Sanders
Chapman	Kleczka	Sawyer
Clay	LaFalce	Schroeder
Clayton	Lantos	Schumer
Clement	Levin	Serrano
Clyburn	Lewis (GA)	Skaggs
Coleman	Lincoln	Slaughter
Collins (IL)	Lipinski	Spratt
Collins (MI)	Lofgren	Stark
Conyers	Lowey	Stenholm
Costello	Luther	Stokes
Coyne	Maloney	Studds
Danner	Manton	Stupak
Deal	Markey	Thompson
DeFazio	Martinez	Thornton
DeLauro	Matsui	Thurman
Dellums	McCarthy	Torres
Deutsch	McDermott	Torricelli
Dingell	McKinney	Towns
Dixon	McNulty	Traficant
Doggett	Meehan	Tucker
Doyle	Menendez	Velazquez
Durbin	Mfume	Vento
Engel	Miller (CA)	Visclosky
Eshoo	Mineta	Volkmer
Evans	Minge	Ward
Fazio	Mink	Waters
Fields (LA)	Moakley	Watt (NC)
Filner	Moran	Waxman
Flake	Nadler	Williams
Ford	Neal	Wise
Frank (MA)	Oberstar	Woolsey
Frost	Obey	Wyden
Furse	Olver	Wynn
Gejdenson	Orton	Yates
Gephardt	Owens	
Gibbons	Pallone	

NOES—264

Allard	Bass	Brewster
Archer	Bateman	Brownback
Armey	Bereuter	Bryant (TN)
Bachus	Bevill	Bunn
Baker (CA)	Bilbray	Bunning
Baker (LA)	Bilirakis	Burr
Baldacci	Bliley	Burton
Ballenger	Blute	Buyer
Barr	Boehlert	Callahan
Barrett (NE)	Boehner	Calvert
Bartlett	Bonilla	Camp
Barton	Bono	Canady

Cox
Cramer
Crane
Crapo
Cremeans
Cubin
Cunningham
Davis
de la Garza
DeLay
Diaz-Balart
Dickey
Dicks
Dooley
Doolittle
Dornan
Dreier
Duncan
Dunn
Edwards
Ehrlich
Emerson
English
Ensign
Everett
Ewing
Fawell
Fields (TX)
Flanagan
Foglietta
Foley
Forbes
Fowler
Fox
Franks (CT)
Franks (NJ)
Frelinghuysen
Frisa
Funderburk
Gallegly
Ganske
Gekas
Geren
Gilchrest
Gillmor
Gilman
Goodlatte
Goodling
Goss
Graham
Greenwood
Gunderson
Gutknecht
Hall (TX)
Hancock
Hansen
Harman
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Hefner
Inglis
Istook
Johnson (CT)
Johnson, Sam
Jones
Kanjorski
Kasich
Kelly
Kennelly
Kim
King
Kingston
Klink
Klug
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Laughlin
Lazio
Leach
Lewis (CA)
Lewis (KY)
Lightfoot
Linder
Livingston
LoBiondo
Longley
Lucas
Manzullo
Martini
Mascara
McCollum
McCrery
McDade
McHale
McHugh
McInnis
McIntosh
McKeon
Metcalf
Meyers
Mica
Miller (FL)
Molinari
Mollohan
Montgomery
Moorhead
Morella
Murtha
Myers
Myrick
Nethercutt
Neumann
Ney
Norwood
Nussle
Ortiz
Oxley
Packard
Parker
Roberts
Rogers
Rohrabacher
Ros-Lehtinen
Roth
Roukema
Royce
Salmon
Sanford
Saxton
Scarborough
Schaefer
Schiff
Scott
Seastrand
Sensenbrenner
Shadegg
Shaw
Shays
Shuster
Sisisky
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Stearns
Stockman
Stump
Talent
Tanner
Tate
Tauzin
Taylor (MS)
Taylor (NC)
Tejeda
Thomas
Thornberry
Tiahrt
Torkildsen
Upton
Vucanovich
Waldholtz
Walker
Walsh
Wamp
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)
Zeliff
Zimmer

NOT VOTING—7

Browder
Ehlers
Farr
Fattah
Gonzalez
Meek
Rush

☐ 1600

Mr. HOKE changed his vote from ''aye'' to ''no.''

Mr. PAYNE of Virginia changed his vote from ''no'' to ''aye.''

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. EMERSON). The question is on the passage of the bill.

Pursuant to clause 7 of rule XV, the yeas and nays are ordered.

Baker (CA)
Baker (LA)
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bentsen
Bereuter
Bevill
Bilbray
Bilirakis
Bishop
Bliley
Boehlert
Boehner
Bonilla
Bono
Brewster
Brownback
Bryant (TN)
Bunn
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Castle
Chambliss
Chenoweth
Christensen
Chrysler
Clement
Clinger
Clyburn
Collins (GA)
Combest
Cooley
Cox
Cramer
Crane
Crapo
Cremeans
Cubin
Cunningham
Davis
de la Garza
DeLay
Diaz-Balart
Dickey
Dicks
Dooley
Doolittle
Dornan
Dreier
Dunn
Edwards
Ehrlich
Emerson
English
Ensign
Everett
Ewing
Fawell
Fields (TX)
Flanagan
Foglietta
Foley
Forbes
Fowler
Fox
Franks (CT)
Frelinghuysen
Frisa
Frost
Funderburk
Gallegly
Gilchrest
Gillmor
Gilman
Goodlatte
Goodling
Gordon
Goss
Greenwood
Gunderson
Hall (TX)
Hancock
Hansen
Harman
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Hefner
Heineman
Herger
Hilleary
Hobson
Hoke
Horn
Hostettler
Houghton
Hoyer
Hunter
Hutchinson
Hyde
Inglis
Istook
Jefferson
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Jones
Kanjorski
Kasich
Kelly
Kennedy (RI)
Kennelly
Kildee
Kim
King
Kingston
Klink
Knollenberg
Kolbe
LaHood
Latham
LaTourette
Laughlin
Lazio
Leach
Levin
Lewis (CA)
Lewis (KY)
Lightfoot
Linder
Livingston
LoBiondo
Longley
Lucas
Manton
Manzullo
Martini
Mascara
McCollum
McCrery
McDade
McHale
McHugh
McInnis
McIntosh
McKeon
McNulty
Meehan
Metcalf
Meyers
Mica
Miller (FL)
Murtha
Myers
Myrick
Nethercutt
Ney
Norwood
Nussle
Ortiz
Oxley
Packard
Parker
Paxon
Peterson (FL)
Petri
Pickett
Pombo
Porter
Portman
Pryce
Quillen
Quinn
Radanovich
Regula
Riggs
Roberts
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Rose
Royce
Salmon
Sanford
Saxton
Scarborough
Schaefer
Schiff
Scott
Seastrand
Shaw
Shuster
Sisisky
Skeen
Skelton
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Spence
Stearns
Stockman
Stump
Stupak
Talent
Tanner
Tate
Tauzin
Taylor (MS)
Taylor (NC)
Tejeda
Thomas
Thornberry
Tiahrt
Torkildsen
Vucanovich
Waldholtz
Walker
Walsh
Wamp
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)
Zeliff

NAYS—165

Abercrombie
Ackerman
Baesler
Baldacci
Barrett (WI)
Becerra
Clayton
Coble
Coburn
Coleman
Collins (IL)
Collins (MI)
Condit
Conyers
Costello
Coyne
Danner
Deal
DeFazio
DeLauro
Dellums
Deutsch
Dingell
Dixon
Doggett
Doyle
Duncan
Durbin
Engel
Eshoo
Evans
Farr
Fazio
Fields (LA)
Filner
Flake
Ford
Frank (MA)
Franks (NJ)
Furse
Gephardt
Graham
Green
Gutierrez
Gutknecht
Hall (OH)
Klug
LaFalce
Lantos
Largent
Lewis (GA)
Lincoln
Lipinski
Lofgren
Lowey
Luther
Maloney
Markey
Martinez
Matsui
McCarthy
McDermott
McKinney
Menendez
Mfume
Miller (CA)
Mineta
Minge
Mink
Moakley
Mollohan
Nadler
Neal
Neumann
Oberstar
Obey
Olver
Orton
Owens
Pallone
Pastor
Payne (NJ)
Payne (VA)
Pelosi
Peterson (MN)
Pomeroy
Sawyer
Schroeder
Schumer
Sensenbrenner
Serrano
Shadegg
Shays
Skaggs
Slaughter
Smith (MI)
Souder
Spratt
Stark
Stenholm
Stokes
Studds
Thompson
Thornton
Thurman
Torres
Torricelli
Towns
Traficant
Tucker
Upton
Velazquez
Vento
Visclosky
Volkmer
Ward
Waters
Watt (NC)
Waxman
Williams
Wise
Woolsey
Wyden
Wynn
Yates
Zimmer

NOT VOTING—7

Blute
Browder
Ehlers
Fattah
Gonzalez
Meek
Rush

☐ 1618

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. BLUTE. Mr. Speaker, I was unavoidably detained during the vote on final passage of H.R. 889, making emergency supplemental appropriations and rescissions. Had I been present I would have voted ''aye.''

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Edwin Thomas, one of his secretaries.

☐ 1620

PAPERWORK REDUCTION ACT OF 1995

Mr. LINDER. Mr. Speaker, by direction of the Committee on Rules, I call

consideration of the bill (H.R. 830) to amend chapter 35 of title 44, United States Code, to further the goals of the Paperwork Reduction Act to have Federal agencies become more responsible and publicly accountable for reducing the burden of Federal paperwork on the public, 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 Government Reform and Oversight. After general debate the bill shall be considered for amendment under the five-minute rule. The bill and the amendments recommended by the Committee on Government Reform and Oversight now printed in the bill shall be considered as read. 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.

The SPEAKER pro tempore (Mr. LAZIO). The gentleman from Georgia [Mr. LINDER] is recognized for 1 hour.

Mr. LINDER. Mr. Speaker, for purposes of debate only, I yield the customary 30 minutes to the gentleman from California [Mr. BEILENSON], 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 91 is a completely open rule providing for the consideration of H.R. 830, legislation that is designed to reduce the information collection burdens on the public, maximize the utility of Government information, and assure a more efficient and productive administration of information resources. In short, this legislation reasserts and enhances the commitment of Congress to uphold the principles of the Paperwork Reduction Act of 1980.

This rule provides for 1 hour of general debate divided equally between the chairman and ranking minority member of the Committee on Government Reform and Oversight, after which time any member will have the opportunity to offer an amendment to the bill under the 5-minute rule. Finally, the rule provides for one motion to recommit. Under this rule, members may offer amendments to H.R. 830 at any time, regardless of whether they have been preprinted in the RECORD.

and offer significant amendments on every piece of legislation considered this year.

It has been a busy 50 days with more to come, and I believe that the efforts by every member of the Rules Committee to open the process have empowered us all to work in bipartisan fashion.

I am pleased this bill will be considered under an open rule, which was unanimously approved by the Rules Committee yesterday. While the chairman and the ranking minority member of the Government Reform and Oversight Committee testified to the Rules Committee that they do not expect many amendments, there were a number of amendments that were either withdrawn or not approved during committee consideration of H.R. 830. Hopefully, this rule will provide these Members and the entire House with sufficient time to review these amendments and express any persisting apprehension about the bill.

I strongly support the goals and purpose of the 1980 Paperwork Reduction Act. However, it is clear the bill was not entirely effective in reducing the paperwork burden, as the total pages of rules printed in the Federal Register increased from an average of 50,618 during President Reagan's terms, to an average of 53,596 during President Bush's term, to an average of 61,000 pages during President Clinton's term.

The 1995 Paperwork Reduction Act is designed to reduce these paperwork burdens, and H.R. 830 has received considerable support. I believe that the Government Reform and Oversight Committee has crafted a good piece of legislation, and the members of the Rules Committee simply want to enable any member to offer perfecting amendments to the whole House that may enhance the benefits of legislation to the American people.

Mr. Speaker, H.R. 830 was favorably reported out of the Committee on Government Reform and Oversight by a vote of 40 to 4, and this rule received unified support from the Rules Committee. I urge my colleagues to support this rule, and I look forward to a thoughtful and deliberative debate on H.R. 830.

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

fact, it is exactly the kind of rule that we all think of when we hear the term open rule: There is no limit on the time for considering amendments; there are no waivers of rules; there are no preprinting provisions; there are no conditions or requirements of any kind.

This is a completely unrestricted open rule, and it has our full support.

Furthermore, the bill which this rule makes in order, the Paperwork Reduction Act of 1995 is, itself, relatively noncontroversial and has substantial support on both sides of the aisle. The one provision in the bill that is a major point of contention for Members on our side will be debated when the gentlewoman from Illinois, the ranking minority member of the Committee on Government Reform and Oversight, Mrs. COLLINS, offers her amendment.

The Collins amendment would strike the provisions of H.R. 830 that allow the Office of Management and Budget to review and reject Federal regulations that require businesses to disclose information to third parties, including their employees and the public.

This amendment would preserve the 1990 Supreme Court decision in the case of Dole versus the United Steelworkers of America, which held that OMB did not have the authority to review OSHA requirements that companies post safety notices in the workplace. In other words, the amendment would prevent the Paperwork Reduction Act from being used as a mechanism to deny workers the right to know about hazards they face in the workplace.

Other amendments we are anticipating include: one to be offered by the gentleman from Vermont [Mr. SANDERS] which would place a priority on reducing paperwork for very small businesses; one to be offered by the gentleman from Idaho [Mr. CRAPO] addressing the right of private citizens to seek court actions challenging Federal agency information collection activities that have not been cleared by OMB; and one to be offered by the gentlewoman from New York [Mrs. MALONEY] which would sunset this bill after 5 years.

Mr. Speaker, again, the rule before us is a completely unrestricted open rule, and I urge its adoption.

Mr. Speaker, I include the following material for the RECORD:

FLOOR PROCEDURE IN THE 104TH CONGRESS

Bill No.	Title	Resolution No.	Process used for floor consideration	Amendments in order
H.R. 1	Compliance	H. Res. 6	Closed	None
H. Res. 6	Opening Day Rules Package	H. Res. 5	Closed; contained a closed rule on H.R. 1 within the closed rule	None

H.R. 668	The Criminal Alien Deportation Improvement Act	H. Res. 69	Open; Pre-printing gets preference; Contains self-executing provision.	N/A
H.R. 728	Local Government Law Enforcement Block Grants	H. Res. 79	Restrictive; 10 hr. Time Cap on amendments; Pre-printing gets preference.	N/A
H.R. 7	National Security Revitalization Act	H. Res. 83	Restrictive; 10 hr. Time Cap on amendments; Pre-printing gets preference.	N/A
H.R. 729	Death Penalty/Habeas	N/A	Restrictive; brought up under UC with a 6 hr. time cap on amendments.	N/A
S. 2	Senate Compliance	N/A	Closed; Put on suspension calendar over Democratic objection	None
H.R. 831	To Permanently Extend the Health Insurance Deduction for the Self-Employed.	H. Res. 88	Restrictive; makes in order only the Gibbons amendment; waives all points of order; contains self-executing provision.	1D
H.R. 830	The Paperwork Reduction Act	H. Res. 91	Open	N/A
H.R. 889	Emergency Supplemental/Rescinding Certain Budget Authority	H. Res. 92	Restrictive; makes in order only the Obey Substitute	1D

71 percent restrictive; 29 percent open. These figures use Republican scoring methods from the 103d Congress. Not included in this chart are three bills which should have been placed on the Suspension Calendar. H.R. 101, H.R. 400, and H.R. 440.

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

Mr. LINDER. Mr. Speaker, I thank the gentleman from New York [Mr. SOLOMON], the chairman, for reporting this unrestricted rule to the House floor and I want to acknowledge the gentleman from California [Mr. BEILENSON] for his support of the rule.

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.

The SPEAKER pro tempore. Pursuant to House Resolution 91 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 830.

□ 1628

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 consideration of the bill (H.R. 830) to amend chapter 35 of title 44, United States Code, to further the goals of the Paperwork Reduction Act to have Federal agencies become more responsible and publicly accountable for reducing the burden of Federal paperwork on the public, and for other purposes, with Mr. COMBEST in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the bill is considered as having been read the first time.

Under the rule, the gentleman from Pennsylvania [Mr. CLINGER] will be recognized for 30 minutes, and the gentlewoman from Illinois [Mrs. COLLINS] will be recognized for 30 minutes.

The Chair recognizes the gentleman from Pennsylvania [Mr. CLINGER].

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

Mr. Chairman, I am pleased to bring to the floor today the first reauthorization of the Paperwork Reduction Act since it expired in 1989. This bill continues the very long tradition of seeking to reduce the burdens of Federal regulations on individuals and businesses which first began with the Commission on Federal Paperwork in 1977. The report of that Commission, chaired by our former good friend and colleague, Frank Horton, led to the establishment of the Office of Information and Regulatory Affairs at OMB, or IRA, and the passage of the Paperwork Reduction Act of 1980.

The Paperwork Reduction Act of 1995 was reported out of the Committee on Government Reform and Oversight on February 10 of this year with an overwhelming 40-to-4 vote, obviously a very broad bipartisan vote. I am here today to encourage all of my colleagues to support the passage of this important measure today.

As I say, the legislation is premised on the continuing belief in the principles and requirements of the Paperwork Reduction Act of 1980. All of the legislation's amendments to the 1980 act, as amended in 1986, are intended to further its original purposes, to strengthen OMB and agency paperwork reduction efforts, to improve OMB and agency information resources management, including in specific functional areas such as information dissemination, and to encourage and provide for more meaningful public participation in paperwork reduction and broader information resources management decisions.

□ 1630

With the regard to the reduction of information collection burdens, the legislation increases the act's 1986 goal of an annual 5 percent reduction in public paperwork burdens to a full 10 percent. OMB is required to include in its annual report to Congress, recommendations to revise statutory paperwork burdens. The legislation includes third-party disclosure requirements in the definition of collection of information to overturn the Supreme Court's decision, Dole versus United Steelworkers of America. This will ensure that collection and disclosure requirements are covered by the OMB paperwork clearance process, and this will be the subject of an amendment later in this debate. The Act is also amended to require each agency to develop paperwork clearance process to review and solicit public comment on proposed information collections before submitting them to OMB for review. Public accountability is also strengthened through requirements for public disclosure of communications with OMB regarding information collections—with protections for whistleblowers complaining of unauthorized collections—and for OMB to review the status of any collection upon public request. In combination with more general requirements, such as encouraging data sharing between the Federal Government and State, local, and tribal governments, the legislation strives to further the act's goals of minimizing government information collection burdens, while maximizing the utility of government information.

The legislation also adds further detail to strengthen other functional areas, such as statistical policy and information dissemination. The dissemination provisions, for example, delineate clear policies that were not articulated in the act's previous references to dissemination. These provisions require OMB to develop governmentwide policies and guidelines for information dissemination and to promote public access to information maintained by Federal agencies. In turn, the agencies are to: First, ensure that the public has timely and equitable access to public information; second, solicit public input on their information dissemination activities; and third, not establish restrictions on dissemination or redissemination of government information. Emphasis is placed on efficient and effective use of new technology and a reliance on a diversity of public and private sources of information to promote dissemination of government information, particularly in electronic formats.

With regard to over-arching information resources management [IRM] policies, the legislation charges agency heads with the responsibility to carry out agency IRM activities to improve

lection burdens on the public.

To improve accountability for agency IRM responsibilities, as well as responsibilities for paperwork reduction, the agency responsibilities provided in the act are amended to complement and more directly parallel OMB's functional responsibilities.

Finally, Mr. Chairman, I want to comment on a very minor section of the bill that was later removed during the committee's consideration which would have codified OMB circular A–130, a long-standing executive branch policy which states that the government should not compete with the private sector in using public information.

Single issue interest groups have distorted, I think, and misrepresented this provision to suggest that it was included in this bill solely to benefit one specific company. And I agreed to remove this provision from the bill, and it is not in the bill, and would consider it at another time, but I do want to state for the RECORD that as a matter of policy Congress should not condone the Government competing against the private sector, which was the concern raised in this amendment. But because it became extraordinarily controversial and because it was presented and seen as benefiting one company, although that was not the purpose, it has been deleted from this measure.

I am aware that a number of amendments will be offered to this bill. While many of these amendments were offered and defeated in the committee, I appreciate all of the constructive efforts that have been made by Members on both sides to improve this bill.

Let me say, Mr. Chairman, that I have given what is contained in the bill, but the bottom line is when you forget all about the technicalities of the bill, the effort here is to reduce the paperwork burden which has proliferated over the years the incredible mountain of information that the government demands be collected and reported and recorded. Very, very, many of these requirements are necessary, many of them are clearly not. And the bottom line is we are attempting to bring some sort of reasonable restraints on the ability and the power of the Federal Government to impose these burdens on the private sector and on local and State governments.

So at the end of the amendment process, which we will hopefully begin soon, I hope all Members will join what has really been a very long and bipartisan effort to minimize Federal paperwork requirements imposed on American citizens and taxpayers. This bill, I of Independent Business for the 104th Congress.

So we have an opportunity to do something here this afternoon and evening on a very bipartisan basis, which is good government, not very exciting, not very sexy issue, but it is one that I think is extraordinarily important for every small and large business, every household, every municipality in this country, and that is to reduce the crushing burden of paperwork requirements the Federal Government imposes.

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

Mrs. COLLINS of Illinois. Mr. Chairman, I yield myself such time as I may consume.

(Mrs. COLLINS of Illinois asked and was given permission to revise and extend her remarks.)

Mrs. COLLINS of Illinois. Mr. Chairman, today we are considering the reauthorization of the Paperwork Reduction Act. For many years, this act, and its subsequent reauthorizations, have been bipartisan.

Similarly, this bill contains many provisions of bipartisan agreement. However, a problem continues with this act, becuase it expands the authority of OMB to interfere with agency decisions for reasons other than paperwork reduction.

Over the years of Republican administrations, OMB became a haven for special interests to quietly plead for lesser regulations than those imposed by the Federal agencies. This backdoor special interest access came after these business lobbyists failed to get their way at the agencies.

No records were kept of these meetings. No one knew what went on behind those closed doors. However, we did witness the OMB cancellation of regulation after regulation. We also saw White House officials stonewall all questions about who came to the Office of Management and Budget, and what was said.

Let me give you an example of OMB's interference with agency regulations. In one case, it blocked regulations that required companies to post a notice to their workers of any toxic chemicals used at the work site, after companies complained about the posting requirements, even though OMB did not have the authority to do so.

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

When the case reached the Supreme Court, it ruled that OMB did not have the authority to act. This bill would overturn that Supreme Court decision known as Dole versus Steelworkers of and Regulatory Affairs. That is also a mistake. Without the threat of reauthorization, agencies grow complacent. Without the need for reauthorization, it is too easy for agencies to ignore congressional oversight. Congresswoman MALONEY will offer an amendment to sunset this bill after 5 years, and I support her amendment.

Mr. Chairman, there are some good provisions in H.R. 830, but I urge my colleagues to consider our amendments carefully, and give them your support.

☐ 1640

Mr. CLINGER. Mr. Chairman, I yield such time as he may consume to the gentleman from Indiana [Mr. MCINTOSH].

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

Mr. MCINTOSH. Mr. Chairman, I wanted to rise today in support of this legislation.

Let me explain that it was my experience working with Vice President Quayle at the Competitiveness Council that this paperwork act is vitally important in reducing the amount of paperwork burden that the Federal Government puts on private employers and ultimately, therefore, consumers and workers.

The legislation that we have before us today does several very important things. Chief among them is the permanent reauthorization of that act so that we will be assured that all Government paperwork is reviewed by OMB in a central reviewing process to make sure we do not place unnecessary burdens, that we do not have forms that are duplicative, that we do not ask people to fill out forms for no good reason, if the Federal Government is involved.

The second very important provision in this bill is to close one of the loopholes created by a Supreme Court case called the Steelworkers' case which said that if the Government required people to fill out a form or disclose a particular form to another party but not send that form back to Washington, then it would be exempt from this review process. The problem with that particular loophole is that we have seen a mushrooming of paperwork that fits that description.

In our subcommittee we held hearings on this bill. One of my constituents who is from Shelbyville, IN, a gentleman named Bob Stolmeier, came and talked about the duplicative paperwork he has to fill out in his small business.

In particular he talked about the hazard notification forms that he has

the potential hazards related to these plastic bags. It is something he says nobody has ever asked him to take a look at. It is not a hazardous material the way we think of a chemical or nuclear materials that could be threatening to health and safety, but the Government regulations require him to go through that each time he sets up business and every time he ships his product. It is an enormous cost. It is a self-imposed cost that affects our competitiveness. He is in direct competition with manufacturers of the same product overseas and says they do not have to supply that same paperwork.

Those are some of the things that this bill would accomplish for men and women around the country. Let me say in general that if you stop and take a look at the magnitude of the problem, the Federal Government requires so much paperwork to be filled out that it would take over a million people working full time at entire year to fill out all of the forms that are required by the Federal Government. That is a million people doing nothing more than filling out forms and sending them in to Washington or having them there in their worksite.

We need to cut back on this unnecessary paperwork, free up our workers, free up our farmers, reduce prices for the consumers, and help to eliminate unnecessary paperwork and redtape.

Mr. Chairman, I rise in support of this bill. I am glad to see that it has broad bipartisan support and is not a huge controversial measure. The American people can rest assured that this change will do us a lot of good.

Mrs. COLLINS of Illinois. Mr. Chairman, I have no further requests for time, and I yield back the balance of my time.

Mr. CLINGER. Mr. Chairman, we had a couple of other requests, but I do not see them on the floor. I think this is evidence of what a bipartisan bill this is and how Members are convinced that we have a good piece of legislation here.

Mr. LATOURETTE. Mr. Chairman, 50 days ago I was a county prosecutor in Lake County, OH, so I'm somewhat new at this job. I am not new, however, at hearing people gripe about the Federal Government, Washington, DC., and the Congress.

It has been my experience that when folks are not chastising us for being a group of self-serving politicians, they are blasting us for being a part of the place that reeks of inefficiency and waste. Washington could literally bury itself under the mountain of paperwork it insists others complete. And do not for a moment think that thought has not crossed the minds of many a business owner.

Regulatory Affairs Committee.

Mr. Koeblitz, the CEO of a Cleveland-area company, explained how during each Congressional cycle the Chamber surveys its Members and asks them to rank issues of importance to them. Of the 64 issues identified for this Congress, paperwork reduction was No. 3, ranking behind only unfunded mandates and welfare reform.

Mr. Koeblitz and Chamber officials were kind enough to provide my office with the following examples of paperwork nightmares, all from the same Pennsylvania independent laboratory—a company with just 10 full-time employees. If these examples do not convey the message that paperwork reduction is necessary, nothing will.

The company had to establish an entirely new and separate bookkeeping system just to keep up with the paperwork required by the Family and Medical Leave Act.

To comply with a routine Affirmative Action Audit in 1988, the company had to expend approximately 600 hours of staff time to prepare and facilitate the process. And when we say ''mountain of paperwork'' it is no exaggeration. The completed paperwork package to comply with this, again—routine audit, weighed 13 pounds.

I ask you, how much does the paperwork from an audit weigh when it is not routine? Thirty-seven pounds? One hundred and fourteen pounds? It is one thing to comply with regulations, but quite another to bury companies under excessive and needlessly complex documentation.

I applaud Mr. Koeblitz for bringing this problem to the attention of the Congress and concur with the message he gave to the committee:

> We should let the American business community get back to the business of running their companies rather than spending ridiculous amounts of time complying with federal government edicts.

I urge my colleagues to support H.R. 830.

Mrs. MEYERS of Kansas. Mr. Chairman, I rise in strong support of H.R. 830, the Paperwork Reduction Act of 1995.

I am pleased to be a cosponsor of this legislation. Much work has gone into this legislation during the past two Congresses by the Small Business Committee and the Committee on Government Reform. This bill has been developed on a bipartisan basis and has received considerable bipartisan support. I want to particularly acknowledge the work of the gentleman from Pennsylvania [Mr. CLINGER] and of the gentleman from Virginia [Mr. SISISKY] who as a member of my Small Business Committee, has been most persistent on this legislation.

Both gentlemen sponsored similar legislation last Congress, H.R. 2995, which had over 100 cosponsors, evenly split between Republicans and Democrats. I also want to acknowledge the support of the gentleman from New York [Mr. LAFALCE] who as the ranking mem-

ing amendments to the Regulatory Flexibility Act we will be considering next week, are precisely the kind of commonsense regulatory reforms that this Congress can enact for the benefit of small businesses and all the American people.

On January 27, the Small Business Committee held a hearing on legislative proposals for paperwork reduction. The Administrator of the White House Office of Information and Regulatory Affairs [OIRA], Mrs. Sally Katzen, indicated the administration fully supported the bill we have before us today. After describing problems this administration has in implementing the Act as a result of the 1990 Supreme Court decision in Dole versus Steelworkers of America, she specifically stated the Clinton administration supports overturning that decision. She further echoed the testimony of our small business witnesses that strengthening amendments to the Paperwork Reduction Act are needed.

Authorization for appropriations to OIRA expired in 1989. The Supreme Court decision followed in 1990. Our small business witnesses noted that the Act's promise to protect them from bureaucratic excesses and unnecessary regulations has significantly eroded during the past 5 years. They gave three reasons: The Court decision which gave agencies an excuse to avoid the Act's requirements, the growing tendency of agencies to ignore the Act's requirements, and the inability of the Executive branch and the Congress to come to an agreement during the past three Congresses on what amendments are needed to the Act.

Put simply, this legislation needs to be enacted to strengthen the tools in the Act that encourage small businesses to participate in reducing the cumulative burdens of regulatory paperwork. The Act needs to be strengthened, corrected, and renewed, not weakened by time and neglect.

One of our witnesses estimated that 510 billion dollars worth of time and effort are spent by the American public meeting the Federal Government's information needs. Those are the hidden taxes, the off-budget costs of government programs. We need to be sure that we keep these costs to a minimum. The ability of small businesses, for example, to create new jobs and retain existing ones, depends on keeping the costs to a minimum.

I believe H.R. 830 will reverse the erosion that has occurred in recent years. It will strengthen the small business community' ability to reduce unnecessary regulations.

Let me point to the strong support within the small business community for this legislation. This bill has a broad base of support from a Paperwork Reduction Act Coalition, which includes some 75 trade, professional, and citizen associations. Small business organizations such as National Federation of Independent Businesses, National Small Business

day for small business. And it is—just as surely—a great day for this House.

Today we have a chance to really change the way Government does business. Paperwork reduction is not something that only academics and bureaucrats care about. It is a reform that will have a direct impact on millions of people—and especially small businesses—on a day-to-day basis.

If we really want to reinvent Government, we must constantly be thinking of ways for Government to perform its necessary functions without imposing a crushing burden on small businesses.

This administration has received praise from many quarters for its reinventing Government initiative. I, for one, think this praise is well-deserved. The National Security Committee, on which I serve, worked hand in hand with the administration last year to craft sweeping legislation to reinvent the Government procurement system.

However, despite this and other successes, much more remains to be done. If you ask small businesses how they think Government should be reinvented, I think most would say paperwork reduction is a good place to start. As a senior member of the Small Business Committee, I know that small businesses rank paperwork reduction as one of their highest priorities.

Small firms are forced to spend billions of dollars each year filling out Government paperwork. We sometimes forget that many small businesses, especially the smallest of the small, have a hard time just keeping their heads above water. Government paperwork is really a hidden tax on small business, and it makes it that much harder for them to survive.

Since small businesses are responsible for creating most new jobs in today's economy, it only makes sense to do what we can to eliminate this impediment to small business job creation. Paperwork reduction is a reform that both Democrats and Republicans can enthusiastically support.

We can be proud that the original Paperwork Reduction Act, as well as H.R. 830, have been genuinely bipartisan efforts. In the last Congress, Mr. CLINGER joined me in introducing a very similar bill, cosponsored by a bipartisan group of 120 Members. In this Congress, I had the pleasure of joining with Mr. CLINGER in renewing this effort. Both H.R. 830 and its Senate counterpart enjoy the backing of the Clinton administration.

I think that this legislation is an encouraging example of how Members of both parties can put aside partisan differences when it comes to small business and job creation, and I hope it can serve as a model for constructive bipartisan cooperation in the future.

Mr. Chairman, today we have a chance to help small businesses in America do what they do best—create more jobs. I strongly urge my Democratic and Republican colleagues to give their wholehearted support to H.R. 830.

H.R. 830

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Paperwork Reduction Act of 1995''.

SEC. 2. COORDINATION OF FEDERAL INFORMATION POLICY.

Chapter 35 of title 44, United States Code, is amended to read as follows:

''CHAPTER 35—COORDINATION OF FEDERAL INFORMATION POLICY

''Sec.
''3501. Purposes.
''3502. Definitions.
''3503. Office of Information and Regulatory Affairs.
''3504. Authority and functions of Director.
''3505. Assignment of tasks and deadlines.
''3506. Federal agency responsibilities.
''3507. Public information collection activities; submission to Director; approval and delegation.
''3508. Determination of necessity for information; hearing.
''3509. Designation of central collection agency.
''3510. Cooperation of agencies in making information available.
''3511. Establishment and operation of Government Information Locator Service.
''3512. Public protection.
''3513. Director review of agency activities; reporting; agency response.
''3514. Responsiveness to Congress.
''3515. Administrative powers.
''3516. Rules and regulations.
''3517. Consultation with other agencies and the public.
''3518. Effect on existing laws and regulations.
''3519. Access to information.
''3520. Authorization of appropriations.

''§ 3501. Purposes

''The purposes of this chapter are to—

''(1) minimize the paperwork burden for individuals, small businesses, educational and nonprofit institutions, Federal contractors, State, local and tribal governments, and other persons resulting from the collection of information by or for the Federal Government;

''(2) ensure the greatest possible public benefit from and maximize the utility of information created, collected, maintained, used, shared and disseminated by or for the Federal Government;

''(3) coordinate, integrate, and to the extent practicable and appropriate, make uniform Federal information resources management policies and practices as a means to improve the productivity, efficiency, and effectiveness of Government programs, including the reduction of information collection burdens on the public and the improvement of service delivery to the public;

''(4) improve the quality and use of Federal information to strengthen decisionmaking, accountability, and openness in Government and society;

''(5) minimize the cost to the Federal Government of the creation, collection, maintenance, use, dissemination, and disposition of information;

''(6) minimize the paperwork burden for small businesses;

''(7) assure that information technology is acquired and information streams are managed in a manner that implements the policies and procedures of this chapter in accordance with prompt and proper consideration of the rights of persons with disabilities and maximizes the value to the Federal Government and persons who are members of the public of information resources that are obtained or made accessible to the public at reasonable cost and makes effective use of information technology;

''(8) ensure that the creation, collection, maintenance, use, dissemination, and disposition of information by or for the Federal Government is consistent with applicable laws, including laws relating to—

''(A) privacy and confidentiality, including section 552a of title 5;

''(B) security of information, including the Computer Security Act of 1987 (Public Law 100–235); and

''(C) access to information, including section 552 of title 5;

''(9) ensure the integrity, quality, and utility of the Federal statistical system;

''(10) ensure that information technology is acquired, used, and managed to improve performance of agency missions, including the reduction of information collection burdens on the public; and

''(11) improve the responsibility and accountability of the Office of Management and Budget and all other Federal agencies to Congress and to the public for implementing the information collection review process, information resources management, and related policies and guidelines established under this chapter.

''§ 3502. Definitions

''As used in this chapter—

''(1) the term 'agency' means any executive department, military department, Government corporation, Government controlled corporation, or other establishment in the executive branch of the Government (including the Executive Office of the President), or any independent regulatory agency, but does not include—

''(A) the General Accounting Office;

''(B) Federal Election Commission;

''(C) the governments of the District of Columbia and of the territories and possessions of the United States, and their various subdivisions; or

''(D) Government-owned contractor-operated facilities, including laboratories engaged in national defense research and production activities;

''(2) the term 'burden' means time, effort, or financial resources expended by persons to generate, maintain, or provide information to or for a Federal agency, including the resources expended for—

''(A) reviewing instructions;

''(B) acquiring, installing, and utilizing technology and systems;

''(C) adjusting the existing ways to comply with any previously applicable instructions and requirements;

''(D) searching data sources;

''(E) completing and reviewing the collection of information; and

''(F) transmitting, or otherwise disclosing the information;

''(3) the term 'collection of information' means the obtaining, causing to be obtained, soliciting, or requiring the disclosure to third parties or the public, of facts or opinions by or for an agency, regardless of form or format, calling for either—

''(A) answers to identical questions posed to, or identical reporting or recordkeeping requirements imposed on, ten or more persons, other than agencies, instrumentalities,

tures Trading Commission, the Consumer Product Safety Commission, the Federal Communications Commission, the Federal Deposit Insurance Corporation, the Federal Energy Regulatory Commission, the Federal Housing Finance Board, the Federal Maritime Commission, the Federal Trade Commission, the Interstate Commerce Commission, the Mine Enforcement Safety and Health Review Commission, the National Labor Relations Board, the Nuclear Regulatory Commission, the Occupational Safety and Health Review Commission, the Postal Rate Commission, the Securities and Exchange Commission, and any other similar agency designated by statute as a Federal independent regulatory agency or commission;

''(6) the term 'information resources' means information and related resources, such as personnel, equipment, funds, and information technology;

''(7) the term 'information resources management' means the process of managing information resources to accomplish agency missions and to improve agency performance, including through the reduction of information collection burdens on the public;

''(8) the term 'information system' means a discrete set of information resources and processes, automated or manual, organized for the collection, processing, maintenance, use, sharing, dissemination, or disposition of information;

''(9) the term 'information technology' has the same meaning as the term 'automatic data processing equipment' as defined by section 111(a)(2) of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 759(a)(2));

''(10) the term 'person' means an individual, partnership, association, corporation, business trust, or legal representative, an organized group of individuals, a State, territorial, or local government or branch thereof, or a political subdivision of a State, territory, or local government or a branch of a political subdivision;

''(11) the term 'practical utility' means the ability of an agency to use information, particularly the capability to process such information in a timely and useful fashion;

''(12) the term 'public information' means any information, regardless of form or format, that an agency discloses, disseminates, or makes available to the public; and

''(13) the term 'recordkeeping requirement' means a requirement imposed by or for an agency on persons to maintain specified records, including a requirement to—

''(A) retain such records;

''(B) notify third parties or the public of the existence of such records;

''(C) disclose such records to third parties or the public; or

''(D) report to third parties or the public regarding such records.

''§ 3503. Office of Information and Regulatory Affairs

''(a) There is established in the Office of Management and Budget an office to be known as the Office of Information and Regulatory Affairs.

''(b) There shall be at the head of the Office an Administrator who shall be appointed by the President, by and with the advice and

''(a)(1) The Director shall—

''(A) develop, coordinate and oversee the implementation of Federal information resources management policies, principles, standards, and guidelines; and

''(B) provide direction and oversee—

''(i) the review and approval of the collection of information and the reduction of the information collection burden;

''(ii) agency dissemination of and public access to information;

''(iii) statistical activities;

''(iv) records management activities;

''(v) privacy, confidentiality, security, disclosure, and sharing of information; and

''(vi) the acquisition and use of information technology.

''(2) The authority of the Director under this chapter shall be exercised consistent with applicable law.

''(b) With respect to general information resources management policy, the Director shall—

''(1) develop and oversee the implementation of uniform information resources management policies, principles, standards, and guidelines;

''(2) foster greater sharing, dissemination, and access to public information, including through—

''(A) the use of the Government Information Locator Service; and

''(B) the development and utilization of common standards for information collection, storage, processing and communication, including standards for security, interconnectivity and interoperability;

''(3) initiate and review proposals for changes in legislation, regulations, and agency procedures to improve information resources management practices;

''(4) oversee the development and implementation of best practices in information resources management, including training; and

''(5) oversee agency integration of program and management functions with information resources management functions.

''(c) With respect to the collection of information and the control of paperwork, the Director shall—

''(1) review and approve proposed agency collections of information;

''(2) coordinate the review of the collection of information associated with Federal procurement and acquisition by the Office of Information and Regulatory Affairs with the Office of Federal Procurement Policy, with particular emphasis on applying information technology to improve the efficiency and effectiveness of Federal procurement and acquisition and to reduce information collection burdens on the public;

''(3) minimize the Federal information collection burden, with particular emphasis on those individuals and entities most adversely affected;

''(4) maximize the practical utility of and public benefit from information collected by or for the Federal Government; and

''(5) establish and oversee standards and guidelines by which agencies are to estimate the burden to comply with a proposed collection of information.

''(d) With respect to information dissemination, the Director shall develop and oversee coordination, the Director shall—

''(1) coordinate the activities of the Federal statistical system to ensure—

''(A) the efficiency and effectiveness of the system; and

''(B) the integrity, objectivity, impartiality, utility, and confidentiality of information collected for statistical purposes;

''(2) ensure that budget proposals of agencies are consistent with system-wide priorities for maintaining and improving the quality of Federal statistics and prepare an annual report on statistical program funding;

''(3) develop and oversee the implementation of Governmentwide policies, principles, standards, and guidelines concerning—

''(A) statistical collection procedures and methods;

''(B) statistical data classification;

''(C) statistical information presentation and dissemination;

''(D) timely release of statistical data; and

''(E) such statistical data sources as may be required for the administration of Federal programs;

''(4) evaluate statistical program performance and agency compliance with Governmentwide policies, principles, standards and guidelines;

''(5) promote the sharing of information collected for statistical purposes consistent with privacy rights and confidentiality pledges;

''(6) coordinate the participation of the United States in international statistical activities, including the development of comparable statistics;

''(7) appoint a chief statistician who is a trained and experienced professional statistician to carry out the functions described under this subsection;

''(8) establish an Interagency Council on Statistical Policy to advise and assist the Director in carrying out the functions under this subsection that shall—

''(A) be headed by the chief statistician; and

''(B) consist of—

''(i) the heads of the major statistical programs; and

''(ii) representatives of other statistical agencies under rotating membership; and

''(9) provide opportunities for training in statistical policy functions to employees of the Federal Government under which—

''(A) each trainee shall be selected at the discretion of the Director based on agency requests and shall serve under the chief statistician for at least 6 months and not more than 1 year; and

''(B) all costs of the training shall be paid by the agency requesting training.

''(f) With respect to records management, the Director shall—

''(1) provide advice and assistance to the Archivist of the United States and the Administrator of General Services to promote coordination in the administration of chapters 29, 31, and 33 of this title with the information resources management policies, principles, standards, and guidelines established under this chapter;

''(2) review compliance by agencies with—

''(A) the requirements of chapters 29, 31, and 33 of this title; and

''(1) develop and oversee the implementation of policies, principles, standards, and guidelines on privacy, confidentiality, security, disclosure and sharing of information collected or maintained by or for agencies;

''(2) oversee and coordinate compliance with sections 552 and 552a of title 5, the Computer Security Act of 1987 (40 U.S.C. 759 note), and related information management laws; and

''(3) require Federal agencies, consistent with the Computer Security Act of 1987 (40 U.S.C. 759 note), to identify and afford security protections commensurate with the risk and magnitude of the harm resulting from the loss, misuse, or unauthorized access to or modification of information collected or maintained by or on behalf of an agency.

''(h) With respect to Federal information technology, the Director shall—

''(1) in consultation with the Director of the National Institute of Standards and Technology and the Administrator of General Services—

''(A) develop and oversee the implementation of policies, principles, standards, and guidelines for information technology functions and activities of the Federal Government, including periodic evaluations of major information systems; and

''(B) oversee the development and implementation of standards under section 111(d) of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 759(d));

''(2) monitor the effectiveness of, and compliance with, directives issued under sections 110 and 111 of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 757 and 759);

''(3) coordinate the development and review by the Office of Information and Regulatory Affairs of policy associated with Federal procurement and acquisition of information technology with the Office of Federal Procurement Policy;

''(4) ensure, through the review of agency budget proposals, information resources management plans and other means—

''(A) agency integration of information resources management plans, program plans and budgets for acquisition and use of information technology; and

''(B) the efficiency and effectiveness of inter-agency information technology initiatives to improve agency performance and the accomplishment of agency missions; and

''(5) promote the use of information technology by the Federal Government to improve the productivity, efficiency, and effectiveness of Federal programs, including through dissemination of public information and the reduction of information collection burdens on the public.

''§ 3505. Assignment of tasks and deadlines

''(a) In carrying out the functions under this chapter, the Director shall—

''(1) in consultation with agency heads, set an annual Governmentwide goal for the reduction of information collection burdens by at least five percent, and set annual agency goals to—

''(A) reduce information collection burdens imposed on the public that—

''(i) represent the maximum practicable opportunity in each agency; and

''(ii) are consistent with improving agency management of the process for the review of collections of information and the control of paperwork, and with maximizing the value to the government and society of the information collected;

''(B) minimize the cost to the Federal government of the creation, collection, maintenance, use, dissemination, and disposition of information;

''(C) minimize the burden on the public, consistent with the proper performance of functions of the agencies, and minimize the disclosure of information collected or maintained by the agencies to those persons or to those agencies deemed appropriate by them;

''(D) ensure that the information collected by the agencies is the most useful information practicable for the purposes of the agencies;

''(E) minimize the burden on small business concerns (as defined in section 3 of the Small Business Act (15 U.S.C. 632));

''(F) assure that information collection procedures to fulfill the purposes of this chapter, particularly with regard to minimizing the Federal information collection burden; and

''(3) in consultation with the Administrator of General Services, the Director of the National Institute of Standards and Technology, the Archivist of the United States, and the Director of the Office of Personnel Management, develop and maintain a Governmentwide strategic plan for information resources management, that shall include—

''(A) a description of the objectives and the means by which the Federal Government shall apply information resources to improve agency and program performance;

''(B) plans for—

''(i) reducing information burdens on the public, including reducing such burdens through the elimination of duplication and meeting shared data needs with shared resources;

''(ii) enhancing public access to and dissemination of, information, using electronic and other formats; and

''(iii) meeting the information technology needs of the Federal Government in accordance with the purposes of this chapter; and

''(C) a description of progress in applying information resources management to improve agency performance and the accomplishment of missions.

''(b) For purposes of any pilot project conducted under subsection (a)(2), the Director may waive the application of any regulation or administrative directive issued by an agency with which the project is conducted, including any regulation or directive requiring a collection of information, after giving timely notice to the public and the Congress regarding the need for such waiver.

''§ 3506. Federal agency responsibilities

''(a)(1) The head of each agency shall be responsible for—

''(A) carrying out the agency's information resources management activities to improve agency productivity, efficiency, and effectiveness; and

''(B) complying with the requirements of this chapter and related policies established by the Director.

''(2)(A) Except as provided under subparagraph (B), the head of each agency shall designate a senior official who shall report directly to such agency head to carry out the responsibilities of the agency under this chapter.

''(B) The Secretary of the Department of Defense and the Secretary of each military department may each designate a senior official who shall report directly to such Secretary to carry out the responsibilities of the department under this chapter. If more than one official is designated for the military departments, the respective duties of the officials shall be clearly delineated.

''(3) The senior official designated under paragraph (2) shall head an office responsible for ensuring agency compliance with and prompt, efficient, and effective implementation of the information policies and information resources management responsibilities established under this chapter, including the reduction of information collection burdens on the public. The senior official and employees of such office shall be selected with regard to their qualifications to perform such important functions.

''(b) With respect to information resources management, each agency shall—

''(1) manage information resources to—

''(A) reduce information collection burdens on the public;

''(B) increase program efficiency and effectiveness; and

''(C) improve the integrity, quality, and utility of information to all users within and outside the agency, including capabilities for ensuring dissemination of public information, public access to government information, and protections for privacy and security;

''(2) in accordance with guidance by the Director, develop and maintain a strategic information resources management plan that shall describe how information resources management activities help accomplish agency missions;

''(3) develop and maintain an ongoing process to—

''(A) ensure that information resources management operations and decisions are integrated with organizational planning, budget, financial management, human resources management, and program decisions;

''(B) in cooperation with the agency Chief Financial Officer (or comparable official), develop a full and accurate accounting of information technology expenditures, related expenses, and results; and

''(C) establish goals for improving information resources management's contribution to program productivity, efficiency, and effectiveness, methods for measuring progress towards those goals, and clear roles and responsibilities for achieving those goals;

''(4) in consultation with the Director, the Administrator of General Services, and the Archivist of the United States, maintain a current and complete inventory of the agency's information resources, including directories necessary to fulfill the requirements of section 3511 of this chapter; and

''(5) in consultation with the Director and the Director of the Office of Personnel Management, conduct formal training programs to educate agency program and management officials about information resources management.

''(c) With respect to the collection of information and the control of paperwork, each agency shall—

''(1) establish a process within the office headed by the official designated under subsection (a), that is sufficiently independent of program responsibility to evaluate fairly whether proposed collections of information should be approved under this chapter, to—

''(A) review each collection of information before submission to the Director for review under this chapter, including—

''(i) an evaluation of the need for the collection of information;

''(ii) a functional description of the information to be collected;

''(iii) a plan for the collection of the information;

''(iv) a specific, objectively supported estimate of burden;

''(v) a test of the collection of information through a pilot program, if appropriate; and

person receiving the collection of information—

''(I) the reasons the information is being collected;

''(II) the way such information is to be used;

''(III) an estimate, to the extent practicable, of the burden of the collection; and

''(IV) whether responses to the collection of information are voluntary, required to obtain a benefit, or mandatory; and

''(C) assess the information collection burden of proposed legislation affecting the agency;

''(2)(A) except for good cause or as provided under subparagraph (B), provide 60-day notice in the Federal Register, and otherwise consult with members of the public and affected agencies concerning each proposed collection of information, to solicit comment to—

''(i) evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility;

''(ii) evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information;

''(iii) enhance the quality, utility, and clarity of the information to be collected; and

''(iv) minimize the burden of the collection of information on those who are to respond, including through the use of automated collection techniques or other forms of information technology; and

''(B) for any proposed collection of information contained in a proposed rule (to be reviewed by the Director under section 3507(d)), provide notice and comment through the notice of proposed rulemaking for the proposed rule and such notice shall have the same purposes specified under subparagraph (A) (i) through (iv); and

''(3) certify (and provide a record supporting such certification, including public comments received by the agency) that each collection of information submitted to the Director for review under section 3507—

''(A) is necessary for the proper performance of the functions of the agency, including that the information has practical utility;

''(B) is not unnecessarily duplicative of information otherwise reasonably accessible to the agency;

''(C) reduces to the extent practicable and appropriate the burden on persons who shall provide information to or for the agency, including with respect to small entities, as defined under section 601(6) of title 5, the use of such techniques as—

''(i) establishing differing compliance or reporting requirements or timetables that take into account the resources available to those who are to respond;

''(ii) the clarification, consolidation, or simplification of compliance and reporting requirements; or

''(iii) an exemption from coverage of the collection of information, or any part thereof;

''(D) is written using plain, coherent, and unambiguous terminology and is understandable to those who are to respond;

the processing of the information in a manner which shall enhance, where appropriate, the utility of the information to agencies and the public;

''(H) uses effective and efficient statistical survey methodology appropriate to the purpose for which the information is to be collected; and

''(I) to the maximum extent practicable, uses information technology to reduce burden and improve data quality, agency efficiency and responsiveness to the public.

''(d) With respect to information dissemination, each agency shall—

''(1) ensure that the public has timely, equal, and equitable access to the agency's public information, including ensuring such access through—

''(A) encouraging a diversity of public and private sources for information based on government public information,

''(B) in cases in which the agency provides public information maintained in electronic format, providing timely, equal, and equitable access to the underlying data (in whole or in part); and

''(C) agency dissemination of public information in an efficient, effective, and economical manner;

''(2) regularly solicit and consider public input on the agency's information dissemination activities;

''(3) provide adequate notice when initiating, substantially modifying, or terminating significant information dissemination products; and

''(4) not, except where specifically authorized by statute—

''(A) establish an exclusive, restricted, or other distribution arrangement that interferes with timely and equitable availability of public information to the public;

''(B) restrict or regulate the use, resale, or redissemination of public information by the public;

''(C) charge fees or royalties for resale or redissemination of public information; or

''(D) establish user fees for public information that exceed the cost of dissemination, except that the Director may waive the application of this subparagraph to an agency, if—

''(i) the head of the agency submits a written request to the Director, publishes a notice of the request in the Federal Register, and provides a copy of the request to the public upon request;

''(ii) the Director sets forth in writing a statement of the scope, conditions, and duration of the waiver and the reasons for granting it, and makes such statement available to the public upon request; and

''(iii) the granting of the waiver would not materially impair the timely and equitable availability of public information to the public.

''(e) With respect to statistical policy and coordination, each agency shall—

''(1) ensure the relevance, accuracy, timeliness, integrity, and objectivity of information collected or created for statistical purposes;

''(2) inform respondents fully and accurately about the sponsors, purposes, and uses of statistical surveys and studies;

''(6) make data available to statistical agencies and readily accessible to the public.

''(f) With respect to records management, each agency shall implement and enforce applicable policies and procedures, including requirements for archiving information maintained in electronic format, particularly in the planning, design and operation of information systems.

''(g) With respect to privacy and security, each agency shall—

''(1) implement and enforce applicable policies, procedures, standards, and guidelines on privacy, confidentiality, security, disclosure and sharing of information collected or maintained by or for the agency;

''(2) assume responsibility and accountability for compliance with and coordinated management of sections 552 and 552a of title 5, the Computer Security Act of 1987 (40 U.S.C. 759 note), and related information management laws; and

''(3) consistent with the Computer Security Act of 1987 (40 U.S.C. 759 note), identify and afford security protections commensurate with the risk and magnitude of the harm resulting from the loss, misuse, or unauthorized access to or modification of information collected or maintained by or on behalf of an agency.

''(h) With respect to Federal information technology, each agency shall—

''(1) implement and enforce applicable Governmentwide and agency information technology management policies, principles, standards, and guidelines;

''(2) assume responsibility and accountability for information technology investments;

''(3) promote the use of information technology by the agency to improve the productivity, efficiency, and effectiveness of agency programs, including the reduction of information collection burdens on the public and improved dissemination of public information;

''(4) propose changes in legislation, regulations, and agency procedures to improve information technology practices, including changes that improve the ability of the agency to use technology to reduce burden; and

''(5) assume responsibility for maximizing the value and assessing and managing the risks of major information systems initiatives through a process that is—

''(A) integrated with budget, financial, and program management decisions; and

''(B) used to select, control, and evaluate the results of major information systems initiatives.

''§ 3507. Public information collection activities; submission to Director; approval and delegation

''(a) An agency shall not conduct or sponsor the collection of information unless in advance of the adoption or revision of the collection of information—

''(1) the agency has—

''(A) conducted the review established under section 3506(c)(1);

''(B) evaluated the public comments received under section 3506(c)(2);

''(C) submitted to the Director the certification required under section 3506(c)(3), the proposed collection of information, copies of pertinent statutory authority, regulations,

''(III) a brief description of the need for the information and the proposed use of the information;

''(IV) a description of the likely respondents and proposed frequency of response to the collection of information;

''(V) an estimate of the burden that shall result from the collection of information; and

''(VI) notice that comments may be submitted to the agency and Director;

''(2) the Director has approved the proposed collection of information or approval has been inferred, under the provisions of this section; and

''(3) the agency has obtained from the Director a control number to be displayed upon the collection of information.

''(b) The Director shall provide at least 30 days for public comment prior to making a decision under subsection (c), (d), or (h), except for good cause or as provided under subsection (j).

''(c)(1) For any proposed collection of information not contained in a proposed rule, the Director shall notify the agency involved of the decision to approve or disapprove the proposed collection of information.

''(2) The Director shall provide the notification under paragraph (1), within 60 days after receipt or publication of the notice under subsection (a)(1)(D), whichever is later.

''(3) If the Director does not notify the agency of a denial or approval within the 60-day period described under paragraph (2)—

''(A) the approval may be inferred;

''(B) a control number shall be assigned without further delay; and

''(C) the agency may collect the information for not more than 1 year.

''(d)(1) For any proposed collection of information contained in a proposed rule—

''(A) as soon as practicable, but no later than the date of publication of a notice of proposed rulemaking in the Federal Register, each agency shall forward to the Director a copy of any proposed rule which contains a collection of information and any information requested by the Director necessary to make the determination required under this subsection; and

''(B) within 60 days after the notice of proposed rulemaking is published in the Federal Register, the Director may file public comments pursuant to the standards set forth in section 3508 on the collection of information contained in the proposed rule;

''(2) When a final rule is published in the Federal Register, the agency shall explain—

''(A) how any collection of information contained in the final rule responds to the comments, if any, filed by the Director or the public; or

''(B) the reasons such comments were rejected.

''(3) If the Director has received notice and failed to comment on an agency rule within 60 days after the notice of proposed rulemaking, the Director may not disapprove any collection of information specifically contained in an agency rule.

''(4) No provision in this section shall be construed to prevent the Director, in the Director's discretion—

''(A) from disapproving any collection of information which was not specifically required by an agency rule; approved under the standards set forth in section 3508; or

''(D) from disapproving any collection of information contained in a final rule, if—

''(i) the Director determines that the agency has substantially modified in the final rule the collection of information contained in the proposed rule; and

''(ii) the agency has not given the Director the information required under paragraph (1) with respect to the modified collection of information, at least 60 days before the issuance of the final rule.

''(5) This subsection shall apply only when an agency publishes a notice of proposed rulemaking and requests public comments.

''(6) The decision by the Director to approve or not act upon a collection of information contained in an agency rule shall not be subject to judicial review.

''(e)(1) Any decision by the Director under subsection (c), (d), (h), or (j) to disapprove a collection of information, or to instruct the agency to make substantive or material change to a collection of information, shall be publicly available and include an explanation of the reasons for such decision.

''(2) Any written communication between the Administrator of the Office of Information and Regulatory Affairs, or any employee of the Office of Information and Regulatory Affairs, and an agency or person not employed by the Federal Government concerning a proposed collection of information shall be made available to the public.

''(3) This subsection shall not require the disclosure of—

''(A) any information which is protected at all times by procedures established for information which has been specifically authorized under criteria established by an Executive order or an Act of Congress to be kept secret in the interest of national defense or foreign policy; or

''(B) any communication relating to a collection of information, the disclosure of which could lead to retaliation or discrimination against the communicator.

''(f)(1) An independent regulatory agency which is administered by 2 or more members of a commission, board, or similar body, may by majority vote void—

''(A) any disapproval by the Director, in whole or in part, of a proposed collection of information that agency; or

''(B) an exercise of authority under subsection (d) of section 3507 concerning that agency.

''(2) The agency shall certify each vote to void such disapproval or exercise to the Director, and explain the reasons for such vote. The Director shall without further delay assign a control number to such collection of information, and such vote to void the disapproval or exercise shall be valid for a period of 3 years.

''(g) The Director may not approve a collection of information for a period in excess of 3 years.

''(h)(1) If an agency decides to seek extension of the Director's approval granted for a currently approved collection of information, the agency shall—

''(A) conduct the review established under section 3506(c), including the seeking of comment from the public on the continued need for, and burden imposed by the collection of information; and

''(2) If under the provisions of this section, the Director disapproves a collection of information contained in an existing rule, or recommends or instructs the agency to make a substantive or material change to a collection of information contained in an existing rule, the Director shall—

''(A) publish an explanation thereof in the Federal Register; and

''(B) instruct the agency to undertake a rulemaking within a reasonable time limited to consideration of changes to the collection of information contained in the rule and thereafter to submit the collection of information for approval or disapproval under this chapter.

''(3) An agency may not make a substantive or material modification to a collection of information after such collection has been approved by the Director, unless the modification has been submitted to the Director for review and approval under this chapter.

''(i)(1) If the Director finds that a senior official of an agency designated under section 3506(a) is sufficiently independent of program responsibility to evaluate fairly whether proposed collections of information should be approved and has sufficient resources to carry out this responsibility effectively, the Director may, by rule in accordance with the notice and comment provisions of chapter 5 of title 5, United States Code, delegate to such official the authority to approve proposed collections of information in specific program areas, for specific purposes, or for all agency purposes.

''(2) A delegation by the Director under this section shall not preclude the Director from reviewing individual collections of information if the Director determines that circumstances warrant such a review. The Director shall retain authority to revoke such delegations, both in general and with regard to any specific matter. In acting for the Director, any official to whom approval authority has been delegated under this section shall comply fully with the rules and regulations promulgated by the Director.

''(j)(1) The agency head may request the Director to authorize collection of information prior to expiration of time periods established under this chapter, if an agency head determines that—

''(A) a collection of information—

''(i) is needed prior to the expiration of such time periods; and

''(ii) is essential to the mission of the agency; and

''(B) the agency cannot reasonably comply with the provisions of this chapter within such time periods because—

''(i) public harm is reasonably likely to result if normal clearance procedures are followed; or

''(ii) an unanticipated event has occurred and the use of normal clearance procedures is reasonably likely to prevent or disrupt the collection of information related to the event or is reasonably likely to cause a statutory or court-ordered deadline to be missed.

''(2) The Director shall approve or disapprove any such authorization request

''Before approving a proposed collection of information, the Director shall determine whether the collection of information by the agency is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility. Before making a determination the Director may give the agency and other interested persons an opportunity to be heard or to submit statements in writing. To the extent, if any, that the Director determines that the collection of information by an agency is unnecessary for any reason, the agency may not engage in the collection of information.

''§ 3509. Designation of central collection agency

''The Director may designate a central collection agency to obtain information for two or more agencies if the Director determines that the needs of such agencies for information will be adequately served by a single collection agency, and such sharing of data is not inconsistent with applicable law. In such cases the Director shall prescribe (with reference to the collection of information) the duties and functions of the collection agency so designated and of the agencies for which it is to act as agent (including reimbursement for costs). While the designation is in effect, an agency covered by the designation may not obtain for itself information for the agency which is the duty of the collection agency to obtain. The Director may modify the designation from time to time as circumstances require. The authority to designate under this section is subject to the provisions of section 3507(f) of this chapter.

''§ 3510. Cooperation of agencies in making information available

''(a) The Director may direct an agency to make available to another agency, or an agency may make available to another agency, information obtained by a collection of information if the disclosure is not inconsistent with applicable law.

''(b)(1) If information obtained by an agency is released by that agency to another agency, all the provisions of law (including penalties which relate to the unlawful disclosure of information) apply to the officers and employees of the agency to which information is released to the same extent and in the same manner as the provisions apply to the officers and employees of the agency which originally obtained the information.

''(2) The officers and employees of the agency to which the information is released, in addition, shall be subject to the same provisions of law, including penalties, relating to the unlawful disclosure of information as if the information had been collected directly by that agency.

''§ 3511. Establishment and operation of Government Information Locator Service

''In order to assist agencies and the public in locating information and to promote information sharing and equitable access by the public, the Director shall—

''(1) cause to be established and maintained a distributed agency-based electronic Government Information Locator Service (hereafter in this section referred to as the 'Service'), which shall identify the major information sharing and dissemination systems in order to promote information sharing, interoperability, and uniform access;

''(2) in cooperation with the Director of the National Institute of Standards and Technology and the Administrator of General Services and the Archivist of the United States, initiate work on standards that will be required for the Service to ensure compatibility, promote information sharing, and uniform access by the public;

''(3) in cooperation with the Director of the National Institute of Standards and Technology and the Administrator of General Services and the Archivist of the United States, conduct a study of commercial information locator services and other information dissemination mechanisms to determine their utility for the Service;

''(4) consider public access and other user needs in the establishment and operation of the Service;

''(5) ensure the security and integrity of the Service, including measures to ensure that only information which is intended to be disclosed to the public is disclosed through the Service; and

''(6) periodically review the development and effectiveness of the Service and make recommendations for improvement, including other mechanisms for improving public access to Federal agency public information.

''§ 3512. Public protection

''Notwithstanding any other provision of law, no person shall be subject to any penalty for failing to maintain, provide, or disclose information to or for any agency or person if the applicable collection of information—

''(1) does not display a valid control number assigned by the Director; and

''(2) fails to state that the person who is to respond to the collection of information is not required to comply unless such collection displays a valid control number.

''§ 3513. Director review of agency activities; reporting; agency response

''(a) In consultation with the Administrator of General Services, the Archivist of the United States, the Director of the National Institute of Standards and Technology, and the Director of the Office of Personnel Management, the Director shall periodically review selected agency information resources management activities to ascertain the efficiency and effectiveness of such activities to improve agency performance and the accomplishment of agency missions.

''(b) Each agency having an activity reviewed under subsection (a) shall, within 60 days after receipt of a report on the review, provide a written plan to the Director describing steps (including milestones) to—

''(1) be taken to address information resources management problems identified in the report; and

''(2) improve agency performance and the accomplishment of agency missions.

''§ 3514. Responsiveness to Congress

''(a)(1) The Director shall—

''(A) keep the Congress and congressional committees fully and currently informed of the major activities under this chapter; and

''(B) submit a report on such activities to the President of the Senate and the Speaker of the House of Representatives annually and at such other times as the Director determines necessary.

''(2) The Director shall include in any such report a description of the extent to which agencies have—

''(A) reduced information collection burdens on the public, including—

''(i) a summary of accomplishments and planned initiatives to reduce collection of information burdens;

''(ii) a list of all violations of this chapter and of any rules, guidelines, policies, and procedures issued pursuant to this chapter;

''(B) improved the quality and utility of statistical information;

''(C) improved public access to Government information; and

''(D) improved program performance and the accomplishment of agency missions through information resources management.

''(b) The preparation of any report required by this section shall be based on performance results reported by the agencies and shall not increase the collection of information burden on persons outside the Federal Government.

''§ 3515. Administrative powers

''Upon the request of the Director, each agency (other than an independent regulatory agency) shall, to the extent practicable, make its services, personnel, and facilities available to the Director for the performance of functions under this chapter.

''§ 3516. Rules and regulations

''The Director shall promulgate rules, regulations, or procedures necessary to exercise the authority provided by this chapter.

''§ 3517. Consultation with other agencies and the public

''(a) In developing information resources management policies, plans, rules, regulations, procedures, and guidelines and in reviewing collections of information, the Director shall provide interested agencies and persons early and meaningful opportunity to comment.

''(b) Any person may request the Director to review any collection of information conducted by or for an agency to determine, if, under this chapter, the person shall maintain, provide, or disclose the information to or for the agency. Unless the request is frivolous, the Director shall, in coordination with the agency responsible for the collection of information—

''(1) respond to the request within 60 days after receiving the request, unless such period is extended by the Director to a specified date and the person making the request is given notice of such extension; and

''(2) take appropriate remedial action, if necessary.

''§ 3518. Effect on existing laws and regulations

''(a) Except as otherwise provided in this chapter, the authority of an agency under any other law to prescribe policies, rules, regulations, and procedures for Federal information resources management activities is subject to the authority of the Director under this chapter.

''(b) Nothing in this chapter shall be deemed to affect or reduce the authority of the Secretary of Commerce or the Director of the Office of Management and Budget pursuant to Reorganization Plan No. 1 of 1977 (as amended) and Executive order, relating to telecommunications and information policy, procurement and management of telecommunications and information systems, spectrum use, and related matters.

''(c)(1) Except as provided in paragraph (2), this chapter shall not apply to obtaining, causing to be obtained, soliciting, or requiring the disclosure to third parties or the public, of facts or opinions—

''(C) by compulsory process pursuant to the Antitrust Civil Process Act and section 13 of the Federal Trade Commission Improvements Act of 1980; or

''(D) during the conduct of intelligence activities as defined in section 4–206 of Executive Order No. 12036, issued January 24, 1978, or successor orders, or during the conduct of cryptologic activities that are communications security activities.

''(2) This chapter applies to obtaining, causing to be obtained, soliciting, or requiring the disclosure to third parties or the public, of facts or opinions during the conduct of general investigations (other than information collected in an antitrust investigation to the extent provided in subparagraph (C) of paragraph (1)) undertaken with reference to a category of individuals or entities such as a class of licensees or an entire industry.

''(d) Nothing in this chapter shall be interpreted as increasing or decreasing the authority conferred by Public Law 89–306 on the Administrator of the General Services Administration, the Secretary of Commerce, or the Director of the Office of Management and Budget.

''(e) Nothing in this chapter shall be interpreted as increasing or decreasing the authority of the President, the Office of Management and Budget or the Director thereof, under the laws of the United States, with respect to the substantive policies and programs of departments, agencies and offices, including the substantive authority of any Federal agency to enforce the civil rights laws.

''(f) Notwithstanding any other provision of this chapter or any other law—

''(1) any public information that an agency discloses, disseminates, or makes available to the public may be used by any person for profit or nonprofit activities; and

''(2) if any person adds value to the public information, the Federal Government shall not have any right to obtain, collect, acquire, disseminate, use, or convert—

''(A) the resulting data, database, or other information product, or

''(B) any method used by the person to identify such resulting data, database, or information product,

except under terms that are expressly agreed to by such person.

''§ 3519. Access to information

''Under the conditions and procedures prescribed in section 716 of title 31, the Director and personnel in the Office of Information and Regulatory Affairs shall furnish such information as the Comptroller General may require for the discharge of the responsibilities of the Comptroller General. For the purpose of obtaining such information, the Comptroller General or representatives thereof shall have access to all books, documents, papers and records, regardless of form or format, of the Office.

''§ 3520. Authorization of appropriations

''There are authorized to be appropriated to the Office of Information and Regulatory Affairs to carry out the provisions of this chapter such sums as may be necessary.''.

SEC. 3. EFFECTIVE DATE.

The amendments made by this Act shall take effect October 1, 1995.

The first committee amendment was agreed to.

Mr. CLINGER. Mr. Chairman, I ask unanimous consent that the remaining committee amendments be considered en bloc.

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

Mrs. COLLINS of Illinois. Mr. Chairman, reserving the right to object, and I will not object, it is correct that this en bloc amendment is solely in compliance with the amendments adopted in committee?

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

Mrs. COLLINS of Illinois. Further reserving the right to object, I yield to the gentleman from Pennsylvania.

Mr. CLINGER. Mr. Chairman, that is correct. This just incorporates those amendments which were adopted in the committee.

Mrs. COLLINS of Illinois. Mr. Chairman, I withdraw my reservation of objection.

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

There was no objection.

The CHAIRMAN. The Clerk will designate the remaining committee amendments.

The text of the remaining committee amendments is as follows:

Committee amendments: On page 12, line 22, insert '', and payment'' after ''acquisition''.

In the proposed section 3505 (page 19, line 18), strike ''five'' and insert ''10''.

In the proposed section 3514 (page 51, line 14), strike ''5'' and insert ''10''.

In the proposed section 3518 strike subsection (f).

The CHAIRMAN. The question is on the remaining committee amendments.

The remaining committee amendment were agreed to.

The CHAIRMAN. Are there further amendments to the bill?

AMENDMENT OFFERED BY MRS. COLLINS OF ILLINOIS

Mrs. COLLINS of Illinois. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mrs. COLLINS of Illinois: Page 6, beginning at line 23, strike ''soliciting, or requiring the disclosure to third parties or the public,'' and insert ''or soliciting,''.

Page 9, beginning at line 18, strike ''records,'' and all that follows through page 10, line 2, and insert ''records.''.

Page 49, beginning at line 12, strike ''maintain, provide, or disclose information to or for any agency or person'' and insert ''maintain or provide information to or for any agency''.

considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentlewoman from Illinois?

There was no objection.

Mrs. COLLINS of Illinois. Mr. Chairman, my amendment would strike from the bill those provisions giving the Office of Information and Regulatory Affairs authority to block regulations concerning so-called third-party communications. These regulations involve requirements for companies to provide notifications to third parties, for example, their workers, about matters such as safety problems in the workplace.

Let me discuss the history of this issue and explain why it is so important. OSHA issued a rule in 1987 to private companies requiring that they post signs in the workplace to notify workers of the chemical hazards that they may face. After some companies complained to OMB, its Office of Information and Regulatory Affairs, using the Paperwork Reduction Act as its authority, overturned the rule. OMB claimed that the signs posted for the workers were covered by the act, and thus were a paperwork burden.

Mr. Chairman, we are talking about a small poster telling workers of the hazards in the workplace. Removing these warnings is not paperwork reduction, it is safety reduction. Yet OMB, in the name of paperwork reduction, said that employers do not have to warn workers about the hazards they face at work.

The Steelworkers, on the other hand, believe workers have a right to that information, and challenged that authority in court. The Supreme Court in 1990 agreed in a decision known as Dole versus the United Steelworkers of America and found that OMB had no authority over these notifications. Now, this bill overturns that hard fought victory of the workers.

Overturning Dole, as this bill does, says to workers that relieving the paperwork burden on business is more important than their health and safety on the job. Overturning Dole opens the door for political influence to prevail over scientific judgment within the corridors of the Office of Management and Budget. Overturning Dole opens the door for political favoritism over common sense.

A number of justifications are given for overturning Dole, but each is a smoke screen to hide the fact that the back door has been opened for businesses to plead their case in private after losing before an agency. The issue in this case was not the paperwork, but

this authority be used to cancel notification on the safety of children's toys? Will it be used to remove the hazard warnings from packs of cigarettes? If the safety of the work place is not beyond reach, then very little is.

Of course, others greet this expanded authority with gusto. They have something to gain. If the government requires something of you, and you have the necessary political clout, you needn't worry. A brief visit to the proper officials by the appropriately connected lobbyists will relieve your burden. There will be no questions about scientific evidence. There will be no public forum in which the ideas must be defended. Instead there will be a quiet meeting in a room off to the side where deals are struck. No records will be kept, and there will be no paper trail. After all, we're reducing paperwork here.

The pesticides and herbicides that farmers use are labeled to warn of the hazards of exposure to the skin or by breathing. Are we going to put farmers at risk in the name of paperwork reduction?

Day-in and day-out the American worker is exposed to hazards at the work place. And as manufacturing gets more complicated those hazards increase. The process of refining petroleum, making plastic, etching silicon chips for computers each involve potentially toxic chemicals. The workers in these industries have a right to know what risks surround them.

Let there be no mistake about it. Overturning the Dole decision creates the opportunity for OMB to keep workers in the dark about those dangers. My amendment merely preserves the current law on this issue. History has taught us that despite the many benefits of the Paperwork Reduction Act, it can be abused. There is no reason to overturn the Supreme Court decision that ensured workers the right to know about hazards at the workplace.

Mr. Chairman, I urge support for my amendment.

□ 1650

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

Mr. Chairman, regrettably, I must oppose the gentlewoman's amendment.

One of the really important accomplishments, I think, of H.R. 830 is that it overturns the Dole decision and includes third-party disclosure requirements within the provisions of the bill.

The basic reasons, the fundamental reasons for insuring that third-party disclosure requirements are clearly

self, they have increasingly turned to require third parties to collect that information and transmit it. Third-party disclosure has increased partly because agencies which have had limited resources to collect and analyze information—and I think that capability clearly is going to be even less in the future; they will have even more limited resources to collect and analyze information—these agencies have discovered that their program objectives can be met by requiring private parties to provide information directly to the intended beneficiary or to the enforcer, which, in effect, totally eliminates the Federal middle man in this operation. It becomes a federally directed, unfunded mandate by saying, ''We don't have the resources to collect this information and transmit it, so we are going to impose that requirement on you to collect it and transmit it because we don't have to be concerned where you get the resources to do this with.''

So in order to decrease the direct cost of government services, agencies may also adopt third-party disclosure in the form of self-certification and recordkeeping by private entities to replace extensive information collections.

And the third reason, Mr. Chairman, why I think this reversal of the Dole decision is important to be included in this legislation is that the Federal Government has dramatically increased the use of third-party disclosure by having private institutions and individuals report to State and local governments, again totally leaving the Federal Government out of the loop.

States, for example, are often charged with the responsibility for implementing and enforcing Federal program requirements with extensive information collection. In such situations, the Federal agency may not actually receive the information that is collected, but require the States to retain the reports and the public for possible State or Federal inspection or having States send the Federal agency only a summary of the information reported to them.

So, we have really gotten this whole process fairly far distantly removed from the actual Federal involvement, processing, evaluating of the information that is being collected.

So, Mr. Chairman, Federal paperwork burdens, as we all agree, are skyrocketing and the language contained in this bill is designed to close a very, very wide loophole, one that, as I say, we have not reauthorized this whole bill

ment and urge a vote against the amendment.

Mr. MASCARA. Mr. Chairman, I move to strike the required number of words.

Mr. Chairman, I rise in strong support of this important amendment offered by the gentlewoman from Illinois [Mrs. COLLINS].

As I mentioned during committee consideration of this amendment, I know first-hand the importance of enforcing health and safety laws which protect workers from dangers on the job.

My father was a steel worker who died as a result of a work-related injury. And I represent thousands of workers who toil daily in the steel industry and mining industries.

These are dangerous jobs and these workers face many hazards. They deserve laws that protect, not the provisions contained in H.R. 830 which would deny them their right to know and be informed about safety and health hazards in the workplace.

The language contained in H.R. 830 would in a few lines overturn an important worker-safety decision handed down by the Supreme Court in 1990 in Dole vs. The United Steelworkers of America.

After 9 years of struggle, the steelworkers urged and got the top Court in this land to agree that companies had to provide so-called third party notices to their workers to make them aware of potential exposure to chemical and safety hazards in the workplace.

I find it amazing that in an effort to ensure that every last collection and disclosure requirement is covered by the Office of Management and Budget, the committee's bill so blatantly throws out this important protection for workers.

Most of the notifications involved here, Mr. Chairman, are simple notices posted on worker bulletin boards. We are not talking about any great or burdensome requirements. We are simply telling workers ''beware.''

In his opinion on Dole, Justice Brennan wrote, ''Disclosure rules protect by providing access to information about what dangers exist and how they can be avoided.''

Let us not take this important protection away from workers. I urge those who say they care about working men and women to support the Collins amendment.

Mr. MCINTOSH. Mr. Chairman, I move to strike the requisite number of words, and I rise in opposition to this amendment.

unnecessary and burdensome disclosures to third parties.

I received a letter from the National Federation of Independent Businesses, who have indicated that they strongly oppose this amendment. They believe that the requirements for unchecked disclosure and paperwork fall disproportionately upon small businesses in this country and that on behalf of their 600 members they are urging Members of Congress to vote against this amendment and have indeed indicated that they would have it as a key vote in their ratings of how Congress Members vote in support of small businesses.

Mr. Chairman, I urge us to vote against this amendment and retain the bill in its full form.

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

Mr. Chairman, I rise in support of the amendment offered by the gentlelady from Illinois. This amendment will remove from the bill the provision which would overturn the 1990 Supreme Court decision in the Dole versus United Steelworkers case.

The Paperwork Reduction Act can be an appropriate response to the problem of excess government forms, surveys, and paperwork collected by government for its own use. I support the ability of OMB to develop uniform information policies for government agencies in order to reconcile unnecessary and redundant information requests. However, the dissemination of vital information from private entities to the public is a completely different matter.

Without this amendment we will be expanding the powers of the federal government, specifically OMB, to regulate non-governmental third parties. Prior to the Dole decision, OMB was able to function as a ''super regulator''—utilizing ideologically-driven actions to override the scientific and technical determinations of regulatory agencies. In one case, OMB sought to diminish the worker safety requirements of the Hazard Communications Standard which had been promulgated by OSHA. The Hazard Communications Standard required that companies compile ''material safety data sheets'' to disclose what hazardous materials are present in the workplace.

It was because of the MSDS requirement that employees of a small metals processor were able to correct a dangerous situation in their workplace. This company used a variety of chemicals, including potassium cyanide, which was stored in close proximity to acidic cleaning solutions. When cyanide OMB as a federal ''superagency'', able to indiscriminantly use nonscientific political or economic judgments with little or no accountability. I support real regulatory reform, but giving OMB arbitrary power over all regulatory agencies is not my idea of reform.

□ 1700

Mr. GENE GREEN of Texas. Mr. Chairman, I move to strike the requisite number of words.

(Mr. GENE GREEN of Texas asked and was given permission to revise and extend his remarks.)

Mr. GENE GREEN of Texas. Mr. Chairman, I voted for this bill in committee, and this amendment corrects one of the oversights that I noticed in the bill that we lost on it in committee. I support the amendment offered by my distinguished ranking member, the gentlewoman from Illinois [Mrs. COLLINS].

As currently written, the bill will overturn a 1990 Supreme Court decision that assures workers of their right to know about hazards in the workplace.

In the Dole versus U.S. Steelworkers case the Supreme Court said that the OMB had no authority to block another agency's decision that businesses disclose information on health and safety to their employees or the public.

The specific matter in the Dole case was an OSHA regulation that required employers to make sure that their employees were told of potential hazards posed by chemicals in the workplace.

Justice William Brennan wrote:

> Because Congress expressed concern only for the burden imposed by requirements to provide information to a federal agency, and not for any burden imposed by requirements to provide information to a third party, OMB review of disclosure rules would not further this congressional aim.

By a 7–2 margin the Court upheld the agency's right of action in this case. Among those supporting the decision were Justices Scalia, O'Connor, and Kennedy.

Supporters of this provision will argue that the existence of questionable regulations prove that the right-to-know is an outmoded concept. I do not believe that protecting the safety of workers in the refineries in my district is an outmoded concept.

I do not believe that protecting the safety of the workers and the retirees in my district is an outmoded concept. These employees and these workers have a right to know, and I would hope that in—to sacrifice them in this bill in the reduction of paperwork that we could really have both ways. We can peared to have it.

RECORDED VOTE

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

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 170, noes 254, not voting 10, as follows:

[Roll No. 155]

AYES—170

Abercrombie	Gibbons	Ortiz
Ackerman	Gordon	Orton
Baesler	Green	Owens
Baldacci	Gutierrez	Pallone
Barcia	Hastings (FL)	Pastor
Barrett (WI)	Hefner	Payne (NJ)
Becerra	Hilliard	Pelosi
Beilenson	Hinchey	Peterson (MN)
Bentsen	Holden	Pomeroy
Berman	Hoyer	Poshard
Bevill	Jackson-Lee	Rahall
Bishop	Jacobs	Rangel
Bonior	Jefferson	Reed
Borski	Johnson (SD)	Reynolds
Brown (CA)	Johnson, E. B.	Richardson
Brown (FL)	Johnston	Rivers
Brown (OH)	Kanjorski	Roemer
Bryant (TX)	Kaptur	Roybal-Allard
Chapman	Kennedy (MA)	Sabo
Clay	Kennedy (RI)	Sanders
Clayton	Kennelly	Sawyer
Clement	Kildee	Schroeder
Clyburn	Kleczka	Schumer
Coleman	Klink	Scott
Collins (IL)	LaFalce	Serrano
Collins (MI)	Lantos	Skaggs
Condit	Levin	Slaughter
Conyers	Lewis (GA)	Spratt
Costello	Lipinski	Stark
Coyne	Lowey	Stokes
de la Garza	Luther	Studds
DeFazio	Maloney	Stupak
DeLauro	Manton	Tejeda
Dellums	Markey	Thompson
Deutsch	Martinez	Thornton
Dicks	Mascara	Thurman
Dingell	Matsui	Torres
Dixon	McDermott	Torricelli
Doggett	McHale	Towns
Doyle	McKinney	Traficant
Durbin	Meehan	Tucker
Edwards	Menendez	Velazquez
Engel	Mfume	Vento
Eshoo	Miller (CA)	Visclosky
Evans	Mineta	Volkmer
Farr	Minge	Ward
Fazio	Mink	Waters
Fields (LA)	Moakley	Watt (NC)
Filner	Mollohan	Waxman
Flake	Moran	Williams
Foglietta	Murtha	Wilson
Ford	Nadler	Wise
Frank (MA)	Neal	Woolsey
Frost	Ney	Wyden
Furse	Oberstar	Wynn
Gejdenson	Obey	Yates
Gephardt	Olver	

NOES—254

Allard	Bateman	Bryant (TN)
Andrews	Bereuter	Bunn
Archer	Bilbray	Bunning
Armey	Bilirakis	Burr
Bachus	Bliley	Burton
Baker (CA)	Blute	Buyer
Baker (LA)	Boehlert	Callahan
Ballenger	Boehner	Calvert
Barr	Bonilla	Camp
Barrett (NE)	Bono	Canady
Bartlett	Boucher	Cardin
Barton	Brewster	Castle
Bass	Brownback	Chabot

Crane
Crapo
Cremeans
Cubin
Cunningham
Danner
Davis
Deal
DeLay
Diaz-Balart
Dooley
Doolittle
Dornan
Dreier
Duncan
Dunn
Ehrlich
Emerson
English
Ensign
Everett
Ewing
Fawell
Fields (TX)
Flanagan
Foley
Forbes
Fowler
Fox
Franks (CT)
Franks (NJ)
Frelinghuysen
Frisa
Funderburk
Gallegly
Ganske
Gekas
Geren
Gilchrest
Gillmor
Gilman
Goodlatte
Goodling
Goss
Graham
Greenwood
Gunderson
Gutknecht
Hall (TX)
Hamilton
Hancock
Hansen
Harman
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Heineman
Herger
Johnson (CT)
Johnson, Sam
Jones
Kasich
Kelly
Kim
King
Kingston
Klug
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Laughlin
Lazio
Leach
Lewis (CA)
Lewis (KY)
Lightfoot
Lincoln
Linder
Livingston
LoBiondo
Lofgren
Longley
Lucas
Manzullo
Martini
McCarthy
McCollum
McCrery
McDade
McHugh
McInnis
McIntosh
McKeon
McNulty
Metcalf
Meyers
Mica
Miller (FL)
Molinari
Montgomery
Moorhead
Morella
Myers
Myrick
Nethercutt
Neumann
Norwood
Nussle
Oxley
Packard
Parker
Paxon
Payne (VA)
Peterson (FL)
Petri
Ros-Lehtinen
Rose
Roth
Roukema
Royce
Salmon
Sanford
Saxton
Scarborough
Schaefer
Schiff
Seastrand
Sensenbrenner
Shadegg
Shaw
Shays
Shuster
Sisisky
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Stearns
Stenholm
Stockman
Stump
Talent
Tanner
Tate
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thornberry
Tiahrt
Torkildsen
Upton
Vucanovich
Waldholtz
Walker
Walsh
Wamp
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Wicker
Wolf
Young (AK)
Young (FL)
Zeliff
Zimmer

NOT VOTING—10

Browder
Dickey
Ehlers
Fattah
Gonzalez
Hall (OH)
Meek
Radanovich
Rush
Whitfield

□ 1722

Mr. WICKER and Ms. DANNER changed their vote from ''aye'' to ''no.''

Mr. NEY changed his vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN. The Chair announces that future votes will be limited to 17 minutes.

Are there further amendments to the bill?

quired to maintain the records specified;

Redesignate the subsequent subparagraphs of the proposed section 3506(c)(3) accordingly.

Mrs. MEYERS of Kansas (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentlewoman from Kansas?

There was no objection.

Mrs. MEYERS of Kansas. Mr. Chairman, I would like to speak just very briefly about the importance of this bill to small business.

(Mrs. MEYERS of Kansas asked and was given permission to revise and extend her remarks.)

Mrs. MEYERS of Kansas. Mr. Chairman, I am very pleased to be a cosponsor of this legislation. Much work has gone into this legislation during the past two Congresses by the Committee on Small Business and the Committee on Government Reform and Oversight. This bill has been developed on a bipartisan basis and has received considerable bipartisan support.

I would like to point out particularly the strong support within the small business community for this legislation. We have had several hearings on this legislation, and this bill has a broad base of support from the Paperwork Reduction Act Coalition, which includes some 75 trade, professional, and citizen associations.

Small business organizations, such as the National Federation of Independent Business, National Small Business United, the Small Business Legislative Council, U.S. Chamber, and the National Association of Manufacturers, all of whom are members of this coalition, have independently indicated they will highlight a vote for this bill as an important pro-business, pro-small business vote.

Mr. Chairman, I would like to propose an amendment today that I think will improve this legislation. The amendment that I propose regards recordkeeping requirements. Simply put, my amendment would require all recordkeeping requirements to indicate how long records must be kept. Section 3506(c) of the bill states what agencies must do to check the need and practical utility of a proposed collection of information by a Federal agency before the public is asked to maintain or provide information.

What my amendment does is explicitly add the requirement that all recordkeeping requirements, which are elsewhere in the bill defined as a type of collection of information, contain

cializing in the management of records, has suggested that this requirement will save taxpayers billions of dollars in wasted storage and maintenance costs.

The failure to make clear how long records must be kept causes everyone to hold on to records way past their usefulness. This is particularly true of small businesses who often do not have the resources to hire accountants and lawyers or professional managers to determine how long their records must be kept and frequently they do not have the space to keep them.

This amendment is supported by the Paperwork Reduction Act Coalition, a broad-based coalition of some 75 business, professional, and citizen associations. The coalition includes a number of small business groups, which I have previously named.

I believe this amendment is noncontroversial. It will save taxpayers money. I understand the administration has no objection to it, and I urge my colleagues to adopt it.

Mr. Chairman, the amendment I propose regards recordkeeping requirements. Simply put, my amendment will require all recordkeeping requirements to indicate how long records must be kept.

Section 3506(c) of the bill states what agencies must do to check the need and practical utility of a proposed collection of information by a Federal agency before the public is asked to maintain or provide information. What my amendment does is explicitly add the requirements that all recordkeeping requirements, which are elsewhere in the bill defined as a type of collection of information, contain how long the specified records are to be kept.

This is a commonsense step. Witnesses before the Small Business Committee have repeatedly recommended that the Paperwork Reduction Act be explicit on this point. Testimony on behalf of the Association of Records Managers and Administrators, a professional association specializing in the management of records, has suggested that this requirement will save taxpayers billions of dollars in wasted storage and maintenance costs. The failure to make clear how long records must be kept causes everyone to hold on to records way past their usefulness. This is particularly true of small businesses who often do not have the resources to hire accountants, lawyers, or professional managers to determine how long their records must be kept.

I believe H.R. 830 will reverse the erosion that has occurred in recent years. It will strengthen the small business community's ability to reduce unnecessary regulations.

Let me point to the strong support within the small business community for this legislation. This bill has a broad base of support from a

portant pro-small business vote.

I want to again commend the work of Chairman CLINGER on this legislation. I urge my colleagues to vote in support of H.R. 830.

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

Mrs. MEYERS of Kansas. I yield to the gentleman from Pennsylvania.

Mr. CLINGER. Mr. Chairman, I want to commend the gentlewoman for this amendment. We have had a chance to review the amendment. I think it makes a valuable addition to the measure.

As the gentlewoman indicated, the administration has no objection and actually would support this. I know that the gentlewoman held hearings and this amendment was fashioned out of the hearings that were held on this matter. So we would be pleased to accept the amendment of the gentlewoman.

Mr. PETERSON of Minnesota. Mr. Chairman, will the gentlewoman yield?

Mrs. MEYERS of Kansas. I yield to the gentleman from Minnesota.

Mr. PETERSON of Minnesota. Mr. Chairman, the minority has reviewed the amendment. We have no objection, and we support the amendment. We think it is a good amendment.

The CHAIRMAN. Is there any further debate on the amendment?

The question is on the amendment offered by the gentlewoman from Kansas [Mrs. MEYERS].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. SANDERS

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

The Clerk read as follows:

Amendment offered by Mr. SANDERS: On page 13, after line 9, add:

(6) Place an emphasis on minimizing the burden on small businesses with 50 or fewer employees.

On page 30, after line 16, add:

(4) Place an emphasis on minimizing the burden on small businesses with 50 or fewer employees.

Mr. SANDERS (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

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

There was no objection.

Mr. SANDERS. Mr. Chairman, this amendment was brought up at the committee level. I believe it now has the support of the majority.

Mr. Chairman, my amendment is entirely consistent with the overall purpose of updating and revising the Paper Work Reduction Act. It is time for us to revisit and strike a new balance between the collection of vital information requirements.

My amendment does just that. It requires the Director of the Office of Information and Regulatory Affairs within OMB to make it a priority to first consider the adverse effects on the smallest of small businesses—those employing 50 or fewer employees—when directing and overseeing efforts to cut Federal paperwork and information reporting. Currently, the Small Business Administration typically defines a small business as one that employs 500 or fewer employees.

This amendment also makes helping the smallest of small businesses a priority for voluntary pilot projects when OMB, other Federal agencies and non-Federal entities test alternative policies, practices, regulations, and procedures to reduce the Federal paperwork burden.

A few weeks ago I met with small business leaders from all across Vermont where most businesses have 10 or fewer employees. Repeatedly they expressed two overriding concerns: First, SBA and other Federal agencies don't appreciate the different problems and comparative risks confronting different-sized small businesses, and second, Uncle Sam does not pay his bills on time, thus making it very hard for small businesses with limited cashflow to sell goods and services to the Federal Government.

With this amendment and other provisions in this bill we can tackle both of these problems.

In conclusion, we live in a time when the Federal Government must learn to do more with less. Therefore, in setting out to cut Federal regulatory costs and paperwork for American businesses, we should first strive to help the truly vulnerable small enterprises who operate mush closer to the margin and whose survival is always in greater jeopardy.

I urge my colleagues to support this amendment.

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

Mr. SANDERS. I am happy to yield to the gentleman from Pennsylvania.

Mr. CLINGER. Mr. Chairman, indeed, I would confirm what the gentleman from Vermont said. I think it is a good amendment. It did arise during our hearing, during the markup. We have worked with the gentleman on crafting the language, which I think now is a valuable addition. We are pleased to accept the gentleman's amendment.

Mr. SANDERS. Mr. Chairman, I thank the chairman of the committee very much, and I thank his staff for their support as well.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Vermont [Mr. SANDERS].

The amendment was agreed to.

The CHAIRMAN. Are there further amendments to the bill?

title 44, United States Code, is repealed.

(b) CONFORMING AMENDMENT.—The table of chapters at the beginning of title 44, United States Code, is amended by striking the item relating to chapter 35.

(c) EFFECTIVE DATE.—This section shall take effect 5 years after the date of the enactment of this Act.

Mrs. MALONEY (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

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

There was no objection.

Mrs. MALONEY. Mr. Chairman, the Paperwork Reduction Act provides for permanent authorization for the Office of Information and Regulatory Affairs.

My amendment will place a limit on this authorization, by sunsetting the agency after 5 years. This should not be a controversial amendment. Both Democrats and Republicans support the intent of this legislation: to reduce the unnecessary paperwork for businesses, citizens, and government.

My amendment would force Congress to re-evaluate the Office of Information and Regulatory Affairs by a date certain. After 5 years, Congress could decide if it, too, is creating unnecessary paperwork. We should force the agency to prove to Congress and the American taxpayer that it is actually meeting its objective, and based on our conclusions, we could reauthorize it, or decide that the agency has completed its mission and is no longer needed.

Or decide that it is just another Federal bureaucracy in need of a mercy killing. This body should have the option to make those decisions. But if we give this agency a permanent authorization, we will make it more difficult to make those decisions.

And if proponents of term limits have their way, many of us may not be here to participate in those decisions.

If some of my colleagues support sunsetting a Member's elected service after 6 years, why wouldn't that person support sunsetting a Federal bureaucracy after 5 years?

Mr. Chairman, sunsetting this agency will also allow Congress to take into account new technologies developed over the next 5 years. Information technology is moving very quickly. It's impossible for us to anticipate the new means by which data will be collected and made available to the public.

Five years from now, the technology that we use today might be obsolete. It might even make paperwork obsolete. Consider how out-of-date technology from 1990 appears today.

outlived their usefulness.

The administration received bipartisan praise for trying to get rid of the useless redtape. On the House floor, my colleagues on the other side of the aisle insist there is too much Government, and too many Government bureaucracies.

So I ask my colleagues, why create yet another Federal agency with a permanent authorization?

It just does not make sense.

I'll give you an example: In the coming weeks and months, my Republican colleagues may promote legislation to abolish enormous Federal agencies, like the Department of Education. They might win. They might lose. But either way, they are going to have a titanic battle on their hands.

All my amendment says is let us install a simple mechanism to make eliminating this new Federal agency much easier.

If my Republican colleagues truly believe in reducing the Federal bureaucracy, they should welcome this amendment with open arms. I urge my colleagues—on both sides of the aisle—to support it.

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

Mr. Chairman, I must rise in opposition to the amendment of the gentlewoman from New York. I think as a general proposition, Mr. Chairman, I do support limited authorizations, but I think for every rule there has to be an exception. I would submit that this is one of those times.

The Office of Information and Regulatory Affairs, as we are hearing during this debate, performs a very, very vital service. Beyond implementing the Paperwork Reduction Act, which is a primary part of its responsibility, they also are charged with bringing a degree of sanity to the rulemaking process of the Federal Government. Basically, it is the nerve center of the regulatory control process in the Federal Government.

Like its counterpart, the Office of Federal Procurement Policy, OIRA needs a permanent authorization, and I would say that when we had a hearing on this matter the director of OIRA testified in support of a permanent authorization for that agency. Those Members who support strong efforts to limit Government regulatory burdens I would suggest should vote no on this amendment.

I also oppose the amendment due to the fact that, really, there has been a lack of comity that the House has shown in reauthorizing this important agency. Since the authorization ex- unanimously passed by the other body.

An identical bill was introduced in this House with over 120 bipartisan cosponsors of that measure, and the gentleman from Virginia [Mr. SISISKY] who was a prime cosponsor of that measure, and I tried to move that piece of legislation through the House, and not a single hearing was held on the matter.

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

Mr. CLINGER. I am happy to yield to the gentleman from Texas.

Mr. DOGGETT. Mr. Chairman, if I understand the distinguished gentleman's statement in support of not sunsetting this, it is that the head of the agency involved here does not think the agency should have temporary authorization?

Mr. CLINGER. Reclaiming my time, Mr. Chairman, I recognize that the director of an agency would have a special interest, but I think she also does reflect why there is a need for a permanent authorization, because there needs to be some sort of continuity in the regulatory control process.

Mr. DOGGETT. Mr. Chairman, if the gentleman will yield further, I was just curious as to whether the gentleman had ever met a head of an agency or Government bureau anywhere that did not think it should be permanent.

Mr. CLINGER. Mr. Chairman, I thank the gentleman for his comment, but I would say that the director of the agency also, I think, is entitled to have her opinion considered as to why it is necessary that she have that permanent authorization.

Mr. Chairman, if limited authorization means that the House can virtually ignore the subject of reauthorization, which I think is what we are dealing with here, then I must support permanent authority for this most important agency, and I would urge my colleagues to oppose this amendment.

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

I yield to the gentleman from Texas [Mr. COLEMAN].

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

Mr. COLEMAN. Mr. Chairman, I rise in support of the pending amendment.

Mr. Chairman, H.R. 830 carries the benign title of the Paperwork Reduction Act. In many respects, the legislation is crafted to achieve the important goal described by that title. It reauthorizes the paperwork review and approval activities of the Office of Information and Regulatory Affairs in the Office of Management and Budget. Furthermore, it amends the 1980 offered in tandem with provisions that amend the Paperwork Reduction Act's definition of ''collection of information'' to include ''disclosure to third parties or the public'' of information. This unreasonably expanded definition would have the practical result of overturning the 1990 Supreme Court Case Dole versus United Steelworkers of America, which prohibits the Office of Information and Regulatory Affairs from reviewing proposed Federal regulations requiring businesses to disclose certain information to parties other than the Government agency collecting the information. Under the definition of ''collection of information'' proposed in H.R. 830, the Office of Information and Regulatory Affairs would be allowed to review, and possibly reject, regulations that require businesses and Government agencies to disclose information to affected parties, including their own employees or the public.

This portion of the bill may indeed serve to reduce the amount of paperwork that a business or local government has to do. But it also has the potential to expose workers and the public to untold dangers. Indeed, as the Dole case vividly illustrates, such instances have occurred in the past. H.R. 830 is supposed to be aimed at eliminating unnecessary paperwork. Unfortunately, this provision will result in the elimination of paperwork that is very necessary to the protection of employees and the pubic.

Representative COLLINS has proposed an amendment that would strike provisions of the bill that extends the definition of the phrase ''collection of information'' to subsume requirements for third party disclosures. Because the Collins amendment thereby eliminates the unnecessary dangers posed by certain provisions of H.R. 830, it deserves strong bipartisan support. If the bill passes without this amendment, H.R. 830 will jeopardize workers and the American public. Countless individuals will not be informed about dangerous working conditions or the safety threats posed by a product should such warnings be deemed burdensome paperwork requirements by the OIRA. Therefore, I urge support for the Collins amendment. Without that amendment, this bill is no longer a good idea; it is a dangerous one.

Mr. DOGGETT. Mr. Chairman, I rise in support of the Paperwork Reduction Act. I think it is a good step forward, but I also rise in support of the gentlewoman's amendment.

Mr. Chairman, as I listen to the distinguished chairman argue against the amendment, I heard not one argument that was any different than that that comes from any government bureaucrat in his commitment or her commitment to the permanence of the Government agency.

There are some of us who think that just because a government bureaucrat thinks that a bureau should go on forever, that that is not reason enough.

continuation. It makes sense that when we have these new Government initiatives, whether they are good initiatives like this one or not so good initiatives, that we set up a process as the gentlewoman would do through her amendment to automatically review every one of these programs.

There are unintended consequences of the best-intentioned government program. It is just the nature of life that events change, that consequences that were never anticipated occur, and sunset is a way to ensure that we address these matters.

There are a couple of ways that we can handle this. The approach advanced, which is the traditional approach of this Congress against sunset, is that, ''Well, we'll put the burden on the people that are against a new government program to come in and convince us to abolish it.''

Under sunset under the approach advocated by the gentlewoman, the approach shifts the burden where it should be. The burden to keep Government going forever ought to be on the people that want the Government, not the people that want less Government.

Under the sunset amendment that is advanced here today, we would shift the burden to where it rightfully belongs. Sunset will build into the process a scheduled time at which the Congress will review this program and determine if it sounds as good then after we have seen it in practice as it sounds today.

If the Government initiative fails, we will not be stuck with it forever, regardless of whichever bureaucrat is in charge of the agency thinks it is a good idea at that time or not. Sunset will compel this Congress to automatically review this program or it will expire.

I find it not a little bit ironic, Mr. Chairman, that the only sunset initiatives that have been advanced in this Congress have been rejected by those who are today celebrating that they have a contract for a less burdensome, less intrusive, and more limited Government. What on this 50th day of the Congress could be more consistent with that than the whole approach of sunset, that government bureaus ought not to last forever, that these new initiatives, no matter how well-intentioned, ought not to last forever and that we ought to put a fixed life after which they will be reviewed.

We think of Government on this side of the aisle as not being in permanent terms but being limited and that is what the sunset process is all about. That is what this amendment will accomplish.

Act, would be the best way to apply it not only here but to set a precedent today in applying it to this act that every time we have new Government initiatives, every time we have new Government regulations, they will not go on forever, we will review them, we will concentrate on the laws we pass, not just on passing more laws.

I urge a vote for the Paperwork Reduction Act but to improve it with the Maloney amendment. I congratulate the gentlewoman on the excellent work that she has done on this amendment.

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

Mr. Chairman, the Maloney amendment would place a 5-year authorization on OMB's Office of Information and Regulatory Affairs, or IRA, which is the key agency charged with implementing the regulatory reduction goals of the Contract With America. Not a single hearing has been held on reauthorization of IRA since its current authority expired in 1989. We are making sure it does continue. Even the Clinton administration supports permanent authority for IRA.

I appreciate the fine work of the gentlewoman from New York and what she has done in committee. But we need to ensure that the paperwork reduction reforms that we have here in this bill continue unimpeded.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from New York [Mrs. MALONEY].

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

RECORDED VOTE

Mrs. MALONEY. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The CHAIRMAN. This will be a 17-minute vote.

The vote was taken by electronic device, and there were—ayes 156, noes 265, not voting 13, as follows:

[Roll No. 156]

AYES—156

Abercrombie
Ackerman
Baesler
Baldacci
Barcia
Barrett (WI)
Becerra
Beilenson
Bentsen
Berman
Bevill
Bishop
Bonior
Borski
Boucher
Brown (CA)
Brown (FL)
Brown (OH)
Bryant (TX)
Clay
Clayton
Clement
Clyburn
Coleman
Collins (MI)
Condit
Conyers
Costello
Coyne
Danner
de la Garza
DeFazio
DeLauro
Dellums
Deutsch
Dingell
Dixon
Doggett
Doyle
Durbin
Engel
Eshoo
Evans
Farr
Fazio
Fields (LA)
Filner
Flake
Hinchey
Holden
Hoyer
Jackson-Lee
Jacobs
Jefferson
Johnson (SD)
Johnson, E. B.
Johnston
Kanjorski
Kaptur
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Klink
LaFalce
Lantos
Levin
Lewis (GA)
Lipinski
Lofgren
Lowey
Miller (CA)
Mineta
Minge
Mink
Moakley
Mollohan
Montgomery
Moran
Murtha
Nadler
Neal
Oberstar
Obey
Olver
Owens
Pallone
Pastor
Payne (NJ)
Pelosi
Peterson (FL)
Peterson (MN)
Rangel
Reed
Stark
Stokes
Studds
Stupak
Thompson
Thornton
Thurman
Torres
Torricelli
Towns
Traficant
Tucker
Velazquez
Vento
Volkmer
Ward
Waters
Watt (NC)
Williams
Wilson
Wise
Woolsey
Yates

NOES—265

Allard
Andrews
Archer
Armey
Bachus
Baker (CA)
Baker (LA)
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Bilbray
Bilirakis
Bliley
Blute
Boehlert
Boehner
Bonilla
Bono
Brewster
Brownback
Bryant (TN)
Bunn
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cardin
Castle
Chabot
Chambliss
Chapman
Chenoweth
Christensen
Chrysler
Clinger
Coble
Collins (GA)
Combest
Cooley
Cox
Cramer
Crane
Crapo
Cremeans
Cubin
Cunningham
Davis
Deal
DeLay
Diaz-Balart
Dickey
Dicks
Dooley
Doolittle
Dornan
Dreier
Duncan
Dunn
Edwards
Ehrlich
Emerson
English
Ensign
Everett
Ewing
Fawell
Fields (TX)
Flanagan
Foley
Forbes
Fowler
Fox
Franks (CT)
Franks (NJ)
Frelinghuysen
Frisa
Funderburk
Furse
Gallegly
Ganske
Gekas
Geren
Gilchrest
Gillmor
Gilman
Goodlatte
Goodling
Gordon
Goss
Graham
Greenwood
Gunderson
Gutknecht
Hall (TX)
Hamilton
Hancock
Hansen
Harman
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Heineman
Herger
Hilleary
Hobson
Hoekstra
Hoke
Horn
Hostettler
Houghton
Hunter
Hutchinson
Hyde
Inglis
Istook
Johnson (CT)
Johnson, Sam
Jones
Kasich
Kelly
Kim
King
Kingston
Klug
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Laughlin
Lazio
Leach
Lewis (CA)
Lewis (KY)
Lightfoot
Lincoln
Linder
Livingston
LoBiondo
Longley
Lucas
Manzullo
Martini
McCarthy
McCollum
McCrery
McDade
McHugh
McInnis
McIntosh
McKeon
McNulty
Metcalf
Meyers
Mica
Miller (FL)
Molinari
Moorhead
Morella
Myers
Myrick
Nethercutt
Neumann
Ney
Norwood
Nussle
Ortiz
Orton
Oxley
Packard
Parker

Ramstad	Smith (OR)	Watts (OK)
Regula	Smith (NJ)	Weldon (FL)
Richardson	Smith (TX)	Weldon (PA)
Riggs	Smith (WA)	Weller
Roberts	Solomon	White
Roemer	Souder	Whitfield
Rogers	Spence	Wicker
Rohrabacher	Stearns	Wolf
Ros-Lehtinen	Stockman	Wyden
Roth	Stump	Wynn
Roukema	Talent	Young (AK)
Royce	Tanner	Young (FL)
Salmon	Tate	Zeliff
Sanford	Tauzin	Zimmer
Sawyer	Taylor (MS)	
Saxton	Taylor (NC)	

NOT VOTING—13

Browder	Gonzalez	Rush
Coburn	Kleczka	Stenholm
Collins (IL)	Meek	Waxman
Ehlers	Payne (VA)	
Fattah	Radanovich	

□ 1801

The Clerk announced the following pair:

On this vote:

Mrs. Collins of Illinois for, with Mr. Radonovich against.

Mr. SHAYS changed his vote from ''aye'' to ''no.''

Mr. SCHUMER changed his vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

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

Mr. Chairman, what I would like to do is engage in a colloquy with the chairman of the committee, the gentleman from Pennsylvania [Mr. CLINGER.]

Mr. Chairman, I want to commend you for all of your fine work on H.R. 830, the Paperwork Reduction Act. Your leadership on this issue is much appreciated especially by those of us on the committee where you have listened to all of the amendments and discussions.

Mr. Chairman, again, to the chairman of the committee, we really are grateful for the courtesy extended to all of the members of the committee and the suggestions that he has responded to.

I would like to engage in a colloquy about one section of the bill that has been brought to my attention by some of my constituents, section 3506(d)(4). As you know, Mr. Chairman, this section of the bill would permit the Office of Management and Budget to waive the cost of dissemination rule regarding information dissemination to the public. I know that you share my belief that the Federal Government should not be in the business of profiting from its information resources and that the report language in H.R. 830 reflects your convictions in this regard and, pelling need, and that compelling need, Mr. Chairman, is to be directly related to the information in question rather than to any fiscal motivation on the part of Federal agencies.

Is that your understanding of the provision, Mr. Chairman?

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

Mrs. MORELLA. I yield to the gentleman from Pennsylvania.

Mr. CLINGER. Mr. Chairman, the gentlewoman is absolutely correct.

Mrs. MORELLA. And also, in other words, Mr. Chairman, the committee is in no way authorizing the Office of Management and Budget to routinely permit the levying of broad user fees aimed at earning revenues for the Federal Government and, on the contrary, the committee has specifically stated in its report that the granting of waivers will be rare and that the authorized terms and conditions will narrowly circumscribe any waivers? Is that correct?

Mr. CLINGER. If the gentlewoman will yield further, that is absolutely correct. This is not a fundraising device. This is purely a very rare and probably exceptional kind of situation that might arise where an agency would be entitled to retain some of the funds, but it requires a very difficult procedure to get that approval and would be used in only exceptionally rare circumstances.

Mrs. MORELLA. I appreciate the gentleman stating this for the RECORD, and I know that you are committed to aggressively pursuing the intent of this bill with regard to this section and that the committee will act swiftly to curb any abuses of the provision.

I thank the gentleman very much for this very important clarification.

The CHAIRMAN. Are there further amendments to the bill?

AMENDMENT OFFERED BY MR. CRAPO

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

The Clerk read as follows:

Amendment offered by Mr. CRAPO: Page 48, strike line 24 and all that follows through line 8 on page 49, and insert the following:

''(a) Notwithstanding any other provision of law, no person shall be subject to any penalty for failing to maintain or provide information to any agency if the collection of information involved was made after December 31, 1981, and at the time of the failure did not display a current control number assigned by the Director, or fails to state that such request is not subject to this chapter.

''(b) Actions taken by agencies which are not in compliance with subsection (a) of this section shall give rise to a complete defense or bar to such action by an agency, which may be raised at any time during the agency decision making process or judicial review of

There was no objection.

Mr. CRAPO. Mr. Chairman and Members of the House, we have heard a lot about the important need for the Paperwork Reduction Act in the legislation we are considering today. This amendment will give that legislation and that law some teeth to truly protect the private citizens in the United States.

Currently section 3512 of the act requires that before a regulation involving the collection of information can be effective that it must be submitted to the Office of Management and Budget and receive an OMB control number. When Congress enacted this legislation in 1981, it specifically included this public protection provision to prevent the unauthorized regulatory requirements from being imposed on the public. It was bipartisan legislation.

I would like to quote to you what its lead sponsors at that time said about it. Senator Danforth said if an information request goes out of Washington without being approved by the paperwork watchdog, the person who gets it does not have to answer it. Senator Chiles said a properly cleared form will have an Office of Management and Budget number in the right corner and if it is not there, it is going to be a bootleg form and everybody should be on notice that they can throw out that form, that they would not have to fill it out.

Mr. Chairman, the purpose of this amendment is to clarify that when an agency does not comply with the provisions of this act that its failure to comply is a complete defense to the enforcement of the regulations that violate the act.

The National Federation of Independent Businesses has been strongly in support of this approach. We would like to have inserted a private cause of action, but since that was not relevant to the germaneness of this bill, we have created a defense or a bar to action by the agency.

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

Mr. CRAPO. I yield to the gentleman from Pennsylvania.

Mr. CLINGER. Mr. Chairman, I thank the gentleman for yielding, and would commend him on his effort. I think it does represent an improvement to the bill. It strengthens the bill. It recognizes that small business is particularly impacted by this overkill that we have on regulations and gives them some protection against this kind of activity.

So we are pleased to accept the amendment on behalf of the majority.

thank the gentleman for yielding.

Mr. Chairman, the minority has reviewed the amendment, and we have no objections.

Mr. CRAPO. I thank the gentleman. I appreciate that.

Mr. Chairman, if this amendment passes, then it will make it clear to the agencies, the regulators and the courts in this country, that we must start taking this act seriously.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Idaho [Mr. CRAPO].

The amendment was agreed to.

The CHAIRMAN. Are there further amendments to the bill? If not, under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. NEY) having assumed the chair, Mr. COMBEST, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 830) to amend chapter 35 of title 44, United States Code, to further the goals of the Paperwork Reduction Act to have Federal agencies become more responsible and publicly accountable for reducing the burden of Federal paperwork on the public, and for other purposes, pursuant to House Resolution 91, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment adopted by the Committee of the Whole? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER pro tempore. The question is on engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

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

RECORDED VOTE

Mr. CLINGER. Mr. Speaker, on that I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 418, noes 0, answered ''present'' 6, not voting 11, as follows:

[Roll No 157]

AYES—418

Abercrombie	Allard	Archer
Ackerman	Andrews	Armey
Bass	Fawell	LaHood
Bateman	Fazio	Lantos
Beilenson	Fields (LA)	Largent
Bentsen	Fields (TX)	Latham
Bereuter	Filner	LaTourette
Berman	Flake	Laughlin
Bevill	Flanagan	Lazio
Bilbray	Foglietta	Leach
Bilirakis	Foley	Levin
Bishop	Forbes	Lewis (CA)
Bliley	Ford	Lewis (GA)
Blute	Fowler	Lewis (KY)
Boehlert	Fox	Lightfoot
Boehner	Frank (MA)	Lincoln
Bonilla	Franks (CT)	Linder
Bonior	Franks (NJ)	Lipinski
Bono	Frelinghuysen	Livingston
Borski	Frisa	LoBiondo
Boucher	Frost	Lofgren
Brewster	Funderburk	Longley
Brown (CA)	Furse	Lowey
Brown (FL)	Gallegly	Lucas
Brown (OH)	Ganske	Luther
Brownback	Gejdenson	Maloney
Bryant (TN)	Gekas	Manton
Bryant (TX)	Gephardt	Manzullo
Bunn	Geren	Markey
Bunning	Gibbons	Martinez
Burr	Gilchrest	Martini
Burton	Gillmor	Mascara
Buyer	Gilman	Matsui
Callahan	Gingrich	McCarthy
Calvert	Goodlatte	McCollum
Camp	Goodling	McCrery
Canady	Gordon	McDade
Cardin	Goss	McDermott
Castle	Graham	McHale
Chabot	Green	McHugh
Chambliss	Greenwood	McInnis
Chapman	Gunderson	McIntosh
Chenoweth	Gutierrez	McKeon
Christensen	Gutknecht	McKinney
Chrysler	Hall (OH)	McNulty
Clay	Hall (TX)	Meehan
Clayton	Hamilton	Menendez
Clement	Hancock	Metcalf
Clinger	Hansen	Meyers
Clyburn	Harman	Mfume
Coble	Hastert	Mica
Coburn	Hastings (FL)	Miller (CA)
Collins (GA)	Hastings (WA)	Miller (FL)
Collins (MI)	Hayes	Mineta
Combest	Hayworth	Minge
Condit	Hefley	Mink
Conyers	Hefner	Moakley
Cooley	Heineman	Molinari
Costello	Herger	Mollohan
Cox	Hilleary	Montgomery
Coyne	Hilliard	Moorhead
Cramer	Hinchey	Moran
Crane	Hobson	Morella
Crapo	Hoekstra	Murtha
Cremeans	Hoke	Myers
Cubin	Holden	Myrick
Cunningham	Horn	Nadler
Danner	Hostettler	Neal
Davis	Houghton	Nethercutt
de la Garza	Hoyer	Neumann
Deal	Hunter	Ney
DeFazio	Hutchinson	Norwood
DeLauro	Hyde	Nussle
DeLay	Inglis	Oberstar
Dellums	Istook	Obey
Deutsch	Jackson-Lee	Olver
Diaz-Balart	Jacobs	Ortiz
Dickey	Jefferson	Orton
Dicks	Johnson (CT)	Oxley
Dingell	Johnson (SD)	Packard
Dixon	Johnson, E. B.	Pallone
Doggett	Johnson, Sam	Parker
Dooley	Johnston	Pastor
Doolittle	Jones	Paxon
Dornan	Kanjorski	Payne (NJ)
Doyle	Kaptur	Payne (VA)
Dreier	Kasich	Pelosi
Duncan	Kelly	Peterson (FL)
Dunn	Kennedy (MA)	Peterson (MN)
Rahall	Skelton	Vucanovich
Rangel	Slaughter	Waldholtz
Reed	Smith (MI)	Walker
Regula	Smith (NJ)	Walsh
Reynolds	Smith (TX)	Wamp
Richardson	Smith (WA)	Ward
Riggs	Solomon	Waters
Rivers	Souder	Weldon (FL)
Roberts	Spence	Weldon (PA)
Roemer	Spratt	Weller
Rogers	Stark	White
Rohrabacher	Stearns	Whitfield
Ros-Lehtinen	Stockman	Wicker
Rose	Stokes	Williams
Roth	Studds	Wilson
Roukema	Stump	Wise
Royce	Stupak	Wolf
Sabo	Talent	Woolsey
Salmon	Tanner	Wyden
Sanders	Tate	Wynn
Sanford	Tauzin	Yates
Sawyer	Taylor (MS)	Young (AK)
Saxton	Taylor (NC)	Young (FL)
Scarborough	Tejeda	Zeliff
Schaefer	Thomas	Zimmer
Schiff	Thompson	
Schroeder	Thornberry	

ANSWERED ''PRESENT''—6

Becerra	Owens	Velazquez
Coleman	Roybal-Allard	Watt (NC)

NOT VOTING—11

Browder	Gonzalez	Volkmer
Collins (IL)	Meek	Watts (OK)
Ehlers	Rush	Waxman
Fattah	Stenholm	

□ 1833

Ms. ROYBAL-ALLARD, Mr. WATT of North Carolina, and Ms. VELÁZQUEZ changed their vote from ''aye'' to ''present.''

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. WATTS of Oklahoma. Mr. Speaker, I inadvertently missed a vote on the Paperwork Reduction Act. Had I been present, I would have voted ''yes.''

GENERAL LEAVE; AUTHORIZATION FOR THE CLERK TO MAKE CHANGES IN ENGROSSMENT OF H.R. 830

Mr. GOODLING. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 830 and that the Clerk be allowed to make conforming and technical changes.

The SPEAKER pro tempore [Mr. NEY]. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

House is meeting in the Committee of the Whole House under the 5-minute rule: Committee on Agriculture; Committee on Banking and Financial Services; Committee on Commerce; Committee on Government Reform and Oversight; Committee on International Relations; Committee on the Judiciary; Committee on National Security; Committee on Resources; Committee on Transportation and Infrastructure; and Permanent Select Committee on Intelligence.

It is my understanding that the minority has been consulted and that there is no objection to these requests.

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

Mr. FIELDS of Louisiana. Mr. Speaker, reserving the right to object, and I will not object, we have consulted with the Members on our side of the aisle on the committees that the gentleman just mentioned, and we have no objection to the unanimous consent request.

Mr. Speaker, I withdraw my reservation of objection.

Mr. SOLOMON. Mr. Speaker, I thank the gentleman for carrying on the comity of the House.

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

There was no objection.

WITHDRAWAL OF NAME OF MEMBER AS COSPONSOR OF HOUSE JOINT RESOLUTION 2

Mr. KIM. Mr. Speaker, I ask unanimous consent that my name be removed as a cosponsor of House Joint Resolution 2.

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

There was no objection.

REVISED DEFERRAL AND REVISED RESCISSION PROPOSALS—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 104–40)

The SPEAKER pro tempore. laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on Appropriations and ordered to be printed.

To the Congress of the United States:

In accordance with the Congressional Budget and Impoundment Control Act of 1974, I herewith report one revised deferral, totaling $7.3 million, and two

APPOINTMENT OF MEMBERS TO COMMISSION ON SECURITY AND COOPERATION IN EUROPE

The SPEAKER pro tempore. Pursuant to the provisions of section 3 of Public Law 94–304, as amended by section 1 of Public Law 99–7, the Chair, without objection, appoints to the Commission on Security and Cooperation in Europe the following Members of the House: Mr. PORTER of Illinois; Mr. WOLF of Virginia; Mr. FUNDERBURK of North Carolina; Mr. SALMON of Arizona; Mr. HOYER of Maryland; Mr. MARKEY of Massachusetts; Mr. RICHARDSON of New Mexico; and Mr. CARDIN of Maryland.

There was no objection.

APPOINTMENT OF MEMBERS TO UNITED STATES GROUP OF THE NORTH ATLANTIC ASSEMBLY

The SPEAKER pro tempore. Pursuant to the provisions of 22 U.S.C. 1928a, the chair, without objection, appoints to the United States Group of the North Atlantic Assembly the following Members of the House: Mr. ROSE of North Carolina; Mr. HAMILTON of Indiana; Mr. COLEMAN of Texas; and Mr. RUSH of Illinois.

There was no objection.

□ 1840

SPECIAL ORDERS

The SPEAKER pro tempore (Mr. NEY). Under the Speaker's announced policy of January 4, 1995, and under a previous order of the House, the following Members are recognized for 5 minutes each.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Massachusetts [Mr. TORKILDSEN] is recognized for 5 minutes.

[Mr. TORKILDSEN 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 Tennessee [Mr. BRYANT] is recognized for 5 minutes.

[Mr. BRYANT of Tennessee 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 Georgia [Mr. LEWIS] is recognized for 5 minutes.

Mr. LEWIS of Georgia. Mr. Speaker, today marks the midway point in NEWT GINGRICH's Contract With America. It is an extremist document which sets back the clock. It is a contract which rewards the wealthy at the expense of our children, our senior citizens, the poor and hard working class Americans. Let's look back over the past 50 days and review what this band of extremists has done.

The new majority has reduced the number of police that were to patrol our city streets through their crime bill—this is their Contract With America. They have proposed denying food to hungry school children through elimination of the School Lunch Program—this is their Contract With America. The Republican majority has passed a bill which will make it more difficult to protect our air and keep our water clean. They would cut nutrition programs for our senior citizens—these, too, are the Contract With America. The Republicans seek to gut the Corporation for Public Broadcasting which through its PBS stations provides educational television for us and our children—this is the Contract With America. And the Republicans have vowed ''to fight with all their being'' a small increase in the minimum wage, a wage which provides those who receive it a living standard 30% below the poverty level—alas, this also is the Contract With America.

And the new, extreme, Republicans have done all this while advocating tax cuts for the top 1% of Americans. This, my friends, all of this, is their Contract With America.

Of course, not everything they have done these 50 days has been bad. The Congress did pass the Congressional Accountability Act which makes the Congress live by the same Labor and Civil Rights laws as those in the private sector. Of course, the last Congress, the Democratic Congress, passed the same bill with more than 400 votes.

Mr. Speaker, if these are the accomplishments of the Republican Congress, if this is what they've done to us in the first 50 days, imagine what they'll do to us in the next 50 days and in the next two years.

We need a government that is leaner, not a government that is meaner. We need a federal government that is less bureaucratic, not one that is less compassionate.

NEWT GINGRICH and his Republican colleagues have gone too far. In their rush to the right, they have forgotten not just those on the left, but those in

They want to earn a decent wage and be able to save a little money at the end of each month. All of these things, Mr. Speaker, all of these are what the American people want. The Republican Contract With America does none of them.

The American people deserve better than this extreme Contract With America. And the time has come that we not just pray and we not just speak. The time has come for action. I did not sign this contract. The American people did not sign this contract. The time for action is now.

CONTRACT WITH AMERICA NOT FOR MIDDLE-CLASS FAMILIES

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Michigan [Mr. BONIOR] is recognized for 5 minutes.

Mr. BONIOR. Mr. Speaker, if the Contract With America was a song, it would be ''50 Ways to Leave the Middle Class.'' How is it possible that we have been in session 50 days, we have cast 150 votes, yet we have not passed one single amendment, not one, that addresses jobs, incomes, health, education, job training? You cannot send your kid to school on an unfunded mandate, Mr. Speaker.

On the issues more important to working middle class families, this contract has been silent for 50 days. And you know what, it is going to be silent for the next 50 days as well.

Instead, Republicans have voted to pull 100,000 police officers off the beat. They have said no to protecting Social Security, and they have said yes to Star Wars, a $50 billion project, and on top of that, they want to balance the budget. But yet, what do they do? They go and vote for renewing Star Wars at a $50 billion price tag. And, of course, today we saw in the supplemental, they busted the budget by voting for that. They said no to many things that are necessary for middle income people.

Now we read that in the next 50 days, they intend to cut the student lunch program.

Mr. Speaker, you cannot renew American civilization by making kids in America go hungry. Republicans may be in a rush to ditto every single bill, but in this rush to extremism, the Gingrich revolution is leaving the values of working families behind in this country.

We will meet them, as we discuss these issues that are important to working families over the next 50 days, and they will know and the American people will know that when it comes to

ria [Mr. KLINK] is recognized for 5 minutes.

[Mr. KLINK 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 Tennessee [Mr. HILLEARY] is recognized for 5 minutes.

[Mr. HILLEARY 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 California [Mr. BECERRA] is recognized for 5 minutes.

[Mr. BECERRA 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 Indiana [Mr. BURTON] is recognized for 5 minutes.

[Mr. BURTON of Indiana 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 gentlewoman from Ohio [Ms. KAPTUR] is recognized for 5 minutes.

[Ms. KAPTUR addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.]

THE 104TH CONGRESS DELIVERS THE LEGISLATION AMERICA HAS WANTED

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida [Mr. SCARBOROUGH] is recognized for 5 minutes.

Mr. SCARBOROUGH. Mr. Speaker, I do agree with the previous speakers that now is the time for action, and that is exactly what we have been doing. I heard a previous speaker tell us that this Contract With America was a rush to extremism, I don't understand that, and a rush away from the middle class. I don't understand that.

When we look at poll after poll, survey after survey, everybody out there is agreeing on the very concepts that we are bringing to the floor these first 50 days.

We have pushed through a balanced budget amendment that the middle class wanted. We have pushed through a line-item veto. We have pushed

coast the type of legislation that they have been wanting. We have been delivering it for the first 50 days, and for anybody to stand up here and say that it is a rush to extremism ignores political reality in this country.

It has been a rush to the middle class, a rush back to the values that Americans have been begging for in their leadership, a rush back to the type of principles that Americans have been begging for.

Just imagine it, in 50 days we now have a Congress that has to abide by the same laws that they make all of American abide by. Just imagine, in the first 50 days, we now have a balanced budget amendment that has been passed from this House that requires the Federal Government to abide by the same laws that Americans have to abide by in writing their checks.

We cannot spend more money than we take in, according to our balanced budget amendment. What is so extreme about that? What is so extreme about cutting committee staff by one-third? What is so extreme about cutting congressional staff from 21 down to 16? There is nothing extreme about it.

This is what America has demanded. This is what America has asked for. This is what liberals have denied America from so long, and this is what we are delivering on. There is nothing extreme about the Contract With America, or this legislation that has been passed.

For all those pollsters and pundits and political experts out there that are trying to figure out why there was a conservative landslide on November 8, all you have to do is look at the leadership on the other side of the aisle and listen to what they have been talking about, saying that these measures are extremism. Come on, who are they fooling?

They are saying that they have nothing to do with jobs or income or health. Who do they think they are fooling? Anybody knows that when you cut regulations, when you put the type of regulatory reform on the table that we have put on the table, you are going to save jobs. You are going to create jobs. You are going to take the handcuffs off of small business men and women across this country, and allow them to create jobs.

When you pass a taxpayer protection plan that we passed the first day of Congress, that requires this body to pass new tax increases by a three-fifths vote in the 104th Congress, you are saving jobs and you are saving income from a middle class and a lower class

the table, back to Congress, that actually make a difference.

To say that this is a rush to extremism, or to say that this is NEWT GINGRICH's radical Contract With America, simply is not true, and denies reality in this country. This is not a rush to extremism, this is a recognition of what America has so sorely needed for 40 years. We have had real leadership, we have had real change, and we have a real reason to tell America that Congress again works.

If we were so off the beaten path, if we were being so radical, then why would the country's approval rating of Congress storm up from 18 percent to almost 50 percent today, on the 50th day? The reason why is obvious, because we are doing what Americans have elected us to do. We are making a difference.

This is not about ideology, it is about what works, and just wait for the second 50 days. You ain't seen nothing yet.

REMOVAL OF NAME OF MEMBER FROM H.R. 867

Mrs. MALONEY. Mr. Speaker, I ask unanimous consent that my name be removed as a cosponsor of H.R. 867.

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

There was no objection.

220 MEMBERS OF THE MAJORITY PARTY VOTED TO DENY AMERICANS CONTINUATION OF HEALTH INSURANCE COVERAGE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Mississippi [Mr. TAYLOR] is recognized for 5 minutes.

Mr. TAYLOR of Mississippi. Mr. Speaker, I happened to hear the comments of the gentleman before me, about all the things that the new Republican majority has done for the people of America. Last night they had an opportunity to do one of the greatest things they could have done for the people of America, and they did not.

They did not give the people of America the same protection that every Member of Congress has, should we decided to leave Congress, or should the voters decide for us that we should leave.

Mr. Speaker, if a Member of Congress wishes to leave or gets fired by the American people, he can buy back into the House insurance by paying the full cost of the premium. Unfortunately for most Americans, if they lose their job, member should develop cancer, leukemia, or any other horrible disease, they are then locked to their job for life, because when they go to apply to a new employer for a better job, that employer is going to find out that they have cancer, they have leukemia, or a family member has it, and they will either be told they cannot take the job, or they cannot get insurance at any price.

Mr. Speaker, last night this body, this Contract With America, had the opportunity to change that for 4 million American people; nothing special, just give them the same breaks that you and I have, Mr. Speaker, you and I who have families, you and I who have kids that can get sick.

The same good deal for a Congressman ought to be a good deal for the rest of the people of America, but it was not included in the Contract With America. We did not even give 4 million people the opportunity to just buy their own insurance policy through their former employer. That is wrong.

So for all the talk of accountability, for all the talk of putting people first, the bottom line is that only 4 Members of the majority party voted for the motion to recommit, but 222 of the majority party thumbed their noses at the people of America.

I would really like to hear of any Member of this body on either side of the aisle explain why it is OK for them to have permanent coverage under health insurance, to be able to buy into this policy, pay 100 percent of the cost when you leave, but it is not OK for the people we represent to have that same privilege.

Last night, 220 Members of the majority party, almost all of them, said that is not right, they would not do it. That is not fair, that is not accountable, and that is not putting Congress under the same laws as the American people.

This is going to be a long session. We should be here at least until Thanksgiving. I want to encourage especially the newer Members of the majority party, who are most likely to want to change things, to take a second look at this. Let us try to be as fair to the American people as Congress is to itself.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida [Mr. MICA] is recognized for 5 minutes.

[Mr. MICA addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

ACCOMPLISHMENTS OF THE 104TH CONGRESS, 50 DAYS INTO THE CONTRACT WITH AMERICA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Kansas [Mr. TIAHRT] is recognized for 5 minutes.

Mr. TIAHRT. Mr. Speaker, what a day it was today. Fifty days into the session, and we have had much to rejoice about and celebrate about. Today we had a news conference and talked about some of the things we have accomplished. Today America faces a brighter future because of what we have done in the first 50 days.

We have passed the balanced budget amendment, and not only does that make sense for us as we live our lives out today, but it also makes sense for my children and my grandchildren, who I do not even know yet, because they have not been born, but I know that we are not going to pass on a debt to them.

We are going to keep our spending in line. We are on a plan to balance the budget by the year 2002.

□ 1900

It is a good plan, we are holding to it, and we are doing it because it is important to the people of America. That is why we face a brighter future.

We are also regaining trust in America, because we have changed Congress. We have changed the way we are doing business here in Washington.

On opening day, we required Congress to live under the same laws as the rest of America does. We limited committee chairmanships, we eliminated proxy voting, we in fact changed the way business is done. It is something that has been called for for a long time. And we finally accomplished that in the first 50 days.

We are also now more accountable as a Federal Government than we were 50 days ago. We passed unfunded mandate reform that makes Congress accountable for the actions. When we impose unfunded mandates, we are going to try and eliminate that because we know what they will cost now and we will understand what we are passing on to local governments.

I think it is very evident that Congress is listening more now than it did 50 days ago. We have a crime package that addresses the real true problem. We are not doing midnight basketball, we are not having dance lessons for Federal inmates. What we are doing is block grants to local communities, because they are the ones that can determine best how to spend their money. Do they need new computer systems? Do they need new troopers, new cars

they match with Federal funds to get more police on the street? It does not make sense.

That is why the crime package that was passed by this Congress is more sensitive to what the real true needs are in America.

We are restoring common sense to Washington. It was very evident in our National Security Revitalization Act. Right now we have made it harder for the President to put U.S. troops under U.N. control. We have had terrible instances of abuse, where miscommunication has cost the lives of American troops overseas and we are going to stop that. We are going to do only our fair share of funding with the U.N. Those are important issues that people in the Fourth District of Kansas have called out for time and time again.

Those were the first 50 days, we have accomplished that and more. Now we are looking forward to the next 50 days. Welfare reform, regulatory and legal reform, our first ever vote on term limits, family tax relief, economic growth tax measures. We have a lot to do.

How are we going to get it done? Well, it is going to require, just like out in America, individual support, individual effort, teamwork, team support, and also the support of the public.

As a Member of the freshman class, I have joined with us and we have formed a group called the New Federalists. The New Federalists believe in limited government. Our goal is to make a smaller, more economical, more friendly government for the people of this Nation. We have developed four teams and those four teams are in the process of trying to eliminate four government agencies. It is not because we dislike bureaucrats or we think that there are some things that should just be totally eliminated. We are trying to find those parts of government which are effective. And we are going to keep those on board. We may put them in different compartments, but to remove the duplication and bureaucracy is a very important issue and a very important message and a very important task.

The four teams are to eliminate the Department of Education, the Department of Commerce, the Department of Housing and Urban Development, and the Department of Energy. I am heading up the task force to do away with the Department of Energy. We have found out in looking through what has been going on through the DOE that it is really a gas guzzler.

work.

In the early 1980's we eliminated the controls, we eliminated the allocation controls, and we in fact removed the crisis. So now it is time to turn the lights out on the Department of Energy. In looking at the Department of Energy, it has reinvented itself so that it can continue as a bureaucracy. Sixty percent of what it does now is a bomb factory and should be in the DOD. Only 20 percent is related to energy issues. There have been widespread contracting abuses that have been uncovered by the GAO. We have one instance in which the security guards at a laboratory in New Mexico are being paid overtime while they exercise in the gymnasium.

Now, most people in America think it is important to be fit and a lot of them work out in gymnasiums but none of them that I know except for these guards get paid overtime to do this. I think this is a travesty and those types of abuses need to be uncovered and they need to be stopped.

But once you start a bureaucracy, it is very difficult to get rid of. So this task force has seven other Congressmen on it. We are going through the different parts of the DOE. We have made assignments, we are making assignments to go and uncover the parts of the bureaucracy that do not work effectively and eliminate them. We are incorporating help from past secretaries. We have former Secretary Don Hodel who has been helping us. We are joining together with upper classmen in Congress to do away with this agency.

Tbere is a new Congress in town. We have a new voice. The first 50 days have proved it. We have made this Government more responsive to the American people. We have made our workings here on the Hill more efficient. We have downsized our staffs and we are doing what I think the American people told us.

In this one respect, we are trading in the gas guzzler of the Department of Energy for a more efficient government.

RECOGNIZING NATIONAL ENGINEERS WEEK

The SPEAKER pro tempore (Mr. NEY). Under a previous order of the House, the gentleman from California [Mr. KIM] is recognized for 5 minutes.

Mr. KIM. Mr. Speaker, I rise before the House floor today to recognize National Engineers Week which is celebrated from February 19 through the 25th. Engineers are hardworking people

What many people do not know is that engineering is our Nation's second largest profession. According to the Bureau of Labor Statistics, there are more than 1.8 million engineers in the United States.

National Engineers Week is also celebrated at the time of George Washington's birthday. Many people do not know, but George Washington was also an engineer himself. He was a civil engineer, as a matter of fact. Also he was a land surveyor. And he was considered our Nation's first engineer.

As President, Washington led a growing society toward technical advancements, invention and education. He promoted the construction of roads, canals, docks and ports, and development of manufacturing resources.

As a matter of fact, Mr. Washington led the cornerstone of the construction of this Capitol Hill building right here, the United States Capitol building.

There is no question that America has the best highway system, best water system, best sewer system, best airports, and the best electrical system.

National Engineers Week has been celebrated annually since 1951. It is sponsored by the National Engineers Week Committee, a coalition of 64 engineering societies, corporations and government agencies. This year, the event is being chaired by the American Institute of Chemical Engineers and the Fluor Corp.

In addition, the national finals of the National Engineers Week Future City Competition are held during National Engineers Week.

The competition features seven teams of seventh and eighth grade students presenting their designs, their imagination for cities of the 21st century, using computer simulations and scale models. The teams were selected in regional competitions around the Nation.

I must say that I have personally found engineering to be an intellectually challenging and professionally fulfilling career.

Mr. Speaker, I salute all engineers nationwide who have contributed their ingenuity and their ideas that has made America the best place to live.

EFFECTIVE CHILD SUPPORT ENFORCEMENT: ADMINISTRATIVE LIENS AND FULL FAITH AND CREDIT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Massachusetts [Mr.

supporting dependent children may flee one State for another. While the law allows for the attachment of wages, it does nothing to allow a custodial parent to place a lien on real property. Thus, a parent can avoid paying support payments simply by keeping his or her wealth tied up in real estate, fancy cars, boats, and the like.

Under current law, the only solution would be for a custodial parent to travel to the other State to place a lien. This is not a realistic solution for most custodial parents.

Imposing liens on the properties of delinquent parents can be a highly effective means of forcing payment of child support. States already allow the use of liens within their own States, but few States coordinate this process between States.

My bill would establish full faith and credit for liens imposed in other States.

For example, my home State of Massachusetts currently has this arrangement with neighboring Vermont. If a delinquent parent flees to Vermont from Massachusetts, Vermont will enforce the Massachusetts lien on real property in Vermont, without forcing the custodial parent to travel to Vermont to fight a legal fight there.

If every State had this type of agreement, delinquent parents would have no place in the United States to run.

They would be unable to hide their wealth in expensive cars, boats or real estate while neglecting their children and asking the taxpayers to pick up the support payments.

Massachusetts has been using administrative liens since 1992. Since then, 90,000 liens have been placed, with $13 million collected in past due support.

The Massachusetts Child Support Enforcement Division estimates that about one third of delinquent parents own property eligible for a lien.

The booklet, with the 10 most wanted list of child support enforcement reforms, can serve for a model for child support enforcement efforts.

I urge my colleagues to support this legislation to allow the placement of administrative liens for the enforcement of child support payments. This is only one step to increase child support payments.

Unpaid child support payments amount to $34 billion or more. Many children denied these legally owed payments turn to the taxpayers for support. We need this type of common sense reform in overhauling our welfare system, and forcing delinquent parents to support their children.

THE ''DO SOMETHING'' REPUBLICAN MAJORITY

Mr. HAYWORTH. Mr. Speaker, it is an honor to stand here in the well of the Congress of the United States in the People's House and to have my good friend from Ohio chair and to look around and take stock, Mr. Speaker, of what has transpired in these first 50 days of the 104th Congress.

History reminds us that the last time the Republicans held the majority of the seats in this Chamber, a President of the other party, President Truman, called that Republican-controlled Congress the ''Do Nothing'' Congress. And yet, as we take a look today in terms of more recent history, that description defies reality with reference to the 104th Congress.

As they might say in sports parlance, look it up. We have bothered to check the numbers and it is very interesting to take a look at this new Congress, this 104th Congress, and the flurry of activity that has transpired, simply in terms of numbers. For example, Mr. Speaker, the number of hours in session, heading into day 50 of this new 104th Congress, 236 hours in session, doing the people's business in the people's House.

Now we also compiled numbers over the previous 12 years, in the 97th Congress all through the 103d Congress, to really try to assess how the guardians of the old order were involved in business as usual.

Here is what we found. The number of hours in session through the first 50 days for the previous 12 years, just a little better than 41. Compare this work of the 104th Congress. The number of votes on the House floor heading into this 50th day, in our new Congress, already 145 votes on this floor, in the People's House, about the people's business.

During the previous 12 years, the average number of votes, just a little better than 14.

The number of committee sessions in this new republican Congress, heading into this 50th day, 313. The previous average over 12 years, 121.

But more than quantity, Mr. Speaker, it is quality of work, work that is being done by this Congress, because people come into this Chamber not to score debating points, not to take a vacation at taxpayers' expense, but to be about the work of this Congress and to honor the commitment of the voters of our respective districts.

It has been chronicled before but it bears repeating because it is important to take stock of what has transpired. tion, but it is not a radical revolution. Instead, it is a reasonable revolution. The notion that may seem radical to guardians of the old order is what is reasonably expected by the bulk of Americans, this simple notion that Congress people live under the laws that everyone else lives under. The Shays Act incorporated into our House rules in this 104th Congress, and then a notion that this legislative branch should lead by example. We have done so, cutting committee staffs by one-third, calling for an independent audit of this body to understand where the people's money has gone, to make sure that the people's money has been used for the people's business.

Working in so many ways with the adoption of new rules to really be involved in the House cleaning, to open the windows of this institution and allow for open debate and a dialog and a new partnership with the American people.

So much has transpired, from a balanced budget amendment to a line-item veto to a meaningful crime control package, to eliminate the notion of hug-a-thug, to get away from the concept that we would do things to make us feel good but really not influence what transpires in the cities and counties and towns of America, making a difference. That is what these first 50 days have been about.

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

Mr. HAYWORTH. I am glad to yield to my good friend from Georgia.

Mr. KINGSTON. I thank the gentleman very much for yielding. Let me tell you one of the things I have learned during my tenure in politics. I think it is important. This is not just patting each other on the back, but it is a different way of thinking, because I was in the State legislature and have lots of friends who are in elected office, and it is generally the accepted rule that you run for office, you pass out a brochure that says how tough you are going to be on crime, how strict you are going to be on welfare, how tight you are going to be about the people's money. As soon as you get elected, you put the brochure on the shelf and do not worry about it. You basically handle an agenda already in progress, many items set by special interest groups.

So I think what is so different, you were talking about the Republican Congress during Truman's days and here we have a Speaker who has an agenda that was introduced on the steps of the Capitol to the American

party, he means to stand by his promises, that is a very clear signal to the rank and file membership, completely different. I have not forgotten my brochure, the boss is the folks back home. Here is my brochure, I carry it with me. I am going to be accountable to these promises, passing or not passing them, I will be accountable, and he pulls it out on a regular basis to the American people.

Mr. JONES. If the gentleman will yield, I thank the gentleman from Georgia and the gentleman from Arizona. I would just like to add to the statement by the gentleman from Georgia that each time I go home to my district, and as you know, I am from the Third District of North Carolina, I spend a great deal of the time walking in the malls stopping people to say I am your Congressman, WALTER JONES, Jr. I would like to know what you think about this Congress.

□ 1920

And to add to what you have said and the gentleman from Georgia, I cannot adequately express to you the encouragement that I receive from the people as we are helping to rebuild the public's trust. The public has lost faith in the Congress, but finally,because of what has been said by you two gentlemen tonight, they are seeing that a campaign promise is being kept, and they believe that with the help of God that we will change the direction of this Nation in which the majority of people in my district at least in North Carolina think that the liberals have taken this Nation down the wrong road for too long. So it is an exciting time and a great time and a great change for America.

Mr. HAYWORTH. Following up on that, I think the gentleman's experience is indicative of what has transpired nationally, because the gentleman from North Carolina has the great name, WALTER JONES. He has worked very, very hard, and he had a gentleman precede him in this body of another persuasion and another party, and I think it is very, very interesting to see the change that has come about with our friends on the other side of the aisle with many folks joining the Republican Party, as was your personal experience. I also know the gentleman from North Carolina, you have been working very hard in terms of keeping our promises and our commitments to the men and women in uniform and certainly the Third District of North Carolina that is very important with a number of military bases.

tesy.

Mr. KINGSTON. My jogging buddy from the Northeast who has to come to Washington for warm weather these days, we will yield.

Mr. BARRETT of Wisconsin. Whatever time you have, I would like to address some of the comments. I certainly will stick around.

Mr. JONES. Let me tackle this, because so many good things have happened with the contract. Having three military bases in my district, Cherry Point Marine Air Station, Premier Air Station from the Marine Corps, Camp Lejeune in Jacksonville, well known for the great service they have rendered to our Nation, and Seymour Johnson Air Force Base. We passing the National Security Revitalization Act, what we are doing is what the military needs done is to get support from the United States Congress and this Government, and with the passage of that act, H.R. 7, what we have done, just three or four points, I want to make this quick, first, demands that U.S. troops be commanded by U.S. commanders and not placed under foreign commanders; second, reduce the cost to the United States of United Nations peacekeeping missions and demands that the United States mission to the U.N. press for reforms in the notorious U.N. management practices; tightens controls and reporting requirements for sharing of U.S. intelligence information with the United Nations; and expresses the sense of Congress that firewalls be restored between defense and discretionary domestic spending for budget years 1996, 1997, and 1998.

And very quickly, the gentleman from Arizona and the gentleman from Georgia, let me show you, last August during the campaign, the Cherry Point pilots for about 5 weeks, the fighter pilots that are there to defend our Nation and to fight for us overseas, could not train because of the moneys that had been spent on these overseas projects by this liberal administration, in Haiti and elsewhere.

So we are trying to restore the integrity of the defense budget so that our men and women will be ready to defend this Nation.

Mr. HAYWORTH. I thank the gentleman from North Carolina. The gentleman from Georgia.

Mr. KINGSTON. The gentleman from Arizona controls the time. We do want to yield to the gentleman. We do want to make one point from the gentleman from North Carolina [Mr. JONES].

I represent the 24th Infantry. I had the great honor of doing that. We hope

can for the United States Government. They do not want a French military commander telling them to go up and take the hill.

I do not think that is too much to ask. That is a very important point which is what we have done.

Mr. HAYWORTH. I will be happy to hear from our good friend from Wisconsin whom I have seen in the hall and I guess the gentleman from Georgia needs to jog with. My goodness, I need a chance to go out and jog with the gentleman from Wisconsin. We welcome him to the dialog.

Mr. BARRETT of Wisconsin. You are welcome to join us on our jogging. The gentleman from North Carolina, too.

I hope I am not raining on your parade. I was sitting in my office listening to your very compelling discussion of the first 50 days, and I felt compelled to come over.

Mr. HAYWORTH. We welcome you here to engage in the dialog.

Mr. BARRETT of Wisconsin. My reaction was, again, I certainly agree with your comments that this has been a very busy first 50 days. It certainly, in terms of committee meetings, in terms of votes taken, in terms of time spent on the floor, is far busier than it was 2 years ago when I was a freshman in Congress.

As I was listening to you talk, it reminded me of the three little pigs. That is no reflection on the three of you, but in particular, in all seriousness, one character in particular, I have a 2-year-old son, and so we asked him what the wolf says. The wolf says, as my 2-year-old son says, ''I will huff and I will puff and I will blow your house in,'' which is not that dissimilar to what many of the new Members said when they were elected to Congress this fall.

But the point I want to make is even though we have been very, very busy, the first 50 days, I certainly do not mind being busy, I think what the American people want, and I think all of us would agree to this, the American people want action. They want us to complete things, and it is smart to talk about all the time we spent here.

But I think if you look at what we finally accomplished in the first 50 days, we have passed and signed into law the grand total of one bill. So I think we have to keep things in perspective.

Mr. HAYWORTH. Reclaiming my time, the gentleman from Wisconsin, let me yield then to the gentleman from Georgia.

Mr. KINGSTON. I want to also ask if your children are familiar with the

And, you know, we are hoping, as you know, that the bipartisan spirit that passed the bill that put Congress under the same laws as the American people and that passed the balanced budget amendment and that passed the national security bill that the gentleman from North Carolina [Mr. JONES] talked about, and the unfunded mandates bill, we hope that that bipartisan spirit goes on in the next body, and then the President has the great unique opportunity to say, ''You know, some of this I can live with.'' And we hope that does happen.

Mr. HAYWORTH. I think it is a valid point. I will yield to the gentleman from North Carolina in just a second.

But again to follow up on what our friend from across the aisle has come down to talk about tonight, in dealing with fairy tales, it is no fairy tale, as the gentleman from Georgia points out, there are different instruments of government with different jobs, and I am sure certainly not in the position of pretending to lecture the gentleman from Wisconsin, but the fact is the other body is hard at work given its special set of rules, given its special set of priorities and, of course, as the gentleman from Georgia mentions, there is another gentleman ensconced at the other end of Pennsylvania Ave., our Chief Executive, who has a chance to sing into law the different provisions, and we welcome the involvement of the other body and of the Chief Executive.

But what we have been doing is fulfilling the promises we made to the American public and working very hard to do so, and to use a line almost Shakespearean in its resonance, it certainly is not, as some might suggest, much ado about nothing. We are very hard at work.

The gentleman from North Carolina.

Mr. JONES. If I may very briefly and quickly thank the gentleman from Arizona for yielding, I would like to remind the gentleman from Wisconsin that our Contract with America came from extensive national polling of the people to find out their many concerns and to find out their 10 top concerns. And what we have done is that we cannot speak for the Senate, but we promised the American people that we would get these 10 bills to the floor for a vote, and we are accomplishing that promise to the American people. So we are keeping our promise.

We cannot promise what the Senate will do. Hopefully I believe that the Senate will follow suit on most of these bills.

Mr. BARRETT of Wisconsin. If the gentleman will yield further, I recognize, Paul Harvey would say, let us tell the rest of the story. I think in this case the rest of the story is we have had one bill that passed I think it is an excellent bill. I was a cosponsor for the congressional accountability bill when I was first elected to Congress 2 years ago, and I was proud to be an original cosponsor this year. It is a good bill, a bill overdue. My only concern with it, and we have talked about it before, we did not have the language in there banning the use of frequent fliers. Perhaps we will get an opportunity to deal with that issue as well.

□ 1930

But again you are having a fine discussion, and I wanted to stop by and say hello.

Mr. HAYWORTH. I yield to the gentleman from Georgia.

Mr. KINGSTON. I thank the gentleman.

I think the important thing is I know that you have been with us on many of these votes, and we appreciate your joining us tonight. The thing to also remember, though, the balanced budget amendment does not even have to have President Clinton's signature. He is against it, which is fortunate. But what it does need to have—I am not sure what the count is right now, I think it is two Democratic Senators who have not voted. So I hope the people from Wisconsin, Arizona, Georgia, and North Carolina and anywhere else in between who are listening tonight, will pick up their phone and call their Democratic Senators and say, ''Pass that balanced budget amendment. Run your household in Washington or our country the way we have to have our households in America.'' I think it is a good point.

The Democratic Party in the Senate is just bogging down the balanced budget. Let us get it passed. Let us get on to other things.

Also, on things that we do not need Senate approval, for example, cutting committee staff by one-third, limiting the term of committee chairmen and eliminating some of the committees; we eliminated about 25 subcommittees. We have done that without having to have Senate approval for it. So there are many things that were in the contract that were done within our power that we could do within these walls, in this Chamber, without having the other body sign off on it and slow us down.

Mr. HAYWORTH. I thank the gentleman from Georgia.

I think the gentleman from Georgia, having served in this Congress and the 103d Congress, as has my friend from Wisconsin, knows very well for our democratic Republic and our constitutional form of government because, unlike what had transpired in previous years, we did not move to cut off our friend. We were happy to welcome him. Perhaps it is a departure from special orders in the strictest sense, but we are very happy. I think it is indicative of this new partnership and this new dialog.

Will there be points of disagreement? Certainly. But this is indicative of the change in the way we are doing business.

I yield to the gentleman from Georgia.

Mr. KINGSTON. Does the gentleman from Wisconsin see what he has done now? The gentleman from Arizona is an old sportscaster, and he is getting wound up. He knows politics is a contact sport, and that is good to have the contact, and I am glad the gentleman is here.

Mr. HAYWORTH. I yield to the gentleman from North Carolina.

Mr. JONES. I just wanted to say that what has been exciting about the first 5 weeks is that we have had on these major votes to help make this a better country, to help small business, help people as it relates to crime, we have had quite a few of the Democrats come in, percentages of up to 60 percent who have joined us in passing this legislation.

And that bipartisan effort in coming together for America is what the American people wanted. I am delighted, I say to the gentleman from Wisconsin, that we are working together in a bipartisan way to make this a better country.

Mr. BARRETT of Wisconsin. In closing, again I thank you for the opportunity to spend some time this evening. I felt compelled to point out that only one bill has become law, though I trust the Senate will look at some of the bills that we have passed. My hunch is that those that will pass will be those that actually passed the House in the past. The Congressional Accountability Act, which passed the House last year. And now it passed both Houses.

My only request that I have been making, in closing, is that the gentlemen also are sensitive to some of the needs that are expressed in the contract that I think are bad for America, in particular, things like the school lunch program. My wife is a school teacher. I asked her about the school lunch program. She said—she is critical of the current welfare system, that they could use some changes, but she

insinuation that by trying to offer block grants to the States, by trying to streamline and rethink delivering services, certainly the gentleman from Wisconsin is not implying those of us in the new majority who are trying to open this process up are trying to take food out of the mouths of children, because I think that is a very, very serious accusation.

I yield to the gentleman.

Mr. BARRETT of Wisconsin. Again, I am reporting to you what my wife, as a school teacher, said. She said, ''Why do they want to change this program? The school lunch program is not like the welfare program, where people are abusing it. Frankly, it is not even like the food stamp program, where people can take the food stamps and maybe have a black market. But what the school lunch program is all about is apples and milk for kids who may have that as their only meal of the day.''

And I think, in all candor, I think to serve the American people, which we all want to do, I think we have to be very, very sensitive that we do not inadvertently, perhaps—so I do not mean to imply to the gentleman from Arizona that I think he is doing this intentionally—but only I don't think any of us, as a result of our actions, want to make it more difficult for children. Again, I think what our goal is for all of us is that children in America learn and they certainly learn better when they have food in their stomachs.

Again, I ask the gentleman to be sensitive to that. I have to close.

Mr. HAYWORTH. I yield to the gentleman from Georgia.

Mr. KINGSTON. One of the sad things about Washington is when you do not have the facts, you kind of rattle a little emotionally and say this and that. I will not accuse my friend from Wisconsin of that, but I would say there are Members in the Democrat Party who have school nutrition as their Social Security issue that, first, we scare the senior citizens, now we go after the hungry 6-year-old.

The fact is there are 16 different school nutrition programs. We talk about these school lunch programs. There are 16 of them.

What we are trying to do is eliminate them so that we can feed the children and let the bureaucrats go out and find other work, other things to do.

Eleven different bureaucracies are trying to be consolidated, as I understand it, by the Opportunity Committee, and then four by the Agriculture Committee.

All we want to do is say, ''Hey, there are too many people feeding at the teach them about math, English, prepositions, adjectives, and all that sort of stuff.

Mr. HAYWORTH. I thank the gentleman from Georgia.

I appreciate the comments of the gentleman from Wisconsin, and welcome him to this dialogue during this special order. I think it speaks volumes about the fact that we have opened up the windows of this Congress and just as we engage in a dialog here in the well of the United States House of Representatives, so too do we seek that dialog, Mr. Speaker, with the American people. That is the difference.

To our friend from Wisconsin, even as he departs, and others who may be viewing these proceedings on television and at home, I think it is important as the gentleman from Georgia points out, the idea is to make services more efficient. According to some estimates, for every dollar in social spending, 80 cents of that dollar goes to the delivery of that program. In other words, the money is not a straight transfer from the pockets of the taxpayers to the kids at school. It goes through so many different middlemen, if you will, and what we are trying to do is reduce the number, reduce the amount of middlemen and make sure that in these programs that have great import to the children of this country, to the seniors of this country, to the hardworking men and women of the 6th District of Arizona and beyond, that we have a practical, efficient way to do so. That not always is it more money and more programs and more centralized bureaucracy here in the Nation's Capital.

I yield to the gentleman from North Carolina.

Mr. JONES. Just very briefly, the gentleman from Arizona and the gentleman from Georgia are absolutely on target. This is exactly why people back home understand what we are trying to do as the new majority. We are trying to streamline government. We are trying to make sure that the majority of the dollar gets to those who need the dollar and cut through these layers of bureaucracy that keep, as the gentlemen said, the gentleman from Georgia and the gentleman from Arizona, from absorbing most of the money.

So we are on target. The people of America, the people in my district, say to us, ''Keep going forward like we are doing.'' We are going to make government less intrusive into the lives of people, make sure those who need the help get the help, but it will be done in a very efficient way.

Mr. HAYWORTH. I thank the gentleman from North Carolina.

support on average from our friends in the new minority who are coming with us on these programs, there are many measures that have a bipartisan nature.

I know my friend from Georgia would like to speak about the balanced budget amendment and talk about that very real accomplishment.

Mr. KINGSTON. I thank the gentleman. Absolutely, as we speak about senior citizens programs, balanced budget, programs for the disabled, we have to keep in mind, when we are going broke it does not matter.

□ 1940

Remember when you were kids, if you found out your dad might have a charge at the local drugstore, you go down and you get you a soda pop, and you just sign his name. You did not have to pay the 35 cents for the Coca Cola, and you thought you were getting something. You were charging it to your dad.

Well, little did we know that, when we were grown-ups, we would be charging things to our children, and you would not dream of going to a drugstore and charging a sandwich to your 8-year-old, but that is what we are doing. We are doing it in Congress, and, if we are going to be worrying about kids' nutrition programs, and senior citizens, and so forth, we are talking about compassion. We better talk about paying down this debt that we have, this $4.5 trillion debt that we have.

That balanced budget amendment, it is critical because, if there is anything that our history has proven since 1969, Congress cannot say, ''No.'' We have got to have the constraint, the discipline, that a balanced budget amendment forces on us.

I wish everyone would call their Senator tonight and say, ''Where are you standing, and why aren't you for it?''

As my colleagues know, a friend of mine, John Carswell, a farmer, told me something interesting last week, and he said a guy went down to farm and wanted to borrow another farmer's ax. He said, ''I'm not going to lend you your ax—my ax. You can't use my ax.''

And he said, ''Why not?''

He said, ''Because I'm making soup tonight.''

He said, ''Soup? What does that have to do with me borrowing your ax?''

He said, ''Nothing, but, if you don't want to do something, any excuse is a good one.''

That is what the U.S. Senate is doing to the balanced budget amendment.

folks in the other body would also be interested in hearing from the people as the other body approaches this very real vote on a balanced budget amendment. It is important for the people of this country, Mr. Speaker, to be heard. They were heard November 8, but what I think we are trying to say tonight is:

Just as this continues through the Contract with America over the next 50 days, it is an ongoing process, and certainly the American people should not think it is a fait accompli, that we have already done it. It is continually evolving. The other body has a major role to play, and just as we welcome calls, I am sure the Members of the other body welcome them, too.

Mr. KINGSTON. Absolutely, and on top of the balanced budget amendment we have that very important line item veto which we, the majority party in the House, are willing to give to a Democrat President. We might be the ones who—that might be just like a boomerang to us. It is going to come back and cut projects in our own districts, but it is more important than any single congressional district. It will help attack that deficit, and I know that the gentleman from North Carolina [Mr. JONES] has worked hard on the balanced budget amendment and the line-item veto.

Mr. JONES. Thank you, the gentleman from Georgia and the gentleman from Arizona. I will always remember during this campaign for Congress information I received from the majority leader, the gentleman from Texas [Mr. ARMEY], during the campaign that said, ''As you're talking about line item veto, and you're talking about balanced budget, that in America today the average working family will spend more on paying taxes than the average working family will spend on clothing, housing or food when half of what they are making is going to paying taxes. How can they realize the American dream? When you have a government that is bloated and taking more and more out of the paycheck, that's what all this is all about. That's why we are the majority party.''

Mr. HAYWORTH. I think the gentleman from North Carolina [Mr. JONES] makes a very important point that can be restated in the following way:

Certainly the gentleman from Georgia has also seen the figures, and according to some estimates, if we fail to rein in this runaway government spending, if we fail with a balanced budget amendment or some other mechanism to restore fiscal sanity at the Federal level, or children unfortu- Federal levels now outstrips manufacturing as the Nation's No. 1 employer by 600,000 jobs.

It is a fair question to ask, ''Does the Federal Government need to operate in such a pervasive fashion?'' I believe not, and I believe that is why we are taking the important steps.

Mr. KINGSTON. I think also, if you look and consider that the third largest spending item in our entire budget is the interest on the debt, which is about $20 billion each month, it is money we do not ever get back. We talk about investing in education. We talk about investing in our Nation's economically disadvantaged so they can join the mainstream. We cannot do that when we are spending $20 billion a month, and I can promise you that this year you will have requests from your congressional district, folks back home, worthy projects perhaps in Arizona, North Carolina. They will not come to $20 billion, and yet that is what is spent each month just on the interest, and that money is gone. We have got to do this.

Now, one of the things we are trying to do in the contract is the welfare reform so that people who are able to work will be required to work. We are going to try to make it so dads do not have this alley cat mentality that they can go off and just get a woman, or a girl in many cases, pregnant and not have any more responsibility than an alley cat. We are trying to say, ''Look, you're on the hook, you have got to raise that child,'' because those children now are becoming welfare recipients themselves, in many cases drug addicts, in many cases high school dropouts and so forth, but they need to have dads back home, and our welfare reform plan works on restoring the family, and that is something so very important.

Mr. HAYWORTH. I think it is very important. The gentleman from Georgia makes an extremely valid point, and so there is no mistake, Mr. Speaker, let us try to explain we are not here to demonize, or castigate, or point fingers at anyone in our society. But instead we are taking a look at the simple facts.

Indeed, from the time 30 years ago, when President Johnson stood at the podium behind me here and declared war on poverty, by some estimates we have spent in excess of $5 trillion on social spending programs. Let me repeat, $5 trillion, government at all levels involved in social engineering, and, when you consider our national debt and the problem we have there, by recent estimates being $4.8 trillion, our spending welfare reform we have to look at this very simple concept. Some of my friends from the other side talk about budget formulations, and they talk about the dollars that will be lost, the Federal dollars that may be lost in their congressional district, and to me it fails to take into account this very valid and irrefutable fact, the money is not the Federal Government's money to begin with. It is wealth created by hard work in the business community, by people earning their paychecks and then paying their taxes. That is the part of this process that we cannot forget about, and, even as we talk about runaway spending, we must also talk about this excessive burden of taxation and why it is so important to make sure that parents have money to spend on their children.

The Family Restoration Act makes sure that parents have additional moneys, a $500 tax break or an increase on deductions per dependent to make sure that families can spend money on members of that family. That is what is so important.

Mr. KINGSTON. And if the gentleman would yield, I think we have proven under Ronald Reagan and John F. Kennedy, who frankly did not have many successes while he was President, but one of the things that he did was he gave a tax cut in the early 1960's. Reagan did one in the early 1980's. In both cases it brought about economic growth and economic prosperity because the American people know how to spend their money better than the United States Congress: more clothes, more hamburgers, more records, more cars, more houses are bought by them which creates jobs, and that has a multiplier effect for more revenues.

□ 1750

Mr. HAYWORTH. I think we learn from the example of the late President Kennedy, and indeed the example of President Reagan, that a tax cut really does reinvigorate the economy. That is what we seek to do. Certainly the gentleman from North Carolina has lived this, being part of a family that has made the transition. I know certainly he champions the actions of President Kennedy and certainly looks back to those actions as a vibrant, market-oriented, new frontier Democrat looked at it 30-some years ago, and we share in that tragedy and our sorrow for the Kennedy family and for this Nation. But certainly you have seen the change and I know that you join us in this idea of tax breaks.

Mr. JONES. I could not agree more with what the gentlemen have said. I

place for 30 years has perpetuated itself to help keep people down in back. What we want to do, we want to see welfare become a trampoline, not be a hammock. We want to see people have an opportunity to join the productive work force of America. That is what the Republican party stands for and that is what our welfare legislation would be about, helping people get off welfare.

Mr. KINGSTON. Part of this getting folks to work, we have got to make sure that the jobs are out there. I think by giving middle class families this $500 per child tax break will help empower consumers and stimulate the economy through more consumer spending and create jobs. I think the other part of it is to get the Government off of the backs of business. Requirement of risk assessments: When EPA and OSHA and all the other thousands and thousands of government agencies and bureaucracies come and harass mom and pop businesses on Main Street, Arizona, North Carolina, Georgia, all over the country, let them make it harder to pass regulations on businesses, because if businesses do not have to pay so much time, effort and energy and money to Uncle Sam, they can expand. They can take that little lawn mower store and build a branch on the south side of town and create jobs that way. Remember, 70 percent of America is still working for small businesses.

Mr. HAYWORTH. I think the gentleman from Georgia again is right on the money when he talks about these issues of money and taxation, and I think it is very, very interesting to see how the debate has transpired in the wake of the mandate of November 8th. The liberal media talks about anger and hostility and as if there is some sort of latent hostility about the Federal Government. I will let folks in on a little secret. It is not that much of a secret. It is not a visceral dislike for any segment of our society. No, it is simply this notion: Why should people who work hard and play by the rules and try to create jobs be subjected to unreasonable, excessive, overregulation. Certainly we would all agree that there is a valid place for a modicum of regulation within the workplace, a modicum of regulation even in our free market economy, but not to the point where it retards the growth of business, where it holds back our economy. What we need to do is unshackle the chains and let this market move forward with a dynamic, free enterprise system. That is what is so vitally important.

cies Act because the bureaucrats, if you will, have taken these regulations and these acts and have extended it to interpret it as they see fit.

What we need to do, as you and the gentleman from Georgia are saying, we have to bring a balance between business and the environmentalists. We have to bring a balance, because obviously the regulations have gone too far, created too many problems for business owners, property owners and business itself. So again, this is part of the Republican majority. We are going to make the changes that can bring the balance that I think would be great for this Nation.

Mr. HAYWORTH. I think it is very, very important to take a look beyond the contract, and we will continue to do so, not only on the Resources Committee, but in so many other avenues. Because this does not stop at day 100. Yes, we are stopping here at day 50 to take stock of what has been accomplished, and we will do so during the continuation of this special order. But it is an ongoing process and a national dialog and a new partnership with the people of America, Mr. Speaker, that we hope to foster.

Certainly we encourage their input, especially as tomorrow we move to this whole concept of overregulation and we move to a concept of a moratorium on regulations, to stop that and take stock of what has transpired thus far.

Mr. KINGSTON. I think it is important also for us to keep in mind that we do not want to lose species when we talk about the Endangered Species Act. We do not want to lose wetlands when we talk about wetlands. What we do want to do is bring some sanity in.

For example, I had a gentleman, a businessman in my district, send me a stack of papers about a half an inch thick. He said ''I have got to do this to get a permit to dig a hole because there is questions about the wetlands.'' The hole was 3 feet deep. He has to fill out what I can only say would be about a half an inch of paperwork, and it would probably take a half a day to do it, to dig a 3 foot hole. Not three foot long or wide, just 3 foot normal size hole.

Cases like that we hear right and left. There is a road contractor in Georgia, and I know you know what a silt fence is, when you are building a new road that now they build these fences to help stop erosion, and that is the kind of wavy fence that you see on sticks. I have never seen one, frankly, do much good.

But I asked the contractor, how much did that silt fence cost you on widening this road project? The total

need a silt fence. If you need one, you do not need one the entire length ever the road. In north Georgia where it is hilly, you need it, and in south Georgia where it is hilly you need it.

But he can't have that flexibility to decide. What he says is let me decide when to use a silt fence or not, and, if I am wrong, fine me. Eat up all my profit on the job. Take away my tractor. I promise you I am not going to let any dirt move from the site.

What we are talking about is let's do not micromanage everything out of Washington. Let the Georgia DOT or the county commissions make these decisions along with the road contractor. You might not need it on every single project.

Mr. HAYWORTH. The point of the gentleman from Georgia is well taken again, and indeed the experience of his constituent serves as a metaphor. One thing we understand certainly is that in a nation this vast, in a nation that differs from region to region, while we may speak with a united voice within terms of political philosophy, why do not we try to reach consensus with our friends across the Hill? In this Chamber the biggest misguided notion is this concept that one size fits all. Washington can decree what works in Philadelphia will work in Phoenix. What is good until Athens, GA, is also good in Athens, OH.

What we find is it is better and truly a form of federalism to let cities, towns, counties, and States deal with problems where they are on the front lines everyday as opposed to a bureaucracy in Washington dictating to those groups what should transpire.

We see it very clearly in what we were able to do in terms of putting some meaningful legislation together on the problem of crime, the notion of block granting and giving those items back to the States and those people on the front lines fighting crime, so vital to our situation.

Mr. JONES. Just to add to your comments, because today at the news conference celebrating the end of the first 50 days, I do not think I have ever heard a more meaningful talk than the lady who had been raped from Ohio and how much she supported and felt that the legislation that we passed with this tough crime bill, how much it would help other people throughout America. And I thought that what she shared with us and the press being there today made us all realize the importance of what we had done to help protect America. I just thought that was a very special event this morning.

in a direction where hardened criminals could use technicalities, could try and trample upon the Constitution, and, in my humble opinion, to try and take away the legitimate rights of victims of crime.

□ 2000

So this Congress, again, is not radical, it is reasonable, recognizing that the pendulum needs to be dead center; that we have to respect individual rights and the rights of the accused, but just as the lady from Ohio told us, we can never have those rights come at the sacrifice of the law-abiding and those who are victimized by crime in our society.

Mr. KINGSTON. If the gentleman will yield further, he is right. We have protected the rights of the individual, which is extremely important, if not sacred, but at the same time, we cannot compromise the safety of the society.

Yet, we have done that. Criminals on an average serve 35 percent of their time, which means our streets are full of people who have been arrested not once or twice but 7, 8, 9, 10 different times. The block grant concept says to States that ''If you have truth-in-sentencing, meaning if you sentence somebody for 10 years, he or she serves 10 years, we will give you block grants for new prison construction.''

We hear so often about overcrowding in prisons, and what this will do is make our streets safe by taking that element off the street, which is what the victim who was raped needs, what people in Arizona need, what people all over the country need.

Mr. HAYWORTH. I think, again, the lady from Ohio, as the gentleman from Georgia made a very vital point and very meaningful point today about the whole notion of crime and punishment, because her attacker, her assailant, was able to take advantage of prison programs to get an education, and no one would deny that benefit, but also taking advantage of free weights and building his body so he could go back out and commit other crimes.

We are not saying that those who meaningfully choose a route of rehabilitation should be stifled, but those who look at their time incarcerated as free time at a health club or self-improvement to go out and perpetrate criminal acts, clearly that must stop.

What this Congress is trying to do, by engaging in debate with our friends from the other side of the aisle, by hammering out these programs, by engaging in a new dialog with the American public, is to deal directly with those problems, because we believe

Mr. BENTSEN. As to yourself, as well.

Mr. Speaker, I will only take a minute of the gentleman's time. I am actually waiting here for another special order.

The gentleman talked about the block grants, and I would like to ask the other gentleman as well, there are a couple of things that I have concerns about the block grants that affect my State of Texas.

My State has been on a prison building program for quite some time, and yet, according to the Justice Department, while we have reformed our penal code, we are building more prisons at an extremely fast pace, we are selling bonds and raising millions of dollars in capital in order to do this, we still will not qualify to meet that 85 percent in sentencing the way that it is calculated under the bill.

The problem that I see is that we are sort of caught between a rock and a hard place, because as we try and build our way out of it into the capacity that we can raise capital, and then we look to the Federal Government for some of the tax dollars that we send up, and we send a lot of tax dollars to Washington from Texas, the Congress is saying in this legislation ''We are sorry because you are not quite there yet,'' and try as we might, we may not be there. I have a problem with that.

That is one. The other question I would ask relates to the other block grant, which is a concern that I have. Isn't it true under the law enforcement block grant program that replaced the 100,000 police, isn't it true that if a State or a city wanted to, that they in fact could spend all that money on midnight basketball or some other program that some of us might feel is not proper?

Mr. HAYWORTH. Reclaiming my time, I yield to the gentleman from Georgia.

Mr. KINGSTON. Let me ask the gentleman a question, first. Although I was born in Texas, I do not claim to know all the politics there for 1995. I would say to the gentleman, with the majority leader, DICK ARMEY, with the majority whip, TOM DELAY, and I understand there is a gentleman named PHIL GRAMM who may be the next President, I do not think we would pass a bill that is punitive to the State of Texas prison program.

The Department of Justice, as you know, was against this crime bill. Janet Reno fought it every inch of the way. I suspect that information is not 100 percent accurate. I will follow up

not there.

I trust my city police in the First District of Georgia, all over the State of Georgia, as I know you do in Texas, to make the right decisions. I'm not afraid of them taking that money and building midnight basketball domes. I just do not believe they will do it.

They may say ''We do not need police officers, but we need a police car, we need some radio and we need some other drug interdiction equipment,'' but I think they are going to be able to make that decision better than Congressmen and women from New York City and from California and elsewhere.

Mr. HAYWORTH. Reclaiming my time, I have a couple of questions for my good friend, the gentleman from Texas. I appreciate the gentleman being here, but I think the point is very valid that the gentleman from Georgia [Mr. KINGSTON] makes.

The gentleman from Texas [Mr. BENTSEN] outlined what I believe to be in one sense the worst case scenario, and yet even with that type of construct that he offers us, should it not really be left up to local governments in that regard if law enforcement officials who ultimately are accountable, I would imagine, to the voters, or to the city councils and city managers of respective localities in Texas? If they were to spend that money in an ill-advised way, from my point of view, I believe they would be directly accountable to the people of those areas. I do not believe it should really be under my purview to make that change.

With reference to the prison system in Texas, and I will defer to my friend's knowledge of Texas politics, and what transpires at the State capitol in Austin, but let me ask this simple question: is there a truth-in-sentencing provision under Texas State law?

Mr. BENTSEN. If the gentleman will continue to yield, Mr. Speaker, in Texas, and I will take the opportunity, in fact, to ask my good friend, the State Senator, John Whitmire, who led the effort to reform the penal code in Texas, to come up here and talk to Members of the House about what we have done in Texas to ensure that in Texas, if you do the crime, you serve the time. I will bring him up, so we are trying to make this.

Mr. HAYWORTH. You have passed the truth-in-sentencing provision out of both houses?

Mr. BENTSEN. We have passed our version of it, yes, which I think is a very tough bill, and I will be glad to get the gentleman the information on it.

However, let me say, my point really comes down to where people have argued, and I was not here, like the gentleman, I was not here last year, I was in the private sector.

Mr. HAYWORTH. You were in the real world?

Mr. BENTSEN. As opposed to the unreal world, yes, whatever we determine that is. But I was watching what was going on up here. Last year we were saying that we didn't want block grants. Last year we were saying we didn't want midnight basketball.

Now we turn around and we do this. Mr. Speaker, I have a disagreement with that structure of the block grants. I have people who come back, some people from your party, who come around and say ''Well, Mr. BENTSEN supports midnight basketball.'' That is not exactly accurate, because the bill as it is drafted would allow it.

I disagreed with that, so I bring that up as a matter of debate, that some of us do believe if we are going to fund things for police and that is what we want to do, that is an issue of debate, but I would say some in your party, political operatives, et cetera, would come back and accuse people such as myself, to say that I am for something when in fact I am making the point that I'm not.

Mr. HAYWORTH. I appreciate the gentleman from Texas and his point of view, and in fact welcome him to this special order, as we did the gentleman from Wisconsin preceding him.

If the intent is to decry the theatrics and the hyperbole of politics, let me assure the gentleman from Texas that certainly those of us involved in the campaign in 1994 were subjected to the same unfair scare tactics, and I guess it is a simple situation that what is good for the goose is good for the gander, but I think it is only a small part of the larger questions that delivered the mandate on November 8. I welcome the gentleman from Texas, who was elected November 8 as well.

But what we see nationwide is a concept of accountability and responsibility, while at the same time we move to ensure constitutional rights and establish this new dialog with the American public.

Mr. KINGSTON. If the gentleman will continue to yield, I think it is important to remember that this bill takes the power away from Washington bureaucrats, and it puts it back in the hands of the Houston police department and the folks in Atlanta and Savannah and Brunswick and Statesboro and Waycross that I represent, where I were committed, or people in the sheltered Washington, DC world.

I know the gentleman will agree with us, that the decisions are better made locally.

Mr. HAYWORTH. I think we are all in agreement that it is marvelous to have this time together, even under the guise of a special order, to actually engage in this meaningful, I believe, debate, because I believe this Nation is better for it.

To be certain, we may be of two minds, we may be of 435 minds in this august Chamber, as to how to redress the problems of our society, but it is helpful to have a chance to represent our districts.

☐ 2010

Mr. KINGSTON. There is another important subject that is in the contract, and that is term limits. I know the State of Texas, the legislature only meets every other year, and that generally you are in the real world as a result of that. In the State of Georgia, we meet 40 days a year, but the representatives on the State level and the county commission and so forth are generally not full-time. They are involved in making an honest living in the real world, and one of the things that we need in Congress is more people like you who have been in the real world, more people who have a frame of reference of business, of education, of being a police officer, and so forth. We need to have that element to get away from the professional politicians.

One of the things the Contract With America calls for is an involvement on term limits.

Mr. BENTSEN. If the gentleman will yield.

Mr. HAYWORTH. I will be happy to yield. I know our time is almost up. I know you are here to be part of a special order, in keeping with the spirit of this open time, if you just have a question.

Mr. BENTSEN. I thank the gentleman for yielding and his courtesy.

One quick question: Does the contract, or would you support retroactive term limits? Because as newer Members, I think that without retroactivity, and the city of Houston has retroactive term limits, by the way, because the voters passed that, without that that puts the newer Members at an uneven keel compared to the Members who have been here for a while.

Mr. HAYWORTH. That is a very interesting question. During the course of this debate as we continue along, certainly that amendment may come at that time, he said, ''Son, I didn't do a very good job of raising you.'' Of course, he had been here again for 26 years, but I am a strong proponent of term limits, and I hope that both sides, as you feel strongly about term limits apparently, that we will gather the 290 votes that we need to pass this part of the Contract With America, because the American people throughout every poll that I have seen for the last year and a half, and I used to be in the North Carolina General Assembly; I served for 10 years; the people of America want the right to see term limits come to the Congress of the United States.

I hope that both sides in a bipartisan way will come together and work together to get the 290 votes, because we apparently right now, the gentleman from Arizona, it is my understanding we are anywhere from 30 to 40 short.

BLACK HISTORY MONTH

The SPEAKER pro tempore (Mr. NEY). Under the Speaker's announced policy of January 4, 1995, the gentleman from New Jersey [Mr. PAYNE] is recognized for 60 minutes as the designee of the minority leader.

Mr. PAYNE of New Jersey. Mr. Speaker, thank you very much for giving us this opportunity to speak this evening. I would like to thank my colleagues who are here for taking time in their busy schedule to join us, join us in this special order.

First of all, let me acknowledge the true sponsor of the special orders during Black History Month, the gentleman from Ohio [Mr. STOKES], from Cleveland. The gentleman from Ohio [Mr. STOKES] for a number of years has taken time out in special orders, and although he is currently in committee where he is conducting some very important business, he will be here at the first opportunity that he gets.

As you know, the Stokes family really rewrote history in the middle 1960's when Carl Stokes became the first African-American to become elected to a major city, and it sort of set the trend and the tone through the 1960's, and up to the current time where we have close to 9,000 African-American elected officials. But it was Carl Stokes, led by LOUIS STOKES, who was able to finally break through and to be a real hero. He is currently serving as United States Ambassador, and we are very pleased at his great achievement, a judge recently also.

to pause and remember the dreams and visions of these three men as well as thousands of other African-Americans, men and women, who championed the cause for freedom through vigilance and aggressive action.

I would like to take a few minutes to honor an individual out of these three that I will talk about for a few moments. Frederick Douglass is one of the three that we are reflecting on and others in our history, but Frederick Douglass was an accomplished author, he was a journalist, he was a statesman, he was an orator, he was a publisher, he was a Presidential adviser, he was fluent in many languages, he was an abolitionist, he was an activist for women's rights, he was an internationally celebrated leader.

Born into slavery, he was self-educated. Frederick Douglass was being taught by his slaveowner's wife, Mrs. Old, who had a young son and taught both Frederick Douglass and the young son to read at the same time. When the slavemaster heard what was occurring, he demanded that his wife stop teaching Frederick Douglass how to read and said that a slave is no good if he is educated.

Frederick Douglass though, being creative as an 8- or 9-year-old, found several neighborhood young boys who could read. They were not African-American youngsters. They were poor youngsters, but he was able to strike a deal with them that he would give them food that he would slip out of the house if they would teach him how to read. So Frederick Douglass continued to learn how to read and really moved into being one of the most outstanding men this Nation has ever had.

Abraham Lincoln, a contemporary of Douglass, once referred to him as the most meritorious man of the 19th century. Frederick Douglass became a spokesman for the abolitionist movement. He also, in 1848, decided that he would attend the Seneca, NY, conference on women where he was one that pushed women's rights, one of the first men in the Nation to speak out for women's rights. He was in full support of the Declaration of Rights and Sentiments which demanded equal suffrage for women.

In 1848, he became the editor and publisher of the North Star, which was a newspaper that was the truth squad of the Nation, and he went out defending the rights of women, defending the rights of the abolitionists who had a forum and a platform.

As I sort of conclude on Frederick Douglass, he directed his talents to the abolitionist movement. It was Fred- War.

At that time slaves were supporting the Confederacy. They were doing work that made the Confederacy strong, and what happened was that when the Emancipation Proclamation occurred, not only did Frederick Douglass encourage Lincoln to do that, but he encouraged Lincoln to allow freed slaves to fight in the Civil War, and two of Douglass' sons, Louis and Charles, were among the first to enlist in the 54th Massachusetts Volunteers. I think that was something that we saw in the movie ''Glory.''

It was Frederick Douglass who told Lincoln and urged him to use these freed slaves, because these slaves then fought for their freedom. There were over 180,000 African-Americans who fought in the Civil War, and at that time, the Civil War was at a stalemate, and it was the infusion of the African-Americans into the Civil War that tipped, totally tipped, the scale towards the North, and in the Navy there were 30 percent of the persons in the Navy at that time in the Civil War that were African-Americans.

And so we saw that Frederick Douglass was a real hero. He became a U.S. marshal in 1872. He became the Registrar of Deeds and Mortgages for the District of Columbia in 1881, and the Counsel General to Haiti in 1889.

He also said that he was not going to abide by a white-only covenant in housing, and he purchased a home in Cedar Hill here in Anacostia.

☐ 2020

He was a person who had the first Colored Person's Day, which was held at the 1883 World Columbian Exposition. The World Columbian Exposition was celebrating the 400th anniversary of the discovery of the New World. At that particular meeting that was held on August 25, 1893, over 2,000 people came, mostly African-Americans. That was a time when Frederick Douglass was being interrupted by white hecklers. That is when he finally become annoyed and angry at his tormentors, and he gave the speech. Once again, the old lion roared:

> Men talk of the Negro problem. There is no Negro problem. The problem is whether American people have loyalty enough, honor enough, patriotism enough to live up to the Constitution. We Negroes love our country. We fought for it. We ask only that we be treated as well as those who fought against it.

At that great first African-American Day on August 25, 1893, Paul Lawrence Dunbar was at that meeting, Ida B. Wells was there, James Weldon Johnson was there. Many of the African-

So, as we talk about Douglass, as we talk about the debate between Du Bois and Booker T. Washington, we needed both. It was a great debate as to which way should we go. The majority people made those two great heroes conflict with each other, but we needed both Booker T. Washington, who said you should train and learn and stand in rural areas and have trades and be farmers, and then you will earn your respect. Du Bois, who was tired of lynching, went on the 1909 Niagara convention where the NAACP was founded, and he said, ''We should be scientists, and they could help the rest.'' So we needed both, we needed Washington and we needed Du Bois. We saw in the 1960's the same argument whether it should be Malcolm or Martin. That was a time when both were necessary.

Mr. Speaker, thank you for giving me the opportunity to speak this evening. I want to thank my fellow colleagues who have taken time from their busy schedules to join us for this special order. We take pride in the opportunity to highlight our heritage and honor the many African-Americans who have contributed so much to this great Nation.

The 1995 National Black History Month theme, ''Reflections of 1895—Douglass, DuBois, and Washington,'' marks a milestone in the life struggle of Black America. It causes us to pause and remember the dream and visions of these three men, as well as thousands of other African-American men and women who championed the cause for freedom through vigilant and aggressive action.

I would like to take a few minutes to honor an individual who was probably the foremost voice in the abolitionist movement of the 19th century. Frederick Douglass was an accomplished author, journalist, statesman, orator, publisher, Presidential adviser, multilingual, activist in women's rights, and an international celebrated leader.

W.E.B. DuBois and Booker T. Washington had the same inspiring effect on their listeners. These two men had completely different approaches, but the same determination and commitment to solving the same problem—freedom and better quality of life for African-Americans.

Washington was an advocate for industrial education and vocational training for Southern blacks, and founded Tuskegee Institute. He believed that blacks should remain in the rural areas and work the land, rather than migrate to the city.

DuBois was displeased with the compromising attitude of Washington and advocated that blacks study many different disciplines. DuBois began to speak out on civil rights for African-Americans through the Niagara Movement, which became the NAACP.

What these three great leaders advocated then, still applies today. Many problems continue in our communities, tarnishing the ideal

covering and celebrating our history so that we can begin a new era of healing and hope.

So, as I yield to the gentleman, who I will ask to, temporarily for me as I go back to the committee, handle the proceedings until I or Mr. LOUIS STOKES returns, I yield to the gentleman from Louisiana, Representative FIELDS.

Mr. FIELDS of Louisiana. I thank the gentleman from New Jersey.

Let me commend the gentleman from New Jersey for calling this special order tonight and also commend the gentleman for being a chairman, and a very good chairman, I may add, of the Congressional Black Caucus, because he indeed will go down in history today.

Mr. Speaker, I yield to the gentleman from Texas [Mr. BENTSEN].

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

Mr. BENTSEN. I thank the gentleman for yielding.

Mr. Speaker, I rise to join our Nation in celebrating Black History Month. The theme of this year's special order observance is ''Reflections on 1895: Douglas, DuBois, Washington.'' However, I would also like to take this opportunity to highlight and pay tribute to the vast accomplishments and contributions of African-Americans in all facets of our Nation's history.

In particular, I want to recognize and pay tribute to the late John Wesley Peavy, Sr., and the late Judson Robinson, Jr. They are not household names and you may never find them mentioned among the great African-Americans of our time. However, in Texas, especially in Houston, these two men were in the forefront of the civil rights movement at a time when such activities were much less accepted than they are today.

The late Mr. John Wesley Peavy, Sr., a labor and civic leader in Houston, was born November 22, 1906, in Bethel Grove, TX. He received many accolades and awards during his lifetime, and was recognized locally in Houston and nationally as a political leader. Under President Roosevelt, he was appointed political action chairman of the AFL-CIO. The late Mr. Peavy served as precinct judge and executive committee chairman for precinct 48 in Houston's fifth ward from 1942 to 1994. As the chair of the Democratic executive committee I had the great honor of working with him. He was an original member of Houston's NAACP chapter. He was the first African-American Texas elector in this century and the first black Texan to attend a State Democratic Convention.

and cared about the city of Houston and worked to make it a better place to live. His deeds were appreciated by the residents, and the love he had for the community was reciprocated by them in their efforts.

That is why today, if you are traveling to Houston going to the ship channel, there is a possibility that you will travel on John Wesley Peavy, Sr. Drive to get there.

Additionally, if you traveled down Market Street in Houston, there is a good chance you may pass the J.W. Peavy Senior Citizens Center. These and many other honors were awarded to the late John Peavy by the residents of Houston for his tireless efforts in devoting over 50 years of community service and making a difference. I might also add that among Mr. Peavy's children is the Honorable John Peavy, Jr., a former Harris County district judge and recently elected member of the Houston City Council. Mr. Peavy has left us a living legacy in his son, Councilman Peavy.

The second person that I am going to pay tribute to is the late Judson W. Robinson, Jr. The late Mr. Robinson was a distinguished graduate of Houston's Jack Yates High School, where he was active in football, debate, and drama. After completing college at Fisk University, he returned to Houston where he joined the family real estate business and began devoting himself to breaking barriers and expanding opportunity for African-Americans in the business arena.

Mr. Robinson's commitment to the Pleasantville community, which is on the east side of Houston, ignited his flame of political involvement. He was elected president of the Pleasantville Civic Club and later became precinct judge of precinct 259. In 1971, he became the first African-American elected to the Houston City Council and held a councilman-at-large position for five terms. Additionally, Mr. Robinson was nominated and unanimously confirmed by his city council colleagues as a mayor pro tem, a position he held until his death.

Mr. Robinson promoted educational and enrichment opportunities for youth. The late Mr. Robinson was an exemplary public servant and an advocate for racial equality, and served as a role model for all children in the Houston community. Like Judge Peavy, Sr., Mr. Judson Robinson left a living legacy in his son Councilman Judson W. Robinson III.

Judson Robinson, Jr.'s years of public service left its mark on Judson III and thus he decided to run for city

tion in the legacy of many black Americans before them. This endless honor roll includes the late Supreme Court Justice, Thurgood Marshall; some compelling speakers and leaders like Sojourner Truth; educators and intellectuals like Mary McLead Bethune and W.E.B. DuBois; and giants of the civil rights movement like Rosa Parks and Dr. Martin Luther King, Jr., and other great Houstonians such as Mickey Leland and Barbara Jordan.

The people I just named contributed substantially to the history of this country. However, we should not forget those less prominent who worked just as hard to open the doors of opportunity for all Americans, let's not forget the John W. Peavy, Sr.'s and the Judson Robinson, Jr.'s of the world.

☐ 2030

Mr. FIELDS of Louisiana. Mr. Speaker, I thank the gentleman from Texas for his dissertation.

I yield to the distinguished gentleman from Alabama [Mr. HILLIARD].

Mr. HILLIARD. Thank you, Mr. Speaker, and let me thank my colleague, the gentleman from Louisiana [Mr. FIELDS], for getting us together on a magnificent program. But before the gentleman from Texas [Mr. BENTSEN] goes, I would like to say to him that I had a very wonderful opportunity of getting to know Mr. John W. Peavy, Sr., and I met him through his son. His son and I were classmates at Howard University School of Law, and we graduated in 1967, and I was there to celebrate his victory when he became, I believe, the first judge in the State, the first African-American judge elected in the State of Texas. That was a wonderful honor that the people bestowed upon him, but he has the ability, he has the tenacity, and it was well deserved for him, and I am very happy that the gentleman had an opportunity to get to know such a magnificent individual as John Wesley Peavy, Sr., and I am also happy that he had an opportunity, and my colleague has an opportunity, to interact with his son, John Peavy, Jr., and I would like to say that I was elated to learn that he has won a seat on the city council in Houston. I am certain that he will do a fantastic job, and, as the gentleman said, he is carrying on in the footsteps of his father. It is a beautiful legacy, it is a lovely story, and it is one that should be told over and over again, and I say to the gentleman, ''The next time you see him, please give him my regards. Thank you very much.''

Mr. Speaker, today I rise also in observing Black History Month, and I

University Institute while working as a janitor, and as a janitor he got to know the instructors there, he got to know the students there, and he built on that, and later he moved to Alabama, and he believed truly in education. So in 1881 he founded Tuskegee Institute, and, as a result of his belief in education, he trained since that time more than a hundred thousand students who have passed through Tuskegee University, and once again he set the stage for them to have an opportunity to be educated. This man, with limited financial resources, began Tuskegee Institute with only 40 students. He did not see the lack of finances, nor the lack of students, as an inopportunity, but he saw it as an opportunity to move forward and to take care of the business of educating the Negro.

Tuskegee was founded in a dilapidated shanty near the Negro Methodist Church of Tuskegee, and it was a very small shotgun house, but it has grown now to over 80 buildings and is a magnificent institution. I have the honor and pleasure of serving as one of the trustees of that famed university. I would like to say that by the time of Booker T. Washington's death in 1915, Tuskegee Institute had grown to an enrollment of over 2,000 students, and it had accumulated a yearly budget in the millions of dollars.

However more important than the intellectual legacy that Booker T. Washington was known for, he was known for his use of words, and one phrase still stands before us, and it is one that we all remember. He said, ''There are two ways of exerting one's strength. One is pushing down, and the other is pulling up.'' And I would like to say to all Americans today that it is time that we all began pulling up. In a time when African-Americans were not educated, this African-American stepped forth. He took a challenge, and he performed as a pioneer, magnificently.

In 1860, the Civil War was fought, it was won, and in 1960 the civil rights struggle was fought, and it was won, and I would like to think that education made the difference, and because Booker T. Washington, through the famed Tuskegee Institute, helped educate hundreds of thousands of African-Americans, the civil rights struggle did not have the casualties that the Civil War had, and it was because of Booker T. Washington.

In 1895 African-Americans fought to make sure that all the rights that had been won by the Civil War would not be undone. In 1995, we still have that struggle. We will struggle now to make sure that all the affirmative rights a leader for yesterday and one whose legacy I share today.

Mr. FIELDS of Louisiana. Mr. Speaker, I thank the gentleman from Alabama [Mr. HILLIARD] for his moment in black history and tell the gentleman he himself will go down as a moment in black history, not only today, but in the future as well.

GENERAL LEAVE

Mr. FIELDS of Louisiana. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks on the subject of this special order tonight.

The SPEAKER pro tempore (Mr. NEY). Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. FIELDS of Louisiana. Mr. Speaker, I yield to the gentleman from South Carolina [Mr. CLYBURN] to give us his moment in black history.

☐ 2040

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

Mr. CLYBURN. Mr. Speaker, as I rise today in honor of Black History Month, I rise to look back on the history of a proud people, who despite seemingly insurmountable odds, made a way out of no way, and made their indelible mark on American history and culture. The names are familiar to us: Frederick Douglass, the great abolitionist; George Washington Carver, the brilliant scientist and inventor; Harriet Tubman, a feisty former slave who led hundreds of slaves to freedom; Booker T. Washington; W.E.B. DuBois, and hundreds, yes, thousands of others. There are some more recent names, of course: The great civil rights leader and Noble Prize winner, Dr. Martin Luther King, Jr., and many others during his period. And today, in my native State of South Carolina, Judge Matthew Perry, Judge Ernest Finney; and civil rights activists Septima Clark and Majestica Simkins. All of these have made significant contributions toward the development of African-Americans in our great Nation.

I would like to pause here at the mention of these illustrative South Carolina trail blazers, because I would like to talk for a few minutes about South Carolina history; to be more specific, a particular timeframe in South Carolina history.

The period is 1868 to 1878, that brief time just after the Civil War, during which black South Carolinians held Federal and State public offices in numbers approximately close to their

Let me set the scene for you. The time is 1868, just a few years after the Civil War. The Black Code, a set of State laws restricting the rights of newly freed slaves, had been deemed null and void 2 years earlier in 1866. A year later, in 1867, blacks in South Carolina registered to vote. In 1868, South Carolina adopted a new State constitution which among other things provided for equal rights for Negroes, abolished property qualifications for holding office, and established a free public school system. And I might add, Mr. Speaker, the general assembly that gave us all of that was two-thirds black.

In 1873, the State university opened to blacks. A black man, Pennsylvanian Jonathan Jasper Wright, sat on the South Carolina Supreme Court from 1870 to 1877. Blacks served in the State legislature, including Francis L. Cardoza, a Charleston, SC-born educator, who served as Secretary of State and State treasurer, and later served here in Washington, DC as principals of various DC schools. In fact, today one of those schools, Cardoza High School, bears his name.

South Carolina had its share of black representatives in Congress, the first one being Joseph H. Rainey, and then George Washington Murray, who served from 1893 to 1895, and again from 1896 to 1897. Murray was the last black Congressman to serve the State before I was elected in 1992, 95 years later.

Why did it take so long to elect another black representative? What happened in South Carolina and other places throughout the country just after Reconstruction?

Here is where parallels can be drawn between then and now. South Carolina's political climate shifted, along with its economic climate, in the 1870's. Cotton was no longer king. Industrial technology had yet to make its big debut in the South. And both blacks and whites were going hungry as a result. Enter into this unstable economy the likes of ''Pitchford Ben'' Tillman, who became Governor of South Carolina in 1890, and later a U.S. Senator in 1894. By playing on the fears of hungry and angry white farmers, who, looking for a scapegoat for their plight, immediately pointed the finger at what they called uppity free blacks.

Tillman was successful in revising the State constitution, and by 1895, almost all blacks were disenfranchised and a rigid policy of racial segregation was developed that would last until the civil rights movement of the 1960's.

Now, let us draw some parallels to what is happening today. Let us look

of the Nation's budget woes on everything from welfare mothers to affirmative action, to crime prevention programs.

As I watch the witch hunt on African-American office holders and potential political appointees that we are experiencing today, as I hear the lopsided debates for abolishing affirmative action, as I see the legal maneuvers involved in countering what some have labeled bizarre-shaped congressional districts, I cannot help but wonder in which direction are we headed?

Mr. Speaker, I close by saying as I used to say to my students when I taught in the Charleston, SC public schools, if a thing has happened before, it can happen again.

As I close, I want to say in this current political climate, I want to applaud all of the black Americans who were pioneers, as well as those here this evening carrying on their legacy. I want to applaud all of our fellow white Americans who understand this history, who know what it means, and who are working with us to make sure that the clock is not turned back, to make sure that we do not repeat that period of our history, and I want to say to all of them, good luck and Godspeed, and I know what the apprehensions are.

Mr. FIELDS of Louisiana. Mr. Speaker, I want to thank the gentleman from South Carolina for adding to this special order tonight, and also want to thank the gentleman for bringing more insight as it relates to the State of South Carolina and its participation and contribution to black history.

Mr. Speaker, I yield to the great gentleman from California [Mr. FILNER].

Mr. FILNER. Mr. Speaker, I thank the gentleman and thank the members of the Black Caucus for organizing this very special special order.

Mr. Speaker, I rise today to participate in this historic celebration we have appropriately named Black History Month. Black History Month is a time of reflection and a time to gain insight from the past and to help our continual striving for equality for all.

Today, Mr. Speaker, I want to underline the importance of the continued fight for freedom for Africa-Americans, because that fight is in reality a fight for freedom for all Americans. It is a fight that has seen many victories and overcome many obstacles, only to be faced with more challenges.

In Germany during the 1940's repression was called fascism. In the 1960's, during the civil rights movement, we called it racism. Now in the 1990's, repression has a new face. We do not have Navy's elite Blue Angles; Miss Regina Petty, the first African-American ever to be named president of the San Diego County Bary Association; the Montford Point Marine Association, the Historic African-American Marine fighting force from World War II; Bethel African Methodist Episcopal Church, the oldest African-American Church in San Diego County; the Neighborhood House, an organization that originated the Head Start Program in San Diego; the San Diego Urban League, an organization that has served as a leader, mentor and an instructor for the African-American community. The list goes on and on.

These individuals and organizations have served as role models not only for the African-American community, but for all residents in the San Diego area, and I am honored to serve as a representative of these outstanding Americans and organizations.

But, Mr. Speaker, if we are not forceful in our efforts to combat racism, we will destroy these achievements in the legacy of the civil rights movement and thrust our country backward into hostility and animosity. We know, of course, due to these celebrations, the name of African-American heroes, W.E.B. DuBois, Frederick Douglas, George Washington Carver, Dr. Martin Luther King, Jr., Rosa Parks, Fannie Lou Hamer, Thurgood Marshall, and many, many others who dedicated their lives to the fight for equality and justice.

But even as we celebrate the progress African-Americans have made in our lifetime, we cannot become comfortable with what has been achieved. The torch must be passed to each generation and the responsibility to continue the fight rests on our shoulders. Yes, we must reflect on the past as we are doing tonight, but, more importantly, we must organize and work in the present and plan for the future.

As we go through the new majority's 100 days, we need to understand that today's actions have consequences for our Nation. We must work together to ensure that our policies are based on hope, optimism, equality and justice.

So I stand to honor African-Americans for their culture and achievements on this occasion tonight, but let us never forget we are all writing the next chapter in this important history. Let us make sure that our chapter is read by our children with price.

Mr. FIELDS of Louisiana. Mr. Speaker, I thank the gentleman from California for adding to this particular special order, and particularly talking about those African-Americans in the State gentleman from New Jersey, the gentleman from Ohio, for taking this special order to reflect upon the great contributions that African-Americans have made to our society.

One of my constituents, Mrs. Daisy Bates of Little Rock, deserves special recognition, not only for her courageous and inspiring role in encouraging and supporting the nine African-American students who enrolled in Central High School in 1957, but also for a lifetime of advancing the cause of racial justice.

Mr. Speaker, the gentleman from Louisiana and I had the privilege just a few short months ago of visiting in Mrs. Bates' home, and I am glad to report that she is doing well and in great spirits, as always.

I had the privilege, as president of the University of Arkansas, to write the forward to her book, the Long Shadow of Little Rock, which was reprinted by the University of Arkansas Press in 1986. In that foreword I wrote:

> During a critical period in the history of our state, Daisy Bates charged into the heart of a gathering storm of intolerance and prejudice, armed only with principles of justice, of reason, of compassion, and of tolerance. Her leadership, her vision, and her courage have lifted all of us to a clearer understanding of the dignity and ultimate value of the human spirit. This book should be read by all who celebrate those virtues.

Mr. Speaker, I am also very proud that the University of Arkansas, long before the decision, the United States court decision in Brown against Board of Education, became the first Southern state to voluntarily admit African-American students to previously segregated programs in law and in medicine.

Silas Hunt, Wylie Branton, and Dr. Morris Jackson were among those first students admitted in 1948, and no chronicle of Arkansas history would be complete without giving recognition to our own son, John H. Johnson, who, with $500 of borrowed money loaned by his mother, founded Johnson Publishing Company, Incorporated, the publisher of Ebony Magazine, and a host of related enterprises.

How complete would our literature be today without the contributions of Arkansas' own Maya Angelou, whose childhood in Stamps, Arkansas, caused the formation of her beautiful poetic spirit?

Mr. Speaker, African-Americans from Arkansas have not only led in business successes and the cause of education. Many were pioneers in the years before 1952 and the struggle for voting rights.

kansas long before the nationwide civil rights achievements of the 1960s.

Mr. Speaker, I ask that Mr. Kirk's article, ''Dr. J.M. Robinson, the Arkansas Negro Democratic Association and Black Politics in Little Rock, Arkansas, 1928 to 1952,'' be made part of the RECORD at this point.

The article referred to follows:

DR. J.M. ROBINSON, THE ARKANSAS NEGRO DEMOCRATIC ASSOCIATION AND BLACK POLITICS IN LITTLE ROCK, ARKANSAS, 1928–1952

[By John Kirk]

[After the 1944 elections] the activities of Dr. Robinson and ANDA seemed to wane for some time. Other factors and players now began to come into the equation. In 1940, at Stamps, Arkansas, the Committee On Negro Organizations (CNO) led by Pine Bluff Attorney W.H. Flowers was formed. This movement had the stated aim of seeking the ''endorsement of its program by Negro church, civic, fraternal, and social organizations.'' It formed one of the most important black movements in the struggle for black political freedom of its time in Arkansas. By attempting to organize a coalition of the diverse black political, civic, religious and economic groupings and giving coordination and focus to their efforts in their various communities, the CNO pioneered the ethos of mass voting on a much more extensive scale and seems to have had some degree of success in its efforts.

Increasing the significance of black voter potential by promoting poll tax drives, the CNO built an ever-increasing reservoir of black political power. In later elections this would provide an already established electorate upon which to build a black political power base. Even though blacks were deprived of the vote at the time, these drives evidenced a genuine political interest in the black community and meant that larger numbers of qualified voters were now being deprived of their say via the Democratic primaries. In turn, as the rhetoric of ''democracy'' grew throughout the war years, there was more and more pressure for change on those who were denying black voters their full suffrage rights.

In Little Rock, voting blocks organized by different community leaders, like the East End Civil League under the guidance of Jeffrey Hawkins, for example, began to have an impact on city elections. The double primary system, which had been used to prevent blacks from voting after the *Smith v. Allwright* decision proved to be both expensive and an administrative nightmare and had been grinding to a halt ever since its installment in 1945. Statewide blacks began voting in Democratic primaries again. Pulaski County, however, financed separate primaries to the bitter end, which came in 1947, when the General Assembly repealed the law which had established them. Thus, although not officially sanctioned (since blacks still could not be members of the Democratic Party and so technically could not vote), blacks did begin voting in Little Rock's Democratic primaries again in 1948. With local black groups encouraging citizens to pay the poll tax and providing voter education and information, the black vote bested: ''Arkansas Negro Democrats don't want any Wallace stuff or their party stuff.'' he said. Dr. Robinson gave his continued support, endorsing ''the Democratic administration tooth and toe-nail,'' in particular the Free Employment Practices Commission (FEPC) in government jobs and the anti-lynching law. At the same time, however, he expressed indifference to the anti-poll tax law (''We believe that individuals will buy poll taxes and vote, if they have sufficient interest in elections'') and was set against ''civil disobedience'' espoused by some black leaders nationally.

Just as Dr. Robinson had been innovative in his day, starting a new movement and leading black politics in a new direction, now new circumstances were overtaking his organization. With the political currency of mass voting by blacks rising in value, Dr. Robinson found his one-man leadership threatened. The organization and following he had built now could have significant political leverage but only with a ''new style'' black politician, attuned to the possibilities of mass voting and the potential for advancement which it held.

In November of 1949 a new group called the Young Negro Democratic Association was formed, with I. S. McClinton as its president. In May of 1950, blacks representing political interests in all of Arkansas's seventy-five counties met in North Little Rock, apparently to discuss voting in the Democratic primaries of that year. Dr. Robinson was not informed of the meeting, although he attended. An associate of his at this meeting demanded to know why Dr. Robinson had not been consulted. Harry Bass, then secretary of the Urban League, replied that in the job at hand it did not matter ''who called the meeting or who the officers were.'' Dr. Robinson tried to smooth matters over by taking the floor and declaring that he had been ''mighty angry'' when he had first learned of the meeting, but after matters had been explained to him, he realized that the meeting had been organized ''in good faith.'' In a conciliatory tone he added, ''I want this group to know that I am with you in this effort.''

Times were rapidly changing. The next political challenge was to be neither from Dr. Robinson, ANDA, nor the new style political leaders. It was the NAACP who finally managed to break the barrier into the Democratic Party structure. In May of 1950, the Reverend J. H. Gatlin, of the Metropolitan Baptist Church, announced his intention to become a candidate for Second Ward city alderman. To do so would mean standing in the Democratic city primaries. To do this would mean becoming a member of the Democratic Party. The immediate reaction from June Wooten, secretary of the County Committee, was to comment, ''I see no way under the rules of the State Committee that a Negro would qualify for a place on the State ballot.'' Black groups, including ANDA, fought shy of the attempt, with Dr. Robinson commenting that Gatlin was not part of his organization and ''cannot be identified as a Negro Democrat in Arkansas until he joins.'' The local chapter of the NAACP initially withheld its official sanction, even though it had held its monthly meeting at Gatlin's church the Sunday before.

Before Gatlin could run, the filing fee had to be paid to the secretary of the Pulaski prepared by the legal redress committee of the Little Rock NAACP, which was then sent out to the State Democratic Central Committee members, asking that they change the rules preventing blacks from being put on the Democratic ballot. In this letter Gatlin cited recent U.S. Supreme Court decisions as a precedent for his request. Although not mentioning the case specifically, Willis R. Smith, State Democratic Party chairman, called a special session meeting for the following Tuesday at the Hotel Marion in Little Rock.

At the meeting on June 13, it was ruled, after a protest by Roy Penix, committee member from Jonesboro, that only the State Democratic Convention and not just the Central Committee acting alone had the right to vote upon rule changes to the Party's constitution. June Wooten urged the members of the committee to think seriously about their actions since in light of recent court decisions she believed that Gatlin would, if the case came to court, win. As the meeting adjourned with the decision to put the matter to the convention in the fall (well after the primaries), Wooten half-heartedly joked, ''if I get in jail somebody bring me a case of Cokes.''

In response to the decision, L. C. Bates, chairman of the legal redress committee of the local NAACP, stated, ''we are calling our committee together immediately'' and that ''it will probably be a matter of hours before a suit is filed.'' The suit was duly filed, naming June P. Wooten and Willis R. Smith as defendants. Later that week, even though the rules of the Democratic Party remained unchanged, a black candidate was allowed on the Democratic primary ballot in Pine Bluff. Yet, in Little Rock, the gridlock remained.

On June 17, attorneys J.R. Booker of Little Rock and U. Simpson Tate of Dallas filed Gatlin's case with the United States District Court, together was a request for an injunction preventing the exclusion of Gatlin ''or any other person qualified * * * on account of race, color, religion, national origin or any other unconstitutional restriction'' from the Democratic Party city primaries. The case was based on the argument, stated often before, that primary elections in Arkansas were tantamount to election to office and therefore should be held to be public elections.

On July 5, 1950, Judge Thomas C. Trimble upheld this argument and ordered that Gatlin be placed on the Democratic primary ballot on July 25, basing his decision on an ''analogy'' with other similar recent decisions in the courts. He finally clarified in his decision that the primary election was ''an integral part of the state election system * * * tantamount to election at the general election'' and ruled: ''It is not sufficient that a citizen have a token exercise of his right and privilege [to vote].''

Mr. Gatlin was duly allowed to stand. The ludicrous situation now existed that blacks were permitted to stand for election under the Democratic banner, but still not allowed, technically, to vote in Democratic primaries or to be a member of the Democratic Party. Even for the die-hard Democrats this was a farce that could not be perpetuated for any

a ''furor,'' and he was forced to drop the suggestion. ''One man can only do so much at one time.'' Parish said.

The following day at the convention, the ''white electors'' only clause was removed from the party constitution. Governor Sid McMath in his closing speech said: ''I am proud, and I know you are proud * * * [that the convention] * * * has said the Negro citizen is entitled to rights and privileges of Party membership.'' The only real dissension came from Amis ''Gutheridge and his Pulaski County junta'' who had been the only delegation to cast a ''nay'' vote on the amendment to the party constitution. Gutheridge had told the party conference, ''Sid McMath is all right but is just a man of the moment. You are going to do something here today that you may have cause to regret for years to come.'' Gutheridge would return to center stage, as a man of a different moment, in not many years to come.

The NAACP financed victory, gaining the right for Gatlin to be placed on the ballot, did not succeed in isolation. Credit must be given to the McMath administration which had from the outset taken a principled stand on the race issue. Yet of more impact and significance were the efforts of local community politicians in registering blacks to vote, which undoubtedly gave evidence of a latent black interest in politics. Also significant were the blueprints for political organization and the previous court struggles which were a legacy of Dr. Robinson and ANDA. It was these efforts which provided important precedents and set a contemporary context in which the battle for participation in the Democratic Party structure was won.

Such networks of local support were vital in providing continued pressure on obstructionists and mandates for those how favored change. The NAACP had to rely upon such local groups for channeling its efforts and laying the groundwork within which it could maneuvre at the ''grass-roots'' level. It was, however, significant also that it was the NAACP which exerted the final pressure to allow full participation in the party. It had the advantage of a national network of support not embroiled in the local situation of political stalemate, and, perhaps more importantly, it also had the financial clout to sustain its protests through the courts which local organizations did not. Help like this was to become increasingly important in the years ahead.

While the NAACP fought the Gatlin case in the courts, political activity continued on the local level elsewhere. Dr. Robinson, perhaps in an attempt to adjust to the new demands on black politicians, had begun to organize more poll tax drives to boost mass voting in general elections. He began to stress getting ''every Negro'' to pay the poll tax to gain the vote in the various counties with greater emphasis than he had in the past. At the same time he pointedly expressed anger at the Young Negro Democrats for having ''nothing to do with the mother group'' after ''giving these persons our good blessings.''

On another occasion Dr. Robinson reacted angrily to the circulation of ''pink tickets,'' which were pre-marked ballots, distributed to black voters going into the polling place. Such a practice contravened the law. He be-

of the black vote as possible. While Dr. Robinson was making these statements, I. S. McClinton was continuing to expand the base of his rival group, the Young Negro Democrats, establishing chapters in more than ten counties and declaring that his organization was the ''only political organization in which a young man or woman has the chance to help direct the policy'' which affected the black community. In making an appeal to ''young people'' it seems he was clearly contrasting a new dynamic ''all out'' style of utilizing the political process on behalf of the black community, rather than an old style of relying on the ''good faith'' of the white Democratic Party. In the same meeting at which these statements were made, a committee of three was set up to investigate state and local candidates for office with a view to informing black voters about them, since voters had already begun to request such information. The committee consisted of Wiley Branton, Charles Bussey and McClinton himself.

Shortly after the fight by blacks to participate in Democratic politics was won, a fight which Dr. Robinson had himself long fought, he announced his decision to retire from politics. ''I am tired,'' he said and ''I have spent twenty-five years fighting for my people. I've done my work, I will ask the convention to name a younger man to the reins.'' His decision came after dissension from within ANDA ranks over Dr. Robinson's switch from favoring Sid McMath to Jack Holt in the governor's race.

However, the change in leadership seemed to have been brewing for a while. Dr. Robinson's philosophy of getting blacks into politics had been overtaken by a new, more aggressive stance, of asking what blacks could get out of politics by using their political leverage to make gains. New leaders also pushed to become fully integrated members of the Democratic Party Central Committee which they achieved for the first time under the governorship of Orval Faubus in 1954. The political climate was moving toward integration, to blacks becoming an integral, not separate, part of political and social affairs. Thus, in 1952, the *Arkansas State Press* concluded that ''the ANDA under Dr. Robinson has served well, but today, its usefulness is ended.''

Old ways cannot last forever and just as Dr. Robinson had taken the reins for advancement, now he had decided to relinquish them and move over for others to take his place. Yet advancement did not necessarily mean improvement. There were abuses. Undoubtedly a more focused and pragmatic use of politics could bring gains. However, the new freedoms could also lead to dissension and turn campaigning into a money-making racket so that, ''Every time a white candidate seeking a political office gives a Negro a campaign card and a 3 cent cigar, that Negro immediately becomes a leader of his people.''

In later years the *Arkansa State Press* would voice regret at the retirement of ''the dean of Negro politics, Dr. J. M. Robinson,'' claiming that since that time ''politics among Negroes has become just as rotten as it is among white people.'' The charge was that ''Negro politicians have found politics to be a lucrative item by bargaining off the

with the black community in return for certain ''expenses.'' Often these ''leaders'' could take money to campaign with, without holding any influence whatsoever. I. S. McClinton referred to the problem of ''two month politicians'' in later years, indicating that these corrupt practices continued for some time.

However, despite the phoney politicians, there were also genuine politicians who could exert genuine influence. Among these were the already mentioned Jeffery Hawkins and the East End Civic League, as well as I. S. McClinton, whose Arkansas Democratic Voters Association (ADVA) eventually appropriated the Democratic mantle from Dr. Robinson. Other groups like Charles Bussey's Veterans Good Government Association also successfully dabbled in politics.

These various groups were not necessarily antagonistic to one another, alliances and coalitions seem to have shifted continually. Since many of these politicians had their own sections and areas of interest, however, as in most political rivalries, competition and friction could exist. In spite of periodic divisions, however, by unifying black political action, these leaders could make white politicians more receptive to requests for amenities like parks, general community improvements and so on. Even, albeit in a limited sense, the barriers of segregation could be negotiated. By advocating ''block'' voting, black political strength could become more effective through being focused.

Following Dr. Robinson's retirement the black political scene became more complex and diverse than when he had been almost its sole voice in the state. The complexities and subtleties of the new black politics would lead to a jostling for position among these different organizations and leaders, with different groups having varying amounts of success in their endeavours.

Dr. Robinson's political career had included many other highlights aside from ANDA, including being invited to attend all functions of President Truman's inauguration, attending several Democratic party conferences, being elected as first vice chairman of the National Progressive Voters League and president of the Mid-Western Negro Democratic Association.

Even after retirement from politics he did not fade into obscurity. As he had always done, he worked for the continual betterment and improvement of the black community. In 1953 he was one of the first black doctors to be admitted to the Pulaski County Medical Society, along with Dr. O. B. White, Dr. G. W. Ish and Dr. Hugh Brown. As well as leading ANDA and being Little Rock's foremost black Democratic politician for many years, Dr. Robinson's career also included service in the Urban League, NAACP, YMCA, YWCA, Little Rock Chamber of Commerce, Community Chest Drives (he was awarded the Bronze ''Oscar'' in 1949), Bethel AME Church, and the Free Masons. He also once chaired the Negro division of the Arkansas Livestock Show.

He was a founder of the Baptist Memorial Hospital, helped organize the Pulaski County Medical, Dental and Pharmaceutical Association (of which he served as president five times), was a member of the National Medical Association, published in the national

is approaching fast.'' If Dr. Robinson had not actually led the black political cause into the modern era, then he, like Moses, had certainly begun to ''part the waters,'' laying the foundations upon which many leaders would continue to build.

That ANDA finally disappeared does not constitute a failure. On the contrary, it fully lived up to and finally went beyond the original intentions of its formation. Through ANDA Dr. Robinson had kept politics alive, providing a forum for black protest and expression, almost single-handedly, and sustaining the movement many times from his own pocket. An ethic of civic mindedness and a thirst for justice and political equality served to sustain one of the most important black political organizations of its time. Dr. Robinson was the quintessential community politician, not only leading from the front, but also lending a hand to better the day-to-day lives of those in the community.

In some small way, this article hopes to recognize Dr. Robinson as one of Pulaski County's leading politicians as well as give some insight and understanding of his career in the context of the black political struggle of the time in which it took place.

(Mr. Kirk won first place in the 1993 F. Hampton Roy History Awards Contest. He is a student at the University of Newcastle upon Tyne in England and is in Little Rock for a year doing research for his Ph.D. dissertation.)

Mr. FIELDS of Louisiana. Mr. Speaker, I want to thank the gentleman for participating in this special order tonight, and I thank the gentleman for giving me the opportunity to actually meet Ms. Daisy Bates, who is a constituent of his.

It was a pleasure to meet her, it was a pleasure to get an autographed book, and it is a pleasure to know that the gentleman played a vital role, along with the University of Arkansas, so I want to thank the gentleman.

The gentlewoman from Arkansas also reminds me of a gentleman from Louisiana who made a significant contribution to civil rights by the name of A.Z. Young, who opened up many doors for African-Americans in the State of Louisiana, and perhaps across the world.

Mr. Speaker, I yield to the distinguished gentleman from the State of Georgia [Mr. BISHOP].

Mr. BISHOP. Mr. Speaker, I thank my colleague for yielding to me.

Mr. Speaker, from its beginning nearly 50 years ago, Black History Month has helped enlighten the country about the true role played by African-Americans in the country's cultural, intellectual, and economic development. It has given millions of black citizens, particularly young people, a better sense of their heritage and a more hopeful vision for their own future and the future of the country. At a time when poverty, and drug abuse, and violence still plague our communities everywhere, His name was Henry Ossian Flipper. He was born into slavery in 1856 in Thomasville. His dream was to become an officer in the U.S. Army, and following the Civil War he set out to fulfill that dream.

In spite of the incredible obstacles, Henry Flipper succeeded in securing an appointment to West Point. In fact, he turned down the enormous sum of $5,000—about $75,000 in today's economy—offered by a white student for his academy nomination. Although he was to suffer abuse and ostracism during his years at West Point, he persevered and became the academy's first black graduate.

While serving with the 10th Cavalry in the West, he was falsely accused of embezzling commissary funds. And, although he was exonerated, he was nevertheless discharged from the Service.

Perhaps his success after that profound setback is the most inspirational part of his life. During the remaining years of his life, he was to serve as an inventor, surveyor, engineer, newspaper editor and author, a developer of the Alaskan Railway system, a special agent to the U.S. Justice Department, an assistant to the Secretary of the Interior, and a pioneer in the country's oil industry.

But Henry Flipper always considered himself, first and foremost, a soldier. He repeatedly appealed to Congress to clear his name. But was rejected. When he died, he was buried in an unmarked grave in Atlanta. His death certificate listed the one occupation he wished recorded: ''retired Army officer.''

It was not until 1977 that the Army formally reinstated him to honorable status. His body was reinterred amid full military honors and a 21-gun salute. Today, his statute is on the grounds of West Point.

His story is an inspiration to us today because he faced injustice and bigotry with courage, honor and dignity. By examining his life, we are taught the importance of hard work and determination. Through him, we know the value of education. His fight to regain his honor gives us a thirst for truth.

Mr. Speaker, it is fitting during Black History Month to reflect on the lives of great Americans like Henry Ossian Flipper of Thomasville, GA.

Mr. FIELDS of Louisiana. Mr. Speaker, I want to thank the gentleman from Georgia for adding to this special order, talking about the significance of African-Americans in the State of Georgia who have made a great contribution to this country.

Indeed, this is, as you know, Black History Month. I think it is fitting and proper that at every opportunity we get we should highlight the importance of African-Americans to this country.

Mr. Speaker, I rise today to commemorate Black History Month by paying tribute to the late Fanny Lou Hamer, who rose from a sharecropper on a Mississippi plantation to a prominent position as one of America's most distinguished human rights leaders.

Mrs. Hamer revolutionized the Mississippi Democratic party by helping to organize the Mississippi Freedom Democratic Party, which was established in 1964, to organize disenfranchised citizens.

The party's primary goal was to challenge the exclusion of African-Americans from the Mississippi Democratic party. Mrs. Hamer was a powerful orator, a courageous leader who led by example. She encouraged people to register and vote. In 1964 Mrs. Hamer ran for Congress on a Mississippi Freedom Democratic Party ticket.

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Because of the discriminatory practices of the Mississippi Democratic Party, Mrs. Hamer led the fight to challenge the seating of the delegates of the Mississippi Democratic Party at the 1964 Democratic National Convention in Atlantic City, NJ. Even though she was unsuccessful in this effort, the State Democratic Party eventually became a diverse party.

The most visible result of her struggle is the fact that an African-American is now serving as chairman of the Mississippi Democratic Party. In addition, Mississippi currently has more African-American elected officials than any other State in the Nation.

Even though Mrs. Hamer had little formal education, she always encouraged young people to obtain a good education. She was the recipient of honorary doctorate degrees from numerous colleges and universities across the country for her civil rights activism.

In the 103d Congress, I introduced a bill, which became law, that designated the post office in Ruleville, MS, in honor of Mrs. Hamer. Last Saturday, we dedicated the post office in her honor.

Last Saturday we dedicated the post office in her honor with over 700 people present.

It is ironic that with the assaults on affirmative action and the playing of the race card by many Members of this body that Fannie Lou, if she was here

thank the gentleman from Mississippi for his contribution tonight, particularly in talking about Fannie Lou Hamer, who is a person who was born and raised in Mississippi and one of her famous quotes, as the gentleman stated, was one that stuck with me and will stick with me for the rest of my life when she said, ''I am sick and tired of being sick and tired.'' I want the gentleman to know people like Fannie Lou Hamer; those words are all across the country.

I yield to the distinguished gentleman from Wisconsin [Mr. BARRETT], who walked in and who wishes to participate in the special order.

Mr. BARRETT of Wisconsin. Mr. Speaker, I want to compliment the gentleman from Louisiana for organizing tonight's special order.

Mr. Speaker, I commend my colleagues, Mr. LOUIS STOKES and Mr. DONALD PAYNE for reserving this special order to celebrate Black History Month, a tradition dating back to 1926 when Dr. Carter G. Woodson set aside time in February to honor the contributions and achievements of African-Americans.

The theme of this year's observance, ''Reflections on 1895: Douglas, DuBois, Washington,'' gives us an opportunity to honor three heroes from America's past. As we look back at the contributions Frederick Douglass, W.E.B. DuBois, and Booker T. Washington have made to our society, we can all find inspiration in the seemingly insurmountable odds they overcame to establish themselves as giants in American history.

I take pride in saluting these American heroes and in heralding their accomplishments this Black History Month.

While it is important to remember the achievements of the past, it is equally important to recognize African-Americans who are making a difference in their communities today.

Mr. Speaker, I am proud to stand before you today to salute an outstanding citizen who lives in my hometown of Milwaukee, Mr. James Cameron.

Mr. Cameron clearly understands the importance of preserving a thorough and accurate record of our past history for future generations of Americans.

In his book entitled ''A Time of Terror: A Survivor's Story'', Mr. Cameron recounts the lynching he survived 64 years ago. The rope was strung around his neck tight enough to leave burn marks as he dangled from a tree. He prayed, and in those last moments his prayer was answered. But, the memory has never faded.

collection teaches us about the events of our past to prevent history from repeating itself.

Now 80 years old, Mr. Cameron has led a rich life. He married, raised a family, and has dedicated much of his life's work to civil rights. I am certain that the people of Milwaukee will continue to benefit from his tireless efforts for years to come.

This month and every month, we should pay tribute to the many accomplishments of African-Americans of the past and to those outstanding citizens, like James Cameron, who are making history by their actions today.

Again, I thank Mr. STOKES and Mr. PAYNE for reserving this special order to honor heroes of America's past and those who are with us today.

Mr. FIELDS of Louisiana. I want to thank the gentleman from Wisconsin for participating in this special order and also bringing to the forefront those African-Americans in his own State who have made a significant contribution to this country.

Mr. Speaker, it gives me great pleasure to yield to the gentleman from Georgia, a person whom I have had and have a great deal of respect for and a person I have watched from afar from my own State of Louisiana and a person I have always viewed as a significant contributor to African-American history, because he, in fact, has always been on the front edge, the leading edge, the cutting edge of the civil rights movement, and I want to thank him today, because it is people like him who have opened up doors for people like me to be in this very House today. I want to thank the gentleman from Georgia [Mr. LEWIS], and I yield to the gentleman from Georgia.

Mr. LEWIS of Georgia. Mr. Speaker, I want to thank my colleague, the gentleman from Louisiana [Mr. FIELDS], for holding and organizing this special order, and I want to thank my friend and my colleague for those very kind words. Thank you for being my friend.

Mr. Speaker, It is time to pay tribute to those great men and women who have dedicated their lives to making sure that African-Americans are able to enjoy all of the rights and freedoms of this great Nation. It is also a time for us to reflect on the distance we have come as Americans and the distance we have yet to travel.

Since I have been in the Congress, I have made a special effort to encourage the preservation of black history. Earlier this month, I introduced a bill to establish a National African-American Museum in Washington, DC. the bill seeks the establishment of a national

uplift present and future generations of Americans. Our history is a precious resource. We should do all that we can to preserve it, and to ensure its accuracy by including the history of all Americans. I urge my colleagues to support this important legislation.

Today, I rise to remember three giants of American history. Frederick Douglass, Booker T. Washington, and W.E.B. DuBois provided visionary leadership for African-Americans in the 20th century. Their ideas have served as the intellectual and spiritual foundation for the black struggle in America. Their arguments for full social, political and economic rights provided the ammunition for African-Americans to overturn segregation and outlay discrimination.

Mr. Speaker, these men were men of great vision. I feel a tremendous sense of gratitude and humility to be able to stand on their shoulders.

As the great abolitionist, Frederick Douglass personally lobbied President Abraham Lincoln to abolish slavery. Douglass was easily the most influential African-American public figure of the 19th century. He preached that agitation and protest were the instruments of freedom for an oppressed people. Frederick Douglass planted the seeds of liberation and inspired generations to pursue social justice at all cost.

During his lifetime, Booker T. Washington was known to many as the Wizard of Tuskegee. An innovative and determined leader, Washington founded prestigious Tuskegee University in southern Alabama. Washington preached that social uplift would result from economic prosperity and independence. Washington sought a pragmatic approach to the betterment of the African-American people.

Though he was criticized by some for not being forceful enough in advocating political freedom for African-Americans, Booker T. Washington was a visionary whose philosophy guides us still as we seek economic empowerment. Indeed, Washington's views will continue to guide us as we move into the 21st century.

W.E.B. DuBois, the author of ''The Souls of Black Folk,'' can be considered the intellectual father of the American civil rights movement. A founding member of the National Association for the Advancement of Colored People, DuBois offered an uncompromising vision for political and social freedom. His writings helped to inspire the legal foundation of the NAACP that eventually led to the desegregation of public schools and facilities.

Mr. FIELDS of Louisiana. Mr. Speaker, again let me thank the gentleman from Georgia [Mr. LEWIS] because I know of the work that the gentleman has done across this country, with other great African-Americans, to secure the right to vote, to secure equal access to public housing, to public facilities and accommodations. I thank the gentleman because I know the gentleman has worked the highways and byways of this Nation. I also think of other great African-Americans, like Sojourner Truth, who was on a journey for the truth when she said, ''I hold this Constitution in my hand, and I look and look into this Constitution, but I see no rights for me.'' She died so that African-Americans could be in this Congress.

I want to thank Fanny Lou Hammer, who said, ''I am sick and tired of being sick and tired.'' I want to thank Rosa Lee Parks, who took a seat so we all could stand, take a stand. I also want to thank some of the great pioneers in my home State whose names will never be written in the history books. I want to thank A.Z. Young, who opened many doors for African-Americans in Louisiana. And also Annie Smart, Lillie B. Coleman, and Acie Belton, Leon Robinson and Ben Jeffers.

I also want to thank those great inventors. They have opened up so many doors and made life so much better for African-Americans. Every time I wake up in the morning and I put on a pair of shoes, I say, ''Thank you, black America,'' because a black man named Jan Matziger invented the shoes. Every time I get in my automobile and I touch the brakes, I say, ''Thank you,'' in tribute to black America, because a black man by the name of Granville T. Woods invented the air brakes. And I want the gentleman to know that every time I stop at a traffic light, I say, ''Thank you, black America,'' because a black man by the name of Gray Morgan invented the traffic light. And if I ever run a traffic light and get into an accident and need some blood, I am going to say, ''Thank you, black America,'' because a black American named Charles Drew invented the process for preserving blood.

If the doctors ever tell me I need open heart surgery, I am going to say, ''Thank you, black America,'' because a black man by the name of Daniel Hale Williams was the first to perform open heart surgery.

And further, I wanted to mention to the gentleman that every time I stick my spoon or knife in a jar of peanut butter, I always say, ''Thank you, out the first design for the clock.

So I just want to thank those African-Americans. But in particular I want to thank the gentleman from Georgia because as a young man in this Congress and as the youngest black American in this Congress, I am smart enough to know that I would not be here today but for Members like the gentleman from Georgia.

So I say, ''Thank you, gentlemen.''

Mr. LEWIS of Georgia. I want to thank the gentleman, my colleague and friend from the great State of Louisiana, for those words. The gentleman is so right that countless, nameless individuals whose names will never appear in a newspaper or a magazine, their faces will never appear on television, African-Americans who made outstanding, unbelievable contributions that we must never forget.

I thank my friend.

Mr. STOKES. Mr. Speaker, I want to express my appreciation to my colleagues who are joining me in the House Chamber this evening for our special order in observance of Black History Month. We take special pride in this opportunity to highlight and pay tribute to notable African-Americans who have contributed so much to this great Nation. I am pleased to also recognize the distinguished chairman of the Congressional Black Caucus, the gentleman from New Jersey [DON PAYNE] who joins me in sponsoring the special order.

I want to share with my colleagues and the Nation some pertinent information regarding our celebration of black history. It was in 1926 that the late Dr. Carter G. Woodson initiated the observance of Negro History Week. He set aside 1 week in February to recognize the contributions of African-Americans to the building and shaping of our Nation. Dr. Woodson, a noted historian, understood that black Americans were not receiving recognition in history for their vast contributions. He hoped that through this special observance, black Americans and, indeed, all Americans, would gain a greater understanding and appreciation of these contributions.

In 1972, the association for the study of negro life and history, which Dr. Woodson founded, changed the name of the observance of African-American History Week. The celebration was expanded during the Nation's Bicentennial in 1976, and President Gerald Ford urged the Nation to join in the first month-long observance of Black History Month. The U.S. Congress also recognized the importance of the black history observance. In February 1976, our colleague from Illinois, the late Ralph Metcalfe, introduced legislation, House Resolution 1050, which declared that the House of Representatives recognize the month of February as Black History Month.

Mr. Speaker, African-Americans have a magnificent and rich history; a history which is woven into the economic, social and political ing a theme for the national observance of Black History Month. This year the association has selected the theme, ''Reflections on 1895: Douglass, Du Bois, Washington.'' I want to take a few moments to recognize the contributions of these three giants to American History.

Frederick Douglass was born a slave in Talbot County, MD, in February 1817. He was taught to read by the wife of his owner. Douglass escaped and eventually his freedom was purchased by Quaker abolitionists. During his lifetime, Douglass was a powerful, effective spokesman for the cause of freedom and equality. In his writings and speeches, Douglass' major concerns were civil rights and human freedom. He fought to end slavery, racial prejudice, and discrimination.

Frederick Douglass utilized his own newspaper, the North Star which he began publishing in 1847, to give voice to the struggle. His writings also included his autobiographies, ''The Narrative of the Life of Frederick Douglass: An American Slave,'' and ''Life and Times of Frederick Douglass.

During his lifetime, Douglass held a number of prestigious government positions including marshall and recorder of deeds in the District of Columbia, and United States Minister to Haiti. Indeed, our Nation's Capital provides a fitting reminder of Frederick Douglass' historical contributions. We can look to the White House and recall Douglass urging President Lincoln to declare emancipation as the central cause of the Civil War. And, we recall that here in this Capitol building, Frederick Douglass came to Congress to protest the inadequacies of Reconstruction.

Frederick Douglass died on February 20, 1895. In the cause for freedom, he was one of America's greatest orators, writers, and editors. He fought to guarantee that the ideals of the Declaration of Independence be extended to all Americans.

Mr. Speaker, during Black History Month, we note the accomplishments of William E.B. Du Bois, a teacher, author, editor, poet, and scholar. This great American was born in February 1869, in the State of Massachusetts.

Du Bois made history in 1895 when he became the first African-American to earn a Ph.D. from the prestigious Harvard College. He went on to teach Greek, German, and English at Wilberforce University, and economics and history at Atlanta University. In one of his greatest works, ''The Souls of Black Folk,'' it is said that the reader may sample history, sociology, biography, economic analysis, educational theory, and social commentary.

One of the greatest contributions of W.E.B. Du Bois was his strong leadership which resulted in the birth of one of America's most distinguished organizations, the National Association for the Advancement of Colored People, or NAACP, in 1909. Du Bois and others saw the need for an organization to fight for voting rights, educational opportunities, and

role in the quest for justice and equality for all Americans. W.E.B. Du Bois died on August 27, 1963. He will always be remembered as a champion in the struggle for equality.

Mr. Speaker, as we reflect upon our theme for Black History Month, we note the historical contributions of Booker T. Washington, a gifted educator and leader. Washington was born in April 1856, in Franklin County, VA. He spent 9 years in slavery before his mother moved the family to West Virginia.

On September 19, 1881, Washington received the opportunity of his life when the Alabama Legislature authorized the establishment of a school which would train black men and women to be teachers. Washington was recommended and accepted the post as head of the institution. Arriving at Tuskegee, AL, Washington found that no land or buildings had been acquired for the projected school, nor were funds allocated for these purposes.

Undaunted by these circumstances, Booker T. Washington went to work recruiting black students and gaining financial support for the effort. Borrowing funds from Hampton Institute, Washington purchased an abandoned plantation and students then went to work not only making the bricks, but constructing buildings for what would become one of the Nation's most distinguished black institutions of higher learning.

By 1888, Tuskegee Institute owned 540 acres of land and had an enrollment of more than 400. The school offered the first training to African-Americans in the trade skills such as carpentry, cabinetmaking, printing, and shoemaking. The influence of the school extended far beyond Alabama. By the time of Washington's death in 1915, similar institutions modeled on Tuskegee had been founded in other states.

Although Tuskegee was Booker T. Washington's most enduring monument, his oratorical skills and writings also signaled him as a leader and spokesman for the African-American community. He is also famous for his autobiographies ''My Life and Work,'' ''Up From Slavery,'' and ''My Larger Education.'' Booker T. Washington died on November 15, 1915. His spirit lives on through the work which continues at Tuskegee Institute, and in his published works.

Mr. Speaker, this evening as we remember the contributions of Frederick Douglass, W.E.B. Du Bois and Booker T. Washington, we are led back to our theme for Black History Month, ''Reflections on 1895.'' One hundred years ago, America was poised to undergo tremendous social and political change with the abolishment of slavery 32 years earlier.

Slavery ended with the issuance of the Emancipation Proclamation on January 1, 1863, by President Abraham Lincoln. Yet, for African-Americans, true freedom would continue to be denied by the systematic exclusion of economic opportunity and equality.

The legal restrictions on black civil rights arose in 1865 and 1866, when many Southern tion. The new cotton mills and mill towns were generally for whites only, and sharecropping was the way of life for the majority of blacks in the South. Black Americans who lived in northern cities were largely confined to jobs that required the least skills and brought the lowest pay.

Several decisions of the U.S. Supreme Court enabled Southern States to continue to practice segregation and discrimination. In 1883 the Supreme Court declared the Civil Rights Act of 1875 to be unconstitutional. That act had prohibited segregated public transportation and accommodations. In addition, the Civil Rights Act of 1866 and the 14th amendment to the Constitution, ratified in 1868, had forbidden the States to deny equal rights to any person. But in 1896, the Supreme Court ruled in the case of Plessy versus Ferguson that a Louisiana law requiring the separation of black and white railroad passengers was constitutional. This ruling, known as the separate but equal doctrine, became the basis of southern race relations. African-Americans were dismayed as they saw their rights eroded by court decrees and insensitive political leaders.

One hundred years later, as we gather this evening to celebrate Black History Month, we should ask ourselves where America stands in the quest for equality and economic opportunity. As we reflect on the conditions of 1895, has this great Nation embraced the declaration of equality for all its people?

In the nearly 100 years since the infamous Plessy versus Ferguson decision, I must express my concern about the continued assault on the African-American community through the dismantling of affirmative action programs and other legal devices designed to guarantee equality. Today, Congress and the Nation is involved in one of its most important debates on the issue of affirmative action.

Affirmative action has been employed as the primary tool to allow minorities and women to break through the many barriers of discrimination. Studies prove that these barriers help to keep them unemployed, underpaid, and in jobs where there is little or no opportunity for advancement.

Tonight, I would remind those who oppose affirmative action that African-Americans and other minorities also have a contract with America. That contract is rooted in both the Constitution and the Declaration of Independence. As it relates to jobs in America, people of color have every right to believe in the doctrine that reads: ''We hold these truths to be self evident, that all men are created equal.''

Mr. Speaker, as we celebrate black history and black progress since 1895, I want to also recognize the importance of voting rights laws. Without this important vehicle, many of us would not be here today.

The Voting Rights Act of 1965 was aimed at dismantling all voting-related discrimination practices. Over the years, the Voting Rights Act and redistricting have played an essential lized the ballot box to bring about change.

This evening, I pay special tribute to my colleagues in the Congressional Black Caucus. We are Members of Congress elected to office from every corner of America, North, East, South, and West. I also recognize the importance of the organization which binds us, the Congressional Black Caucus. Since its founding in 1972, the Caucus has been instrumental in articulating the concerns of the African-American community. From our founding 13 members to the present 41, we have grown not only in size, but in significance, shaping the way America views the African-American community.

Mr. Speaker, I am saddened to report that while the doors of opportunity have allowed African-Americans and other minorities to step forward into leadership posts in government and other areas, through devious and sometimes overt means, our minority leaders are subjected to relentless investigations, witch hunts, and character assassinations. Today, we include the names of Lani Guinier, Mike Espy, Jocelyn Elders, Ron Brown, and Dr. Henry Foster to the list of those who have been subjected to unwarranted attacks. Until we can eliminate the selective character assassinations on persons of color, our Nation cannot stand and proudly proclaim that government is: of the people, by the people, and for the people.

Mr. Speaker, I want to thank my colleagues for joining me in this special order celebrating Black History Month. As we reflect back on our accomplishments, we are even more determined to move forward in the spirit of the brave heroes and heroines in whose path we follow.

It is our hope that one day, the celebration of Black History Month will not be limited to 1 month. It is our hope that 1 day American leaders, heroes, and activists of all races, will stand side by side throughout all the pages of our history books, for all the world to appreciate. Then, in fact, we will be the Nation to which we pledge allegiance: One Nation, under God, indivisible, with liberty, and justice for all.

Mrs. MEEK of Florida. Mr. Speaker, I rise before you today standing on the broad shoulders of Josiah T. Walls; the first black elected to the Florida House of Representatives, the Florida Senate, and the U.S. House or Representatives from Florida; Joe Lang Kershaw, the first black elected to the Florida House of Representatives in this century; and Gwen Sawyer Cherry, the first black woman ever to serve in the Florida Legislature.

Often times we Members of Congress like to remember those who came before us by naming buildings or erecting monuments in their memory. But Mr. Speaker, I rise before you today to pay tribute to a person whose work and commitment to our children, our race, and women everywhere is still bearing fruit today.

based upon a sure knowledge of the achievements of the past. That knowledge and that pride we must give them if it breaks every back in the kingdom.

This quote, perhaps more than anything else, captures the basic spirit and philosophy and commitment that Mary McLeod Bethune had for her race and the promotion and the development of women and African-American history.

I am greatly moved by the memory of Mary McLeod Bethune. She was an inspirational American woman, of African decent, who was from the people—not of the people. She provided my generation, indeed many generations, with a beacon of light and hope that all things are possible through God and through hard work. I am hopeful that future generations will be able to light their individual torches from the bright flame of wisdom, strength, and knowledge that Mrs. Bethune displayed. Today, Mrs. Bethune's light still shines through the work of her students, including me, and the generations of young people she has laid the foundation for a Bethune-Cookman College in Daytona Beach, FL.

Beginning as an educator and founder of a school which bears her name, Mrs. Bethune became the valued and trusted counselor to four U.S. Presidents, the director of an important government agency, the founder of a major organization for human rights, and a consultant to world leaders seeking to build universal peace through the United Nations.

Mrs. Bethune gained national and international prominence for her advocacy and work on behalf of African-Americans and women. During her life, she was elected and appointed to a number of key positions, which provided visibility for her causes and an opportunity to mobilize African-Americans on issues of concern to the race. From the early 1930's, until her death in 1955, she was a very vocal advocate and activist for African-American and women's history.

In the early 1920's, Mrs. Bethune, was one of the first to actively campaign for legislation to build a national black museum in Washington, DC.

Born in 1875, in Mayesville, SC, Mary McLeod Bethune grew up in the rural South during a period of great transition and turmoil. Her experience with poverty, racism, and ignorance in South Carolina, and later in Georgia and Florida, provided her with first-hand knowledge of the suffering and needs of her people. It was in this context that she committed her life to work with, and on behalf of her people.

A strong believer in education and in self-help, she was an integrationist and Pan Africanist, who argued for unity among people of African decent throughout the world. She viewed education as an important link to African-American freedom and equality. In her view, white people needed to know and appreciate African and African-American history, as well as blacks. In concert with W.E.D. DuBois, and Carter G. Woodson, she believed that, if this at the Daytona Normal School for girls, which she founded in 1904. Working to produce and sustain a school, she stressed the achievements and contributions of historic figures such as Frederick Douglass, Booker T. Washington, Lucy Laney, and others who were role models, she held them up to the pupils for emulation.

Developing contacts with both white and black leadership, Mrs. Bethune was able to build a base of power and influence, which by 1940, would allow her to be recognized as the foremost leader of African-American women.

Tonight as we celebrate Black History Month, I challenge all Americans to reflect on the example of faith, hope, and charity provided by Mary McLeod Bethune's great legacy. As Mrs. Bethune challenged Americans to continue the search for sustaining truth, and to spread that truth far and near, until we, in our turn, shall pass her saving legacy, undiminished, into the waiting hands of posterity.

Many of us here today have relighted our torches from the bright flame provided by Carter G. Woodson, Mary McLeod Bethune, Gwen Sawyer Cherry, Joe Lang Kershaw, Josiah T. Walls, Mary Church Terrell, Nannie Helen Burroughs, and many others whose lives have informed and inspired our work.

Mrs. Bethune's pioneering work in the education, and in the preservation of the history of Blacks and women is to be celebrated and perpetuated. Few leaders have been so diverse in their contributions and so distinctive in their vision. Mrs. Bethune saw African-American history as an integral part of our lives. She has left us a rich heritage. We must commit ourselves and dedicate our lives to carrying forth that vision to another, higher level, unit we too shall pass the torch.

Mr. HOYER. Mr. Speaker, I am honored to join my colleagues today to commemorate Black History Month. Particularly, Mr. Speaker, I would like to thank Mr. STOKES and Mr. PAYNE for requesting this special order.

Black history is more than just a designation on a calendar; it is a time when all Americans can reflect upon the towering achievements African-Americans have made and continue to make in this country. It is a time when we honor men and women who have influenced and shaped American culture and life.

We thank those who through their writings and teachings have enabled all of America to know and appreciate the African-American legacy, past struggles, and present dreams. We pay tribute to America's sports heroes. We honor scientists and educators who labored so hard to overcome racial barriers in our society and proved that America could not afford squander the talent and knowledge of African-Americans.

I want to honor and share with you the story of an African-American whose history is deeply rooted in the part of the congressional district I represent. The achievements of Henry Jenifer, a person who dedicated his life to pre- lutionary War soldier and a former Maryland governor. Far from the stately house with ornately carved doorways handsome chimneys and rolling falls, a small clump of trees stands out in the middle of a farmer's soybean field. There, obscured and buried in the overgrowth, is the site of former slave cabins that once housed the working force of the Southern Maryland tobacco plantation. The hills and fields are silent now, but there is a story passed down from oral tradition of African-American History, the legend of a natural healer and his passage to freedom.

Henry Jenifer was a slave of Dr. William Thomas, owner of Deep Falls. Henry's family served the Thomas' for generations. Thomas' brother, James, was Maryland's 26th governor. From the time he was a boy, Henry cared for the doctor's horse and buggy, accompanying him on his rounds of serving the Chaptico community.

As he grew older, Henry learned medicine, not only from watching the white physician as he performed his practiced skills, but from the ancient healing ways of his African ancestors. Using simple methods such as looking at the tongue or a patient's eyes, he could diagnose the illness, amble to the deep woods and emerge with root, tree bark or plant to effectively cure what ailed them. The black folk began calling him ''Doc'' Henry, and at times when Dr. Thomas was away or had failed to produce a cure the whites called upon Doc as well. Like the Native American preceding them on the landscape, the African American combined spiritual as well as physical remedies to heal his patients, often with great success.

At times Dr. Thomas would send Henry to tend his patients. A white farmer with a large open wound on his foot was treated by the white physician with a solution of carbolic acid and water, and it was Henry's job to bathe the wound in the solution on a daily basis. After the gash failed to heal, Doc Henry offered to help, but only if his patient agreed not to tell. The slave soaked some wheat bread in water and left it in the open air until it was covered with a heavy growth of mold. This he applied to the wound, which healed in a short time. Dr. Thomas never knew that his patient was cured by a crude form of penicillin—a hundred years ahead of its time.

As 1848 dawned in St. Mary's County, a severe outbreak of yellow fever ravaged the countryside. When the epidemic reached its height, Henry was taught the art of ''bloodletting'' by his master, through which patients were bled to leech out the poison in their system. As the fever raged through the long, hot summer, fear soon mingled with ignorance. Residents attempted to flee to other areas, but were stopped at the county's borders by gunpoint and forced to return. Henry's services became invaluable as he tended to the sick, sometimes while family members lay dead nearby.

As summer waned into fall, the yellow fever epidemic finally began to subside. It lasted 10 weeks and took hundreds of lives. The dead were buried in graveyards and cornfields. Prayers of thanksgiving were offered. Black and white, slave and free man, mourned together. Their joy and their sorrow knew no color, no race.

trayed, Henry conceived a plan. Unbeknownst to Dr. Thomas, Henry had saved some money on his own. He got word to ''dat Harriet woman'' that he wished to leave St. Mary's County on the Underground Railroad. Harriet Tubman's ''underground train'' was situated on Maryland's Eastern Shore, but had a network that stretched throughout Southern Maryland.

One day Dr. Thomas waited with frustration for Henry to arrive and hitch up his horse to buggy in order that he might make his daily rounds. Henry, however, had fled across back roads and fields to Leonardtown, eventually making his way to the Patuxent River, then on to Cove Point in the Chesapeake Bay. Dozens of participants, black and white, from every profession, helped make up the ties of the underground railroad, which led from Dorchester County to Canada. Before he left Maryland, Henry was to meet his benefactor, Harriett Tubman, in Cambridge.

After long weeks passed, the former slave reached his destination a safe and free man. He mourned having left behind his family, still in bondage at Deep Falls. Another 15 years would pass before they were awarded freedom during the War Between the States, the same war in which their masters would fight for Confederate Army.

Mr. CLAY. Mr. Speaker, the theme ''Reflections on 1895: Douglass, DuBois, and Washington'' is most appropriate for this time because we are asking the same question in 1995 that these men attempted to answer in 1895—''How can black Americans empower themselves economically, educationally, and politically''?

It is my hope that during this observance of Black History Month, my colleagues will study the works of Douglass, DuBois, and Washington very carefully and make a distinction between their leadership qualities.

Instead of focusing on education and professions like medicine and law, avenues to self-empowerment, Booker T. Washington preached that all Negroes should be satisfied and happy to have a job working in the cottonfields or in the farmyard. If he had been successful in his course of action, black Americans would have been guaranteed jobs, but they would have been doomed to a life of servitude in menial jobs.

Booker T. Washington was a Negro leader created by whites who supported him because his message served their general purpose of keeping Negroes as close to a state of bondage as legally possible. As a matter of fact, a New York Times article put it succinctly in 1958, and I quote:

> Washington was far from being the Negroes' acknowledged leader, but he was still the only Negro leader the whites acknowledged.

Booker T. Washington may have been a leader to them, but he was a disappointment to many black Americans.

DuBois, a creative thinking leader, who promoted racial integration, was criticized because he disagreed with Washington, thus antagonizing the power structure. In his re-

DuBois believed that blacks had tilled enough fields, picked enough cotton, dug enough ditches. He thought it was time to perform surgery, teach physics, develop businesses, write poetry, and sing the operas.

Frederick Douglass believed that blacks should have the opportunity to improve themselves and their standard of living. He warned that despite individual efforts, the black race would not reach its full potential until whites stopped putting road blocks in their way. Douglass warned:

> Where justice is denied, where poverty is forced, where ignorance prevails, and where one class is made to feel that society is an organized conspiracy to oppress, rob, and degrade them, neither persons nor property will be safe.

What does all of this have to do with Black History Month? The answer is everything. Black History Month was adopted because the black experience has been neglected, downplayed, and in some instances ignored in American history. A large section of a country's history has been left out of the history books and the accomplishments of millions of its citizens are not acknowledged. In the process, Black Americans have been denied the opportunity to empower themselves. They have been denied access to resources that would afford them the opportunity to obtain better jobs, better education, better housing, and all other necessities.

For a long time black history was not included in history books because those who wanted to justify human slavery and the oppression of the race, attempted to do so by alleging that black Americans made no significant contributions. Despite the years of contributions our forefathers made to the growth of this country, there were attempts to write black Americans out of history—completely. And, if there was any effort to include them, men like Booker T. Washington and others, who entertained the country with demeaning speeches about the inferiority of the black race, were presented as heroes and leaders of the race when, in fact, they were black Americans' biggest enemies.

But, thanks to Dr. Carter G. Woodson, a renown historian and one of the few blacks to earn a PH.D. from Harvard University in the early part of the century, we now celebrate the accomplishments of black Americans who were real leaders and progressive visionaries like DuBois and Douglass. Dr. Woodson established the original idea of a separate time for celebrating black history, arguing that it should be a week long and held in the month of February between the birthdays of Abraham Lincoln and Frederick Douglass. Later, Black History Week was expanded to Black History Month. The underlying purpose is to familiarize whites, as well as blacks, with the contributions black Americans have made to our advancement as a nation.

I do not want to give the impression that this great country could not have progressed and their lack of knowledge about the race. Many of them don't realize that their everyday lives have benefited from the intellect and talents of black Americans.

To illustrate, let's imagine what their lives would be like if they refused to enjoy the discoveries of black scientists and inventors.

Any person who chooses to boycott black inventions would wake up tired in the morning from tossing and turning all night on a bed covered by some coarse material instead of cotton—because it was a black slave who provided the genius in the development of Eli Whitney's cotton gin which makes cotton affordable. When that person throws his legs out of bed, he would not have a nice inexpensive pair of leather house shoes to put on because Jan Matzeliger, a black man, invented the shoe last which made it possible to mass produce shoes. Then, of course, he would not have the pleasure of drinking a cup of instant coffee which was invented by Dr. George Washington Carver. Nor would that person have the opportunity of putting a spoon of sugar in it because Norbert Rilliexux invented the sugar refining system that is still used today.

He probably would have had a clock to wake up to because they are common now-a-days. But the first clock made in America was by a black man, Benjamin Banneker, who helped design the city of Washington, DC. Then, one boycotting black creations, he would have had to wait until the sun came up in order to see what time it was, had it not been for Louis Howard Latimer, a black man, who supervised the installation of Thomas Edison's electric lights in America and invented an incandescent light bulb of his own.

If it's a Saturday morning, the old boy who is boycotting black accomplishments would not be able to cut his grass because the first lawn mower patented in this country was by a black American. He would even have trouble playing his usual game of golf had it not been for George F. Grant who gave us the golf tee. And at the 19th hole had it not been for Hyram S. Thomas, there would be no ice cream served.

If it's a work day and he drives, he would be late getting there, had it not been for Garrett A. Morgan who was responsible for the electric traffic light. You say he could take the subway. No way. Black inventors, Granville T. Woods and Elijah McCoy, made it all possible. Woods invented the third rail which made subway transit possible. And McCoy alone with 75 other inventions developed the system for automatic lubricating of locomotive machinery. Have you heard the expression, it's the ''real McCoy''. That's him.

And the list of things to be boycotted goes on and on. The first successful open-heart surgery was performed by Dr. Daniel Hale. The recipe for potato chips was invented by Dr. George Washington Carver who, born a slave, received international acclaim for his research in agriculture. He developed products

potato, he made 118 products, including flour, shoe polish, and candy. From the pecan another 75 products. He made synthetic marble from wood shavings; dyes from clay; and starch, gum, and wallboard from cotton stalks.

The best way I can explain why this is important is the quote from Justice John W. Hammond of the Supreme Judicial Court of the State of Massachusetts. He once said to Irishmen attending a St. Patrick's Day celebration:

> * * * You are of Irish ancestry and are proud of it. I am of the strongest pilgrim ancestry, and am proud of it. It is right, proper, and beneficial that each of us maintain those memories which are peculiar to ourselves. It is right for us to emulate the virtues of our ancestors as it is right to criticize their faults and avoid them if we can * * *

If both black and white know the complete history of our country and all of the people who contributed to it, very few will join the ranks of those who say, ''I just don't like black people.''

I know that I have departed from today's theme a little. But, it is because I believe that our theme's importance lies in its relation to the issues of today. The purpose of history is to learn from our mistakes and to find hope in our accomplishments. By studying the works of DuBois, Douglass, and Washington, you will get an understanding of where black people have been and how far we have to go. In doing so, it will help you to understand the problems that black people face and to come up with effective solutions to these problems. But, if nothing else, you will learn that black people are a people with a rich history.

In closing, I commend my colleagues for recognizing the contributions of great black Americans. However, I encourage them to move beyond recognition to constructive action. We must not forget that many of the black Americans we are honoring this month were selfless men and women who went beyond the call of duty to make the American dream a reality for all Americans. Some of them even gave their lives for this purpose. It is incumbent upon us to build upon their accomplishments. Anything less would be derision.

Mr. FAZIO. Mr. Speaker, I join my colleagues today in this special order recognizing the accomplishments of African-Americans and their contributions to our Nation's history.

Black History Month gives all Americans the opportunity to appreciate and understand the involvement of African-Americans in America's history and society. Arising from a legacy of slavery and oppression, African-Americans have made ongoing contributions to America's agriculture and industry. There is no area in which their ongoing presence and contributions are not felt—be it the military, Government, education, literature, the sciences, entertainment, the arts, sports, or social reform—all while struggling for equality and freedom, and fighting to counteract the effects of the racism that continues to pervade our society. their world by writing, speaking, and living lives that were influenced by the belief that all men, regardless of color, are created equal. They showed all Americans how much better a world in which all are equal can be. Because of this I recognize them and urge all Americans to live by their example. We often take the freedoms that Douglass, Dubois, and Washington worked so hard to achieve for granted. Imagine how much better our country and world would be if all of us had the energy and zest for learning that made them great men.

Mr. Speaker, I am honored to participate in this opportunity to highlight the accomplishments and contributions of our African-Americans citizens. I also commend the distinguished gentleman from Virginia [Mr. PAYNE], chairman of the Congressional Black Caucus, and the distinguished gentleman from Ohio [Mr. STOKES], for calling this special order, and I thank them both for including me in this effort.

Mr. PICKETT. Mr. Speaker, the month of February provides us with the opportunity to examine, explore, and celebrate African-American history. I thank Mr. STOKES for calling this special order today in honor of African-American Heritage Month.

In light of the 1995 theme for Black History Month, ''Reflections on 1895: Douglas, DuBois, Washington'', it is fitting to note that 92 years ago, in 1903, W.E.B. DuBois began writing what has become one of the great works not only of American literature but also of American history, ''The Souls of Black Folk.'' In this work, DuBois paints his vision of an ideal America, an America in which Americans of all races develop in large conformity to the greater ideals of the American Republic, in order that some day on American soil two world-races may give each to each those characteristics both so sadly lack. Well, that ''some day'' has arrived.

While DuBois provided America with an ideal to aspire to, it is the many African-Americans who have followed in this great leader's footsteps who have transformed his vision into reality. African-American artists, musicians, authors, politicians, educators, scientists, doctors, and athletes have acted as emissaries of their culture and heritage, facilitating an exchange of ideas and values amongst the American people.

To witness a clear and quite poetic symbiosis of two races, one need only look as far as the world of music. African-American musicians and composers have heavily influenced American music by introducing new musical forms and acquainting America with the traditional music of Africa. Songs and rhythms which were once confined to slave cabins now echo around the country.

In the early 20th century, the meshing of ragtime and blues resulted in jazz as we know it today. The lively rags of Scott Joplin, the blues of B.B. King, and the jazz of Ray Charles have become mainstays of American can-Americans have inspired and enlarged the music world, passing their musical message not only onto American audiences but onto international audiences as well. Stars such as Diana Ross, Stevie Wonder, and Whitney Houston have enjoyed international fame. And in attaining that fame these individuals have shared with the world their black heritage and culture.

Music, whether lyrical or not, has a special way of speaking to its listener. Its rhythm, tone, and melody tell a story as effectively as any novel. All that is required is a willing and open ear. African-American music speaks to a listening America, as one world race gives to the other characteristics which it lacks. DuBois himself recognized the power of music and its ability to convey thoughts, feelings, and even social agendas. In fact, DuBois entitled the final chapter of ''The Souls of Black Folk,'' ''Of the Sorrow Songs''.

In this concluding chapter, DuBois studies and analyzes certain popular slave songs. DuBois argues that the Sorrow Songs ''breathe a hope -a faith in the ultimate justice of things. The minor cadences of despair change often to triumph and calm confidence''. But whatever the case, DuBois declares that in these songs, ''the meaning is always clear: that sometime, somewhere, men will judge men by their souls and not by their skins''. That sometime and that somewhere are now, today, in America. The Sorrow Songs have spoken, they have delivered their message, and they have been heard. In celebrating Black History Month, let us celebrate this triumph. Let us celebrate the attainment of W.E.B. DuBois' vision of America.

Mr. DIXON. Mr. Speaker, I rise today to recognize the Crenshaw High School students participating in the school's choir and the enterprising students from this school who have dedicated themselves to Food from the 'Hood, the Nation's first student-owned natural foods company. As we observe Black History Month, I believe it is important to acknowledge these students who have worked hard to reach their potential and create opportunities for themselves.

Food from the 'Hood has an ambitious company mission that seeks to illustrate the potential of young adults and provide them with jobs, give back to the community, and prove that businesses can be socially responsible and profitable. The students have successfully marketed their first product, Straight Out the Garden Creamy Italian Salad Dressing, at over 10 major grocery stores in southern California. Profits from the project are used for scholarships for the student-owners and contributions to local charities.

In response to the Los Angeles disturbances, a science teacher at Crenshaw High School, Ms. Tammy Bird, encouraged her students to restore the school's garden and give the food to the needy. On December 18, 1992, the students reaped their first harvest

In devising a means through which they could further their education and enhance the quality of life within their community, these young entrepreneurs have served as examples for our youth and have provided a source of much-needed hope to the inner city community of Los Angeles.

Another group of students from Crenshaw High School has inspired the Los Angeles community and people all over the world. The Crenshaw High School Choir consists of over 200 talented and dedicated students who have consistently been recognized for their outstanding music. Iris Stevenson, the dedicated and inspirational director of the choir, has taken representatives of Crenshaw High School Elite Choir to the Caribbean and France. The choir won the Jamaican Jazz Festival 4 years in a row and performed in French at Nice's Worldwide Music Festival in 1992 and 1993. The group is currently performing at the festival in France. The talented Elite Choir has performed on several television shows and was the inspiration for Disney's ''Sister Act II.''

Black History Month is an important time to look at the contributions made by African-Americans to this nation. It is also a time to look at where our children will take the country in the future. The students at Crenshaw High School show us the positive aspirations of this generation and the inspirational and caring way that they contribute to our society. I am pleased to have this opportunity to commend the outstanding students of the Crenshaw Choir and Food from the 'Hood. They inspire hope for our future. I also commend the Principal of Crenshaw High School, Mrs. Yvonne Noble, and Mrs. Iris Stevenson, Ms. Tammy Bird and the other instructors who work with these students.

Mr. GILMAN. Mr. Speaker, I rise today to join my colleagues in commemorating Black History Month for 1995. I would like to thank the gentleman from Ohio [Mr. STOKES] for arranging the time for this special order.

Black History Month is an appropriate time to commemorate the great black men and women who have contributed so much to our society. This year we are paying special attention to the deeds of three black leaders who were changing America 100 years ago and more.

Frederick Douglass was an escaped slave who rose up in the face of opposition to meet and conquer any and all obstacles. An abolitionist leader at a young age, Douglass spread his ideas through writings and speeches and probably did more to call to the attention of the entire world the injustice and inhumanity of slavery than any other individual of his generation of any race. His talents and influence as an orator were unmatched in his time. While living as a fugitive in England, he earned enough money to purchase his own freedom. His accomplishments while working for the Federal Government as an advisor to President Lincoln and later as a diplomat are

land to receive a Ph.D. in history from Harvard. He went on to publish dozens of books and articles concerning the Black condition, and founded the NAACP. He spent an incredibly busy lifetime teaching African Americans to work toward social emancipation by fighting for their Civil Rights. This made him one of the most influential men of all time, but also made him a major opponent of Booker T. Washington. Washington believed that Afro-Americans could enjoy the full fruits of freedom by achieving economic self-sufficiency within a segregated society. W.E.B. DuBois contended that as long as the races were kept separate, true equality and freedom was impossible. While Washington's philosophy was endorsed in the Supreme Court decision Plessy versus Ferguson (1896), it was DuBois' view that ultimately prevailed, when the Court reversed itself in 1954, ruling in Brown versus Board of Education of Topeka that segregated facilities in education are inherently unequal.

Booker T. Washington, like Frederick Douglass, rose out of a childhood in bondage to accomplish significant deeds. While controversial, his ideas helped motivate southern blacks to improve their economic situation. In retrospect, many today deplore Washington's argument that freedom for Afro-Americans could be won through economic improvement and self-reliance, without social equality. But we must remember the times in which he lived, and remember that all progress in human history has come about one step at a time. It is doubtful that future advances could have been made had not Booker T. Washington become a living symbol of his race, blazing a trail in his own day by specific symbolic achievements, such as becoming the first Black person invited to dine at the White House. Washington's founding of Tuskegee Institute in Alabama, the first institute of higher learning for Afro-Americans in the nation, have earned him an immortal place in the hearts of all of us.

As my colleagues have pointed out, these three men changed American society in ways that are yet to be equaled. They are not alone, however, as black heroes and leaders. Our history books do not yet tell of all the most significant African Americans and all they have done to make America the fine country that it is today.

For example, Crispus Attucks, a free black man who, at the Boston Massacre, was the first American to die for the Revolutionary cause. After our War of Independence was won, a black man by the name of Benjamin Banneker laid out our Capital City of Washington, D.C.

Black men and women were among the most courageous and determined fighters in the war to end slavery. While thousands of African Americans were dying at the hands of their owners as examples to their peers, thousands more were escaping to the north by way of the Underground Railroad founded by Sojourner Truth and Harriet Tubman. And of course, let us not forget the tens of thousands

great Civil Rights Movement of the 1960's, in which the moral conscience of the entire nation was awakened, and in which our laws were finally brought into compliance with the ideals of our own American Revolution, Declaration of Independence, Constitution, and Bill of Rights.

Black History Month is an appropriate time to recall and recite the events in which black Americans changed our nation's policies and attitudes. But we must also remind our students that the struggle for equality goes on today not only in The United States but also broad. Fortunately, today we are blessed with heroic black men and women who work to bring our races closer together and set a shining example for our youth.

It is imperative that we not simply acknowledge Black History this month, forgetting about it in months to come. The contributions of African Americans to our society are truly overwhelming yet are too often taken for granted. I urge my colleagues to bear these contributions in mind throughout our deliberations.

Our Nation's rich diversity sets it apart from every other nation on the face of the Earth. If we embrace that diversity and learn from it, then nothing will stand in our way. Black Americans have significantly contributed to every facet of our society and therefore our culture. This, Mr. Speaker, is the point that we must teach our children, in hopes that they too will one day teach their children these thoughts.

Mr. FROST. Mr. Speaker, in celebration of this year's theme, I am pleased to be here today to honor the memories of three great African-Americans in recognition of Black History Month. But first let us recognize Dr. Carter G. Woodson, the man who in 1926 first called for a period of time to be set aside for the recognition of important historical achievements by African-Americans. It is his legacy that we also celebrate today, and his work to create this important holiday.

One hundred years ago, Mr. Speaker, in 1895, the lives of three giants in history intersected. Frederick Douglass, runaway slave and later educator to thousands, passed away. He left behind a legacy that has continued to inspire those who love freedom.

After successfully escaping from slavery, he traveled widely, speaking against the enslavement of people everywhere and supporting the rights of women. He later held various government posts, including the territorial legislature of the District of Columbia.

Mr. Speaker, Frederick Douglass was a man who refused to accept defeat. Even though he had been taught to build ships, the indignities of prejudice forced him to work as a common laborer. He helped President Lincoln to organize the celebrated 54th and 55th Massachusetts regiments of all black soldiers. And shortly before his death, he served as the consul general to the Republic of Haiti. Frederick Douglass led a life of which we could all

As a founding member of the NAACP Dr. DuBois believed that an important goal for African-Americans was the utilization of any and all educational opportunities. He stressed the need for African-Americans to promote their own cultural and social values.

Finally, Mr. Speaker, Booker T. Washington delivered a famous speech in 1895, which outlined his philosophy of vocational education as an avenue of advancement. Mr. Washington's speech at the Atlanta Exposition urged the African-Americans at that time to try and gain an industrial education in order to make use of the rural areas where many blacks lived. Although his views were considered controversial at the time, he helped to further the dialog that led to equal rights for all of America's citizens.

Mr. Speaker, these three men made their mark on history by pursuing truth, justice and equality. They were truly great statesmen, and great leaders.

Mr. VISCLOSKY. Mr. Speaker, I am pleased to take part in this Special Order on Black History Month to recognize the achievements and contributions that African-Americans have made to our country. I would like to thank Congressman LOUIS STOKES and Congressman DONALD M. PAYNE for organizing this opportunity to applaud the accomplishments of the African-American culture. Since 1976, the month of February has been celebrated as Black History Month. But the origins date back to 1926 when Dr. Carter G. Woodson had the vision to set aside a week in the month of February to celebrate the accomplishments and heritage of African-Americans.

Indeed, it would be foolish not to recognize such a large part of our heritage. On the national scene, the contributions that African-Americans have made to our society are innumerable. Through literature, we have been blessed with the powerful writings of Maya Angelou, W.E.B. DuBois, and Alice Walker. We all have received joy from listening to the stirring melodies of Ray Charles, Aretha Franklin and Duke Ellington.

While all of these are important contributions, what I find to be of equal importance are those of people who are in our own community: The men and women who live down the street, attend the same church with you, or whose children play with your own. These men and women have performed extraordinary acts of bravery and selflessness that should make us all proud. Indeed, Alonzo Swann, a World War II veteran from Northwest Indiana, was just awarded the Navy Cross for showing extraordinary bravery in the face of Japanese Kamikaze attacks.

The theme for Black History Month this year is ''Reflections on 1895: Douglass, Dubois and Washington.'' In keeping with the dedication to education and political involvement these men supported, Ms. Patricia Harris, Supervisor of the Gary Community School Corporation's Staff Development Center, sponsored several events that helped to educate the citizens of club facilities at Freemen Field in Seymour, Indiana and were consequently threatened with court martial. An independent commission of inquiry, appointed by President Truman, exonerated the airmen and ordered integration of the club. In addition to Mr. Smith, Ms. Dharthula Millender spoke about the origins of the City of Gary and the crucial role that African-Americans had in forming the city. In the city's first census, African-Americans numbered 100 of the first 334 people in the area. Ms. Millender also pointed out that as Northwest Indiana's steel mills grew, steelworkers were recruited from all over the U.S. and in many European countries. The result was that, from its beginning, the people of Gary had an appreciation for its multi-ethnic community.

The goal of these programs is to teach Gary's parents and children about their community's history. I commend Patricia Harris and the staff of the Staff Development Center for taking the initiative to make the teachings of Black History Month extend throughout the rest of the year. By having our children learn about a part of their culture, we can help ignorance give way to understanding and realize that we all are created equal. In closing, I commend and thank all of the people of Northwest Indiana, who in their own special way have brought special meaning to this month. Again, I would like to thank my distinguished colleagues, Congressmen STOKES and PAYNE, for giving the U.S. House of Representatives this special opportunity to celebrate Black History Month.

BLACK HISTORY MONTH

The SPEAKER pro tempore (Mr. NEY). Under the Speaker's previously announced policy of January 4, 1995, the Chair recognizes the gentleman from New York [Mr. OWENS] for 60 minutes.

Mr. OWENS. I want to congratulate, Mr. Speaker, my colleagues and congratulate the Association for the Study of Afro-American Life and History for their theme this year on Black History.

Mr. Speaker, in the interest of maintaining the continuity that we have started, I am going to reserve my own comments and let my colleagues who have been waiting go at this point ahead of me.

I would like to first yield to the gentleman from Puerto Rico, Governor Romero-Barceló.

Mr. ROMERO-BARCELÓ. I thank the gentleman from New York for yielding some time for me to speak on this occasion to commemorate the outstanding African-Americans throughout this Black History Month.

Mr. Speaker, there have been some outstanding African-Americans in cause in those days they did not give blacks too much of an opportunity for the leading roles.

And of course, one who needs no explanation as to the things he has done throughout his lifetime, the outstanding player, one of the most outstanding players in the All-American game, Roberto Clemente.

But there is an African-American in Puerto Rico whose influence transcends all of them, and I refer to Dr. Jose Celso Barbosa.

Mr. Speaker, as we continue to celebrate Black History Month, I wanted to take this opportunity to honor the memory of Dr. José Celso Barbosa, the founding father of Puerto Rico's statehood movement, founding father of the Republican Party in Puerto Rico and the island's most prominent and distinguished African-American leader.

Born in the City of Bayamón, PR, on July 27, 1857, Dr. Barbosa dedicated his whole life to his struggle for political and economic equality for all Puerto Ricans. He was very instrumental in the extension by Congress in 1917 of U.S. citizenship to all persons born in Puerto Rico.

From very humble origins—his father was a craftsman—Dr. Barbosa contributed to make our goal of achieving political and economic equality through statehood, no longer a distant dream, but a reality well within our reach.

A very intelligent and dedicated student, he graduated with honors in 1875 from the Conciliate Seminary School. Five years later he graduated with a doctor's degree in medicine and surgery from the University of Michigan. In so doing, Dr. Barbosa was the first black Puerto Rican and one of the first island residents to graduate from a university in the continental United States.

Back in his native Puerto Rico, Dr. Barbosa acquired a solid reputation both as a doctor and as a respected citizen. At the age of 23, he started to become involved in Puerto Rican politics.

When the sovereignty change came to Puerto Rico after the Spanish-American War in 1898, Dr. Barbosa began his struggle so that Puerto Ricans would benefit from the American political process and the democratic values that he had experienced first-hand during his earlier years as a student in Michigan.

In 1899, Dr. Barbosa founded and organized Puerto Rico's Republican Party, committed to achieving political and economic equality through statehood for the island. He devoted the rest of his life to this purpose.

Mr. Speaker, I thank you for the opportunity to bring to the attention of our colleagues in the House of Representatives the accomplishments of Dr. José Celso Barboso, Puerto Rico's Dr. Martin Luther King. He was truly an exceptional individual whose legacy runs deep in the hearts of all Puerto Ricans.

□ 2120

Mr. OWENS. Mr. Speaker, I thank the gentleman from Puerto Rico [Mr. ROMERO-BARCELÓ], and to continue our special observance of Black History Month I yield to the gentlewoman from North Carolina [Mrs. CLAYTON].

Mrs. CLAYTON. Mr. Speaker, nearly 70 years ago, Dr. Carter G. Woodson launched a tradition of celebrating the legacy of African-Americans. ''Black History Month'' began to be officially acclaimed a half century later, in 1976. The contributions and achievements of African-Americans is a subject rich in substance and worthy of recognition. The history of blacks in America is a compelling story that must be told and retold.

James Weldon Johnson, in his renowned work, ''The Autobiography of an Ex-Colored Man,'' captured the importance of telling history—particularly black-American history—again and again. ''Every race,'' he said, ''and every nation should be judged by the best it has been able to produce, not by the worst.'' I believe, Mr. Speaker, too often black Americans are judged by a distorted image of who we are and what we stand for. Too often, the portrait of black America is painted with a muddied brush—one that fails to render an accurate depiction of what we have given to the construction of this nation.

We are heroes in defense of democracy, like Crispus Attucks, the first to die in the Boston Massacre; like the 9th and 10th calvaries and the 24th and 25th infantries—best known as the Buffalo Soldiers, who helped win Texas and the Southwest; like Benjamin O. Davis, Sr., the first black general; and like private first class Milton L. Olive III, who was posthumously awarded the Congressional Medal of Honor. During the Vietnam war, he fell on an exploding grenade, taking his own life to save the lives of his fellow soldiers, black and white. We have shed our blood in battle and given our lives to preserve those words of freedom, ''liberty'', ''justice'', ''equality''. We are scientists and inventors, like Benjamin Banneker, who helped plan Washington, D.C.; like Dr. Charles Drew, a blood plasma researcher, who set up the first blood bank in England; and cators, like Maya Angelou, who knows why the caged bird sings; like Ralph Ellison, who pondered the question of the black-American as, The Invisible Man; like Alex Haley, who discovered his Roots and raised the consciousness of the nation and the world; and like Phyllis Wheatley, whose poems have played an historical role in the growth of black literature. We are artists, musicians, television personalities, lawyers and judges, educators, athletes, politicians and leaders. But, we are also small farmers, common laborers, maids, dishwashers, construction workers, food service employees, and some of us are recipients of public assistance. A disproportionate number of us, however, are minimum wage workers, with families, thrust below the poverty line. We ask not for charity, but a chance—a chance to meet our obligatons—to feed, clothe and shelter our families. We too want welfare reform. The best welfare reform is a job at a livable wage. We too want to rid our communities of crime. The best crime bill is a jobs bill. We too want a balanced budget. But, balance the budget in a fair way, not just on the backs of those who broke their backs picking this Nation's cotton. We too want to eliminate teenage pregnancies. But, we will resist with all of our might, the attempt to take nutrition from pregnant women, children and seniors. This year, we place special recognition on the lives and legacies of three great and powerful black men, Frederick Douglas, William E.B. DuBois and Booker T. Washington. Yes, we are men, and we are women, like Rosa Parks; Harriet Tubman and Sojourner Truth. But, perhaps most importantly, Mr. Speaker, we are Americans. We are no different than those who populate this great Nation from the Atlantic to the Pacific Ocean and all points in between. We want what they want—a decent life, a strong family, a home, security, something to aspire to and a place at the bountiful table that is America.

These are tough times in America. But, like Dr. Martin Luther King, Jr. reminded us on one occasion:

> The test of good government is not where it stands or what it does when times are good. The true test of good government is where it stands and what it does when times are tough.

African-Americans have given their best to this Nation. Some want to underscore the worst. The best far outweighs the worst. We pause on this day and during this month of celebrate our best. Much more is yet to come.

her remarks.)

Ms. JACKSON-LEE. Mr. Speaker, I do humble thank the gentleman from New York.

Mr. Speaker, as I rise in this great House to speak in commemoration of Black History Month, I am strengthened by the rich contributions of my ancestors.

Reflecting upon the year 1895, I am moved to think of the state that found America herself in during the Reconstruction era. Thirty years after the abolition of slavery, newly found freedoms were being negotiated against newly found means of oppression. Emancipation and liberation were met by Jim Crow laws and black codes; eager men and women with hopes for education and opportunity were handed miseducation and disenfranchisement; children who had heard stories of a better life were left having their dreams deferred. Although America had ended its Civil War, an even more insidious war was being waged—the war of racial intolerance. Hope, however, continued to abound among a people hungry for opportunity.

My friends, standing here a mere 100 years post 1895, I am heartened by the progress that we have made as a nation, and yet standing here a mere 5 years before the dawn of a new century, I am filled with great trepidation. When our allies come to us for military assistance, no other nation takes up the banner of national defense faster than the United States. When human rights abuses are brought to our attention, we are vigilant in our pursuit of justice and fairness. Mr. Speaker, America's own private war is destroying our Nation. As America moves its great caravan of truth and justice across the globe, our righteous cries of fairness and equity are being drowned out by the piercing rattle of the skeletons of hypocrisy that reside in our darkest closets.

Gunnar Myrdal, the Swedish sociologist commented some 30 years ago that America's greatest problem would be that of race relations. As we herald the accomplishments of African-Americans today in this Black History Observance, we all should recommit ourselves to the quests of our ancestors excellence and opportunity. African-American history in the country is to be lauded.

While we take pride in saluting the great African-American scientists and inventors, America remains a nation still needing to heal. While we marvel at the majesty and grace of African-American performers and artists—America is still groping to implement racial equality. As I stand in this great

democracy and for real inclusion. Reflecting upon 1895 and upon the memory of Frederick Douglass, W.E.B. DuBois, and Booker T. Washington, the vision that each held continues to burn passionately in those of us who bear their legacy.

I am indebted to Frederick Douglass, who was born into bondage, sold repeatedly in the slave markets of the South, yet who secretly taught himself to read and write. Up to his death in 1895, his defiance against the pervasive system of racial inhumanity enabled him to speak out and to illustrate the moral dilemma that America embodied. Frederick Douglass empowers all of us today.

Known as the intellectual father of modern African-American scholarship, W.E.B. DuBois worked fervently to establish the NAACP, edited and published ''The Crisis,'' founded the Pan African Congresses, and made pilgrimages to Ghana. DuBois' international leadership set the stage in 1895 for a global African-consciousness movement that reverberates today from Haiti to Soweto. His presence is affirmed in this great House today, and my colleagues and I are honored to carry on his legacy.

As Booker T. Washington struggled through Hampton Normal and Agricultural Institute, the Great Wizard of the Negro who eloquently expressed himself at the Niagara Conference and at the Atlanta Exposition, urged us all to be diligent in our work. He spoke of action and commitment. He exemplified his dedication through establishing Tuskegee Institute, and his tenacity left us a chronicle of his life through his autobiography, ''Up From Slavery.'' Mr. Washington, my colleagues and I have heard your call to action, and we stand here ready to move.

Mr. Speaker, now if I may personally salute the African-Americans of the 18th Congressional District of Texas. Hard-working, dedicated Americans reflected in the lives of the late Zollie Scales, Dr. John B. Coleman, Jack Yates, Hattie White, Christie Adair, Moses Leroy, and others.

Mr. Speaker, as I reflect upon Frederick Douglass, W.E.B. DuBois, and Booker Taliafero Washington, let us honor the memory of these great American patriots by affirming the principles for which they pledged their lives. We, Mr. Speaker, you—me—and our colleagues, have an opportunity to send strong messages to the American people as we consider the balance of the legislation pending before us. Let us move away from race-baiting descriptions of programs and proposals, ing a 12-inch knife 6 inches from the back of a dying man, is not progress. We cannot be content with incremental change.

Mr. OWENS. I thank the gentlewoman from Texas, and I yield now to the gentleman from Louisiana [Mr. JEFFERSON].

Mr. JEFFERSON. Mr. Speaker, I rise today to join my colleagues in the Congressional Black Caucus for special orders in conjunction with Black History Month. Each year, CBC members speak on important contributions to the African-American community, individuals or organizations. This year, I have chosen to honor the Congressional Black Caucus itself as it celebrates 25 years of service to the African-American community in America and, indeed, to all of America.

The Congressional Black Caucus was born in 1970, when 13 African-American Members of Congress joined ranks to strengthen their efforts to address concerns of blacks, women, Hispanic, Asians, and other disadvantaged citizens.

Mr. Speaker, it did not take long for the fledgling caucus to capture national attention. In March, 1971, the CBC made headlines presenting President Richard Nixon with 60 recommendations for government action on domestic and foreign policy issues.

Although President Nixon did not respond positively to the recommendations, his less than adequate response strengthened the resolve of the original members of the CBC to continue on its new found mission.

During the past 25 years, the CBC has blossomed as a strong and progressive voice for alternative legislative programs.

Mr. Speaker, let me name just a few of the CBC's achievements during its quarter century of existence.

In 1972, the CBC convened hearings on ''Racism in the Media'' and a national policy conference on ''Education for Black Americans.''

In 1974, the CBC introduced the Humphrey-Hawkins Full Employment and Balanced Growth Act to reduce unemployment and inflation which became law in 1977.

In 1977, the CBC established the National Black Leadership Roundtable; and, in Congress, amended the Public Works Employment Act to provide for 10 percent of the $4 billion of authorized Federal funds to be spent with minority firms.

In 1980, the Caucus offered the first CBC constructive alternative budget and published ''Black Voter Guidelines'' for elections that year.

created four major Federal minority enterprise programs—the most notable in the $32 billion Defense Authorization bill.

In 1989 the CBC cofounded the Parliamentary Black Caucus in the British Parliament.

And in 1992, the CBC pushed through important legislation for financial assistance for the college education of disadvantaged, and for historically black colleges.

Mr. Speaker, these are just a few of the significant accomplishments of the Congressional Black Caucus.

The Congressional Black Caucus has grown in numbers, diversity, expertise and influence during the past 25 years.

New members represent urban and rural areas, the east coast and west coast, the North and South and agricultural and manufacturing centers.

They come to the U.S. Congress uniquely prepared to serve, many bringing a wealth of experience in State and local governments as well as the desire to make an immediate impact on issues important to the poor, the underprivileged, women, African Americans, Hispanics, Asian Americans, and the middle class.

In fact, the 40-member Congressional Black Caucus turned the 103d Congress into the most productive in its history—passing motor-voter legislation, tax incentives for private investment in minority venture capital funds, improved earned income tax benefits, enterprise zone legislation and full funding for the Women, Infant and Children program, and for Head Start.

As the 41-member Congressional Black Caucus begins its second quarter century of work, its members will face new challenges. These new challenges will, I am confident, be dealt with like the old ones, with persistent, dogged commitment, with strong, solid leadership and with experienced and determined membership.

As the members of the Congressional Black Caucus' silver anniversary, we pause to remember the Congressional Black Caucus itself, with grateful hearts and with a deep and justifiable pride. The caucus' accomplishments, indeed its continued existence have contributed significantly to not only African-American History, but also to American history for the last quarter of a century. It has truly been the conscience of the Congress and the conscience of the nation.

With God's help, may it always be so.

☐ 2140

Mr. OWENS. Mr. Speaker, I thank the gentleman from Louisiana.

slaveowner's wife, who once he found out what was going on, stopped it, but Frederick Douglass ran away. He became a runaway slave, and his record, as you know, speaking out for women, speaking out for abolitionists and so forth, was really a tremendous record.

Mr. Speaker, let me just say that Frederick Douglass also had John Brown spend a month with him before John Brown had the raid on Harper's Ferry, and tried to convince him that he was not sure that that was the right way to go. As we know, there was that whole incident of John Brown, and later Denmark Veasy, who attempted to free slaves in South Carolina.

As a matter of fact, there was a commerce clause that today is the basis of interstate commerce, which was denied by the Supreme Court. They would not take up the fact that there should be interstate commerce controlled by the Federal Government because slaves were a part of the interstate commerce, and the courts did not want to rule on whether slavery should be, then, a national problem, and left it to the States.

When we look at some of the things that happened, it is so important that we recall our history and what impact it has had on this Government.

Let me just say, the first Black History celebration was on August 25 in 1893, when Frederick Douglass, at a World's Fair celebrating 400 years of the founding of this country, had colored Americans there, so the real first observance, as I mentioned before, happened to be in 1893.

Actually, in 1895 a woman by the name of Josephine Bruce put forth the proposal before the organization of the National Council of Colored Women's Clubs, which later became the National Council of Negro Women, and she put a formal proposal before her organization to say, ''Let's have Negro history week.''

Interestingly enough, it was defeated. Then, of course, we do know that in 1926, Carter G. Woodson moved forward, and we have this whole question of African-American History Month today.

I just want to mention very quickly in the remaining minutes that I have that African-Americans have been participants in our history from the beginning. We have had approximately 5,000 African-Americans fight in the Revolutionary War, but it was not until the British invited all blacks to join its forces, promising freedom as a reward, that then George Washington decided to allow blacks to fight for the colonial people.

I would just like to say in conclusion the fact that at the battle of Savannah in the Civil War, it was a group of troops from Haiti that fought so valiantly at that battle, and it really reversed the history of this country, because, as you know, the Haitian army back in the late 1700's defeated the British and the French.

Napoleon then had to sell the Louisiana Purchase to the United States of America at 15 cents an acre, which gave the land west of the Mississippi to the United States Government, which therefore relieved the French's threat on the United States Government, because France and the United States were still battling each other. When we look at our history, we can thank the Haitian military for eventually causing the French to have to sell all that territory.

Let me conclude by saying there are some heroes today. We have seen Ron Brown, who has brought more trade to this United States of America, $40 billion from China, $7 billion recently from India, an outstanding person, but under attack.

We see a Dr. Foster, a hero of today, who should be appointed. We see a Lannie Guinier, who should have had an opportunity, but it was taken away before she could do what she could have done positively for this country. We see Joycelyn Elders, today an outspoken person who was doing the job well, but was brought down from her position, and Mike Espy.

As we talk about heroes of the past, I would like to say that we must continue to support those outstanding Americans today, the Ron Browns, that are making this Nation a better place for all of us.

Mr. OWENS. Mr. Speaker, I thank the gentleman from New Jersey.

I yield to the gentleman from Virginia [Mr. SCOTT].

Mr. SCOTT. Mr. Speaker, I thank the gentleman from New York and the gentleman from Ohio for organizing this special order on Black History Month.

Mr. Speaker, I rise to call the attention of the House to Black History Month. As I reflect on the importance of this celebration I am reminded of the commitment of Frederick Douglass, W.E.B. Dubois, and Booker T. Washington to bettering their communities and the Nation. Like many other men and women, these individuals spent their lives fighting for equality and opportunity for all of America's citizens. While each differed in his approach, each one of these men recognized and utilized education as a vital long commitment to providing the same skills and opportunities to his peers both as an orator and as a crusader against slavery. Ultimately, Frederick Douglass recognized that education is necessary in order to obtain both freedom and equality.

Like Frederick Douglass, W.E.B. Dubois, a graduate of Fisk University and the first African-American to receive a Ph.D. from Harvard, also exemplified the importance of education and national progress. Not only was Dr. Dubois committed to his personal scholarship, he spent his life providing research and education resources to African-Americans nationwide. As a founding father of the NAACP, DuBois provided the Nation with the Crisis magazine, which continues today as the literary arm of the NAACP. In addition, he taught at both Wilberforce and Atlanta University.

Booker T. Washington, much like Dubois and Douglass, also made education a paramount part of his work and life. As the proud graduate of Hampton University, which is located in my district, Mr. Washington sought to provide access and resources to communities that were disadvantaged and disenfranchised. Believing that education would assist in achieving economic equity, Booker T. Washington founded Tuskeegee University in 1881.

Recognizing the legacy of education that these men have given us, we are charged with no less of a commitment to education today. It is our responsibility to ensure that each American has access to a quality education. We must support and defend those institutions and programs that make such access and equity possible.

Keeping that in mind, Mr. Speaker, I would like to recognize the 103 historically black colleges and universities [HBCU's] that are currently working tirelessly to provide education to students nationwide. In particular, I would like to recognize Mr. Washington's alma mater, Hampton University, as well as Norfolk State University, Virginia Union University, St. Paul's College, and Virginia State University which have graduated many of our Nation's leaders and continue to serve the residents of Virginia and the Nation as a whole. As we celebrate Black History Month and recognize HBCU's, I must also acknowledge the 50th anniversary of the Central Intercollegiate Athletic Association [CIAA] basketball tournament that is being celebrated this week. The CIAA is the Nation's largest African-American athletic association.

Mr. Speaker, education continues to be essential to freedom as well as to

Mr. OWENS. Mr. Speaker, I thank the gentleman from Virginia, and I yield to the gentleman from North Carolina [Mr. WATT].

Mr. WATT of North Carolina. Mr. Speaker, it is with great pride that I pay tribute to my distinguished colleague, Representative EVA M. CLAYTON, the first black Congresswoman ever elected from North Carolina (representing the First Congressional District).

I am especially pleased to recognize Congresswoman CLAYTON, because I was privileged to join her in the 103d Congress, as one of two African-American Representatives elected from North Carolina since 1901, 94 years ago.

In recognition of Black History Month and in honor of this special Representative, I am pleased to submit a paper entitled ''The Election of Eva M. Clayton as the First Black Congresswoman from North Carolina,'' written by Philip A. Grant, Jr., professor of history at Pace University in New York, which documents this historic event.

Mr. Speaker, this paper is being made a part of the RECORD at this point in the RECORD, as follows:

On October 4, 1991 Congressman Walter B. Jones of North Carolina formally announced that he would not be a candidate for re-election to a fifteenth term. Jones, a seventy-eight year old Democrat, had initially entered the House of Representatives in 1966, after winning a special election to fill a vacancy in North Carolina's First Congressional District. Since 1981, Jones had occupied the post of Chairman of the House Committee on Merchant Marine and Fisheries.

The First Congressional District had been created by the North Carolina Legislature on June 16, 1961, at which time the ''Tarheel State'' lost one of its existing twelve districts. Based on well-documented population patterns, the boundaries of the First District were slightly altered after the Censuses of 1970 and 1980. Located in close proximity to the Atlantic Ocean, the First District was primarily rural in character and solidly Democratic in terms of party registration.

Throughout the nineteen seventies and nineteen eighties Congressman Jones seldom encountered political difficulty in his numerous House campaigns. Because of Jones' enormous personal popularity and the indisputable fact that the veteran incumbent was in the process of accumulating valuable seniority, formidable Democratic primary challenges simply did not materialize.

When Jones announced his decision to retire, it was anticipated that several candidates would opt to seek the Democratic and Republican congressional nominations. While the Republican Party has grown steadily in eastern North Carolina since the late nineteen sixties, no G.O.P. candidate from 1970 to 1990 has polled more than 35.2% of the popular vote in the First District. Consequently, the victor in the 1992 Democratic for the First District seat.

Inasmuch as North Carolina would gain a House seat because of its sustained population growth over the previous decade, the Legislature would have the task of redrawing the boundaries of the state's congressional districts. When the Legislature failed to produce an acceptable plan, a panel of three federal judges resolved the question. According to the court ruling of February 6, 1992, the Black population of the new First District was estimated at 57.3%.

The First District consisted of twenty-eight counties extending from the Virginia line to approximately ten miles of the South Carolina border. While twenty-one of these twenty-eight counties were rural in complexion, the district also included a number of eastern North Carolina's urban centers. Among the cities located within the confines of the district were Wilmington, Fayetteville, New Bern, Greenville, Wilson, Rocky Mount, and Henderson.

Competing against one another in the May 5 Democratic primary were seven candidates, four Blacks and three whites. Generally regarded as the foremost Democratic candidates were Eva M. Clayton, a Black, and Walter B. Jones, Jr., a white. Clayton was a Warren County Commissioner, while Jones, the son of the retiring incumbent, was a member of the North Carolina House of Representatives.

North Carolina law provided that a minimum of forty percent of the popular vote was required to win a party primary, whenever more than two rival candidates were involved. Since Jones obviously benefitted from name recognition, he was striving to reach the forty percent threshold. On primary night Jones assumed a modest lead over Clayton, but fell short of the necessary forty percent. The official returns were: Jones, 33,634 (38.7%); Clayton, 27,477 (31.6%); Others, 25,855 (30.7%).

The failure of any candidate to prevail in the Democratic primary made a run-off contest mandatory. Clayton strongly urged Black Democrats to participate in the run-off, believing that a huge Black turnout would certainly enhance her prospects.

In the June 2 run-off primary it appeared that Blacks were voting in record numbers. The preliminary returns indicated that Clayton would defeat Jones by at least five thousands votes. The final returns were: Clayton, 43,210 (54.8%); Jones, 35,729 (45.2%). While Jones gained an additional 2,095 votes over his showing in the first primary, Clayton's total increased by an astounding 15,757.

It was a foregone conclusion that Clayton would win the general election. The highly respected Congressional Quarterly in late October listed North Carolina's First Congressional District in the ''Safe Democratic'' column. Congressional Quarterly noted that eight-seven percent of the citizens of the First District were affiliated with the Democratic Party.

On November 5, 1992 Clayton overwhelmed her Republican opponent, Ted Tyler, The official tabulation was follows: Clayton, 116,078 (68.1%); Tyler, 54,457 (31.9%). Clayton thus became the first Black woman ever elected to Congress from North Carolina and only the second Black congresswoman ever elected to represent a district in a southern state.

Mr. WATT of North Carolina. Mr. Speaker, I rise today to commemorate Black History Month by honoring Dr. Charlotte Hawkins Brown, an African-American North Carolina native who had a vision in the early 1900s: to ensure that all black youth receive the type of education that would fully prepare them for their futures.

Lottie Hawkins was born in 1883 in Henderson, North Carolina. When she was young, the Hawkins family moved to Massachusetts, where she studied at Cambridge High School and Salem State Normal School. Before graduating from high school, young Lottie changed her name to Charlotte Eugenia Hawkins.

At age 18, Miss Hawkins accepted a teaching position from the American Missionary Association to return to her home state to teach at Bethany Institute near Greensboro at a time when North Carolina had the second highest illiteracy rate in the country. Unfortunately, the school closed after Miss Hawkins' first year there. The school closing only made Miss Hawkins even more determined to start her own school. She felt there was a lack of educational opportunities for young blacks in the South. There were approximately 2,400 elementary schools across the country responsible for educating young black children, but many of these schools, she felt, were far from adequate.

Miss Hawkins left for Massachusetts to raise money to finance her dream. She personally met with supporters and even sang for donations at seaside resorts. In 1902, she returned to North Carolina where 15 acres of land and an old log blacksmith's shop were donated to her by a local minister. She used the money raised in Massachusetts to convert the shop into a school, thus making her dream a reality.

The schools' beginnings were extremely humble. Fifteen girls and two teachers including Miss Hawkins slept in cramped quarters in the loft. The rest of the building was occupied by classrooms, a living room and a kitchen. Nevertheless, in November 1902, classes began at the Alice Freeman Palmer Memorial Institute. The school was named for Miss Hawkins' benefactor and friend who was also the second female president of Wellesley College in Massachusetts.

After its opening, the school was faced with ever-present financial battles. Although tuition was $5.00 a month, many of the students at Palmer found it difficult to manage. The school was involved in letter-writing campaigns and the students themselves worked the land to help keep expenses

ness with living in Sedalia. Still Mrs. Brown continued to move forward. Under her direction, the school grew to more than 350 acres of land. Donations and community and student involvement enabled the construction of several frame buildings.

The growing needs and changes of the community forced Palmer's curriculum to go from an agriculture and manual training-based curriculum to one that expanded to include more classes in liberal arts, languages, sciences, and dramatics. Elementary education was eliminated and a junior-college level teaching course was added.

Palmer evolved into ''an elite institution that prepared African American youth for college.'' Tuition rose to $800 per year by the late 1950s and 90 percent of the graduates went on to pursue further education. More and more students began enrolling from around the country.

The school survived three fires and economic hardship. Even with the unfortunate mishaps, the school was able to exult about its 1,000 strong, proud black student graduates. Dr. Brown went on to receive several honorary degrees herself. She often spoke to multiracial groups of women advocating equality, wrote novels, and was given the nickname ''The Mayor of Sedalia'' by her community.

On January 11, 1961, Dr. Charlotte Hawkins died. Her legacy which was her school, continued until 1971. Bennett College, a historically black women's college in Greensboro bought the campus.

Today, the Charlotte Hawkins Brown Memorial sits on 40 acres of land in Sedalia, North Carolina, east of Greensboro. The state legislature allocated $400,000 to purchase the land and partially restore the campus. It is the first historic site honoring an African-American and a woman.

Mr. OWENS. Mr. Speaker, I thank the gentleman from North Carolina.

Mr. Speaker, it is customary for the Congressional Black Caucus during this observance of Black History Month to allow Members to speak about whatever aspects of black history they wish to speak of. We have had a number of different testimonials to black history.

I would like to stay close to the theme that has been developed by the Association for the Study of Afro-American Life and History. Some of my colleagues have dealt with that theme, but I would like to focus on it in more detail and try to relate it to what is currently happening here in the Congress.

nius that they put Douglas, Du Bois, and Booker T. Washington together, Booker T. Washington, W. E. B. Du Bois, and Frederick Douglass.

□ 2200

These are all giants in black history. These are all people of great stature. They happened all to be alive in 1895. In 1895 it was the last year of Frederick Douglass' life. He died in 1895. In 1895 Booker Washington was alive. In 1895 W.E.B. DuBois was alive. W.E.B. DuBois was born in 1868, and he died in 1963. Booker Washington was born in 1856, and he died in 1915. Frederick Douglass was born in 1817, and he died in 1895, a hundred years ago.

I was very much influenced in my life by a book that I stumbled across in the library when I was in the sixth grade called, ''Up from Slavery,'' the autobiography of Booker T. Washington. I have also read the writings of DuBois and Frederick Douglass. We are now in 1995, and the question is of what significance is 1895 to us here in 1995, of what significance are the lives of these three giants in black history?

In 1895 you were past the Civil War, the end of the Civil War, a little more than 25 years. The Civil War, what I choose to call the War Against Slavery, had ended, and in 1895 we had gone through a period in history which is called the Reconstruction, an all too short period where the duly freed slaves were now allowed for a brief time to participate in civic affairs. They actually had the majority in some State legislatures, and the legislature of the State of South Carolina passed some of the most far-reaching social legislation in the history of the country until the New Deal. The legislation of South Carolina performed magnificently, and many other legislatures. There was a whole period where blacks struggle to grapple with the running of towns, counties, and there were blacks who came to Congress also during that period.

But by 1895 this had all come to a crashing halt. In 1895 of course Booker Washington was very much alive, as I said before. That was the last year Frederick Douglass was alive. Frederick Douglass died with a broken heart. He had seen all of the hope of Reconstruction come crashing down, all the hope of progress, of true freedom, of onward and upward advancement for the people of African descent, the former slaves, all that had come crashing down.

The Freed Man's Bureau, which was established shortly after the slaves were freed, had been wiped out. The

had been projected by 1895 in slaves, and slave leadership, and slave—the former slaves, their leadership in society, their institutions. All were struggling in a hostile environment.

I would like to just comment on the most recent giant who watched all of this happen. DuBois was born in 1868, so he saw the Reconstruction, the last days of the Reconstruction, the first Reconstruction period. He saw it crumble, but DuBois was an exceptionally advantaged individual. He happened to have been born in Massachusetts, an environment which encouraged him to go forward and get ahead.

So, W.E.B. DuBois became the first doctorate. He was the first person of African descent to get a PhD from Harvard, and he was a great intellectual, wrote many books and saw himself as being very important in trying to reconstruct the soul of black folks. He wrote one book called, ''The Souls of Black Folk'' because he understood that one of the objectives of slavery had been to obliterate the soul of black folk.

The whole institution of slavery was designed to destroy the humanity of the slaves. A slave was to be an efficient beast of burden, and slavery could not do that as long as you were dealing with a human being. You could not let slaves operate as if they were human. You could not allow them to have families. So it was, you know, deliberately that every effort was made to tear families apart. First officially and formally it was against the law for them to get married. They could not get married. They had to devise their own means of being married for short periods of time, but those were only short periods of time where they had their own arrangements among families because families were torn apart frequently by being sold. One, traditionally very young children were taken from their mother's arms and sold into slavery far away. There was no such thing as a mother or a husband being kept with a wife because he happened to be the father of her children. They were sold like animals.

So, you know, the need to restore the soul of the people of African descent was a major preoccupation of DuBois. You have to reconstruct institutions, construct new institutions, because in order to make the slave more effective and efficient as beasts of burden they were cut off from their past tribal customs. They were deliberately loaded on slave ships and brought over here in arrangements which placed slaves next to each other from different tribes so they

practical man. He founded Tuskegee Institute and felt that the first thing the slaves had to do, the ex-slaves, former slaves, had to do was to learn skills, occupations; you know, job training, and less emphasis should be placed on learning the classics, learning the right poetry or dealing with music. The things that DuBois was concerned with was of no concern to Booker T. Washington. Self-help and building a practical economy within the eternal communities of slaves was a preoccupation of Booker T. Washington. He was criticized for not espousing a form of education that would help blacks to become poets, and intellectuals and philosophers. I think some of the criticism is valid, but I think the combination of DuBois' approach and a Booker Washington's approach was that really would have worked best instead of fighting each other, instead of two schools of thought being developed.

It would have been great if they could have come together. Frederick Douglass, the earliest of the three, is a person I would like to focus on. He died in 1895, as I said before, and Frederick Douglass was born a slave. Frederick Douglass was born in a time when it was illegal to teach slaves to read. So the very fact that he learned to read, the very fact that he educated himself, became a great writer, became a great orator, a great thinker, a great organizer; all of that is due to an exceptional set of talents that this individual possessed.

He died in 1895, as I said before. This is 1995. Some of the things that are happening right here in the Congress right now remind me of the era of 1895 and the period leading up to 1895 when the Reconstruction benefits had all collapsed and the people of African descent experienced a great setback. We have forces at work now which are attempting to set back the progress made by the people of African descent, the descendants of slaves, the victims of one of the most heinous crimes ever committed against humanity.

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There are attempts being made to roll back the clock and take away programs that provide life and death sustenance to large numbers of people who are poor because of the fact that they are trapped in situations where they cannot go forward. A mismanaged economy has taken away the jobs, and various other problems exist, and these are people who comes from a slave background.

not have.

All that was taken away. No descendant of a slave can say they can go back in history and lean on ancestors who had this to pass down, no inheritance, no help whatsoever. That is the lot of people of African descent. They had to make it all by themselves.

I say all this because I understand that in addition to the whole series of onslaughts being waged against certain programs that benefit people of African descent, we now have a threat on affirmative action. There is a coming onslaught against affirmative action which will also finish off some of the benefits gained through what I call the second reconstruction. The period leading up to 1995 has the civil rights in it, the Voting Rights Act, a number of other progressive steps taken to compensate for all that was not done when the slaves were set free.

Now we are talking about a colorblind America. Suddenly we want nobody to be given any extra assistance. We readily understand the need to assist people who are victims of earthquakes. We readily understand the need to assist people who are the victims of floods or people who are the victims of hurricanes. We rush to give assistance to those victims, but we do not want to give assistance to victims trapped in big cities, mismanaged economies where jobs have been taken away, and they are also victims. We do not want to give the same kind of assistance. We also do not want to give assistance in recognition of the fact that there is a slave history.

I want to end on this note, because there will be a continuation of what I have started here. I want everybody to know that Frederick Douglass is most famous for a speech he made in Rochester, New York. He was invited on the 4th of July to address a great gathering there. He was a former slave, but he was invited to address a gathering there. He was known as a great abolitionist, a great orator. And during his address he asked some very blunt questions: Why do you invite me here if you are not interested in helping to end slavery and end the effects of slavery? Why do you invite me here to celebrate freedom, when at this moment dastardly deeds are being done all across the Nation to my people? Why do you invite me?

His confrontation with those who had invited him was so forthright that there was a riot in Rochester. He had to run for his life.

I am afraid that those who want to attack affirmative action and those who want to combine the onslaught

make all of those who want to see the world in very simple-minded terms only today is important. They want to erase 200 years of slavery, 200 years of crimes against humanity, unlike any that ever existed.

We do not talk much about this in the African-American community. Nobody wants to dredge up slavery. My parents did not want my teachers to teach me anything about slavery. They felt ashamed of it, the victims being ashamed. I as not ashamed. I was a victim. But for every victim or descendant of victims, there are descendants of criminals, the people who perpetrated that. We do not want to get into that if we are not forced into it. If you force us into it, we have to review what does America owe for all of those years that it officially permitted slavery to exist? In the Constitution, slavery is recognized. A slave is considered three-fifths of a man in the Constitution. So our Government and all that has come after our Government has to bear the burden of blame for letting the institution of slavery exist long after it was established.

What about the 200 million people who were lost in the Atlantic crossing? Very conservative estimates say the slave trade, just the crossing of the Atlantic, bringing the salves across, there were 200 million people who died coming across. So great was the number of people thrown overboard, that it altered the ecology of the oceans. The sharks even now follow after ships along a trail seeking the flesh that was thrown overboard in all those years, 200 years of the slave trade.

Once the slaves found themselves in this country, they were treated, of course, like beasts of burden. We have all of that that we will be forced to dredge up and forced to discuss. Repatriations. Repatriations are due, but people consider that out of the question, to talk about some kind of compensation for all those 200 years of free labor and for the 100 years after that of illegal segregation and other kinds of repression.

We do not want to deal with that, but we will be forced to deal with it if you are going to attack affirmative action, if you attack the programs that help the most needy people in our communities. We will be forced to have a review of what it is owed, what does this country owe, what do individuals owe, and how might some of these same individuals who insist on persecuting the decedents of slaves, the victims of slavery today, how might some of them fare if we had some genealogists to go back in their history and check and

decade, for 200 years. Nothing like it ever existed, and we hate to have to deal with it. But on this occasion of the observance of Black History Month, I serve warning on all of those out there who want to wage war on little meager efforts to compensate like affirmative action, a very piddling effort to compensate for that heinous crime, all of those who want to take us on, we will be forced to defend ourselves by requesting a review, a thorough review of the crime of slavery and the implications of that crime on all the descendants, the victims and the perpetrators.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. EHLERS (at the request of Mr. ARMEY), on February 21 and today, on account of illness.

Mr. RUSH (at the request of Mr. GEPHARDT), for February 21 and today, on account of personal 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. TAYLOR of Mississippi) to revise and extend their remarks and include extraneous material:)

Mr. BONIOR, for 5 minutes, today.

Mr. LEWIS, of Georgia, for 5 minutes, today.

Mr. KLINK, for 5 minutes, today.

Mr. BECERRA, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

Mr. TAYLOR of Mississippi, for 5 minutes, today.

(The following Members (at the request of Mr. HAYWORTH) to revise and extend their remarks and include extraneous material:)

Mr. TORKILDSEN, for 5 minutes each day, on February 23 and 24.

Mrs. SEASTRAND, for 5 minutes, on February 24.

Mr. SMITH of Michigan, for 5 minutes each day, on February 23 and 24.

Mr. HUNTER, for 5 minutes, today.

Mr. TIAHRT, for 5 minutes, today.

Mr. KIM, for 5 minutes, today.

Mr. FOX of Pennsylvania, for 5 minutes, on February 23.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. PICKETT.

Mr. KANJORSKI.

Mr. KILDEE.

Ms. DELAURO.

(The following Members (at the request of Mr. HAYWORTH) and to include extraneous matter:)

Mr. YOUNG of Alaska.

Mr. PACKARD.

Mr. FAWELL in three instances.

Mr. COMBEST in three instances.

Mr. MANZULLO.

(The following Members (at the request of Mr. OWENS) and to include extraneous matter:)

Mr. UPTON.

Ms. MCCARTHY.

Mrs. COLLINS of Illinois.

Mr. LEVIN.

Mr. DIXON.

Ms. BROWN of Florida.

Mr. BONILLA.

Mr. OWENS.

ADJOURNMENT

Mr. OWENS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 10 o'clock and 18 minutes p.m.), the House adjourned until Thursday, February 23, 1995, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

387. A communication from the President of the United States, transmitting amendments to the fiscal year 1996 appropriations requests for the Departments of Commerce, Education, Energy, and the Interior, and the U.S. Army Corps of Engineers, as well as a revision to a fiscal year 1995 supplemental proposal for the Department of Labor, pursuant to 31 U.S.C. 1106(b) (H. Doc. No. 104–39); to the Committee on Appropriations and ordered to be printed.

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 reference to the proper calendar, as follows:

Mr. GOSS: Committee on Rules. House Resolution 93. Resolution providing for the consideration of the bill (H.R. 450) to ensure economy and efficiency of Federal Government operations by establishing a moratorium on regulatory rulemaking actions, and for other purposes (Rept. 104–45). Referred to the House Calendar.

search, and services aimed at prevention of birth defects, and for other purposes; to the Committee on Commerce.

By Mr. SAWYER:

H.R. 1011. A bill to extend the deadline under the Federal Power Act applicable to the construction of a hydroelectric project in the State of Ohio; to the Committee on Commerce.

By Mr. BAKER of California (for himself, Mr. LATOURETTE, and Mr. MILLER of Florida):

H.R. 1012. A bill to require equal coverage under a health plan for all children under the age of 27 of an individual who enrolls in the plan under a family class of enrollment; to the Committee on Commerce, and in addition to the Committees on Economic and Educational Opportunities, and the Judiciary, 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 Mrs. COLLINS of Illinois:

H.R. 1013. A bill to amend the Social Security Act to protect consumers through the establishment of standards for long-term care insurance policies; to the Committee on Commerce.

By Mr. HASTINGS of Washington:

H.R. 1014. A bill to authorize extension of time limitation for a FERC-issued hydroelectric license; to the Committee on Commerce.

By Mr. KLECZKA (for himself, Mr. BARRETT of Wisconsin, Mr. PETRI, and Mr. SENSENBRENNER):

H.R. 1015. A bill to provide for the temporary suspension of the reformulated gasoline rules under the Clean Air Act; to the Committee on Commerce.

By Mr. OWENS (for himself, Mr. HINCHEY, Mr. MCDERMOTT, Ms. VELÁZQUEZ, and Mr. FORD);

H.R. 1016. A bill to establish a Federal housing trust fund to provide decent, safe, and affordable housing for low-income families lacking such housing; to the Committee on Ways and Means, and in addition to the Committee on Banking and Financial Services, 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. TRAFICANT:

H.R. 1017. A bill to amend title I of the Housing and Community Development Act of 1974 to give preference in awarding economic development grants made in connection with community development loan guarantees to cities having high unemployment rates; to the Committee on Banking and Financial Service.

By Mr. PETE GEREN of Texas:

H. Con. Res. 32. Concurrent resolution expressing the sense of the Congress that the Sikh nation should be allowed to exercise the right of self-determination in their homeland, Punjab, Khalistan; to the Committee on International Relations.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 127: Mr. HOUGHTON, Mr. WYNN, Ms. LOWEY, and Mr. PETRI.

H.R. 209: Mrs. CHENOWETH and Mr. BUNNING of Kentucky.

H.R. 303: Ms. PELOSI, Mr. GONZALEZ, and Mr. NEY.

H.R. 326: Mr. MCCOLLUM and Mr. FOLEY.

H.R. 328: Mr. ANDREWS.

H.R. 359: Mr. FRAZER.

H.R. 438: Mr. BUNNING of Kentucky, Mr. SAXTON, Mr. STEARNS, Mr. MCKEON, and Mr. ROHRABACHER.

H.R. 489: Mr. BARTLETT of Maryland.

H.R. 490: Mr. BURTON of Indiana.

H.R. 500: Mr. BAKER of Louisiana, Mr. BACHUS, Mr. GALLEGLY, Mr. HEINEMAN, Mrs. WALDHOLTZ, and Mr. WATTS of Oklahoma.

H.R. 525: Mr. BAKER of Louisiana and Mr. BARTLETT of Maryland.

H.R. 560: Mr. SKEEN.

H.R. 580: Mr. YOUNG of Alaska.

H.R. 585: Mr. FOLEY, Mr. LIPINSKI, Mr. JACOBS, Mr. JOHNSON of South Dakota, Mr. HUTCHINSON, Mr. COSTELLO, and Mr. OBERSTAR.

H.R. 663: Mr. BAKER of Louisiana.

H.R. 705: Mr. SAM JOHNSON, Mr. SKEEN, Mr. CUNNINGHAM, and Mr. SAXTON.

H.R. 752: Mr. METCALF, Mr. YOUNG of Alaska, Mrs. KENNELLY, Mr. COYNE, and Mr. NORWOOD.

H.R. 784: Mr. FIELDS of Texas and Mr. MCKEON.

H.R. 789: Mr. ROHRABACHER.

H.R. 791: Mr. BLILEY, Mr. TAYLOR of North Carolina, Mr. BAKER of Louisiana, Mr. BACHUS, Mr. BAKER of California, and Mr. SOLOMON.

H.R. 797: Mr. GEJDENSON, Mr. SOLOMON, Mr. SCHUMER, and Mr. MORAN.

H.R. 800: Mr. BONILLA and Mr. WELLER.

H.R. 873: Mr. HUTCHINSON, Mr. NEY, Mr. UPTON, Mr. BROWN of California, Mr. BAKER of California, Mr. SAXTON, Mr. CAMP, Mr. CONDIT, Mr. ENGLISH of Pennsylvania, Mr. FIELDS of Texas, Mr. SOUDER, Mr. TORKILDSEN, Mr. LAZIO of New York, and Ms. FURSE.

H.J. Res. 6: Mr. LIGHTFOOT and Mr. PALLONE.

H.J. Res. 64: Mr. SAM JOHNSON, Mr. SKEEN, Mr. CUNNINGHAM, and Mr. SAXTON.

H. Con. Res. 12: Mr. EWING, Mr. HASTINGS of Washington, Mr. FAWELL, Mr. WELLER, Mr. HUTCHINSON, Mr. WILSON, and Mr. ROHRABACHER.

H. Res. 20: Ms. RIVERS, Ms. SLAUGHTER, and Ms. VELAZQUEZ.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, sponsors were deleted from public bills and resolutions as follows:

H.R. 867: Mrs. MALONEY.

H.J. Res. 2: Mr. KIM.

AMENDMENTS

Under clause 6 of rule XXIII, proposed amendments were submitted as follows:

OFFERED BY: MR. BURTON

AMENDMENT NO. 6: In Section 6(3)(B)(ii), after the comma following ''agreements'' insert the following:

''including all agency actions required by the Uruguay Round Agreements Act,''

H.R. 450

OFFERED BY: MRS. COLLINS OF ILLINOIS

AMENDMENT NO. 7: At the end of section 5 (pages , after line), add the following new subsection:

(c) COMMON SENSE REGULATORY IMPROVEMENTS.—Section 3(a) or 4(a), or both, shall not apply to any of the following regulatory rulemaking actions (or any such action relating thereto):

(1) PERSONAL USE OF CAMPAIGN FUNDS.—A regulatory rulemaking action by the Federal Election Commission governing personal use of campaign funds, taken under the Federal Election Campaign Act of 1971 and with respect to which final rules were published on February 9, 1995 (60 Fed. Reg. 7862).

(2) IMMIGRANT ASYLUM REQUESTS.—A regulatory rulemaking action to improve procedures for disposing of requests for asylum under immigration laws, taken by the Immigration and Naturalization Service and with respect to which final rules were published on December 5, 1994 (59 Fed. Reg. 62284).

(3) HUD REGULATORY IMPROVEMENTS.—A regulatory rulemaking action by the Department of Housing and Urban Development—

(A) to establish a preference for the elderly in the provision of section 8 housing assistance, taken under subtitle D of title VI of the Housing and Community Development Act of 1992 and with respect to which a final rule was published on December 21, 1994 (59 Fed. Reg. 65842);

(B) to eliminate drugs from federally assisted housing, as authorized by section 581 of the National Affordable Housing Act and section 161 of the Housing and Community Development Act of 1992 and with respect to which a final rule was published on January 26, 1995 (60 Fed. Reg. 5280); or

(C) to designate urban empowerment zones or enterprise communities, taken under subchapter C of part I of title XIII of the Omnibus Budget Reconciliation Act of 1993 and with respect to which a final rule was published on January 12, 1995 (60 Fed. Reg. 3034).

(4) COMPENSATION TO PERSIAN GULF WAR VETERANS.—A regulatory rulemaking action to provide compensation to Persian Gulf War veterans for disability from undiagnosed illnesses, taken under the Persian Gulf War Veterans' Benefits Act and with respect to which a final rule was published on February 3, 1995 (60 Fed. Reg. 6660).

(5) CHILD MOLESTER DATABASE.—A regulatory rulemaking action by the Department of Justice to require persons criminally convicted of a sexually violent offense against a minor to register with State law enforcement agencies so that such agencies can develop a database of the identities and residences of those offenders, taken under title XVII of the Violent Crime Control and Law Enforcement Act of 1994.

(6) MIGRATORY BIRD HUNTING.—A regulatory rulemaking action by the Department of the Interior that establishes the hunting season, hunting hours, hunting areas, and possession limits for migratory birds, and with respect to which final rules were published on Nolatory rulemaking actions (or any such action relating thereto):

(1) AIRCRAFT SAFETY.—Any regulatory rulemaking action to improve aircraft safety, including such an action to improve the airworthiness of aircraft engines.

(2) MINE SAFETY.—Any regulatory rulemaking action by the Mine Safety and Health Administration that relates to reducing death, injury, or illnesses in mines, including such an action—

(A) to require better ventilation to avoid buildup of explosive methane gas, taken under section 101 of the Federal Mine Safety and Health Act of 1977 (30 U.S.C. 811) and with respect to which notice of proposed rulemaking was published at 59 Federal Register 26356; or

(B) to restrict the use of diesel equipment to avoid coal mine fires, taken under that section and section 508 of that Act (30 U.S.C. 957) and with respect to which a notice of proposed rulemaking was published at 54 Federal Register 40950.

(3) NUCLEAR WASTE DISPOSAL.—Any regulatory rulemaking action to ensure that before beginning the disposal of radioactive waste, the Waste Isolation Pilot Plant in New Mexico complies with appropriate disposal standards, taken under the Waste Isolation Pilot Plant Land Withdrawal Act and with respect to which a proposed rule was published on January 30, 1995 (60 Fed. Reg. 5766).

H.R. 450

OFFERED BY: MRS. COLLINS OF ILLINOIS

AMENDMENT NO. 9: At the end of section 5 (page , after line), add the following new subsection:

(c) FOOD AND WATER SAFETY REGULATIONS.—Section 3(a) or 4(a), or both, shall not apply to any of the following regulatory rulemaking actions (or any such action relating thereto):

(1) MEAT AND POULTRY INSPECTION.—Any regulatory rulemaking action to reduce pathogens in meat and poultry, taken by the Food Safety and Inspection Service of the United States Department of Agriculture and with respect to which a proposed rule was published on February 3, 1995 (60 Fed. Reg. 6774).

(2) DRINKING WATER SAFETY.—Any regulatory rulemaking action begun by the Administrator of the Environmental Protection Agency before the date of the enactment of this Act that relates to control of microbial and disinfection by-product risks in drinking water supplies.

(3) IMPORTATION OF FOOD IN LEAD CANS.—Any regulatory rulemaking action by the Food and Drug Administration to require that canned food imported into the United States comply with standards applicable to domestic manufacturers that prohibit the use of lead solder in cans containing food, taken under sections 201, 402, 409, and 701 of the Federal Food, Drug, and Cosmetic Act and with respect to which a proposed rule was published at 58 Federal Register 33860.

H.R. 450

OFFERED BY: MRS. COLLINS OF ILLINOIS

AMENDMENT NO. 10: At the end of section 5 (page , after line), add the following new subsection:

OFFERED BY: MRS. COLLINS OF ILLINOIS

AMENDMENT NO. 11: At the end of section 5 (page , after line), add the following new subsection:

(c) REGULATIONS TO AID BUSINESS COMPETITIVENESS.—Section 3(a) or 4(a), or both, shall not apply to any of the following regulatory rulemaking actions (or any such action relating thereto):

(1) CONDITIONAL RELEASE OF TEXTILE IMPORTS.—A final rule published on December 2, 1994 (59 Fed. Reg. 61798), to provide for the conditional release by the Customs Service of textile imports suspected of being imported in violation of United States quotas.

(2) TEXTILE IMPORTS.—Any action which the head of the relevant agency and the Administrator of the Office of Information and Regulatory Affairs certify in writing is a substantive rule, interpretive rule, statement of agency policy, or notice of proposed rulemaking to interpret, implement, or administer laws pertaining to the import of textiles and apparel including section 334 of the Uruguay Round Agreements Act (P.L. 103–465), relating to textile rules of origin.

(3) CUSTOMS MODERNIZATION.—Any action which the head of the relevant agency and the Administrator of the Office of Information and Regulatory Affairs certify in writing is a substantive rule, interpretive rule, statement of agency policy, or notice of proposed rulemaking to interpret, implement, or administer laws pertaining to the customs modernization provisions contained in title VI of the North American Free Trade Agreement Implementation Act (P.L. 103–182).

(4) ACTIONS WITH RESPECT TO CHINA REGARDING INTELLECTUAL PROPERTY PROTECTION AND MARKET ACCESS.—A regulatory rulemaking action providing notice of a determination that the People's Republic of China's failure to enforce intellectual property rights and to provide market access is unreasonable and constitutes a burden or restriction on United States commerce, and a determination that trade action is appropriate and that sanctions are appropriate, taken under section 304(a)(1)(A)(ii), section 304(a)(1)(B), and section 301(b) of the Trade Act of 1974 and with respect to which a notice of determination was published on February 7, 1995 (60 Fed. Reg. 7230).

(5) TRANSFER OF SPECTRUM.—A regulatory rulemaking action by the Federal Communications Commission to transfer 50 megahertz of spectrum below 5 GHz from government use to private use, taken under the Omnibus Budget Reconciliation Act of 1993 and with respect to which notice of proposed rulemaking was published at 59 Federal Register 59393.

(6) PERSONAL COMMUNICATIONS SERVICES LICENSES.—A regulatory rulemaking action by the Federal Communications Commission to establish criteria and procedures for issuing licenses utilizing competitive bidding procedures to provide personal communications services—

(A) taken under section 309(j) of the Communications Act and with respect to which a final rule was published on December 7, 1994 (59 Fed. Reg. 63210); or

(B) taken under sections 3(n) and 332 of the Communications Act and with respect to which a final rule was published on December 2, 1994 (59 Fed. Reg. 61828).

making action by the Securities and Exchange Commission to provide for increased competition among the stock exchanges, taken under the Unlisted Trading Privileges Act of 1994 and with respect to which proposed rulemaking was published on February 9, 1995 (60 Fed. Reg. 7718).

H.R. 450

OFFERED BY: MRS. COLLINS OF ILLINOIS

AMENDMENT NO. 12: At the end of section 5 (page , after line , add the following new subsection:

(c) FAMILY AND MEDICAL LEAVE REGULATIONS.—Section 3(a) or 4(a), or both, shall not apply to any regulatory rulemaking action (or any such action relating thereto) to clarify requirements under the Family and Medical Leave Act of 1993 with respect to which a final rule was published on January 6, 1995 (60 Fed. Reg. 2180).

H.R. 450

OFFERED BY: MRS. COLLINS OF ILLINOIS

AMENDMENT NO. 13: Amend section 6(3)(A) (page , beginning at line) to read as follows:

(A) IN GENERAL.—The term ''regulatory rulemaking action'' means the issuance of any substantive rule, interpretative rule, statement of agency policy, or notice of proposed rulemaking.

H.R. 450

OFFERED BY: MRS. COLLINS OF ILLINOIS

AMENDMENT NO. 14: Amend section 6(2)(A) (page , line) to read as follows:

(A) beginning on the date of the enactment of this Act; and

H.R. 450

OFFERED BY: MRS. COLLINS OF ILLINOIS

AMENDMENT NO. 15: Amend section 7 (page , beginning at line) to read as follows:

SEC. 7. JUDICIAL REVIEW.

This Act shall not be considered to authorize or require any action that is subject to judicial review.

H.R. 450

OFFERED BY: MRS. COLLINS OF ILLINOIS

AMENDMENT NO. 16: At the end of section 5 (page , after line), add the following new subsection:

(c) CIVIL RIGHTS EXCEPTION.—Section 3(a) or 4(a), or both, shall not apply to a regulatory rulemaking action to establish or enforce any statutory rights against discrimination on the basis of age, race, religion, gender, national origin, or handicapped or disability status.

H.R. 450

OFFERED BY: MRS. COLLINS OF ILLINOIS

AMENDMENT NO. 17: At the end of section 5 (page , after line), add the following new subsection:

(c) TELEMARKETING AND CONSUMER FRAUD PREVENTION.—Section 3(a) or 4(a), or both, shall not apply to any regulatory rulemaking actions (or any such action relating thereto) to prevent telemarketing fraud or consumer fraud, taken under the Telemarketing and Consumer Fraud and Abuse Prevention Act of 1994.

H.R. 450

OFFERED BY: MR. CONDIT

AMENDMENT NO. 18. In the proposed section 6(2)(B), strike the period at the end and in-

(A) and ending on the earlier of the first date on which there has been enacted after the date of the enactment of this Act a law authorizing appropriations to carry out the Endangered Species Act of 1973, or December 31, 1996.

H.R. 450

OFFERED BY: MR. FIELDS OF LOUISIANA

AMENDMENT NO. 19: At the end of section 5 (page , after line , add the following new subsection:

(c) REGULATIONS RELATING TO ELEMENTARY OR SECONDARY SCHOOLS.—Section 3(a) or 4(a), or both, shall not apply to any regulatory rulemaking action relating to elementary or secondary schools.

H.R. 450

OFFERED BY: MR. GENE GREEN OF TEXAS

AMENDMENT NO. 20: At the end of section 5 (page 4, after line 5), add the following new subsection:

(c) FAMILY AND MEDICAL LEAVE REGULATIONS.—Section 3(a) or 4(a), or both, shall not apply to any regulatory rulemaking action (or any such action relating thereto) to clarify requirements under the Family and Medical Leave Act of 1993 with respect to which a final rule was published on January 6, 1995 (60 Fed. Reg. 2180).

H.R. 450

OFFERED BY: MR. KANJORSKI

AMENDMENT NO. 21: Amend section 6(2)(A) (page , line) to read as follows:

(A) beginning on the date of the enactment of this Act; and

H.R. 450

OFFERED BY: MR. KANJORSKI

AMENDMENT NO. 22: Amend section 7 (page , beginning at line) to read as follows:

SEC. 7. JUDICIAL REVIEW.

This Act shall not be considered to authorize or require any action that is subject to judicial review.

H.R. 450

OFFERED BY: MR. MARKEY

AMENDMENT NO. 23: At the end of section 5 (page , after line), add the following new subsection:

(c) SECURITIES AND COMMODITIES REGULATIONS.—Section 3(a) or 4(a), or both, shall not apply to any regulatory rulemaking action by the Securities and Exchange Commission or the Commodity Futures Trading Commission.

H.R. 450

OFFERED BY: MR. MORAN

AMENDMENT NO. 24: At the end of section 5 (page , after line), add the following new subsection:

(c) IMMIGRANT ASYLUM REQUESTS.—Section 3(a) or 4(a), or both, shall not apply to any regulatory rulemaking action (or any such action relating thereto) to improve procedures for disposing of requests for asylum under immigration laws, taken by the Immigration and Naturalization Service and with respect to which final rules were published on December 5, 1994 (59 Fed. Reg. 62284).

gender, national origin, or handicapped or disability status.

H.R. 450

OFFERED BY: MS. NORTON

AMENDMENT NO. 26: At the end of the bill (page , after line), add the following new section:

SEC. . CIVIL RIGHTS EXCEPTION.

Section 3(a) or 4(a), or both, shall not apply to a regulatory rulemaking action to establish or enforce any statutory rights against discrimination on the basis of age, race, religion, gender, national origin, or handicapped or disability status.

H.R. 450

OFFERED BY: MR. RADANOVICH

AMENDMENT NO. 27: At the end of section 6(4) (page , after line), before the period insert the following: ''or to increase product information or choice with respect to food products''.

H.R. 450

OFFERED BY: MS. SLAUGHTER

AMENDMENT NO. 28: At the end of section 5 (page , after line), add the following new subsection:

(c) FOOD AND WATER SAFETY REGULATIONS.—Section 3(a) or (4)(a), or both, shall not apply to any of the following regulatory rulemaking actions (or any such action relating thereto):

(1) MEAT AND POULTRY INSPECTION.—Any regulatory rulemaking action to reduce pathogens in meat and poultry, taken by the Food Safety and Inspection Service of the United States Department of Agriculture and with respect to which a proposed rule was published on February 3, 1995 (60 Fed. Reg. 6774).

(2) DRINKING WATER SAFETY.—Any regulatory rulemaking action begun by the Administrator of the Environmental Protection Agency before the date of the enactment of this Act that relates to control of microbial and disinfection by-product risks in drinking water supplies.

(3) IMPORTATION OF FOOD IN LEAD CANS.—Any regulatory rulemaking action by the Food and Drug Administration to require that canned food imported into the United States comply with standards applicable to domestic manufacturers that prohibit the use of lead solder in cans containing food, taken under sections 201, 402, 409, and 701 of the Federal Food, Drug, and Cosmetic Act and with respect to which a proposed rule was published at 58 Federal Register 33860.

H.R. 450

OFFERED BY: MS. SLAUGHTER

AMENDMENT NO. 29: At the end of the bill (page , after line), add the following new section:

SEC. . FOOD AND WATER SAFETY REGULATIONS.

Section 3(a) or (4)(a), or both, shall not apply to any of the following regulatory rulemaking actions (or any such action relating thereto):

(1) MEAT AND POULTRY INSPECTION.—Any regulatory rulemaking action to reduce pathogens in meat and poultry, taken by the Food Safety and Inspection Service of the United States Department of Agriculture and with respect to which a proposed rule was published on February 3, 1995 (60 Fed. Reg. 6774).

(2) IMPORTATION OF FOOD IN LEAD CANS.—Any regulatory rulemaking action by the Food and Drug Administration to require that canned food imported into the United States comply with standards applicable to domestic manufacturers that prohibit the use of lead solder in cans containing food, taken under sections 201, 402, 409, and 701 of the Federal Food, Drug, and Cosmetic Act and with respect to which a proposed rule was published at 58 Federal Register 33860.

H.R. 450

OFFERED BY: MR. SPRATT

AMENDMENT NO. 30: At the end of the bill (page , after line), add the following new section:

SEC. . REGULATIONS TO AID BUSINESS COMPETITIVENESS.

Section 3(a) or 4(a), or both, shall not apply to any of the following regulatory rulemaking actions (or any such action relating thereto):

(1) CONDITIONAL RELEASE OF TEXTILE IMPORTS.—A final rule published on December 2, 1994 (59 Fed. Reg. 61798), to provide for the conditional release by the Customs Service of textile imports suspected of being imported in violation of United States quotas.

(2) TEXTILE IMPORTS.—Any action which the head of the relevant agency and the Administrator of the Office of Information and Regulatory Affairs certify in writing is a substantive rule, interpretive rule, statement of agency policy, or notice of proposed rulemaking to interpret, implement, or administer laws pertaining to the import of textiles and apparel including section 334 of the Uruguay Round Agreements Act (P.L. 103–465), relating to textile rules of origin.

(3) CUSTOMS MODERNIZATION.—Any action which the head of the relevant agency and the Administrator or the Office of Information and Regulatory Affairs certify in writing is a substantive rule, interpretive rule, statement of agency policy, or notice of proposed rulemaking to interpret, implement, or administer laws pertaining to the customs modernization provisions contained in title VI of the North American Free Trade Agreement Implementation Act (P.L. 103–182).

(4) ACTIONS WITH RESPECT TO CHINA REGARDING INTELLECTUAL PROPERTY PROTECTION AND MARKET ACCESS.—A regulatory rulemaking action providing notice of a determination that the People's Republic of China's failure to enforce intellectual property rights and to provide market access is unreasonable and constitutes a burden or restriction on United States commerce, and a determination that trade action is appropriate and that sanctions are appropriate, taken under section 304(a)(1)(A)(ii), section 304(a)(1)(B), and section 301(b) of the Trade Act of 1974 and with respect to which a notice of determination was published on February 7, 1995 (60 Fed. Reg. 7230).

(5) TRANSFER OF SPECTRUM.—A regulatory rulemaking action by the Federal Communications Commission to transfer 50 megahertz of spectrum below 5 GHz from government use to private use, taken under the Omnibus Budget Reconciliation Act of 1993 and with respect to which notice of proposed rulemaking was published at 59 Federal Register 59393.

(6) PERSONAL COMMUNICATIONS SERVICES LICENSES.—A regulatory rulemaking action by the Federal Communications Commission to establish criteria and procedures for issuing licenses utilizing competitive bidding procedures to provide personal communications services—

provide for competitive bidding for wide-area specialized mobile radio licenses, taken under section 309(j) of the Communications Act and with respect to which a proposed rule was published on February 14, 1995 (60 Fed. Reg. 8341).

(8) IMPROVED TRADING OPPORTUNITIES FOR REGIONAL EXCHANGES.—A regulatory rulemaking action by the Securities and Exchange Commission to provide for increased competition among the stock exchanges, taken under the Unlisted Trading Privileges Act of 1994 and with respect to which proposed rulemaking was published on February 9, 1995 (60 Fed. Reg. 7718).

H.R. 450

OFFERED BY: MR. VOLKMER

AMENDMENT NO. 31: At the end of Section 5, add the following new subsection:

''(c) SPECIFIC RULEMAKING.—Section 3(a) or 4(a), or both, shall not apply to a regulatory rulemaking action by the Secretary of Agriculture related to dairy or the marketing of dairy products.''.

H.R. 450

OFFERED BY: MR. VOLKMER

AMENDMENT NO. 32: In subsection 5(b), designate the existing subsection as (b)(2) and insert the following:

''(1) Section 3(a) or 4(a), or both, shall not apply to a regulatory rulemaking action issued under the Migratory Bird Treaty Act (16 U.S.C. 703, 704) for the purpose of authorizing the hunting season of migratory birds.''.

H.R. 450

OFFERED BY: MR. VOLKMER

AMENDMENT NO. 33: At the end of Section 5, add the following new subsection:

''(c) SPECIFIC RULEMAKING.—Section 3(a) or 4(a), or both, shall not apply to a regulatory rulemaking action by the Secretary of Agriculture related to the use of the term 'fresh' on the labeling of raw poultry products with respect to which a notice was published at 60 Fed. Reg. 3454 (January 17, 1995).''.

H.R. 450

OFFERED BY: MR. VOLKMER

AMENDMENT NO. 34: At the end of Section 5, add the following new subsection:

''(c) SPECIFIC RULEMAKING.—Section 3(a) or 4(a), or both, shall not apply to a regulatory rulemaking action by the Secretary of Agriculture pursuant to the Sheep Promotion, Research and Information Act of 1994 (P.L. 103–407).''.

H.R. 450

OFFERED BY: MR. WAXMAN

AMENDMENT NO. 35: Amend section 6(3)(A) (page , beginning at line) to read as follows:

(A) IN GENERAL.—The term ''regulatory rulemaking action'' means the issuance of any substantive rule, interpretative rule, statement of agency policy, or notice of proposed rulemaking.

H.R. 450

OFFERED BY: MR. WAXMAN

AMENDMENT NO. 36: In section 5(a)(2) (page , line), strike ''imminent threat'' and insert ''substantial endangerment''.

H.R. 450

OFFERED BY: MR. WAXMAN

AMENDMENT NO. 37: In section 6(7) (page , beginning at line)—

(1) strike ''death, serious illness, or severe injury'' and insert ''substantial endangerment'';

(2) in the heading strike ''IMMINENT THREAT'' and insert ''SUBSTANTIAL ENDANGERMENT'', and in the text strike ''imminent threat'' and insert ''substantial endangerment'';

(3) strike ''during the moratorium period''; and

(4) at the end add the following: ''In section 5, the term 'imminent threat to health or safety' shall be considered to read 'substantial endangerment to health and safety'.''.

H.R. 450

OFFERED BY: MR. WISE

AMENDMENT NO. 38: At the end of section 5 (page , after line), add the following new subsection:

(c) AIRCRAFT, MINE, AND NUCLEAR SAFETY REGULATIONS.—Section 3(a) or 4(a), or both, shall not apply to any of the following regulatory rulemaking action by the Mine Safety and Health Administration that relates to reducing death, injury, or illnesses in mines, including such an action—

(A) to require better ventilation to avoid buildup of explosive methane gas, taken under section 101 of the Federal Mine Safety and Health Act of 1977 (30 U.S.C. 811) and with respect to which notice of proposed rulemaking was published at 59 Federal Register 26356; or

(B) to restrict the use of diesel equipment to avoid coal mine fires, taken under that section and section 508 of that Act (30 U.S.C. 957) and with respect to which a notice of proposed rulemaking was published at 54 Federal Register 40950.

(3) NUCLEAR WASTE DISPOSAL.—Any regulatory rulemaking action to ensure that before beginning the disposal of radioactive waste, the Waste Isolation Pilot Plant in New Mexico complies with appropriate disposal standards, taken under the Waste Isolation Pilot Plant Land Withdrawal Act and with respect to which a proposed rule was published on January 30, 1995 (60 Fed. Reg. 5766).

H.R. 450

OFFERED BY: MR. WISE

AMENDMENT NO. 39: At the end of the bill (Page , after line), add the following new section:

(A) to require better ventilation to avoid buildup of explosive methane gas, taken under section 101 of the Federal Mine Safety and Health Act of 1977 (30 U.S.C. 811) and with respect to which notice of proposed rulemaking was published at 59 Federal Register 26356; or

(B) to restrict the use of diesel equipment to avoid coal mine fires, taken under that section and section 508 of that Act (30 U.S.C. 957) and with respect to which a notice of proposed rulemaking was published at 54 Federal Register 40950.

(3) NUCLEAR WASTE DISPOSAL.—Any regulatory rulemaking action to ensure that before beginning the disposal of radioactive waste, the Waste Isolation Pilot Plant in New Mexico complies with appropriate disposal standards, taken under the Waste Isolation Pilot Plant Land Withdrawal Act and with respect to which a proposed rule was published on January 30, 1995 (60 Fed. Reg. 5766).