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PROCEEDINGS AND DEBATES OF THE 104th CONGRESS, FIRST SESSION

Vol. 141 WASHINGTON, THURSDAY, MARCH 16, 1995 No. 49

House of Representatives

The House met at 10 a.m. and was called to order by the Speaker pro tempore [Mr. LINDER].

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
March 16, 1995.

I hereby designate the Honorable JOHN LINDER to act as Speaker pro tempore on this day.

NEWT GINGRICH,
Speaker of the House of Representatives.

PRAYER

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

We are grateful, O God, for those blessings that make life meaningful and cause us to be the people You would have us be. Especially do we offer our thanksgivings for faith and hope and love which are Your gifts to us and without which we do not reflect Your grace or Your divine image. For faith—to see more clearly Your purposes for us; for hope—to rise above the concerns of the day with trust in Your providence; for love—to be reconciled with others in respect and with the knowledge that we are all Your people blessed by Your spirit and encouraged by Your presence. In Your name, we pray. Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

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

Mr. HEFLEY led the Pledge of Allegiance as follows:

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

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will state that according to a previous agreement, there will be five 1-minutes on each side.

REPUBLICAN CONTRACT WITH AMERICA

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

Mr. JONES. 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 kept our promise; unfunded mandates legislation—we kept our promise; line-item veto—we kept our promise; a new crime package to stop violent criminals—we kept our promise; national security restoration to protect our freedoms—we kept our promise; Government regulatory reform—we kept our promise; commonsense legal reform to end frivolous lawsuits—we kept our promise; 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, and Congressional term limits to make Congress a citizen legislature.

This is our Contract With America.

POTOMAC PORK PALACE

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

Mr. BROWDER. Mr. Speaker, here is the latest beltway boondoggle. U.S. Army bosses are shortchanging the American soldier in order to build a Potomac pork palace in Washington, DC.

The Army is asking $17 million to buy private land—land assessed for taxes at only $10 million—for construction of a museum overlooking the Potomac River and Washington's monuments. Here is the kicker. The Army already has 48 museums throughout the country.

I am shocked that the Army Secretary and Chief of Staff would ask for such an expenditure when we are having to cut everything—personnel, training, bases—in our military.

This is extravagance. The taxpayers money should be spent on something more critical for the national defense.

Mr. Speaker, I am going to try to redirect this $17 million to something our fighting men and women really need.

I encourage other Members of this body to contact me if they are interested in killing ''Fort Pork-on-the-Potomac.''

RECOGNIZE FREE CHINA NOW

(Mr. FUNDERBURK asked and was given permission to address the House

☐ This symbol represents the time of day during the House proceedings, e.g., ☐ 1407 is 2:07 p.m.
Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

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for 1 minute and to revise and extend his remarks.)

Mr. FUNDERBURK. Mr. Speaker, the State Department has launched another of its vendettas against the free people of the Republic of China. Not content to ostracize Taiwan from the world community, the Clinton administration has imposed humiliating sanctions on Free China while it curries favor with the brutal communist gerontocracy in Communist China.

Despite an outpouring of goodwill from the American people and the Congress, this administration continues its ''One China'' policy with a regime which represses its own people and floods America with cheap goods made by slave labor. Incredibly, the White House refused to permit the President of Taiwan to leave his plane while it stopped in Hawaii. President Lee was scheduled to receive the distinguished alumnus award from his alma mater, Cornell University, in June. But, the Foggy Bottom bureaucrats will not let him in the country. Yet the same bureaucrats let Castro and Arafat come to New York and they host fancy receptions for Assad and Ortega.

We have aided and abetted the Communist plan to isolate Taiwan. Once a permanent member of the U.N. Security Council, only 29 countries now recognize Taiwan.

Mr. Speaker, Taiwan has been a loyal ally for 50 years. It is the world's 19th largest economy. In the name of justice we must fully recognize Taiwan, return her to the United Nations, and turn our moral and economic force against the real villains—the mainland Communists. Mr. Clinton, recognize Taiwan now.

DEMOCRATS WILL WORK NEXT WEEK TO BRING ABOUT REAL WELFARE REFORM

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

Mr. LEVIN. Mr. Speaker, the House Republican extremist express is headed into overdrive next week. The Republican welfare reform proposal is soft on linking welfare to work, which must be the linchpin of welfare reform, and it is hard on punishing children, when the aim of welfare reform should be to help children break out of the cycle of dependency and poverty.

The Republican plan would allow States to meet participation rates if not a single person on welfare in the State were moved from welfare to work, and it would punish kids if their mother is under 18, if they are a second child in a family, or handicapped, or in foster care.

Republicans are saying ''Live by the book, by the words of the Contract,'' regardless of the consequences. Welfare reform is vitally needed, real welfare reform. Democrats will work next week to bring that about, not to recklessly ride over the cliff with the Republican proposal.

LIBERAL DEMOCRATS SHOULD EITHER PUT UP OR SHUT UP

(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, I have some graphs here to illustrate the differences in the way Republicans approach leadership and the way liberal Democrats approach leadership. The first graph I have here shows how Republicans will increase funding and grow children, not government, through WIC and school lunch programs.

The next chart shows how Republicans plan to change welfare for the better. The next chart shows how American families will benefit from meaningful tax relief we sponsor. This final graph shows the Republican plan to balance the budget by the year 2002.

Now, look closely. Here is the liberal Democrat plan to cut spending. Here is the liberal Democrat plan to provide tax relief to American families. Here is the liberal Democrat plan to change welfare. Finally, Mr. Speaker, here is their plan in detail, I might add, to balance the budget.

Mr. Speaker, liberal Democrats offer no vision. Here is our plan. Friends on the other side, it is time to put up or shut up.

TERM LIMITS

(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, I hear plenty of Republicans talk tough about those who are living off of the taxpayers' money.

I hear Republicans say ''it was never meant to become a way of life.''

I hear them say that ''these people need to get real jobs'' and that ''we have to cut additional benefits right away.''

Instead of cracking down on mothers and children who need some help, they should apply these same tough standards to the career politicians who have spent decades on the public payroll.

Now, you will hear plenty of Republicans—including those who have spent their entire adult lives inside Washington—say that they support term limits.

But, if they really mean it, then I expect them to support an amendment to make term limits immediate.

If you really support a 12-year limit, and if you have been here 12 years, it is time to pack up.

They talk about tough love for those receiving government assistance.

Well then, I can certainly offer that same tough love to Members of this House who say that they support term limits, but are having a little trouble kicking the congressional habit.

CHEAP TALK, EXPENSIVE FISH

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

Mr. HEFLEY. Mr. Speaker, the Republican rescission package that we have been considering over the last couple of days includes emergency funding for earthquake disaster relief. To pay for this relief, the bill includes $17.2 billion in rescissions across the Federal Government.

In light of the Democratic opposition to the bill, go with me for a moment to those thrilling days of yesteryear about 2 years ago. Bill Clinton was the newly elected President. He asked Congress to pass another emergency funding package. This time, however, the package was bigger. It was $16 billion in new spending. There were no offsets. The $16 billion went directly to the deficit.

What national emergency was Bill Clinton confronting? He said we needed a national fish atlas, and to assess electronic fish habitat technology, and study the sickle fish chub populations. Mr. Speaker, Bill Clinton began his Federal diet by offering Uncle Sam $16 billion in pork. Today the new Republican majority is making real decisions and real cuts.

THE PERSONAL RESPONSIBILITY ACT

(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, next week when we consider H.R. 4, the Personal Responsibility Act of 1995, I hope we will have a fair rule. I hope we will have an open rule. I have filed two amendments that I would present if the rules allow. My first amendment would eliminate the language creating a block grant that will restore fair food assistance program.

My second amendment will provide that those who are required to work as a condition of their assistance at least be paid the minimum wage.

Mr. Speaker, both of these amendments deserve consideration. They deserve debate. They deserve a vote by the House. Converting nutritional programs to block grants is a major change. Forced labor at less than minimum wage is a significant policy decision.

It will be most unfortunate, Mr. Speaker, if Americans are denied an opportunity to or are closed out of this debate and discussion. Let us have an open rule. Let us have a vigorous debate. Let America understand where we stand on these very important issues.

REPUBLICANS' TAX RELIEF BILL WILL PROVIDE TAX RELIEF WHILE CUTTING FEDERAL GOVERNMENT WASTE AND FAT

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

Mr. HOKE. Mr. Speaker, the liberals who ran Congress for 40 years could never seem to get enough of the taxpayers' money. Every year they would come here and moan and complain that they just did not have enough money to do all those wonderful things that government does.

Since the Reagan tax cuts of 1981, there have been six major tax increases in this country: 1982, 1983, 1987, 1988, 1990, and 1993. With the passage of each of these, we were assured by the liberals that this was the tax hike that would put us on the road to fiscal recovery. Meanwhile, spending continued to spiral out of control and the debt continued to mount. No nation has ever taxed itself to prosperity.

Mr. Speaker, the American people have had enough. The Committee on Ways and Means just reported a bill that will shift the balance away from the Government and back to the people. The bill provides tax relief for families, small businesses, and Social Security recipients targeted by the Clinton tax hikes.

To pay for these cuts, we cut the waste and the fat out of a bloated Federal bureaucracy and government that has completely lost touch with the American people. we are taking the power out of Washington and putting it back where it belongs, with the people.

□ 1015

PROVIDING FOR ADJOURNMENT OF HOUSE FROM TODAY UNTIL TUESDAY NEXT

Mr. LIVINGSTON. Mr. Speaker, I send to the desk a privileged concurrent resolution (H. Con. Res. 41) and ask for its immediate consideration.

The Clerk read the concurrent resolution, as follows:

H. CON. RES. 41

Resolved by the House of Representatives (the Senate concurring), That when the House adjourns on Thursday, March 16, 1995, it stand adjourned until 12:30 p.m. on Tuesday, March 21, 1995.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Hallen, one of its clerks, announced that the Senate disagrees to the amendment of the House to the bill (S. 244) ''An Act 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,'' agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. ROTH, Mr. COHEN, Mr. COCHRAN, Mr. GLENN, and Mr. NUNN to be the conferees on the part of the Senate.

The message also announced that pursuant to Senate Resolution 105, adopted April 13, 1989, as amended by Senate Resolution 280, adopted October 8, 1994, the Chair, on behalf of the majority leader, announces the appointment of Mr. CHAFEE, Mr. WARNER, Mr. COCHRAN, Mr. NICKLES, Mr. SMITH, Ms. SNOWE, and Mr. KYL as members of the Senate Arms Control Observer Group.

The message also announced that pursuant to Public Law 102–138, the Chair on behalf of the President pro tempore, and upon the recommendation of the minority leader, appoints Mr. HEFLIN as vice chairman of the Senate delegation to the British-American Interparliamentary Group during the 104th Congress.

The message also announced that pursuant to Public Law 102–166, the Chair, on behalf of the majority and minority leaders, appoints Ms. SNOWE as a member of the Glass Ceiling Commission, vice Mr. COVERDELL, resigned.

The message also announced that pursuant to Public Law 95–521, the Chair, on behalf of the President pro tempore, appoints Thomas B. Griffith as Deputy Senate Legal Counsel, effective March 13, 1995.

The message also announced that pursuant to Public Law 96–114, as amended, the Chair announces, on behalf of the majority leader, the appointment of Mr. CRAIG to the Congressional Award Board.

EMERGENCY SUPPLEMENTAL APPROPRIATIONS FOR ADDITIONAL DISASTER ASSISTANCE AND RESCISSIONS FOR FISCAL YEAR 1995

The SPEAKER pro tempore (Mr. LINDER). Pursuant to House Resolution 115 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 1158.

□ 1015

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 1158) making emergency supplemental appropriations for additional disaster assistance and making rescissions for the fiscal year ending September 30, 1995, and for other purposes, with Mr. BEREUTER in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee of the Whole rose on Wednesday, March 15, 1995, amendment No. 66, offered by the gentleman from California [Mr. ROHRABACHER], had been disposed of and the bill was open for amendment at any point.

Two hours and 3 minutes remain for consideration of amendments under the 5-minute rule.

Are there further amendments to the bill?

PREFERENTIAL MOTION OFFERED BY MR. OBEY

Mr. OBEY. Mr. Chairman, I offer a preferential motion.

The Clerk read as follows:

Mr. OBEY moves that the Committee rise and report the bill back to the House with the recommendation that the enacting clause be stricken.

The CHAIRMAN. The gentleman from Wisconsin [Mr. OBEY] will be recognized on his preferential motion. Five minutes will be allowed on each side. The gentleman from Louisiana [Mr. LIVINGSTON] will control the other 5 minutes.

Is the gentleman from Louisiana opposed to the motion?

Mr. LIVINGSTON. I am, Mr. Chairman.

The CHAIRMAN. The Chair recognizes the gentleman from Wisconsin [Mr. OBEY].

Mr. OBEY. Mr. Chairman, let me simply say that I am moving to strike the enacting clause to give the House an opportunity to reconsider what it is about to do on this legislation today.

Everyone recognizes in this House that we need to save money. Let me stipulate again as I have throughout the process, I fully support cutting every dollar in the macro amount, in the total amount in this bill.

The only dispute that we have on the Democratic side of the aisle with those on the Republican side of the aisle is where you cut the dollars in this bill and where you do not. We think you ought to change the targets. We think you ought to cut more congressional pork, for instance. We think you ought to reconsider your decision to prevent the Coleman amendment from coming to the floor which would have allowed us to cut $400 million in Members' highway pork. We think you ought to reconsider your decision to prevent us from offering an amendment which delays for 5 years the construction and purchase of the F-22 aircraft. The F–22 aircraft is meant to replace the F-15. The F–15 is the best fighter in the world. Nobody can come close to that fighter. For us to move to replace the F–15 with the F–22 when the F–15 clearly has a military life extending out to the year 2014, for us to decide we are going to buy the replacement plane at $150 million a copy is budgetary nonsense.

We think that we ought to delay the construction of the F–15 for 5 years so that you can save $7 billion so that you do not have to cut school lunches by $7 billion. We think that is a better tradeoff.

We think you ought to cut less in the programs that you have targeted that hit kids. We think we should not cut public broadcasting to the extent that you have cut it. We are willing to take

a small cut. We think you should not cut Healthy Start. We think you should not eliminate summer jobs for 610,000 kids around the country. We think you should not do what you are doing on the school lunch program. We think you should not cut 100,000 scholarships for kids who need it.

Our concern is that this bill mirrors what you are trying to do with the tax bill.

On the tax bill, you have a capital gains provision which provides 75 percent of the benefits to people who make more than $100,000 a year. It is elitist. We think you should not in your tax bill have the provision which eliminates the requirement which we have had for years that requires Fortune 500 corporations to pay taxes. We do not think we ought to go back to the days when you had companies like AT&T, Du Pont, General Dynamics, Pepsico, Texaco, Greyhound, Panhandle East, W.R. Grace, et cetera, et cetera, who paid no taxes. We think this bill mirrors that mistake that you make in your tax package.

What I would simply say to you is this: We believe that this bill is warped and we believe there is no underlying sense of decency in the way the cuts are focused in this bill.

I would ask, in the words of Joseph Welch, the great counsel to the Army during the Army-McCarthy hearings, I would ask with respect to the targets you have selected in this bill, ''Have you no sense of decency?''

Why on earth attack children? Why on earth say to 2 million senior citizens, ''We are going to make you choose between paying your prescription drug bills and paying your home heating bills''? Why on earth do you do that?

Some of you say, well, seniors will still get their heating paid because the ulilities will be required to provide that heat. The fact is an awful lot of seniors get their heat from fuels that are not publicly regulated. So there is no guarantee that they do not get shut off in 30-below-zero weather.

Why on earth would you say to 2 million seniors who make less than $10,000 a year that you are not going to help them meet the cost of their heating bills so that they have to choose between food, prescription drugs, and heat. This is a merciless bill and you ought to go back to the committee and start over.

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

Mr. OBEY. I yield to the gentleman from Missouri.

Mr. VOLKMER. I would just like to commend the gentleman both for the motion and for his statement, and I would like to point out to the gentleman and the Members of this body that on the home heating issue, I live in northeast Missouri. We have a lot of senior citizens all over northeast Missouri that are going to be impacted by this bill.

The CHAIRMAN. The Chair recognizes the gentleman from Louisiana [Mr. LIVINGSTON] for 5 minutes.

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

Mr. LIVINGSTON. Mr. Chairman, I oppose the gentleman's motion, and I urge this House to adopt this bill. Postponing the will of Congress, delaying this effort for another 10 minutes, half an hour or whatever is not going to have any effect. The American people have waited long and hard for some common sense and wisdom in congressional handling of their hard-earned money. For far too long, we have reached deeply into their pockets, and we have seized the cash they have worked so hard for, and we have consistently told them how it should be spent and why they should be happy that we are spending it that way.

Mr. Chairman, the American people have waited too long for fiscal sanity, and while this is only the first step, only the beginning, the fact is that this bill, the largest rescission bill in the history of this country, the largest rollback in previously appropriated funds by a liberal spendthrift Congress, is the first step toward fiscal sanity and a balanced budget and it must be taken. I urge that this motion be rejected, that we go forward, and that we adopt this bill.

The CHAIRMAN. The question is on the preferential motion 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 CHAIRMAN. This will be a 17-minute vote.

The vote was taken by electronic device, and there were—ayes 187, noes 228, not voting 19, as follows:

[Roll No. 247]

AYES—187

Abercrombie
Ackerman
Andrews
Baesler
Barcia
Barrett (WI)
Beilenson
Bentsen
Berman
Bevill
Bishop
Bonior
Borski
Boucher
Browder
Brown (CA)
Brown (FL)
Brown (OH)
Bryant (TX)
Cardin
Chapman
Clay
Clayton
Clement
Clyburn
Coleman
Condit
Conyers
Costello
Coyne
Cramer
Danner
de la Garza
Deal
DeLauro
Dellums
Deutsch
Dicks
Dingell
Dixon
Doggett
Doyle
Durbin
Edwards
Engel
Eshoo
Evans
Farr
Fattah
Fazio
Fields (LA)
Filner
Flake
Foglietta
Ford
Frank (MA)
Frost
Furse
Gejdenson
Gephardt
Geren
Gibbons
Gonzalez
Gordon
Green
Gutierrez
Hall (OH)
Hamilton
Harman
Hastings (FL)
Hefner
Hilliard
Hinchey
Holden
Hoyer
Jackson-Lee
Jacobs
Jefferson
Johnson (SD)
Johnston
Kanjorski
Kaptur
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kleczka
Klink
LaFalce
Lantos
Laughlin
Levin
Lincoln
Lipinski
Lofgren
Lowey
Luther
Maloney
Manton
Markey
Martinez
Mascara
Matsui
McCarthy
McDermott
McHale
McKinney
McNulty
Meehan
Meek
Menendez
Miller (CA)
Mineta
Minge
Mink
Moakley
Mollohan
Montgomery
Neal
Oberstar
Obey
Olver
Ortiz
Orton
Owens
Pallone
Pastor
Payne (NJ)
Payne (VA)
Pelosi
Peterson (FL)
Peterson (MN)
Pickett
Pomeroy
Poshard
Rahall
Rangel
Reed
Reynolds
Richardson
Rivers
Roemer
Rose
Roybal-Allard
Rush
Sabo
Sanders
Sawyer
Schroeder
Schumer
Scott
Serrano
Sisisky
Skaggs
Skelton
Slaughter
Spratt
Stark
Stenholm
Stokes
Studds
Stupak
Tanner
Tejeda
Thompson
Thornton
Thurman
Torres
Torricelli
Towns
Traficant
Tucker
Velazquez
Vento
Visclosky
Volkmer
Ward
Waters
Watt (NC)
Waxman
Williams
Wilson
Wise
Woolsey
Wyden
Wynn
Yates

NOES—228

Allard
Archer
Armey
Bachus
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
Castle
Chabot
Chambliss
Chenoweth
Christensen
Chrysler
Coble
Coburn
Collins (GA)
Combest
Cooley
Cox
Crane
Crapo
Cremeans
Cunningham
Davis
DeLay
Diaz-Balart
Dickey
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Ensign
Everett
Ewing
Fawell
Fields (TX)
Flanagan
Foley
Forbes
Fowler
Fox
Franks (CT)
Franks (NJ)
Frelinghuysen
Frisa
Funderburk
Gallegly
Ganske
Gekas
Gilchrest
Gillmor
Gilman
Goodlatte
Goodling
Goss
Graham
Greenwood
Gunderson
Gutknecht
Hall (TX)
Hancock
Hansen
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
Lazio
Leach
Lewis (CA)
Lewis (KY)
Lightfoot
Linder
Livingston
LoBiondo
Longley
Lucas
Manzullo
Martini
McCollum
McCrery
McDade
McHugh
McInnis
McIntosh
McKeon
Metcalf
Meyers
Mica
Miller (FL)
Molinari
Moorhead
Morella
Myers
Myrick
Nethercutt
Neumann
Ney
Norwood
Nussle
Oxley
Packard
Parker
Paxon
Petri
Pombo
Porter
Portman
Pryce
Quillen
Quinn
Radanovich
Ramstad
Regula
Riggs
Roberts
Rogers
Rohrabacher
Ros-Lehtinen
Roth
Roukema
Royce
Salmon
Sanford
Saxton
Scarborough
Schaefer
Schiff
Sensenbrenner
Shadegg
Shays
Shuster
Skeen

Smith (MI)	Tauzin	Wamp
Smith (NJ)	Taylor (MS)	Watts (OK)
Smith (TX)	Taylor (NC)	Weldon (FL)
Smith (WA)	Thomas	Weldon (PA)
Solomon	Thornberry	Weller
Souder	Tiahrt	White
Spence	Torkildsen	Whitfield
Stearns	Upton	Wicker
Stockman	Vucanovich	Wolf
Stump	Waldholtz	Young (AK)
Talent	Walker	Young (FL)
Tate	Walsh	Zimmer

NOT VOTING—19

Baker (CA)	DeFazio	Murtha
Baldacci	Dooley	Nadler
Becerra	Dornan	Seastrand
Clinger	Johnson, E.B.	Shaw
Collins (IL)	Lewis (GA)	Zeliff
Collins (MI)	Mfume	
Cubin	Moran	

□ 1044

Messrs. KENNEDY of Massachusetts, EDWARDS, FOGLIETTA, and MEEHAN changed their vote from ''no'' to ''aye.''

Mr. CRAPO changed his vote from ''aye'' to ''no.''

So the preferential motion was rejected.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. BALDACCI. Mr. Chairman, I was at a meeting with a delegation and missed rollcall No. 247. Had I been here, I would have voted in the negative.

PERSONAL EXPLANATION

Mr. BECERRA. Mr. Chairman, I was unavoidably detained this morning and was not on the floor when rollcall vote 247 was taken. This was the motion offered by Mr. OBEY to strike the enacting clause. Had I been here, I would have voted ''aye.''

AMENDMENT OFFERED BY MR. SHAYS

Mr. SHAYS. Mr. Chairman, I offer an amendment listed in the March 13 CONGRESSIONAL RECORD as amendment No. 70.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. SHAYS: Page 50, beginning on line 6, strike ''$186,000,000 shall be from amounts earmarked for housing opportunities for persons with AIDS;''.

Conform the aggregate amount set forth on page 49, line 14, accordingly.

Page 54, line 18, strike ''$38,000,000'' and insert ''$224,000,000''.

Mr. OBEY. Mr. Chairman, I reserve a point of order on the amendment.

The CHAIRMAN. The gentleman from Wisconsin [Mr. OBEY] reserves a point of order.

Is the gentleman opposed to the amendment as well?

Mr. OBEY. Mr. Chairman, I reserve a point of order on the amendment, Mr. Chairman, and I claim the time in opposition.

The CHAIRMAN. The gentleman from Connecticut [Mr. SHAYS] will be recognized for 15 minutes, and the gentleman from Wisconsin [Mr. OBEY] will be recognized for 15 minutes.

The Chair recognizes the gentleman from Connecticut [Mr. SHAYS].

Mr. DELAY. Mr. Chairman, I also reserve a point of order on this amendment.

The CHAIRMAN. The distinguished majority whip, the gentleman from Texas [Mr. DELAY] reserves a point of order on the amendment.

Mr. SHAYS. Mr. Chairman, I yield myself such time as I may consume to speak in support of an amendment to restore $186 million for people with AIDS, housing for people with AIDS.

Mr. Chairman, the purpose of this amendment is to restore a cut that was made in the Committee on Appropriations that basically eliminated all 1995 appropriations for HOPWA. This is the funding that enables people throughout the country who are providing those with AIDS with housing.

We have Ryan White funds, and that provides services for people with AIDS, but HOPWA provides the housing for people with AIDS, Mr. Chairman.

Mr. Chairman, I yield 5 minutes to the gentleman from Illinois [Mr. FLANAGAN].

Mr. FLANAGAN. Mr. Chairman, I rise in support of the Shays amendment and commend my colleague, Congressman CHRISTOPHER SHAYS, for his leadership on this issue.

Mr. Chairman, I have volunteered as a counselor for PWA's at the Howard Brown Memorial Center in Chicago. I have seen those suffering from this devastating disease die. I have seen those unfortunate enough to have contracted AIDS ostracized and abandoned by family and friends alike. I know the cruelty of AIDS and how that cruelty extends beyond the horrific parameters of the disease itself.

For many PWA's there is no place to turn, no place to go, no place to think of as home during their precious waning moments of time on Earth. Like victims of the Black Death in the 14th century, and those sent to leper colonies in the 19th and early 20th centuries, PWA's often are brutally ostracized by family and community alike.

The AIDS patients I have known and counseled did not want to be a burden to society. That was never their intent. But, many have been economically destroyed, and have seen the last of their financial resources, because of this crippling disease. AIDS patients are ravaged not just physically and economically, but mentally, socially, and politically as well. These are people truly in need.

When all else fails, and personal resources are exhausted, the Government has a proper role to play in assisting those in need, those who can no longer help themselves. It is for this reason that I truly believe it necessary to restore the $186 million in funding for housing opportunities for PWA's. These are people who desperately need our help. They have nowhere else to turn.

A decade and a half ago AIDS was unknown. Now, we have just recently seen the latest statistics that show that today, AIDS is the No. 1 killer for all Americans aged 25 to 44. Among our younger population, it ranks as the sixth leading killer for those between ages 15 to 24. Among women, AIDS is the fourth leading killer, but it is expected to rise some time in the next few years to the No. 2 position. Overall, AIDS has leapt up to become the eighth leading cause of death in America.

At the end of last year, the death toll from AIDS for the United States was 270,870. Although there is nothing that can be done for those who have already passed on, there is something that can be done for those who are still with us. We can help provide them with housing opportunities. We can support the Shays amendment.

PWA's suffer a lonely existence. Their inability to be institutionalized assures it. While it is difficult to know exactly what the total cost of institutionalization would be on a yearly basis, I am certain that moneys spent for housing opportunities for PWA's would be far less.

In fact, the statistics I have seen show that the average daily cost of an AIDS acute care bed is $1,085. Providing housing and services to AIDS patients in a residential setting, however, costs between one-tenth to one-twentieth less than acute care. According to the Human Rights Campaign Fund, by using a residential setting, the use of emergency health care services is thereby cut by $47,000 per person per year.

It is tragic to me that there are studies that show that about 30 percent of the people with HIV disease are in acute-care hospitals due to the fact that no community based housing alternative is available for them. Without restoration of the $186 million for housing opportunities for people with AIDS, 50,000 more people could either wind up on the streets or also in costly acute care beds.

Homelessness and costly beds are not acceptable solutions to the housing problem for PWA's. The Shays amendment is.

To those who say there is not public support for helping people with AIDS, I suggest they look at the latest bipartisan poll, taken in late February 1995, by the highly respected Republican polling firm the Tarrance Group and the well regarded Democrat polling firm Lake Research. The results of their polling shows that an overwhelming 77 percent of the people want to maintain or increase Federal funding for the care of PWA's.

As a Republican, I was intrigued to find out that of the people polled, 66 percent of Republican men and over 70 percent of Republican women support Federal AIDS funding at the current levels or above. Rest assured, however, my interest in helping PWA's does not come as a consequence of any poll. My long record on this issue surely speaks for itself. By citing the Terrance-Lake poll I only wish to make the point that there is support for Federal assistance for PWA's among members of my party.

Based on my own experience in counseling AIDS patients, I firmly believe

that restoring the $168 million for housing opportunities for PWA's is a necessity. It saves money for the American taxpayer. Equally as important, it saves dignity for those suffering from the cruel consequences of AIDS by giving them a home during their dwindling moments with us.

Mr. Chairman, I support the Shays amendment without hesitation or reservation. I urge my colleagues to do the same.

Mrs. LOWEY. Mr. Chairman, I rise in support of this amendment. The cuts in this bill to the HOPWA Program, which this amendment restores, will be devastating to thousands of individuals with AIDS and their families.

In New York City alone, almost 1,000 people living with AIDS would be in danger of being put out onto the streets if these funds are rescinded. And make no mistake, Mr. Chairman, the costs to society of throwing 1,000 persons with AIDS out onto the streets are far greater than the cost of providing them with housing. Hospitals are, by law, prohibited from denying emergency medical care, and it should come as no surprise that these individuals without housing will turn to hospitals. The average cost of hospital care for people with AIDS is 10 times the cost of home care.

AIDS is a public health emergency, and we should treat it as such. The HOPWA Program is cost-effective and humane, and its elimination will result in greater costs to our entire social network. It will tax our already overcrowded hospital system, and will leave members of one or our Nation's most vulnerable populations homeless.

It is estimated that while someone can live for 10 years with AIDS, the life expectancy for a person with AIDS who is homeless is 6 months. Mr. Chairman, eliminating this program would be cruel and unusual punishment to AIDS patients and their families who are already suffering immensely. The HOPWA Program will save money and keep families together. Support the Shays amendment.

Mrs. KENNELLY. Mr. Chairman, I rise in strong support of the Shays amendment to restore vital assistance to one of our Nation's most vulnerable groups—people living with AIDS. In the absence of a cure or an effective treatment, the HOPWA Program provides what AIDS patients need most—a home, a place to restore their strength and hope.

In my own State of Connecticut, perhaps 25,000 people are HIV-positive; of these, close to 5,000 have AIDS. Yet decent affordable housing is in drastically short supply. In 1993, for example, there were 309 requests for housing in Hartford; yet only 21 individuals and 4 families with children were accommodated. Statewide, in the same year, only 141 of 1,000 requests for housing could be filled.

Mr. Chairman, I could argue against cutting HOPWA because the amount of money involved in vanishingly small in the vast sea of the budget deficit. I could argue against it on the grounds that it actually saves money, making it possible for people to leave hospitals and go to much less expensive housing. But the most telling argument, I believe, is that penalizing the most vulnerable in our society is simply wrong. We are a better country than that. We can do better than that. And I urge my colleagues to do so. Support this amendment.

The CHAIRMAN. Does the gentleman from Wisconsin [Mr. OBEY] wish to press or withdraw his reservation of a point of order?

Mr. OBEY. Mr. Chairman, I withdraw my reservation. I would also withdraw my request to manage time against the amendment. I thought the gentleman was offering a different amendment, and I do not have an objection to this amendment.

The CHAIRMAN. Does any other Member insist on a point of order at this time?

Mr. LIVINGSTON. Mr. Chairman, I reserve a point of order on the amendment.

The CHAIRMAN. The gentleman from Louisiana [Mr. LIVINGSTON] is recognized on his point of order.

Mr. LIVINGSTON. Mr. Chairman, I will not make a point of order, but I would like to address a colloquy to the gentleman from Connecticut.

The CHAIRMAN. Is the gentleman from Louisiana requesting time in opposition to the amendment?

Mr. LIVINGSTON. I am asking for the time, Mr. Chairman.

The CHAIRMAN. The gentleman from Louisiana [Mr. LIVINGSTON] will be recognized for 15 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, I shall not use the 15 minutes. I would just like to extend my congratulations to the gentleman from Connecticut. I know he cares deeply about this subject, and he has struggled long and hard in an attempt to get this matter heard.

I know he has great reservations about the mark in subcommittee and full committee on this particular program. I have spoken with the subcommittee chair, and I know that he likewise feels strongly about his position.

I have to tell the gentleman that, in terms of research, aside from housing, but in terms of research, I looked at the figures recently on AIDS. I found that this country spends $1,000 per afflicted patient on AIDS recipients, about $500 per afflicted patient on cancer recipients, as little as $25 per afflicted patient for those with Parkinson's disease, and a little bit more than that for those afflicted with Alzheimer's. So there is an imbalance on research.

I dare say that on housing and the like, AIDS patients get more than their share of money when compared to other afflicted patients.

Now, that does not intend to minimize the suffering that people undergo if they are afflicted with AIDS. It does not diminish the intensity of the concern that the gentleman from Connecticut and all those who support his bill feel for people who are truly in suffering.

I would suggest or I would ask the gentleman, if I might have the gentleman's attention, I would ask the gentleman to consider withdrawing this amendment at this time and I will assure the gentleman that he will get full representation and a full opportunity to discuss the matter with those of us in conference. While I cannot concede any position to the gentleman on the part of the conferees, I would just like to ask the gentleman to withdraw his amendment, and I would simply assure the gentleman that I would be happy to discuss with the gentleman his points in favor of this provision, and I personally would be happy to bring it up at the conference.

Mr. LEWIS of California. Mr. Chairman, will the gentleman yield?

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

Mr. LEWIS of California. Mr. Chairman, I appreciate my colleague yielding.

I want the Members to understand very clearly that this rescission did not reflect in any way, shape, or form a lack of concern for this problem. This Member takes no back seat to any Member regarding this issue.

I introduced the first resolution regarding evaluating strategies to deal with this problem in 1980 before most people knew what the problem was. I supported the first funding regarding research in this subject area years ago. The reality is that between 1992, in this program, and 1994, we accumulated $306 million in this program. As of this moment, 86 percent of that money has not been spent.

It is a program in disarray because of a lack of effective management. Even with the rescission, money to meet fiscal year 1995 needs will remain available.

Mr. LIVINGSTON. Reclaiming my time, and I think I control the time, I would like to yield to the gentleman, could the gentleman elaborate on that? Has the gentleman inquired why they have not adequately spent the money? Is the program not being administered properly?

Mr. LEWIS of California. If the gentleman will yield further, it is suggested that HOPWA has complexities that cause time delays in the effective delivery of the money. The reality is that a whole array of programs for the disabled are mismanaged. There is duplication of management and an abundance of bureaucratic maneuvering.

We are simply in this amendment moving forward the President's proposal to eventually consolidate those efforts, and in turn recognizing that there is $267 million in the pipeline that will not be spent in 1995. So it is a very appropriate time for us to force reexamination, and that truly is what this amendment is about.

Mr. LIVINGSTON. Reclaiming my time, I would only want to congratulate the gentleman from California for his statement. I know he has the utmost sensitivity. I know all of the members of the subcommittee and the

full committee have tremendous sensitivity for the subject at hand.

□ 1100

But we are in difficult times, and we have to understand that lots of people are suffering. There is much suffering in the world. We are doing the best we can to spread the resources that we have around to those who are afflicted. We would like to do it with an even hand.

Mr. Chairman, I would like to reserve the balance of my time and tender back the opportunity to the gentleman from Connecticut [Mr. SHAYS] to control his time.

The CHAIRMAN. Does any Member insist on a point of order?

Mr. DELAY. Mr. Chairman, I would like to reserve my point of order.

The CHAIRMAN. The Chair would ask the gentlemen to insist upon or withdraw their points of order at this time in order to conserve debate time.

Mr. LIVINGSTON. Mr. Chairman, I withdraw my point of order.

The CHAIRMAN. The gentleman from Louisiana [Mr. LIVINGSTON] withdraws his point of order.

Mr. SHAYS. Mr. Chairman, I have a question to ask of the Chair, a parliamentary inquiry.

The CHAIRMAN. The Chair would recognize the gentleman from Connecticut [Mr. SHAYS]. Does the gentleman ask unanimous consent to withdraw his amendment?

Mr. SHAYS. No, I do not ask that. I have a parliamentary inquiry before I make that decision.

PARLIAMENTARY INQUIRY

Mr. SHAYS. Mr. Chairman, I have a parliamentary inquiry.

The CHAIRMAN. The gentleman will state his parliamentary inquiry.

Mr. SHAYS. Mr. Chairman, I want to be up front with every Member on both sides, even if I do not happen to agree with them.

I want the opportunity to use my 15 minutes to state the case on this issue. If the gentleman withdraws his point of order, is he allowed to bring it up in the future?

The CHAIRMAN. The Chair will not insist upon the gentleman from Texas [Mr. DELAY] insisting upon or withdrawing his point of order at this time. He may continue his reservation if he wishes.

With that ruling, the Chair recognizes the gentleman from Connecticut [Mr. SHAYS] on the remainder of his 15 minutes.

Mr. SHAYS. I thank the Chair.

My understanding is that I have 9 minutes remaining. Is that correct?

The CHAIRMAN. The gentleman from Connecticut [Mr. SHAYS] has 9 minutes remaining on his time.

Mr. SHAYS. Mr. Chairman, before yielding to my colleague, the gentleman from Wisconsin [Mr. GUNDERSON], and then to the gentleman from New York [Mr. SCHUMER], I would like to just point out that we are really talking about three issues. We are talking about AIDS research. My colleague is right in saying that we have spent a great deal of money on AIDS research, without the kind of payback we would like. We then talk about AIDS services and the Ryan White funds, to respond to that in a very sincere and serious way. Where we have a deficiency is housing for people with AIDS. We are housing people in hospitals at $1,000 a day instead of $100 or less for people with AIDS in housing for people with AIDS. This is what this amendment is attempting to address. I want to say to my colleague, the gentleman from California [Mr. LEWIS], I do not know of any greater champion on this issue. He has taken a hit he does not deserve.

The purpose of this amendment brought forth by many people is in no way to embarrass Mr. LEWIS, because, frankly, he is not deserving of some of the criticism he has received.

Mr. Chairman, I yield 2 minutes to the gentleman from Wisconsin [Mr. GUNDERSON].

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

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

Mr. Chairman, I want to make three or four quick points that people need to understand. The difference between AIDS and every other disease that has been mentioned is AIDS is the only infectious disease of all of these that was mentioned by the distinguished chairman of the committee.

But, second, I think we need to understand what HOPWA is all about.

Ladies and gentlemen, this is emergency housing for people, in most cases, in the final stages of AIDS who finally have been disowned by their parents, they have no place to go because of their sexual orientation. If you want to put these kinds of individuals on the street or in hospitals under Medicaid, it costs much greater. You need to understand what you are doing.

What we are pleading with the committee for is a commitment that we will not zero out fiscal year 1995 HOPWA funds. We can deal with the issue of emergency housing and Ryan White reauthorization for 1996 later on this year, but you cannot in good conscience zero out the fiscal year 1995 funds.

The gentleman from California said, ''Well, there is some money in the pipeline.'' This is just exactly like the money that is in the pipeline in the Pentagon because this housing requires that the money be there, you then make the grant application, do the permits, you get the approval, you do the construction. So if we are going to say if you do not spend it all in 1 year you are not going to get it, we are going to have to—we have to totally revise the Pentagon budget. There is no difference systematically.

I plead with our colleagues, we have got to get a commitment we will not zero out the fiscal year 1995 HOPWA funds.

Mr. SHAYS. Mr. Chairman, I yield 2 minutes to the gentleman from New York [Mr. SCHUMER].

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

I thank the gentleman not only for yielding the time but for his leadership on this issue.

HOPWA is an extremely important program, offered by the gentlewoman from California [Ms. PELOSI] and myself several years ago. It has been remarkably successful.

As the gentleman from Wisconsin pointed out, not only is it humane, these are people who are dying and who will be on the streets, but it is also cheaper. It is a lot cheaper to have someone in one of these HOPWA facilities than in a hospital where it costs far more, $500, $600, $700, $800 a day, to keep them. They are not treated in a way that is as humane, and it is more expensive.

As for the gentleman from California [Mr. LEWIS]—and I greatly respect his leadership on this issue—I would say to him that the reason the moneys are not expended is that 97 percent of the 1994 dollars have been authorized and appropriated. The reason they are not spent is because the groups have 3 years to do it, to build the housing and get the facility ready. It is like defense, any program with a long buildout. The money will be spent over the next few years. The 1995 moneys have not been allocated, because the Department of housing just put together a State-by-State analysis.

So I would appeal to him and others on his side to allow this amendment to go forward. It is a compassionate amendment. It saves dollars. This is not an issue of politics. This is a simple issue of compassion and decency, and I hope we could allow the vote to go forward.

Mr. Chairman, I yield to my colleague, the gentleman from New York [Mr. NADLER].

The CHAIRMAN. The gentleman from Connecticut [Mr. SHAYS] controls the time.

Mr. SCHUMER. Mr. Chairman, I was yielding the remainder of my 2 minutes to the gentleman from New York [Mr. NADLER].

The CHAIRMAN. The gentleman must remain standing.

Mr. NADLER. I thank the gentleman for yielding to me.

Mr. Chairman, this is a vital amendment. The HOPWA Program providing funds for housing for people with AIDS, for people who are dying, not only will save money, does save money, as my colleague from New York says, it provides money for housing for people who are dying who would otherwise be on the streets.

In my district, which is probably the epicenter of the AIDS epidemic, it is absolutely vital, and I urge its adoption.

Mr. SHAYS. Mr. Chairman, I yield 1 minute to the gentleman from New York [Mr. LAZIO].

Mr. LAZIO of New York. Mr. Chairman, I want to thank the gentleman, my friend, the gentleman from Connecticut, and I rise in support of this amendment. I understand the difficult job that my colleagues on the Committee on Appropriations are laboring under in their effort to move toward a balanced budget, one that I share.

But I have to say this is one area we should not be cutting. In terms of HUD, there are 204 programs in HUD. And with the zeroing out of this program, there will be no other place for these people to receive funding. As my colleagues have said, there is a long spendout between authorization and construction to get these projects on line; they are completely correct.

At the same time, we are making dramatic reductions in the tenant-based section 8 program. So those people do not go on the waiting list and get a section 8 portable voucher to try to relieve their housing problem.

So my friends are right. Some of these people—families—are going to end up on the streets, they are going to die on the streets, and the other alternative is to have them in far more expensive institutional settings such as hospitals.

So I rise in strong support of this amendment.

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

Ms. PELOSI. I thank the gentleman for yielding this time to me. I thank the gentleman from Connecticut [Mr. SHAYS] also for his leadership on this issue.

I would like to address my remarks to the Chair, noting that I am pleased the chairman of the full committee is here, because what the purpose of what we are doing in the rescission bill is to reduce the deficit. I contend and maintain that to cut these funds will increase the deficit.

Our colleagues have pointed out that the reason we found this situation, Mr. SCHUMER, Mr. MCDERMOTT, and I, in the authorization was a number of years ago was to enable the private sector, the nonprofit sector, to minister to the needs of those with HIV and AIDS to prevent them from becoming homeless. Stress on the immune system is the worst possible thing you can do. Homelessness increases stress.

So this enables the continuum of services to be provided to people with HIV and AIDS; it keeps them out of hospitals, it eliminates the necessity for them to have other kinds of assistance, including income support.

I think if our goal is to reduce the deficit, we can do so by restoring these funds.

Mr. Chairman, it is also a compassionate thing to do.

The CHAIRMAN. The gentleman from Connecticut [Mr. SHAYS] has 2½ minutes remaining, and the gentleman from Louisiana [Mr. LIVINGSTON] has 10 minutes remaining.

Mr. SHAYS. I thank the Chair. I appreciate the graciousness of the chairman of the Committee on Appropriations for letting us proceed, and also the majority whip.

Mr. Chairman, I yield 30 seconds to my colleague, the gentleman from Kentucky [Mr. WARD], a former Peace Corps volunteer.

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

Mr. Chairman, we need to support this. We need always to remember that we are not talking about some people whom we will never meet. These are our sons, our daughters, our uncles, our aunts, our uncles, sisters, our brothers.

It will cost more to do it without making the changes this amendment purposes.

I rise in support of the amendment.

Mr. SHAYS. Mr. Chairman, I yield myself the remainder of my time.

Mr. Chairman, I want to conclude by making a few very basic points.

I arrived in this House in 1987 at the death of Stewart McKinney. Stewart McKinney died of AIDS. There is a real hero in this country named Lucie McKinney.

Lucie McKinney has devoted her life to people with AIDS.

She was not a public person while her husband was a congressman. She became a very public person. She works tirelessly night and day on this issue of, not AIDS research, not AIDS services, but providing homes for people with AIDS.

This has not been an easy task for her, because we have so many people who are on our streets, without homes, dying of AIDS. Occasionally and quite often they find themselves spending their last days in a hospital, at $1,000 a day.

Lucie McKinney provides this housing for them for one-tenth of that cost, with the help of the State, with the help of the Federal Government, and with the help of so many volunteers and people who contribute.

Mr. Chairman, this cause matters to me. It matters to many people in this Chamber. I sincerely believe cutting out the 1995 funds is a mistake, and it is a misunderstanding that this issue is continually being reviewed.

It is also my understanding that I could have had a Member, any Member here, raise a point of order at any time, and they had the graciousness to allow us to continue.

At this time I would just like to ask the Chairman of the Committee on Appropriations to clarify with me his request that I withdraw this amendment.

The CHAIRMAN. The time of the gentleman from Connecticut [Mr. SHAYS] has expired.

The gentleman from Louisiana [Mr. LIVINGSTON] maintains time.

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

Mr. LIVINGSTON. I thank the chairman.

I would say to the gentleman from Connecticut [Mr. SHAYS] that if it is his intention to withdraw this amendment and if in fact he withdraws his amendment, that I would be happy to work with the gentleman and all of the people who have risen today to address this matter in conference.

Obviously, we cannot go forward today because I am confident that a point of order will be raised if in fact the gentleman persists in his motion. But should he withdraw it, I will work with him and work with the other body, and we will attempt to resolve the issue at least partially, if not in whole, to his satisfaction.

Mr. SCHUMER. Mr. Chairman, will the gentleman from Louisiana [Mr. LIVINGSTON] yield?

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

Mr. SCHUMER. I thank the gentleman for yielding to me.

Mr. Chairman, I understand that the gentleman from Louisiana had said before that he would not object, and I understand there may be other objectors on his side. But this is such an important issue, it is a program that has worked with so little waste. I would ask others on the other side not to object and to allow this amendment to go forward. It seems to me there was a real mistake here made when they zeroed out the entire program. I would hope that we could moves this amendment forward in a bipartisan air of compassion and understanding as to what this is all about.

Mr. LIVINGSTON. Reclaiming my time, I have to tell the gentleman I have made my position clear. I cannot speak for all of the Members in the House. Any single Member has the right to make a point of order.

Therefore, I must again relay my offer to the gentleman. If he will withdraw, I will work with him. If he does not withdraw, then I cannot make the same offer.

Mr. Chairman, I would be delighted to yield, but think we have to move this because we have two or three other amendments that we must address before time runs out.

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

The CHAIRMAN. Does the gentleman from Texas [Mr. DELAY] desire to press or withdraw his point of order?

□ 1115

Mr. SHAYS. Mr. Chairman, based on the dialog that has taken place in this instance with the chairman, and based on the courtesy of this House for allowing me to proceed on an amendment that could have been declared out of order, I ask unanimous consent to withdraw this amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from Connecticut?

Mr. STUDDS. Mr. Chairman, reserving the right to object, I rise for two reasons: First of all, to commend the gentleman from Connecticut [Mr.

SHAYS] who is carrying a very heavy burden in a very difficult place, and simply to remind Members that this is not a request for a proportionate share of bearing the burden of reductions amongst all our programs, that this is not a 2-percent, or a 5-percent, or a 10-percent cut. We are talking about people who are fatally ill and who have no home, and we are not asking them to share 2 percent or 5 percent of the pain we all have to share; we are asking them to go away and to die in the streets, and we are asking for zero funding.

Mr. Chairman, in Boston this means 244 people sick and homeless. That is unacceptable, and I object.

The CHAIRMAN. Objection is heard.

POINT OF ORDER

Mr. DELAY. Mr. Chairman, I have a point of order.

The CHAIRMAN. The gentleman will state his point of order.

Mr. DELAY. Mr. Chairman, the gentleman's amendment seeks to amend a paragraph previously amended, and the procedures in the U.S. House of Representatives, chapter 27, section 27.1, states the following:

> It is fundamental that it is not in order to amend an amendment previously agreed to. Thus the text of a bill perfected by amendment cannot thereafter be amended.

Mr. Chairman, this amendment seeks to amend text previously amended, and is, therefore, not in order. I respectfully ask the Chair to sustain my point of order.

The CHAIRMAN. Does any other Member wish to be heard on the point of order?

Mr. SCHUMER. Mr. Chairman, I would submit that this is not out of order.

Mr. Chairman, what we have done here is in submission with the rule. We have taken money from an existing program. It is a program that was cut before. It is within the same walls, the VA–HUD appropriation. This is a narrowly restricted rule.

Mr. Chairman, the gentleman from Connecticut [Mr. SHAYS] and I worked long and hard, and we checked over and over again with the Parliamentarian to make this amendment, even within the confines of that terribly restrictive rule, to be in order because of the urgency of this program, and I would say that if an amendment like this which, A, cuts the same amount of money as it adds; B, cuts it from a program within the VA–HUD authorization/appropriation; and, C, cuts it from a program that has already been cut, is not in order, then in God's name what is, in this body, on this bill?

Ms. PELOSI. Mr. Chairman, I wish to be heard on the point of order. I wish to state that if the point of order of the gentleman from Texas [Mr. DELAY] is in order, that just points to the ultra-restrictiveness of the rule under which this bill was brought to the floor because we did abide by——

Mr. DELAY. Regular order, Mr. Chairman.

The CHAIRMAN. The gentlewoman from California will state her objection.

Ms. PELOSI. My objection is, as the gentleman from New York [Mr. SCHUMER] pointed out, that the amendment is in keeping with those criteria that were set out by the Committee on Rules that funds come from the same title and the same subcommittee allocation. The amendment does do that, and it would seem to me that it would be out of order to call a point of order against it on that score. If, in fact, it is so, it just again points to the restrictiveness of the rule when we are used to open rules on appropriations bills.

The CHAIRMAN. Does any other Member wish to be heard on the point of order?

Mrs. LOWEY. Mr. Chairman, I wish to be heard on the gentleman's point of order.

The CHAIRMAN. The gentlewoman will state her point.

Mrs. LOWEY. This to me just seems so unreasonable. This was taken out of the budget, it was taken out of the appropriate account. Not to be allowed to take a vote on this issue, considering the devastating impact of this on cities, on people——

Mr. DELAY. Regular order, Mr. Chairman.

The CHAIRMAN (Mr. BEREUTER). The Chair is prepared to rule.

Under the precedents recorded in section 31 in chapter 27 of Deschler's procedure, the point of order of the gentleman from Texas [Mr. DELAY] is sustained. It is consistent with the Chair's ruling yesterday on the amendment offered by the gentlewoman from Connecticut [Ms. DELAURO].

PARLIAMENTARY INQUIRY

Mr. OBEY. Mr. Chairman, I would ask the Chair:

If I am not mistaken, the last three amendments that have been offered to this bill have come from the majority side of the aisle. Would it be possible for me to call up an amendment at this time?

The CHAIRMAN. Yes, the members of the committee have precedence, and it would be the minority's turn for recognition.

The Chair recognizes the gentleman from Wisconsin [Mr. OBEY] to offer an amendment.

AMENDMENT OFFERED BY MR. OBEY

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

> Amendment offered by Mr. OBEY: Page 25, line 12, strike ''$82,775,000'' and insert ''$72,775,000''.
>
> Page 26, line 4, strike ''$50,000,000'' and insert ''$60,000,000''.

Mr. LIVINGSTON. Mr. Chairman, I reserve a point of order on the amendment.

The CHAIRMAN. The gentleman from Louisiana [Mr. LIVINGSTON] reserves a point of order on the amendment.

Mr. OBEY. Mr. Chairman, let me indicate that I am offering this amendment on behalf of the gentleman from Pennsylvania [Mr. FOGLIETTA] who is the real author of the amendment.

The CHAIRMAN. The gentleman from Wisconsin [Mr. OBEY] is recognized for 15 minutes, and a Member opposed will be recognized for 15 minutes.

Mr. LIVINGSTON. Mr. Chairman, I ask at the appropriate time to be recognized.

The CHAIRMAN. The gentleman from Louisiana [Mr. LIVINGSTON] will be recognized for 15 minutes.

Does the gentleman from Louisiana insist on his point of order at this time?

Mr. LIVINGSTON. Not at this time. I reserve my point of order, Mr. Chairman.

The CHAIRMAN. The Chair recognizes the gentleman from Wisconsin [Mr. OBEY].

Mr. OBEY. Mr. Chairman, I yield 5 minutes to the gentleman from Pennsylvania [Mr. FOGLIETTA].

Mr. FOGLIETTA. Mr. Chairman, I rise today to offer an amendment to restore funding for the Healthy Start Program. This small, Federal program is a proven success story in saving the lives of our Nation's infants. Healthy Start provides critical funds to cut down on high infant death rates in urban and rural communities across the country, from Philadelphia to Pee Dee, SC, from Milwaukee to the Mississippi Delta. Healthy Start provides education, prenatal care, clinical services and home health visits to pregnant mothers and their new babies.

My colleagues, the important part about this program is that it works. In my district, infant mortality rates are as high as Mexico or Panama. Before Healthy Start began, 14.2 Philadelphia babies died for every 1,000. After just 1 year, the rate has fallen to 11.7, when the national average is 8.9.

The rescissions package takes away $10 million of fiscal year 1995 funds for this life-saving program. Yet, every dollar makes the difference between life and death for babies in these communities. Not one baby's life should be scarified for the sake of paying for a tax cut package. We cannot let this happen.

I am proposing to restore funds for Healthy Start by taking an additional $10 million from the Buildings and Facilities account of the National Institutes of Health. I am told that the funds in this account will not be used as intended. The rescissions package takes back $50 million from this account. I am simply proposing to take an additional $10 million to fully fund this Health Start Program. I emphasize that none of the lifesaving activities of the NIH will be hindered by this additional rescission.

In cities like New Orleans and Oakland, in places like Northern Plains, SD and the Mississippi Delta, Healthy

Start has just started to do the job. Let us finish the job of saving infants' lives by restoring this program of full funding.

I urge my colleagues to accept this amendment.

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

Mr. FOGLIETTA. I yield to the gentleman from Missouri.

Mr. VOLKMER. Mr. Chairman, the gentleman is telling the Members of the House that this program, which to me in a very mean-spirited way is being cut by the majority, is actually to the benefit of infants and children.

Mr. FOGLIETTA. The gentleman is correct.

Mr. VOLKMER. And, no question, by cutting it they are saying that it is all right to do this to the infants and children of people here in the United States; is that correct?

Mr. FOGLIETTA. I would not speak for the majority, but I assume that is what the bottom line is.

Mr. VOLKMER. That is what happens; is it not?

Mr. FOGLIETTA. The gentleman is correct.

Mr. VOLKMER. And there is no question in the gentleman's mind and my mind that somewhere along the line this very same committee is going to fund programs that are going to take care of infants and children in other parts of the world?

Mr. FOGLIETTA. The gentleman is correct.

Mr. VOLKMER. So it is all right to take care of them someplace else, but we cannot do it for our own people. We have got to cut them out. Our people have to make all these sacrifices, and no one else does. We are going to take care of the rest of them, but we are not going to take care of our own.

Is that correct?

Mr. FOGLIETTA. Mr. Chairman, I believe we should be taking care of our own; that is correct.

The CHAIRMAN. The time of the gentleman from Pennsylvania [Mr. FOGLIETTA] has expired.

The Chair would inquire of the gentleman from Louisiana [Mr. LIVINGSTON] if he intends to press or withdraw his point of order.

Mr. LIVINGSTON. Mr. Chairman, if the gentleman has completed his time, I do intend to insist on my point of order.

The CHAIRMAN. The gentleman will state his point of order.

Mr. LIVINGSTON. Mr. Chairman, I make a point of order against the amendment offered by the gentleman from Wisconsin [Mr. OBEY] because it seeks to amend the paragraphs previously amended. In the procedures in the U.S. House of Representatives, chapter 27, section 27.1, states——

Mr. VOLKMER. Mr. Chairman, would the gentleman yield for just a second?

Mr. FOGLIETTA. Mr. Chairman, will the gentleman suspend his point of order so I can yield to the gentleman from Missouri?

Mr. LIVINGSTON. Mr. Chairman, with the Chair's consent I suspend my point of order.

Mr. Chairman, I continue to reserve my point of order.

The CHAIRMAN. The gentleman may yield then for an inquiry.

PARLIAMENTARY INQUIRIES

Mr. LIVINGSTON. Mr. Chairman, as I understand it, the time of the gentleman from Pennsylvania had expired.

The CHAIRMAN. The gentleman from Louisiana controls the time.

Mr. LIVINGSTON. I have a further parliamentary inquiry, Mr. Chairman.

Are there any other allocations of time asked for on the floor at the moment?

The CHAIRMAN. Only the gentleman from Louisiana [Mr. LIVINGSTON] and the gentleman from Wisconsin [Mr. OBEY] control time.

Mr. LIVINGSTON. Then at this point, Mr. Chairman, I reserve my point of order.

Mr. OBEY. Mr. Chairman, I yield 2 minutes to the gentleman from Pennsylvania [Mr. FOGLIETTA].

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

Mr. FOGLIETTA. I yield to the gentleman from Pennsylvania.

Mr. FATTAH. Mr. Chairman, I rise to support the amendment offered by the gentleman from Pennsylvania [Mr. FOGLIETTA]. The program, the Healthy Start Program, has literally saved lives. There are children who are alive today who otherwise would not be alive. It is something that people on both sides of the choice question support. It is an effort to intervene in meaningful ways to provide care and information and education to would-be parents, particularly women who are about to conceive children. It is a program that has worked in Philadelphia.

Mr. Chairman, I know that the point of this exercise is to show how much we can cut out of this budget. It is interesting that we could not find any dollars from the military to cut even though we spend more than the rest of the world combined on our Armed Forces. We could not find in any of the billions in corporate welfare any room to cut, but somehow we have zeroed in on children, we have zeroed in on Healthy Start, on college scholarships, on summer job programs. Somehow we have made an aggressive effort to retard much of the progress being made in terms of intervening in the lives of young people, to make their lives more meaningful and more purposeful.

□ 1130

Yes, it costs to care, and education is indeed expensive. I would argue that lack of caring and ignorance is more expensive, and that we should, in this case, support the Foglietta amendment and hopefully restore this cut to Healthy Start. Failing to do that, as I have indicated yesterday, we should vote against the entire rescissions package.

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

Mr. STOKES. Mr. Chairman, I thank the distinguished ranking member of the Committee on Appropriations for yielding.

Mr. Chairman, this is a program that we really ought to support and I thank the gentleman from Pennsylvania [Mr. FOGLIETTA] who has offered this amendment. Under this rescission funding for Healthy Start has been cut $10 million. This program provides resources and assistance to rural and urban communities with high infant mortality rates.

A few days ago over on that same subcommittee we had six Nobel laureates who sat before us and talked about the state of health in America today. One of the things that they talked about to us was the high infant mortality rates in this country today. While infant mortality rates is a matter of being able to rate a nation in terms of its total health care, our Nation ranks about 17th in the world. Here we are, the top country in the world, yet we rank about 17th in the world in terms of infant mortality rates.

Under these cuts, what is going to happen is that about 2,200 pregnant women would not receive primary care, 33,000 prenatal visits would be eliminated, 3,000 pediatric appointments would be eliminated, 5,800 clients would not receive child care, 3,267 clients would not receive skill in job training.

This is an area in which many of our local and rural communities have been able to deal with one of the most pressing problems confronting their communities. I would hope that we would restore these funds and support the gentleman from Pennsylvania in this very important amendment.

Mr. OBEY. Mr. Chairman, I yield 1 minute to the gentleman from Pennsylvania [Mr. FOGLIETTA].

Mr. FOGLIETTA. Mr. Chairman, I just want to emphasize, in the city of Philadelphia, before this program started, the infant mortality rate was 14.2 per thousand. After 1 year, 1 year of this program, it dropped from 14.2 per thousand to 11.7 per thousand.

On behalf of the children whose lives will be saved in the future with this program, I implore you to withdraw your point of order and let us pass this amendment.

Mr. KENNEDY of Massachusetts. Mr. Chairman, I rise to support the restoration of Healthy Start funding. The fact that the Republicans cut this program is cruel and shortsighted. This is, by far, the lowest, mean-spirited assault on the most vulnerable of our citizens—newborn babies and infants.

It is absolutely intolerable that the United States has one of the highest infant mortality rates in the entire world.

In fact, the United States ranks 21st out of 23 industrialized countries or infant mortality. The mortality rate for minority children in our inner cities ranks behind many third-world nations.

To combat this alarming rate of death among newborns, we developed the Healthy Start Program. The Healthy Start Program provides the only link to the health care system for countless pregnant women.

The severity of the Nation's infant mortality problem is evident in the city of Boston. African-American women experience infant mortality rates more than twice that of white women.

Fortunately, these Healthy Start programs work. We have already begun to see the results. In Boston, this program helped deliver over a 12 percent decrease in infant mortality from 1992 to 1993.

Boston's goal is to build on this progress and reduce the infant deaths by 50 percent by 1996.

We should not take away vital funds from cities that are saving lives.

Just last week, I visited a Healthy Start Program in my hometown of Boston. At Boston Children's Hospital, the Advocacy for Women and Kids in Emergencies—or the AWAKE Program—responds to the need for services for battered women who come to Children's Hospital to get care for their abused kids.

It is the only program of its kind nationwide providing a full range of advocacy and outreach services to battered women and their kids in a hospital setting.

Mr. Chairman, to see family violence through the eyes of a child is heartbreaking.

Every day, at least three children die because of abuse or neglect, often at the hands of a family member.

In 1993, nearly 3 million child abuse and neglect cases were reported.

It makes absolutely no sense to cut 10 percent of Healthy Start funding—funding that supports so many innovative programs like AWAKE that help save the lives of newborn babies and infants.

I urge support of this amendment.

Mr. MOAKLEY. Mr. Chairman, I rise today in strong support of this amendment offered by my good friend, the gentleman from Philadelphia [Mr. FOGLIETTA], which would restore $10 million in funding for the Healthy Start Program. The Healthy Start Program is essential to combat the disturbingly high rate of infant mortality in this country. In Boston, where I represent, infant mortality is a significant health problem despite the presence of the world's best hospitals, medical schools, and academic health centers. This is a travesty that a rich, industrialized nation like the United States has an infant mortality rate that is equal or higher than some third-world countries.

If you are a young, black, pregnant woman in Boston, the odds of your baby being born prematurely or with low birth weight nearly doubles. The Boston Healthy Start initiative has been working in conjunction with community health centers throughout the city to reduce this alarming infant mortality rate. This program is crucial in that it provides pre- and post-natal care to pregnant women that are at risk. Healthy Start educates young mothers about proper nutrition for both them and their newborns. Healthy start also teaches mothers about appropriate health care. But, most important, Mr. Chairman, Healthy Start empowers women, families, and communities. This program is a modest investment from the Federal Government to building a healthier climate for all people in urban areas and the best way to build that climate is to give our children a healthy start.

I find it ironic that my good friends from the other side of the aisle claim they want to cut waste and cut programs that don't work, but they never seem to bat an eye at throwing $41 billion at some comic book weapons fantasy like star wars. I implore my Republican friends to have a little forethought, for once, and invest in our kids. I realize they don't vote or take you out for dinner or contribute to your campaigns, but children are the future of this country. Remember that, and vote in favor of the Foglietta amendment.

The CHAIRMAN. Does the gentleman from Louisiana [Mr. LIVINGSTON] insist on his point of order?

Mr. LIVINGSTON. I do, Mr. Chairman.

The CHAIRMAN. The gentleman will state his point of order.

POINT OF ORDER

Mr. LIVINGSTON. Mr. Chairman, the gentleman makes an eloquent case, which will be addressed in conference, but at this time I reluctantly make a point of order against the gentleman's amendment because it seeks to amend a paragraph previously amended. In the procedures in the U.S. House of Representatives, chapter 27, section 27.1, it states as follows: It is fundamental that it is not in order to amend an amendment previously agreed to. Thus the text of a bill perfected by amendment cannot thereafter be amended.

Mr. Chairman, this amendment seeks to amend text previously amended and is therefore not in order. I respectfully ask the Chair to sustain my point of order.

The CHAIRMAN (Mr. BEREUTER). The Chair is prepared to rule, because it is exactly similar to the previous ruling. The gentleman's language attempts to amend further a figure changed by the amendment offered by the gentleman from Illinois [Mr. PORTER], yesterday. Under the precedents recorded at section 31 in chapter 27 of Deschler's Procedure, the point of order of the gentleman from Louisiana [Mr. LIVINGSTON] is sustained. It is consistent with the Chair's ruling on the DeLauro and Shays amendments.

Mr. ABERCROMBIE. Mr. Chairman, I appeal the ruling of the Chair.

The CHAIRMAN. The question is, Shall the decision of the Chair stand as the judgment of the Committee.

PARLIAMENTARY INQUIRY

Mr. OBEY. Mr. Chairman, I have a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. OBEY. Will I be able under these circumstances to ask the gentleman from Hawaii to withdraw his motion?

The CHAIRMAN. The Chair will allow the gentleman from Wisconsin to make an inquiry of the gentleman from Hawaii.

Mr. OBEY. Mr. Chairman, let me state I fully share the gentleman's outrage that this amendment is not in order, but I do not think that there is any useful purpose to be served by taking out on the Chair the fact that we have a stupid rule. I think all the Chair is doing is enforcing an extremely stupid, ill-advised, vicious, and cruel rule. So I will recognize the justice in what the gentleman from Hawaii is trying to do, but I think it is good if we have the right target, which is the Republican leadership, and not the Member in the Chair.

I would urge the gentleman respectfully to withdraw the motion.

The CHAIRMAN. Does the gentleman from Hawaii [Mr. ABERCROMBIE] insist on his appeal?

Mr. ABERCROMBIE. Mr. Chairman, I do insist on my appeal. Respectfully, I am not targeting the Chair. The people of this country are being targeted.

Mr. STEARNS. Mr. Chairman, I move to table the motion.

The CHAIRMAN. A motion to table is not in order in the Committee of the Whole.

The question is ''Shall the decision of the Chair stand as the judgment of the Committee?''

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

Mr. ABERCROMBIE. Mr. Chairman, I demand a recorded vote, and pending that, I make the point of order that a quorum is not present.

The CHAIRMAN. Evidently, a quorum is not present.

Pursuant to the provisions of clause 2, rule XXIII, the Chair announces that he will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device, if ordered, will be taken on the pending question following the quorum call. Members will record their presence by electronic device.

The call was taken by electronic device.

The following Members responded to their names:

[Roll No. 248]

Abercrombie	Borski	Condit
Ackerman	Boucher	Conyers
Allard	Brewster	Cooley
Andrews	Browder	Costello
Archer	Brown (CA)	Cox
Armey	Brown (FL)	Coyne
Bachus	Brown (OH)	Cramer
Baesler	Brownback	Crane
Baker (CA)	Bryant (TN)	Crapo
Baker (LA)	Bryant (TX)	Cremeans
Baldacci	Bunn	Cunningham
Ballenger	Bunning	Danner
Barcia	Burr	Davis
Barr	Burton	de la Garza
Barrett (NE)	Buyer	Deal
Barrett (WI)	Callahan	DeFazio
Bartlett	Camp	DeLauro
Barton	Canady	DeLay
Bass	Cardin	Dellums
Bateman	Castle	Deutsch
Becerra	Chabot	Diaz-Balart
Beilenson	Chambliss	Dickey
Bentsen	Chenoweth	Dicks
Bereuter	Christensen	Dingell
Berman	Chrysler	Dixon
Bevill	Clay	Doggett
Bilbray	Clayton	Dooley
Bilirakis	Clement	Doolittle
Bishop	Clinger	Dornan
Bliley	Clyburn	Doyle
Blute	Coble	Dreier
Boehlert	Coburn	Duncan
Boehner	Coleman	Dunn
Bonilla	Collins (GA)	Durbin
Bonior	Collins (IL)	Edwards
Bono	Combest	Ehlers

Ehrlich
Emerson
Engel
English
Ensign
Eshoo
Evans
Everett
Ewing
Farr
Fattah
Fawell
Fazio
Fields (LA)
Fields (TX)
Filner
Flake
Flanagan
Foglietta
Foley
Forbes
Ford
Fowler
Fox
Franks (CT)
Franks (NJ)
Frelinghuysen
Frisa
Frost
Funderburk
Furse
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Geren
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goodlatte
Goodling
Gordon
Goss
Graham
Green
Greenwood
Gunderson
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hancock
Hansen
Harman
Hastert
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Hefner
Heineman
Herger
Hilleary
Hilliard
Hinchey
Hobson
Hoekstra
Hoke
Holden
Horn
Hostettler
Houghton
Hoyer
Hunter
Hutchinson
Hyde
Inglis
Istook
Jackson-Lee
Jacobs
Jefferson
Johnson (CT)
Johnson (SD)
Johnson, Sam
Johnston
Jones
Kanjorski
Kaptur
Kasich
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kim
King
Kingston
Kleczka
Klink
Klug
Knollenberg
Kolbe
LaFalce
LaHood
Lantos
Largent
Latham
LaTourette
Laughlin
Lazio
Leach
Levin
Lewis (CA)
Lewis (KY)
Lightfoot
Lincoln
Linder
Lipinski
Livingston
LoBiondo
Lofgren
Longley
Lowey
Lucas
Luther
Maloney
Manton
Manzullo
Markey
Martinez
Martini
Mascara
Matsui
McCarthy
McCollum
McCrery
McDade
McDermott
McHale
McHugh
McInnis
McIntosh
McKeon
McKinney
McNulty
Meehan
Meek
Menendez
Metcalf
Meyers
Mfume
Mica
Miller (CA)
Miller (FL)
Mineta
Minge
Mink
Moakley
Molinari
Mollohan
Montgomery
Moorhead
Moran
Morella
Murtha
Myers
Myrick
Nadler
Neal
Nethercutt
Neumann
Ney
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Orton
Owens
Oxley
Packard
Pallone
Parker
Pastor
Paxon
Payne (NJ)
Payne (VA)
Pelosi
Peterson (FL)
Peterson (MN)
Petri
Pickett
Pombo
Pomeroy
Porter
Portman
Poshard
Pryce
Quillen
Quinn
Radanovich
Rahall
Ramstad
Rangel
Reed
Regula
Reynolds
Richardson
Riggs
Rivers
Roberts
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Rose
Roth
Roukema
Roybal-Allard
Royce
Rush
Sabo
Salmon
Sanford
Sawyer
Saxton
Scarborough
Schaefer
Schiff
Schroeder
Schumer
Scott
Seastrand
Sensenbrenner
Serrano
Shadegg
Shaw
Shays
Sisisky
Skaggs
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Spratt
Stark
Stearns
Stenholm
Stockman
Stokes
Studds
Stump
Stupak
Talent
Tanner
Tate
Tauzin
Taylor (MS)
Taylor (NC)
Tejeda
Thomas
Thompson
Thornberry
Thornton
Thurman
Tiahrt
Torkildsen
Torres
Torricelli
Towns
Traficant
Tucker
Upton
Velazquez
Vento
Visclosky
Volkmer
Vucanovich
Waldholtz
Walker
Walsh
Wamp
Ward
Waters
Watt (NC)
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Williams
Wilson
Wise
Wolf
Woolsey
Wyden
Wynn
Yates
Young (AK)
Young (FL)
Zeliff
Zimmer

□ 1157

The CHAIRMAN. Four hundred twenty-four Members have answered to their names, a quorum is present, and the Committee will resume its business.

The pending business is the demand of the gentleman from Hawaii [Mr. ABERCROMBIE] for a recorded vote on his appeal from the ruling of the Chair.

Does the gentleman from Hawaii [Mr. ABERCROMBIE] insist upon his demand for a recorded vote?

Mr. ABERCROMBIE. I do not, Mr. Chairman.

The CHAIRMAN. If not, the decision of the Chair stands sustained on the prior voice vote of the Committee of the Whole.

AMENDMENT OFFERED BY MR. STEARNS

Mr. STEARNS. Mr. Chairman, I offer an amendment, amendment No. 23.

The Clerk read as follows:

Amendment offered by Mr. STEARNS: Page 22, line 13, strike ''$5,000,000'' and insert ''$15,000,000''.

The CHAIRMAN. The Chair will announce that there will be 20 minutes of debate, 10 minutes on each side.

The gentleman from Florida [Mr. STEARNS] will be recognized for 10 minutes to control the time on his amendment.

Does any Member stand in opposition to the amendment?

Mr. OBEY. Mr. Chairman, I will indicate opposition to the amendment.

I ask unanimous consent that the 10 minutes in opposition be divided evenly between the gentleman from Illinois [Mr. YATES] and the gentleman from Ohio [Mr. REGULA].

The CHAIRMAN. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

□ 1200

Mr. STEARNS. Mr. Chairman, I yield myself such time as I may consume. I appreciate the opportunity to have this amendment finally. We have been waiting quite some time for it. I want to recognize the gentleman from Illinois [Mr. CRANE] for all the hard work he has done on this amendment and the gentleman from Georgia [Mr. BARR] who has also been instrumental in getting this amendment on the floor. I also want to recognize the gentleman from Illinois [Mr. YATES] who is the ranking member of the Interior Subcommittee. He and I have talked about this. He and I are good friends. We approach this particular amendment from different perspectives.

Mr. Chairman, many members have heard this discussion on the NEA ad infinitum. We could talk about it for hours. I know the gentleman from Illinois [Mr. YATES] has plenty of people on his side as I do on my side who feel strongly about this subject. But I can summarize this debate very quickly for all of us, because we do not have much time.

First the NEA is about $167 million in expenditure. We have cut within the rescission bill $5 million. This amendment simply asks for an additional $10 million. That means a total of $15 million would be cut from the NEA budget, less than 10 percent, approximately only 9 percent total.

My colleagues, remember, this has to go to the conference committee. Traditionally, historically, when it goes to the conference committee, they cut it even further down. So I say to my friends here in the House, let's make at least a modicum of a cut, 9 percent total, so if it goes to conference and it comes back, we will not be left like we did last year with a 2.5 percent reduction after we labored for hours on the House floor to get just a mere 5 percent.

At this point, I say to Members, this can be summarized, this is simply a 9-percent cut on a $167 million project that under anybody's opinion we can cut that much if we intend to reduce the deficit.

I know the people on that side feel very strongly about this, and I respect that, but I am approaching this from a fiscal responsibility stand point and I urge the people on that side not to use hyperbole on this debate. We have heard this time and time again. This is simply a 9-percent cut.

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

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

Mr. Chairman, here we go again. All we have to do is mention NEA and my friends, the gentleman from Illinois [Mr. CRANE] and the gentleman from Florida [Mr. STEARNS], go into orbit. They are determined to immortalize Maplethorpe and Serrano, to make them as famous as Michelangelo in order to kill the NEA, which I think essentially is what they want to do.

The gentleman from Florida [Mr. STEARNS] says his amendment is a 9-percent cut. On the contrary, for remainder of this year, with the time remaining and the amount of funds that are remaining, it amounts to a 17-percent cut, but really when they talk about Maplethorpe and Serrano, which is the fundamental stain that bases their amendments.

How many people saw the Maplethorpe and Serrano exhibit under NEA grants? Not many. Serrano was shown at one gallery, a South Carolina gallery. Maplethorpe at two galleries, three museums. How many people got to see these exhibits? And yet, because of Maplethorpe and Serrano, the sponsors of this amendment want to take NEA funds from hundreds of museums throughout the country serving millions of people from scores of symphony orchestras and theaters and

schools where children learn about art and about artists.

Let me read to the gentleman from Florida [Mr. STEARNS] and the gentleman from Illinois [Mr. CRANE] an article from The Washington Post which occurred on February 12. It is about the executive director of the Shenandoah Shakespeare Express, a Shakespeare troupe that tours two-thirds of the United States.

Last year, the NEA gave the Shenandoah Shakespeare Express $5,000 and the money helped take a fellow, ''The Taming of the Shrew,'' ''Much Ado About Nothing,'' to more than 100 high schools and colleges in more than 30 States.

It is true, most Americans do not associate the NEA with kids learning to love Shakespeare and that is because one Senator and others have created the compelling fiction that all the agency does is to fund kookie and depraved artists.

Well,

But here is the real story. Our little Shakespeare company, says the executive director, got $5,000, not much, but 33 times more than the human Etch-A-Sketch and our grant, not his, is typical of the NEA. By far the majority of NEA money goes to local theater groups to, community orchestras, to regional museums, what you might call the traditional art. Conservatives often complain about the evils of popular culture, the sex in movies, the violence in rap, the profanity in rock lyrics, but they have targeted the NEA and that is the organization that most assures the continuation of the classical theater, the classical dance and the music in this MTV world. You have to wonder.

Mr. Chairman, there is no doubt in my mind that NEA is part of the fabric of the people of this country, worn by the people of this country, and I think the people of this country are firm in the desire that NEA continue. I hope this amendment will be defeated.

Mr. Chairman, I reserve the balance of my time

Mr. STEARNS. Mr. Chairman, I yield 3 minutes to the gentleman from Illinois [Mr. CRANE].

Mr. CRANE. I thank my colleague the gentleman for yielding me the time.

Mr. Chairman, I rise is support of the amendment. We just heard the eloquent plea for the arts from my distinguished colleague from my home State of Illinois. Yet it misses the point altogether. The fact of the matter is we have an arts bureaucracy in this government entity called the National Endowment for the Arts. That government bureaucracy only awards one recipient out of every four that makes an application.

If we look at where those applications or those grantees are, I can understand why a colleague from the State of New York might be for preservation of the NEA in perpetuity. I can understand why somebody from California might take the same position, and I understand why somebody from Washington, DC, especially, would want to see it preserved.

The fact of the matter is, I say to my colleague from Illinois, Washington, DC is, you probably do not realize this, a hub of artistic talent, and they get twice the grants that our whole State of Illinois gets. Yet they have fewer people in Washington, DC, than in your congressional district or my congressional district. In fact, Washington, DC, gets more in grants than Arkansas, Idaho, Kansas, Mississippi, Nevada, North Dakota, Oklahoma, South Carolina, South Dakota, and Wyoming combined. That goes to Washington, DC.

That is what goes to Washington, DC thanks to this arts bureaucracy and how they are manipulating public moneys and misallocating public moneys.

Keep in mind another thing, too. That last year the private sector anted up $9.3 billion to fund the arts, in contrast to a $167 million input at taxpayer expense through this wheeling and dealing operation I touched upon.

A single art auction up in New York, for example, brought in $269.5 million. For all I know, some of my artistic colleagues from New York may have participated. In addition to that, a single painting alone last year managed to get $82.5 million.

I submit to Members that this is an issue that needs to be addressed. I hope it will be addressed more fully when we get to the question of total funding. That is later in the year. But right now this is a very modest cut when we are asked to reallocate scarce resources and we have heard eloquent appeals as to where money should be going other than the way the committee has determined. I compliment the gentleman on his amendment and urge everyone to support it.

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN. The Chair announces that under the rule, we must rise at 12:18. We have 11½ minutes of allocated time. I advise the Members there will be insufficient time to have the entire quota.

Mr. DICKS. Mr. Chairman, I ask unanimous consent that we have 3 additional minutes to make the time.

The CHAIRMAN. That request is not in order in the Committee of the Whole.

Mr. STEARNS. Mr. Chairman, could we have the allocation of the time based upon the Chair's stipulation at this point?

The CHAIRMAN. The Chair suggests and, without objection, will reduce the amount from the two sides equally, 1½ minutes from the gentleman from Florida and 1½ minutes from the two gentleman combined.

There was no objection.

The CHAIRMAN. The Chair recognizes the gentleman from Ohio [Mr. REGULA].

Mr. REGULA. Mr. Chairman, I yield myself 1 minute and 50 seconds.

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

Mr. REGULA. I just want to advise Members of the situation. In the subcommittee, we took out $5 million from NEA, remembering last year we cut it 2 percent on the floor and sustained that in the conference. That $5 million comes out of individual grants. There will be no money left in the NEA for individual grants which have been the problem. None. Zero.

If this amendment is passed, this will have to come out of the grants all over the United States to small communities with symphonies, ballet, and museums. It will mean the concert on the mall on the Fourth of July and Memorial Day, I hope many Members have seen it on C–SPAN, it is a great thing. Basically, if you vote for this amendment, you are voting against those small amounts that reach out across the United States for educational programs, for the small groups within the communities, for the grants to the State arts commissions. You are not voting against individual grants. We have already eliminated all the money for the individual grants in the subcommittee which was ratified by the full Committee on Appropriations.

The Committee on Educational and Economic Opportunities will have to hear the question of reauthorizing the NEA, so that is the place to deal with the problem. If we do not want NEA, we do not have to reauthorize it for fiscal year 1996 and prospectively. But let us not cut out that little bit of money that is being spread across the United States to many of the things that you cherish in each of your respective communities.

Mr. STEARNS. Mr. Chairman, I yield 1 minute to the gentleman from Georgia [Mr. BARR] who has worked on this amendment.

Mr. BARR. Mr. Chairman, I thank my distinguished colleague from the State of Florida for yielding me time.

With regard to an earlier amendment last evening, my distinguished colleague, the gentleman from Pennsylvania [Mr. WALKER], said really what we are about here today is making choices on priorities. In the greater scheme of things, I think there are very few, at least I would hope there are very few in this Chamber that would disagree with the proposition that in the larger scheme of things, when we are looking at food and when we are looking at national defense and when we are looking at the whole range of priorities that are reflected in this rescission bill, funds for the NEA do not rank as high as the other provisions.

That is one reason, one of many reasons why I rise in support of this amendment which I have coauthored. I would also point out to my distinguished colleague from the State of Illinois that the NEA does fund works of so-called art that have titles that cannot even be repeated on the floor of this Chamber. We do not need that. The citizens of this country and my district do not need that. They do not want that.

□ 1215

That is why I think it is very appropriate in the larger scheme of things and based on the merits of this rescission that this amendment be adopted.

I thank the gentleman for yielding time to me.

The CHAIRMAN. The Chair will announce that he is going to allocate the time based upon the time reduction, a slight deduction equally shared, one-half minute for the gentleman from Illinois [Mr. YATES], 1 minute for the gentleman from Florida [Mr. STEARNS], and three-quarters of a minute for the gentleman from Ohio [Mr. REGULA].

Mr. YATES. Mr. Chairman, I yield such time as she may consume to the gentlewoman from New York [Mrs. LOWEY].

(Mrs. LOWEY asked and was given permission to revise and extend her remarks.)

Mrs. LOWEY. Mr. Chairman, I rise in opposition to this amendment. As David McCullough said, it is like getting rid of the Navy because of the Tailhook scandal.

Mr. Chairman, I rise in strong opposition to the amendment. I find it tragically ironic that in this era of fiscal belt-tightening some are trying to slash one of the wisest and cost-effective investments the Federal Government makes in its citizens.

Eliminating funding for the NEA is a classic case of being pennywise and pound-foolish. The total budget for the NEA costs each citizen only 65 cents a year, and yet it leverages more than $1 billion every year from private donors.

The activity generated by the NEA produces a huge economic and cultural impact on our society. In fact, a study by the Port Authority of New York and New Jersey found that the total impact of the arts in the New York metropolitan region was more than $10 billion a year.

All over America, artists, musicians, orchestras, dance companies, theaters, and public schools rely on the National Endowment for the Arts for essential support. Their work has enriched our communities and our quality of life. This amendment will undermine many of these organizations and do damage to our cultural heritage. It will take funds of out of our schools and away from our children.

I urge my colleagues to heed the words of two witnesses at a recent hearing before the Interior Appropriation Subcommittee: Ken Burns, producer of the highly acclaimed ''Civil War'' and ''Baseball series'' on PBS, and David McCullough, Pulitzer Prize winning author of the biography on Harry Truman.

Ken Burns declared emphatically that his Civil War series would not have been possible without the Endowment's support. And David McCullough pointed out that abolishing the NEA just because of a few ill-conceived or offensive programs would be like abolishing the U.S. Navy because of the Tailhook scandal. I couldn't have said it better myself.

Mr. Chairman, this amendment will harm our Nation's schools and damage our cultural heritage. It must be defeated.

Mr. YATES. Mr. Chairman, I yield such time as she may consume to the gentlewoman from New York [Mrs. MALONEY].

(Mrs. MALONEY asked and was given permission to revise and extend her remarks.)

Mrs. MALONEY. Mr. Chairman, I rise in strong opposition to this amendment.

Mr. Chairman, I rise in strong opposition to the Stearns amendment to slash funding for the National Endowment for the Arts.

In many ways the Contract on America is a declaration of war. A war on children, a war on consumers, a war on the environment, a war on senior citizens. In their budget-cutting zeal, the new majority has proposed $17 billion in rescissions for 1995, almost entirely from programs that make the lives of ordinary Americans a little safer, a little brighter.

The Republicans have structured this rescission bill to eliminate any chance that we could even debate cuts to the bloated Defense budget. The Pentagon, of course, has returned to its exalted status as a sacred cow.

While they have taken defense off the cutting board, they're making mincemeat out of the arts. The new leadership invests in that which destroys, but destroys that which creates. The contract may sound good on the surface, but its cost cutting rhetoric masks policies that are heartless and mean-spirited.

And the contract's war on the arts is nothing short of primitive.

The NEA budget for this year is $167 million. Cultural funding is a mere two ten-thousandths of 1 percent of the Federal Government's $1.5 trillion budget. Arts funding costs approximately 64 cents per capita, or the same amount as two postage stamps.

According to a recent Lou Harris poll, 60 percent of the American people believe that ''the Federal Government should provide financial assistance to arts organizations.'' According to the same poll, more than half the American people would support paying up to $15 a year to support Federal arts funding.

Speaker GINGRICH has attacked the NEA as providing patronage for an elite group. In fact, the NEA increases access to arts and culture for all citizens. In the 30 years since the endowments were created, the number of theater, dance, and opera companies across America has increased from 120 to 925.

NEA grants work as seed money. They make it easier for recipients to raise money from other sources.

Speaker GINGRICH and Majority Leader DICK ARMEY have both stated that the Federal Government has no business making grants to artists and artistic organizations.

They say this at a time when violence continues to increase and, in our inner cities, human lives are cheaper by the dozen. I cannot imagine a worse time to cut programs that exalt the human experience, when all around us we see it degraded. Arts advocates who visited my office this week described NEA grants they had received which were used to create arts programs for inner city children.

We should be celebrating the contributions of the arts endowments to our country today, rather than trying to destroy them. We should be congratulating the endowments for encouraging creative ideas that help poor children rise above their cruel circumstances.

As Christopher Reeve said Tuesday in his speech at the Arts Advocacy Breakfast:

There is no leading nation in the world that does not support the arts, usually two, three, ten times as much as we do. Why should we be different? Public arts funding is a concept that stands beside public education as an obligation a government has to its people and to history.

Mr. YATES. Mr. Chairman, I yield such time as he may consume to the gentleman from New York [Mr. NADLER].

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

Mr. NADLER. Mr. Chairman, I rise in opposition to this amendment.

Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Florida which would rescind $15 million, in addition to the $5 million rescission already in the bill, from the National Endowment for the Arts' meager but important fiscal year 1995 budget. We should increase or maintain current levels of Federal support for the arts and humanities, not pull the foundation out from under cultural projects in most communities throughout the Nation, which benefit virtually every American.

I introduced an amendment to restore the $5 million to the NEA and $5 billion to the NEH which would be rescinded by this bill. With an unreasonably restrictive rule and a mere 10 hours of debate on a bill covering every Federal expenditure, my colleagues will not have the opportunity to discuss the merits of maintaining the NEA and NEH budgets. Some may say that during a time of drastic Federal cutbacks, we should expect and accept reduced funding for the arts and humanities. Drastic reductions in fiscal year 1995 appropriations to the valuable programs funded through the NEA have already been made. It is now time to look for somewhere else to cut.

The NEA exemplifies successful public-private cooperation, impressive returns on a Federal investment, and an efficient and productive Federal agency on a skeleton budget. With a budget totaling only a fraction of 1 percent of the entire Federal budget each year since 1965, when the NEA was established, the Endowment has made a substantial contribution to promoting art and culture in America. Since the NEA was established, the number of symphony orchestras has grown from 110 to 220, dance companies have shot up from 37 to over 250, opera companies have increased from 56 to 420, and state arts agencies are up from 5 to 565.

Congress should continue its important role of supporting arts, culture and the humanities in America. I urge my colleagues to oppose this amendment and any other attempts to undermine Federal commitment to the arts.

Mr. YATES. Mr. Chairman, I yield such time as he may consume to the gentleman from California [Mr. DIXON].

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

Mr. DIXON. Mr. Chairman, I rise in opposition to this amendment.

Mr. Chairman, I rise in opposition to H.R. 1158, the emergency supplemental appropriations and rescissions bill. While I wholeheartedly support the emergency supplemental to provide the Federal Emergency Management Agency with additional funds necessary to fulfill its mission—much of it for rebuilding in the aftermath of the Northridge

earthquake—I cannot support the massive reductions in domestic Federal spending contained in this legislation.

A little over a year has passed since Congress recognized the dire need for the Federal Government to intervene in the wake of the Northridge earthquake. Less than a month following the quake, emergency supplemental appropriations cleared both houses and was signed by the President. Congress recognized the need to treat this funding as it had in the past—as a national emergency, off-budget, and in bipartisan fashion. What a difference a year makes.

The majority has now drastically altered the treatment of emergency appropriations, requiring offsets in funding—even when those offsets, as they do in this bill—cynically pit the general well-being of one group of Americans against the well-being of another. While the majority recognizes that further emergency expenditures are necessary to rebuild Los Angeles' public infrastructure and respond to other emergencies across the Nation, they now direct that this should be done by undercutting programs which also serve those communities.

We are establishing a system under which a national disaster will have devastating impacts on two distinct groups of Americans—the one suffering the disaster and the one asked to pay for the disaster. It is a perverse system.

Is there a need to reform the way in which we respond to natural disasters in this country? Certainly, there is. The Bipartisan Task Force on Disasters acknowledged as much in proposals to expand the availability of disaster insurance, create a reinsurance fund, and initiate a public-private partnership to finance disaster relief. Those are the issues we should be debating, not funding disaster relief on the backs of poor and low-income Americans.

The bulk of the rescissions in this bill do not go to covering the needs of FEMA. They will now go to deficit reduction. While this is preferable to their original intention to pay for tax cuts, it is unconscionable that the majority in this House has sought to ask the least able to make the greatest sacrifice.

The committee cuts $1.7 billion from the summer youth employment program over the next 2 years—eliminating the program. While the majority says that Americans should move off welfare and into the workplace, that same majority contradicts itself by decimating programs which encourage work experience.

The committee report states that ''this program is a lower-priority Federal activity that we can no longer afford.'' What we cannot afford is to defund a program which gives 600,000 kids per year their first exposure to the workplace and a work ethic. It would seem to me that the first step in achieving jobs-based welfare reform is exposing underprivileged youth to their first job.

The Republican mayor of Los Angeles recognizes the importance of this program. According to Mayor Riordan, ''the elimination of the Summer Youth Employment and Training Program would have devastating consequences for the children and youth of Los Angeles.'' Those consequences include eliminating employment opportunities for more than 30,000 low-income youth in our city. To quote from the mayor's letter to Chairman LIVINGSTON, ''the elimination of $22 million in fiscal year 1995 and fiscal year 1996 is cost ineffective, poses significant challenges to our public safety goals and will ripple through our city in a grim fashion.''

Forty-three percent of the cuts contained in this legislation fall on programs within the Department of Housing and Urban Development. Public housing funding is cut by $3 billion—nationally, 40 percent of these units are occupied by the elderly. A $2.7 billion rescission in rental assistance translates to a reduction of 70,000 rental vouchers and certificates and 12,000 of those certificates had been reserved for homeless women with children.

In its fiscal year 1996 budget submission, HUD has clearly indicated its intention to dramatically reinvent the agency. Indeed that reinvention is based on moving primarily to ''tenant-based'' rather than ''project-based'' assistance. Yet over $1 billion in public housing modernization funds are cut—funds critical to improving the condition of units to enable HUD to implement its reforms.

In their zeal to cut, the majority bypasses the opportunity to have a meaningful debate on the future of Federally assisted housing in this country, including access to affordable housing, and housing for the homeless.

Throughout this legislation there are reductions in funding and elimination of programs in education, job training, veterans benefits, and low-income fuel assistance which will cause severe hardship to great numbers of Americans. Is there duplication and overlap in Federal programs? Is there need for reform? Is there waste and inefficiency in government bureaucracy? There may well be, but millions of Americans have come to rely on those programs—some for the basic necessities of life, others for their first shot at opportunity in this society.

In a reasonable and rationale atmosphere the American people would be well-served by debating true consolidation and true reform. Reducing and defunding these programs in this haphazard manner will only serve to exacerbate the situation of low-income Americans, increase tensions in our communities, and in the end, serve nothing but a political agenda based on the devolution of the Federal Government. I urge defeat of this legislation.

Mr. YATES. Mr. Chairman, I yield the remaining 30 seconds to the gentleman from Montana [Mr. WILLIAMS].

Mr. WILLIAMS. My colleagues, I ask you to oppose this amendment. The National Endowment for the Arts not only nurtures America's cultural inheritance, but it also expands on our Nation's cultural activities.

Let me give examples. Before the National Endowment for the Arts, there were 37 dance companies in America, now there are more than 400. Before the NEA, there were 27 opera companies, now there are 120. The list goes on. The NEA works. Resist these cuts.

The CHAIRMAN. The gentleman from Florida [Mr. STEARNS] is recognized for the final 1 minute.

Mr. STEARNS. Mr. Chairman, I yield 45 seconds to the gentlewoman from Washington [Mrs. SMITH].

Mrs. SMITH of Washington. Mr. Chairman, I thank the gentleman for yielding time to me.

Mr. Chairman, we know what we are about today is the rescission package. A rescission package is what do we take out of the budget because it is extra. But it is beyond that today. What we really need to talk about is the fact that we cannot charge this.

You see, we spend $200 billion extra a year and we are charging this to my grandchildren. Let us take the high moral ground and say no to extra spending for the nice things, but they are not necessary.

It is time to say yes to this amendment and get about what the people told us to do, and that is get rid of the deficit.

The CHAIRMAN. The gentleman from Ohio [Mr. REGULA] is recognized for the final 25 seconds.

Mr. STEARNS. Mr. Chairman, a point of information: Do I have the opportunity to close the debate?

The CHAIRMAN. The gentleman from Ohio [Mr. REGULA] is defending the committee position, and he will have the opportunity to close. The gentleman from Florida [Mr. STEARNS] may proceed for 25 seconds.

Mr. STEARNS. Mr. Chairman, for this amendment to pass, it is going to require conservative Democrats to help out with the Members on this side of the aisle. The question is can we cut a Federal Government program by 9 percent, realizing that within $167 million, $26 million is for Federal administration.

Surely we can cut the money within this program when it only adds up to 9 percent. So the Members on both sides of the aisle, I appeal to their fiscal responsibility and sanity, let us cut this bill.

The CHAIRMAN. The gentleman from Ohio [Mr. REGULA] is recognized for the final 1 minute.

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

Mr. REGULA. I yield briefly to the gentleman from Illinois.

Mr. YATES. Mr. Chairman, I just want to make a correction of the gentleman's statement, and that is that the real effect of this is a 26-percent cut.

Mr. REGULA. Mr. Chairman, how much time do I have remaining?

The CHAIRMAN. The gentleman from Ohio has 45 seconds remaining.

Mr. REGULA. Mr. Chairman, I yield the balance of my time to the gentleman from New York [Mr. HOUGHTON].

Mr. HOUGHTON. Mr. Chairman, I would just like to say this: that I have been in business for 40 years, and business is a cost-cutting process. I have cut and I have cut, but the one thing you do not cut is those things that are quintessential to the very essence of the community in which you live. Everything tends to drag us down to the lowest common denominator.

Please do not cut the National Endowment.

Mr. RICHARDSON. Mr. Chairman, this amendment cripples the National Endowment for the Arts.

Before my colleagues think about cutting funding for the NEA I want to remind you that

Federal arts funding benefits every district in the country. The national endowment benefits every region in the United States through State grants, arts education, and anticrime programming.

Thirty-five percent of NEA funding goes to each State's art agency in the form of a block grant. This amendment automatically reduces the size of each States grant.

Of this 35 percent each State must spend 7.5 percent of these dollars on projects that serve rural, urban, and underserved communities.

In New Mexico—for the last 7 years State grant moneys have funded the churches project. Over 100 communities have restored their historic churches because of the cultural and artistic symbolism they represent.

Voting in favor of this amendment means no arts education for our children.

Last year a $22,000 grant to the chamber music residencies pilot project which placed chamber music ensembles in rural communities for a school year. The chamber ensembles taught children in public schools in Tifton, GA; Jesup, IA, and Dodge City, KS, who would not have otherwise had any music education.

Voting in favor of this amendment means reduced funding for crime control programs. A youngster with a paint brush or learning lines for a play is a lot less dangerous than one with a gun.

NEA anticrime funds provide for programs like Arizona's APPLE Corps which uses arts programs with antidrug messages as after-school alternatives. Other anticrime projects the endowment funds include: Voices of Youth throughout Vermont, First Step Dance Co. in Lawrence, KS, Boise Family Center project in Boise, ID, Arts in Atlanta project, Alternatives in L.A. Program, and the Family Arts Agenda in Salem, OR.

Instead of targeting programs that are wasteful and bloated, this amendment targets programs that improve the quality of life for every American.

And it cuts these dollars not to go for deficit reduction but—to a windfall for the richest 10 percent of our Nation.

What voting for this amendment ensures is that the richest 10 percent of our country will be the only ones that can ever be able to afford to see an opera, a Shakespeare play, to hear an orchestra.

Ms. SLAUGHTER. Mr. Chairman, today I rise in strong opposition to the Crane amendment. As chair of the arts caucus, I have watched in amazement year after year, as the pittance that the National Endowment for the Arts receives from the Federal budget is consistently denigrated, incorrectly characterized, and almost always cut. And all this from an agency whose entire budget is below what is allocated for military bands.

While Federal funding for the arts, and art agencies like the National Endowment for the Arts, make up a mere 0.02 percent of the national budget, for each $1 the NEA spends, $11 of activity results. The nonprofit arts industry alone contributes $36.8 billion to the U.S. economy and provides over 1.3 million jobs to Americans nationwide. Business, tourism, restaurants, and hotels strive on the arts. The annual audience for nonprofit theaters serve an audience that has grown from 5 million in 1965 to over 20 million in 1992. More Americans attend art events annually than they attend professional sports events. A 1992 poll sponsored by the American Council on the Arts showed 60 percent of the American people favored Federal support of the arts. Further reductions in funding for the NEA would have adverse implications on both constituents and the cultural agencies in our districts. The author of this amendment must be aware of the ramifications his amendment would have on his own district. The $181,000 received by the Illinois Art Council in past years to support artists residing in Mr. CRANE's district would be eliminated. This money made it possible for writing, crafts, theater, dance, and visual arts projects to exist in Palatine and Elk Grove Village, IL—both of which are represented by Congressman CRANE. In my district of Rochester, NY, the National Association of Local Arts Agencies found that nonprofit arts organizations spent approximately $124 million annually and supported more than 4,000 full-time jobs.

Discussion about our national priorities begin and end with children—they are our future, our legacy, and our greatest resource. What the arts can do in the lives of our Nations children cannot be underestimated. The arts have the power to change a child's life. Children that create do not destroy. Access to art assists in keeping kids in school and off the streets. Art has a positive impact on a child, it enriches their lives and empowers them with a strong sense of self-worth. The NEA stresses that arts education may be the only way to reach at-risk children, deter them from violence, and increase their ability in every academic area giving them a sense of identity and discipline. Children who have art in education are better students with stronger analytical skills and higher esteem. The NEA's Arts in Education Program places 14,500 artists in schools in every State to work with children. Arts education is integral to school curriculum as it affects virtually all areas of learning. Children who learn through the arts improve in every academic area, have better attendance, and have increased motivation to learn. In 1993 the college entrance examination reported that students who studied the arts more than 4 years scored 53 points higher on the verbal portion of the exam and 37 points higher on the math portion of the exam than students with no course work or experience in the arts. This makes it essential for the NEA to be able to continue to provide support to our Nations children.

The NEA provides equal access and opportunity to the people of our Nation, many of whom would otherwise be deprived from experiencing the arts in American society. The arts serve as a medium of documentation, the essence of the American experience is recorded through art. Art remains a living record of civilization and society. Every civilization judges the civilization before it by the art it has left behind. Are we going to leave anything behind?

The CHAIRMAN. All time has expired.

The question is on the amendment offered by the gentleman from Florida [Mr. STEARNS].

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

RECORDED VOTE

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

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 168, noes 260, not voting 6, as follows:

[Roll No. 249]

AYES—168

Allard
Archer
Armey
Bachus
Baker (CA)
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bilirakis
Bliley
Boehner
Bono
Browder
Brownback
Bryant (TN)
Bunning
Burton
Buyer
Callahan
Calvert
Canady
Chabot
Chambliss
Chapman
Chenoweth
Christensen
Coble
Coburn
Collins (GA)
Combest
Condit
Cooley
Cox
Cramer
Crane
Crapo
Cremeans
Cunningham
Deal
DeLay
Diaz-Balart
Dickey
Doolittle
Dornan
Dreier
Duncan
Dunn
Emerson
Everett
Fields (TX)
Foley
Forbes
Fowler
Frisa
Funderburk
Gallegly
Gekas
Geren
Gillmor
Goodlatte
Goss
Graham
Hall (TX)
Hancock
Hansen
Hastert
Hastings (WA)
Hayworth
Hefley
Heineman
Herger
Hilleary
Hoekstra
Hostettler
Hunter
Hutchinson
Hyde
Inglis
Istook
Johnson, Sam
Jones
Kasich
Kim
King
Kingston
Largent
Latham
Laughlin
Lewis (KY)
Lightfoot
Linder
Manzullo
McCollum
McHugh
McIntosh
McKeon
Metcalf
Mica
Miller (FL)
Molinari
Montgomery
Moorhead
Myers
Myrick
Nethercutt
Neumann
Ney
Norwood
Orton
Packard
Parker
Paxon
Petri
Pombo
Portman
Pryce
Quillen
Radanovich
Riggs
Roberts
Rohrabacher
Ros-Lehtinen
Roth
Royce
Salmon
Sanford
Scarborough
Schaefer
Seastrand
Sensenbrenner
Shadegg
Shays
Shuster
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Stearns
Stenholm
Stockman
Stump
Talent
Tanner
Tate
Tauzin
Taylor (MS)
Thornberry
Tiahrt
Vucanovich
Waldholtz
Walker
Wamp
Watts (OK)
Weldon (FL)
Weller
White
Whitfield
Wicker
Young (FL)
Zeliff
Zimmer

NOES—260

Abercrombie
Ackerman
Andrews
Baesler
Baker (LA)
Baldacci
Ballenger
Barcia
Barrett (WI)
Becerra
Beilenson
Bentsen
Bereuter
Berman
Bevill
Bilbray
Bishop
Blute
Boehlert
Bonilla
Bonior
Borski
Boucher
Brewster
Brown (CA)
Brown (FL)
Brown (OH)
Bryant (TX)
Bunn
Camp
Cardin
Castle
Chrysler
Clay
Clayton
Clement
Clinger
Clyburn
Coleman
Collins (IL)
Collins (MI)
Conyers
Costello
Coyne
Danner
Davis
de la Garza
DeFazio
DeLauro
Dellums
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Durbin
Edwards
Ehlers
Ehrlich
Engel
English
Ensign
Eshoo
Evans
Ewing
Farr
Fattah
Fawell
Fazio
Fields (LA)
Filner
Flake
Flanagan
Foglietta
Fox
Frank (MA)
Franks (CT)
Franks (NJ)
Frelinghuysen
Furse
Ganske
Gejdenson
Gephardt
Gibbons
Gilchrest
Gilman
Gonzalez
Goodling
Gordon
Green
Greenwood
Gunderson
Gutierrez
Gutknecht
Hall (OH)
Hamilton
Harman

Hastings (FL)
Hayes
Hefner
Hilliard
Hinchey
Hobson
Hoke
Holden
Horn
Houghton
Hoyer
Jackson-Lee
Jacobs
Jefferson
Johnson (CT)
Johnson (SD)
Johnston
Kanjorski
Kaptur
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kleczka
Klink
Klug
Knollenberg
Kolbe
LaFalce
LaHood
Lantos
LaTourette
Lazio
Leach
Levin
Lewis (CA)
Lincoln
Lipinski
Livingston
LoBiondo
Lofgren
Longley
Lowey
Lucas
Luther
Maloney
Manton
Markey
Martinez
Martini
Mascara
Matsui
McCarthy
McCrery
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Miller (CA)
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Morella
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Olver
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Owens
Oxley
Pallone
Pastor
Payne (NJ)
Payne (VA)
Pelosi
Peterson (FL)
Peterson (MN)
Pickett
Pomeroy
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Poshard
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Schumer
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Serrano
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Spratt
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Thurman
Torkildsen
Torres
Torricelli
Towns
Traficant
Tucker
Upton
Velazquez
Vento
Visclosky
Volkmer
Walsh
Ward
Waters
Watt (NC)
Waxman
Weldon (PA)
Williams
Wilson
Wise
Wolf
Woolsey
Wyden
Wynn
Yates
Young (AK)

NOT VOTING—6

Burr
Cubin
Ford
Frost
Johnson, E. B.
Lewis (GA)

☐ 1237

The Clerk announced the following pair:

On this vote:

Mrs. Cabin for, with Mr. Frost against.

Mr. MARTINEZ changed his vote from ''aye'' to ''no.''

Messrs. SMITH of Michigan, SMITH of Texas, BASS, WHITFIELD, CRAMER, POMBO, and KINGSTON changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

The CHAIRMAN. The question is on the amendment in the nature of a substitute, as modified, as amended.

The amendment in the nature of a substitute, as modified, as amended, was agreed to.

Ms. ESHOO. Mr. Chairman, I rise in support of the Corporation for Public Broadcasting [CPB] and urge Members to oppose rescissions which would pull the plug on this valuable service.

Millions of Americans—including countless members of the bay area community in California—have come to rely on public broadcasting for quality programming on a wide range of issues.

Yet some have argued that Federal funds for public broadcasting must be eliminated in order to help balance the budget, and others claim that CPB should be abolished because it is a bastion of liberal propaganda.

While I certainly favor serious steps to reduce the deficit, and have voted accordingly in Congress, the truth is each dollar of Federal support for public broadcasting attracts $5 in support from private sector sources. CPB is a good investment.

Furthermore, the assertion that CPB propagates liberal political ideals is unfounded. The last time I checked, ''Sesame Street,'' ''Mr. Roger's Neighborhood,'' and ''Barney'' were not overtly political shows. And when did William Buckley's ''Firing Line'' become a hotbed for liberalism?

Mr. Chairman, as a mother who raised two children, I relied on public broadcasting and learned the value of noncommercial television. I never worried about leaving the room while my kids were watching Ernie and Bert or Fred Rogers because I knew they were in safe hands.

These are shows which emphasize the values of respect, honesty, and good citizenship. I'm certain my children, who have gone on to achieve superb educations, got a head start in their academic careers from the lessons they learned on public broadcasting. And as young adults, they still tune in.

I strongly urge Members to consider the economic and educational benefits of CPB when casting their votes today. This is not a political vote. It's a vote for our children. It's a commonsense investment in our future.

Mr. POMEROY. Mr. Chairman, I rise today in opposition to the bill, H.R. 1158, emergency supplemental appropriations and rescissions.

I am extremely disappointed with the rule under which H.R. 1158 has been brought to the floor. It is unfortunate that my colleagues and I have been denied the opportunity to offer alternative cuts to restore funding for programs we support.

Cutting programs like the Low Income Home Energy Program [LIHEAP] is not the way to get our fiscal house in order. We should not totally eliminate the funding for a critical program which targets the very poor and helps them stay off other forms of welfare. In a time when we were trying to get individuals off welfare, we are eliminating a program which really goes to the heart of the problem and offers preventive measures.

In North Dakota, one-third of all LIHEAP recipients receive no other government assistance. LIHEAP makes the difference between families becoming homeless or dependent on more costly welfare programs.

For many senior citizens, the winter months force the heartbreaking decision of eat or heat. The high cost of heating their home forces some seniors to enter a nursing home, spend down their resources, and then become dependent on Medicaid.

In the view of these concerns and the fact that eliminating Federal funding for heating assistance places yet another financial burden on the States, I cannot support this rescission measure.

Ms. KAPTUR. Mr. Chairman, I rise today in opposition to this bill, and in support of Citizens like Annie Coleman of my district who will turn 73 on April 30. This bill pulls the rug out from under her. Let me tell you her story.

Annie lives on Oakwood Avenue in Toledo, OH, and worked all her life for Superior Laundry. She saved to own her own home and raised four children. She took care of a dying mother and husband after her retirement.

She now survives by picking up odd jobs, at age 72, because her Social Security checks of $640 a month are simply not enough to make ends meet. She pays nearly $200 a month for health insurance and prescriptions. Her heating bills are $180 a month and she receives $117 a month in winter heating assistance and emergency heating assistance in the winter. Even with this helping hand, she is left with $90 a week on which to live. Without it, she must make a choice between food and heat. No one who has lived through below zero Midwestern winters should be forced to make that choice.

The bill before us will eliminate the winter heating assistance [LIHEAP] Program. It will hurt Annie and 25,000 other citizens in northwest Ohio; it will hurt over 2 million elderly citizens across America. I cannot support a bill which puts the most vulnerable people in our society at risk.

Over the past 2 days we have engaged in a major debate on the worthy goal of balancing our budget by cutting $17.3 billion. Reducing the deficit and balancing the budget is a must and I have worked hard and continue to work hard to achieve that. But this is not the way to do it.

As we try to plug the red ink dike, the holes in the dike of our increasing debt, this $17.3 billion exercise is fruitless because at the same time there are billions of dollars flowing out the other side of the dike that are not under consideration and we are told are completely off the table.

Why not get rid of tax breaks for corporate welfare? We hear a lot about welfare for ordinary citizens. What about corporate welfare? Why not eliminate the tax breaks that give $5 billion for pharmaceutical companies to leave the United States and manufacture offshore; why not eliminate $30 billion worth of transfer pricing that rewards all these foreign corporations operating in the United States that do not pay a dime of taxes; why not auction off the rights to manufacture the space station and exact continuing royalties that will result in $40 billion in savings?

This rescission bill before us today makes none of these cuts. The bill before us today is irresponsible fiscal policy. No one should swallow the line that this bill will really result in deficit reduction. While it hurts our seniors and cuts out the summer jobs for our teenage sons and daughters, it also bankrolls the money for a future tax cut for America's wealthiest citizens. Thus, not only is the money being cut from our children and seniors, but it then is shifted to pay for capital gains and other tax cuts for the wealthiest among us as well as disaster relief largely for one State, California, which has the resources to pay for its own costs. In fact, the Governor of California has announced he wants to cut taxes in his State by $7 billion while asking the Federal Government to pick up $5 billion in disaster assistance.

The cuts in this bill will severely impact my community. I am especially worried about the impact of these cuts on the elderly and children.

SUMMER YOUTH JOBS

Over my strong objections, the summer jobs for teenagers will be eliminated by this bill, which will eliminate nearly 2,000 jobs over 2 years in my district. In fact, 20 percent of the entire savings in this bill—$33 billion in all—comes from cuts in the various programs to move teenagers into the world of work. The rescission package completely eliminates summer jobs which employs about 600,000 young people nationwide. Youth, job training, Job Corps, and school-to-work accounted for $500 million in cuts.

In my district, 1,683 youth enrolled in the program and participated in jobs that were not make work jobs last summer. They worked at community centers and nonprofits throughout the community. The cut jeopardizes several innovative programs. The city of Toledo used summer youths to remove graffiti. The Arts Commission of Greater Toledo provided them with the opportunity to prepare public artwork, and learn skills at the same time. The Community Development Center—Spencer Township—uses summer youth to run a nutrition program to make up for school lunches that disadvantaged children do not get in the summer. The Red Cross and Catholic Club run recreation/day camp programs so that younger children have some place constructive to go during the summer months.

In addition, hundreds of other youth work at area nonprofit communities performing vital maintenance, upkeep and support functions that would go undone if not for summer youth workers.

WINTER HEATING ASSISTANCE [LIHEAP]

This bill will eliminate heating assistance to help pay for gas and utility bills for over 13,700 seniors and a total of 25,000 low income families in my district. This includes 12,531 seniors in Lucas County, 521 seniors in Wood County, 383 seniors in Ottawa County, and 266 seniors in Fulton County. Nationwide, 2 million elderly households are helped each year through LIHEAP. The rescission package would completely eliminate the program. This cut will force low-income elderly to choose between heat and medicine or heat and food. No one in our Nation should be forced to make this choice.

PUBLIC BROADCASTING

Quality educational programming at our public television stations WBGU and WGTE will also be affected by cuts of over 30 percent in funding that will accelerate over the next 3 years. With the increase of violence and degrading television programs, CPB continues to fund marvelous children's educational and entertaining programs such as ''Sesame Street,'' ''Reading Rainbow,'' and ''Square One TV.'' Educating children, especially preschoolers is one of the most important goals of public television and where public television performs best.

MEDIGAP INSURANCE SCAMS

The rescission package cuts in half Federal assistance to help senior citizens in all income groups being victimized by so-called Medigap insurance scams. Literally billions are spent by seniors each year on health insurance and while much of it is needed, it is estimated that a major portion of the total is either duplicative or coverage that seniors already have or is written in a way as to provide most seniors with very little added coverage.

During committee consideration, we attempted to meet deficit targets using cuts in programs that did not adversely affect children and the elderly. We tried to convert disaster assistance to California from grants to loan guarantees in order to minimize the budget impact and reprogram dollars to people's needs.

We must not put the most vulnerable people in our society at risk, to provide disaster assistance to States who can afford to pay for their own problems or to provide a tax cut for the wealthiest in our Nation. This bill is wrong-headed and deserves rejection.

Mr. FAZIO of California. Mr. Chairman, the GOP rescissions bill we are debating today is wrong headed. Worse, it sets a dangerous precedent, by laying waste to education and nutrition programs in order to finance a taxbailout for America's wealthiest individuals and corporations.

Although the bill we are debating would extend necessary aid to communities in California damaged in the Northridge earthquake, the bill targets programs that help many of our most vulnerable citizens—schoolchildren, the elderly, and working Americans trying to adapt to a changing economy.

The American people have begun to express their profound unease with elements of the Contract With America. Recent polls in the Wall Street Journal and the New York Times indicate a growing sense of discontent and ambivalence toward many of the major proposals put forth by the Republican leadership.

The American people are not misinformed. They don't need another lecture from a talk-radio host. They don't need to read a campaign manifesto that bills itself as ''A Job Creation and Wage Enhancement Act.'' They don't need to pay for a series of lecture tapes.

Sadly, they are all too familiar with a governing philosophy that puts the wealthiest few ahead of the working family.

The American people want their representatives to speak honestly. The GOP promised much of the same just a few years ago. Tax breaks for the wealthy. Savings down the road. The result was deficit spending at a record rate and a trillion dollar debt for our children.

The Republican's have, so far, failed to present a budget to the American people that spells out their commitment to hard-working families, children, the elderly, and the disadvantaged. What they have presented, in detailed fashion, is a bill to slash care for expectant mothers and newborn children; a bill to strip schools of the resources they need to provide a safe, drug-free environment for learning; a bill to deny young people the opportunity to work this summer and next summer.

Instead, they had the temerity to announce a new round of tax relief that does little for middle-class working Americans.

By eliminating the alternative minimum tax, the Republicans have given large corporations the opportunity to shirk their tax obligation.

50 percent of the total benefits of the GOP tax plan would benefit those earning $100,000 or more. The capital gains provision would also disproportionately benefit upper-income taxpayers—76 percent of the benefits would go to the same group of upper-income Americans.

Ninety-two dollars. That's what the capital gains tax cut would mean for families that take home less than $30,000 a year.

A $92 break—at the expense of a safe, drug-free classroom, or a balanced diet for a newborn infant, or a summer job for a young father. That sounds more like a con-job than a contract.

The Republicans offer little relief to the vast segment of our work force that has seen real incomes decline. Between 1979 and 1993, 60 percent of Americans experienced no real income growth.

Despite the explosive growth of overall household income in the same period, most benefits were concentrated among upper-income families.

Restoring opportunity and providing the foundation for income growth for every working American—that is my commitment.

It is with regret that I cannot support final passage of the disaster assistance. However, as immediate needs can be met through existing funds in FEMA, Congress still has the opportunity to make responsible choices in offsetting this spending. It is unfortunate that the Republicans have chosen to go forward with vital disaster aid as part of a controversial package of spending cuts.

Not only have the Republicans suddenly decided to set a precedent and offset disaster assistance retroactively, they make three times as many cuts as necessary. In order to solve a disaster, they create another disaster for many of the very people in need.

They target those cuts to people who have paid the price in the past and who are the most vulnerable, seniors and children, while exempting other programs that should be considered and cannot be touched under the rule. If the Republicans wanted to deal seriously with the budget, they would not have jeopardized disaster assistance or resisted initial efforts to link the offset to deficit reduction.

This bill is dishonest and should not be supported. Disaster assistance should be considered on its own merits and not as part of some back-room deal to provide a tax cut to upper-income people and America's largest corporations, the very folks who really don't need it. Even if these cuts are put toward deficit reduction, the pending tax cuts will still have to be paid for in the future. It is evident what the Republican Members are saying—no matter what it is we are paying for, it is those at the lower end of the income scale who will pay for it.

Mr. QUINN. Mr. Chairman, I rise today in opposition to the proposed elimination of the Summer Youth Program. I fully support the program and will fight to restore its funding when the rescissions bill is sent to the conference committee later this year.

At the same time, I encourage private sector businesses to contribute to the Summer Youth Program so they may make a contribution to the communities in which they do business. In these times of tight budgetary constraints, it is my hope that local businesses can assist in ways that the Government can no longer afford.

Although I support the Summer Youth Program, I also saw the need for reducing the deficit. If we continue to spend money we don't have, we will be passing the financial burden on to our children.

Mr. Chairman, I urge all of my colleagues, especially the members of the Appropriations

Committee, to work to restore the funds necessary to continue the Summer Youth Program.

Mr. BORSKI. Mr. Chairman, I rise today in opposition to the rescissions of appropriations for public broadcasting included in H.R. 1158. These shortsighted cuts will have a serious impact on the broadcasting of high-quality educational and cultural broadcasting.

As you know, Mr. Chairman, H.R. 1158 would rescind a total of $141 million from advance appropriations for the Corporation for Public Broadcasting. These rescissions amount to a 15-percent cut in the fiscal year 1996 appropriation, and a 30-percent cut in the fiscal year 1997 appropriation.

Like many of the rescissions included in this bill, the CPB rescission would unfairly hurt middle-income working Americans the most—all to pay for the coming Republican tax-cut bill that will mostly benefit wealthy Americans.

Opponents of public broadcasting have often commented that Federal funding for the CPB benefits primarily the cultural elite. A close study of those who view or listen to public broadcasting shatter this myth. Of the more than 15 million people who listen to public radio, 41 percent earn less than $30,000 annually. More than half the over-18 million regular viewers of PBS stations are from household incomes of less than $40,000.

Mr. Chairman, 99 percent of the country receives at least one public broadcast signal—for free. This broad reach is especially important for our cities. Public broadcasting is more than a broadcast service for these areas. Public TV provides instructional services to 30 million students and 2 million teachers in three-quarters of the Nation's schools. It provides approximately 1,600 hours of free, noncommercial programming each year for off-air taping and classroom use.

Public broadcasting also offers Americans flexible opportunities for lifelong learning. About 88,000 adults, each year, use public television to study for the high school equivalency examination.

In short, Mr. Chairman, public broadcasting serves every segment of our society. We should not cut its Federal funds to provide tax breaks for wealthy Americans. I will oppose these short-sighted cuts and urge my colleagues to do the same.

Mr. LAZIO of New York. Mr. Chairman, I rise today to speak about a portion of the rescission package currently before the House, one that has more to do with policy than with cutting funds.

Included in the rescission package is wording that concerns one of public housing's greatest difficulties—one-for-one replacement requirements. These requirements make it almost impossible for a public housing authority to tear down old, expensive, often totally abandoned buildings because of misguided laws and regulations.

The distinguished member from California and chairman of the HUD/VA Appropriations Subcommittee, Mr. LEWIS, correctly focuses on this issue as one of many impediments to rebuilding our Nation's neighborhoods.

Clearly, as chairman of the authorizing subcommittee on this matter, it is my responsibility to set the course on important policy matters. Mr. LEWIS' repeal of section 18(b)(3) of the Housing Act is a temporary measure for fiscal year 1995 aimed at alleviating immediate pressures on local PHA's who want to get rid of these boarded-up eyesores. It falls on the authorizing subcommittee to enact the serious policy changes that can make this happen.

Even before this rescission bill came up, the distinguished Member from Louisiana, RICHARD BAKER, and I were working to draft legislation that will address the full range of issues surrounding this requirement. Mr. BAKER championed this issue in last year's housing bill.

I am glad to see this issue addressed and I assure this body that the permanent authorizing language addressing the entire range of problems relating to the demolition of vacant public housing is forthcoming.

Mr. Chairman, I have the greatest respect and admiration for the Appropriations VA/HUD Subcommittee chairman and his actions to send a message to HUD—this is not business as usual. I look forward to continuing this process in the months ahead.

Mr. MARKEY. Mr. Chairman, I rise today in strong opposition to the bill before us, which attacks many of the programs that assist our Nation's neediest citizens. I am particularly disturbed by the fact that this bill deals a devastating blow to the millions of American households that depend upon fuel assistance provided by the Low Income Home Energy Assistance Program to get through each winter by eliminating all funding for this program.

LIHEAP recipients are some of the poorest among us—in fact, 70 percent of those people who receive LIHEAP funds have annual incomes of less than $8,000. They include working families with young children, the disabled, and the many senior citizens who live on limited, fixed incomes.

This program is especially critical for people in New England, who must wage a battle on two fronts, for survival during winters that can be bitterly cold, and for economic stability in a recovering, but by no means robust, economy.

Many of my colleagues on the other side of the aisle spent considerable time and energy earlier this year professing their commitment to protecting our Nation's elderly from financial insecurity. When we debated the balanced budget amendment, the Republicans told us that they would not raid the Social Security Program to bring down the deficit. They were unwilling to write this guarantee into their amendment, to enshrine this protection in the Constitution, and yet they asked us to take their word for it that they would protect Social Security.

And now, a few short weeks later, the Republican leadership of this House has brought before us a bill that completely eliminates funding for LIHEAP. Of the 144,000 people from Massachusetts who receive assistance from LIHEAP, 40,000 of them are over the age of 60. What kind of financial security is the House GOP providing to those 40,000 low-income seniors by taking their heating assistance away? A study conducted by the University of Massachusetts has shown that our senior citizens must sometimes sacrifice food in order to pay for fuel to heat their homes in winter. Making it even harder for these people to afford home heating energy will only make our seniors less financially secure in what is meant to be their golden years.

Mr. QUINN. Mr. Chairman, I rise today to speak to an issue of utmost importance to my district in western New York.

Mr. Speaker, I applaud congressional efforts to trim Federal spending and reduce our deficit. We are making some bold and difficult decisions. The rescissions bill before this body makes many steps in the right direction.

It is an injustice, however, to eliminate programs—which unlike the Small Business Administration's tree planting program—people depend upon to meet their basic needs.

I am referring to the Low Income Home Energy Assistance Program or LIHEAP. I know this might not be a big concern to citizens in Florida or Arizona—but to those who live in areas like Buffalo, NY, it can be a matter of life or death.

LIHEAP provides fuel assistance to disabled, working poor, and low-income senior citizens who can not meet their own total energy needs. Fifty-five percent of households receiving assistance have at least one child under age 18 and 43 percent include senior citizens.

Some argue that LIHEAP was conceived in a time of energy crisis and that is no longer needed. We must remember, however, that energy is still not affordable to everyone.

LIHEAP recipients have an average income of $8,257 per year—without some assistance their heat could be cut off. Eighteen percent of their incomes are spent on energy needs.

LIHEAP is a vital program which is certainly not pork or luxurious Federal spending.

I am very worried about the families and seniors from my district and districts across the Nation who may be unable to properly heat their homes next winter. I hope that the good and bad aspects of eliminating the LIHEAP program will be more properly addressed during the appropriations process.

Mr. LUTHER. Mr. Chairman, I believe deficit reduction is critical to our Nation's future. I supported the balanced budget amendment and the line-item veto. I will support efforts across the board to cut unnecessary spending.

But I am particularly troubled by the provision in the pending rescissions bill that completely eliminates the summer youth jobs program for both 1995 and 1996. Mr. Chairman, this is not just a cut, it's not just holding the line at current levels, it kills the initiative entirely.

I agree that we must reform and consolidate job training programs, but this is the worst means to achieve that end.

The Summer Youth Jobs Program is not pork or welfare. It's work and common sense.

When told of these cuts, Janet Ames, Summer Youth Jobs Program coordinator in Washington County in my congressional district said:

> Elimination of the Summer Youth Jobs Program is a terrible mistake. By denying opportunity to our young people, we will send a signal that work doesn't matter. That is the worst message we can send them. These funds must be restored.

The people I represent are deeply concerned about rising crime in our suburban areas.

As Ron Nicholas, the chief of police of Blaine, MI, stated when told of these cuts: ''The Summer Youth Jobs Program is the best tool local law enforcement has seen that reduces youth-related crime. It doesn't make any sense to eliminate it.''

If the proposed cuts go into effect, 1,200 young people in my congressional district in

Anoka, Washington, and Dakota Counties of Minnesota will have less hope, less opportunity, and less chance for a positive work experience to shape their lives this summer.

Let's be honest with ourselves—many at-risk young people simply don't have what most of us had in our own lives—a requirement to get up in the morning, a person to show them how to work, or someone to appreciate their accomplishments and build their self-confidence and self-esteem.

Let's rise above politics today and give our young people an alternative to despair and hopelessness—because there is no denying that as predictable as the sun rises every morning, despair and hopelessness will result in young lives with unlimited potential being forever lost to the tragedy of criminal behavior. We cannot afford to let that happen.

Mr. SAWYER. Mr. Chairman, I rise in strong opposition to H.R. 1158, the omnibus rescissions and disaster supplemental appropriations bill.

I don't argue with the need to make the tough choices that will lead to a balanced Federal budget. That's why I'm sponsoring a balanced budget bill with Congressman BOB WISE.

But I am deeply troubled by what this bill says about our priorities as a nation.

We aren't making tough choices here. We're taking shots at the most vulnerable among us: our children and senior citizens.

We're cutting deeply into the greatest investments we can make in our country's future prosperity: education and job training.

Where is our commitment to investing in the future potential of our young people and American workers?

Let me point out one example.

This bill eliminates 5 programs that help 60 million American adults who are functionally illiterate become productive and self-sufficient citizens.

Literacy programs aren't a drain on Federal and State treasuries. Illiteracy is.

According to the Ohio Literacy Resource Center, low literacy levels cost $224 billion a year in lost productivity, welfare payments, and crime-related costs.

The proponents of this bill have said that we are eliminating programs that don't work. I submit unequivocally that these literacy programs do work.

This bill eliminates all funding for State Literacy Resource Centers.

These centers provide ''one-stop shopping'' for State and Federal literacy services needing assistance with research and curriculum development. They eliminate the need for overlapping functions at the State level. They promote public/private partnerships by linking educational institutions with information about improved literacy techniques developed by private organizations and researchers.

This bill eliminates all funding for the National Institute for Literacy.

The Institute coordinates efforts to reach the sixth national education goal: that all Americans will be literate by the year 2000. It also provides technical assistance to literacy providers.

The Institute is in its 2nd year of operation. It has launched important new initiatives to promote adult literacy across the country. This is a service that works. It's not broke. It doesn't need to be fixed. So for goodness' sake, let's not break it!

I had hoped to offer an amendment to restore the funding for literacy programs.

But under the current rule, the only way to do that would be to take more money from: educationally disadvantaged children; or from programs that help teachers improve their skills; or from job training programs for young people.

That's not a rational choice at all.

That's not just robbing Peter to pay Paul. It's robbing our Nation of its future.

Perhaps we should heed the words of a prominent and much-admired American: ''Parents with literacy problems are more likely to raise children who will have problems themselves.''

Ladies and gentlemen, Barbara Bush is right. The greatest predictor of a child's future academic success is the literacy level of the child's mother.

Mr. Chairman, I want to conclude with a disturbing observation.

The Republican leadership is trying to amend the Constitution of the United States for the 2nd time in 100 days.

Experts say that it takes an 11th grade education to read and understand the Constitution. Yet, 60 million American adults can't read or write beyond the eighth grade level.

I am appalled that we would try to amend the fundamental document of our system of governance, yet deny all funding to programs that help millions of Americans fulfill the promise of that democracy.

I urge my colleagues to defeat this bill.

Mr. WISE. Mr. Chairman, the action proposed by the House Appropriations Committee would completely eliminate funding for: library literacy grants—$8 million; the National Institute for Literacy—$4.9 million; State literacy resource centers—$7.8 million; workplace literacy partnership grants—$18.7 million; literacy training for homeless adults)—$9.5 million; and literacy programs for prisoners—$5.1 million. A total of $54 million in cuts. Of that amount, $35 million is direct services to students.

Current funding levels—prerescission fiscal year 1995—provide $4 per eligible person per year. The proposed cuts would mean 600,000 individuals will be cut from individual instruction and classes.

While it is true the President's fiscal year 1996 budget also proposes to eliminate all these programs as line items in the budget, his plan shifts current spending for them to basic State grants and to National Programs in the case of the National Institute for Literacy.

Savings from this rescission may help pay for a middle class tax cut. Estimates suggest that the tax cut being considered would add approximately $4 a week to the paycheck of an individual earning $40,000. Is such a tax cut really cost effective when compared against corresponding cuts in adult education which helps those who are most educationally disadvantaged to get jobs, pay taxes and get off public assistance.

The Republican Contract With America claims to be about personal responsibility. These programs are the very vehicles by which many Americans are attempting to take personal responsibility for their lives and for their families.

An individual attempting to improve their life and increase the opportunities for their family who doesn't have basic reading skills is up against insurmountable odds. He/she can't read the want ads. They can't fill out a job application. They can't pass a basic skills test required by potential employers. They can't, for that matter, help their children with their homework, read them a bedtime story, or even interpret the instructions on a bottle of medicine. How does cutting off educational opportunities to these people increase their ability to assume personal responsibility?

Mr. EVANS. Mr. Chairman, this rescissions package is more of the same old story. Let's steal from the poor to give to the rich.

These cuts will hit some of the most vulnerable people in our society—our children, seniors, veterans, and the poor—to pay for their contract on America which is nothing more than a contract for big business and the wealthy in this country.

We are all in agreement that we must cut wasteful and unnecessary spending. However, this bill takes a meat ax to some of this country's most successful programs including the Low-Income Home Energy Assistance Program, veterans assistance, summer jobs, WIC, and a host of others that benefit the needy.

The total elimination of LIHEAP is a particularly unfair hit on Illinois and entire Northeast/Midwest regions of our country where winters are particularly severe. Just last year, President Clinton was faced with declaring a natural disaster in these regions due to the dangerously low temperatures. LIHEAP was able to rescue millions of families from last year's unbearable harsh weather.

This rescission package also says to our country's veterans that we don't appreciate their years of dedicated service. This package rescinds $206 million from the already beleaguered veterans budget. It axes out funds intended for much-needed medical equipment, and ambulatory care facilities.

Finally, the majority continues with its unjust assault on our children by slashing moneys for Women, Infants, and Children Program, education programs for disadvantaged youth, drug-free school zones, and children and family services programs.

Mr. Chairman, we have a responsibility to assist the helpless and the needy in our society. Let's not abandon them to provide unjustifiable tax cuts for wealthy individuals and corporations in this country.

Mr. MARTINEZ. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Texas [Mr. DELAY].

This House has been filed with misstatements, insupportable allegations, and outright fabrications about OSHA and the worker safety laws which have saved millions of workers lives and billions of dollars for employers throughout the United States.

Now we find proposals that are designed to defeat rules and regulations that major industry groups, including the poultry, health care, and auto industries, among others, are looking forward to.

It is said that OSHA does not know how much this new rule will cost industry, or whether those costs will outweigh the benefits that might accrue from this rule.

One thing that we all know is that muscle and skeletal injuries resulting in loss work, workmen's compensation, increased health care costs, and so forth. Are the most significant and fastest growing work-related problems industry and commerce currently face,

totaling perhaps 60 percent of the new occupational illness reported.

Studies also show that, very frequently, the specific causes of those injuries, once isolated, can be cured by very inexpensive changes in the work site.

For instance, in some food processing plants, merely increasing the height of the table on which the product was prepared resulted in a dramatic lessening of incidence of worker complaint, and savings—direct savings—to the employer of more than enough money to refit the entire processing line.

As the saying goes: You can pay me now or pay me later.

Employers can continue to ignore the pleas of their workers, continue to see their workmen's compensation and health care costs rise, continue to see their taxes rise to pay unemployment and disability benefits or they can work within the OSHA ergonomic rules and make the adjustments to the work station or other changes, make the investment and reap the rewards of a more productive and healthier work force.

To deny the businesses in the United States the guidance that these regulations will provide may make the Republicans feel good, but, in the long run they will simply continue the increasing costs our businesses are now faced with.

Do the right thing for American business.

Do the right thing for American workers.

Defeat the DeLay amendment.

Mr. PACKARD. Mr. Chairman, I rise in opposition to the bill.

Over the last 7 weeks, in fact over the last 7 years, I have traveled thousands of miles across my district explaining, as best I can, why we need to stop deficit spending and why we need to balance the budget. Let me state again for the record; deficit spending is the biggest threat to our veterans' health care, education loans, child care, transportation improvements, or any other public need which we must attempt to meet.

If we do not slow the growth in spending and operate on a pay-as-you-go basis, we will soon have no money for anything but paying interest on the debt and perhaps some basic entitlement programs.

I have a strong record on voting to control spending. I have twice made the Concorn Coalition Honor Roll, and have been cited by groups such as the Citizens Against Government Waste and National Taxpayers Union for my willingness to make the tough choices on spending. I have voted for the Penny-Kasich amendment to cut over $90 billion in Federal spending, and have supported the balanced budget amendment to the Constitution.

Having said all of that, I will vote against this bill. It is seriously flawed in a number of specific instances.

This rescission bill is attempting to cut Federal spending in a very unfair, unbalanced way. These cuts are in fiscal year 1995 appropriations. These are moneys that have already been guaranteed to veterans, children, the elderly, and other people who are the most vulnerable in our society. Not one big ticket item in the budget, including defense, is cut at all. I will vote at any time to restrict the growth of Federal spending as long as all programs are subject to the same considerations, not just subjecting some programs to deep cuts and leaving others entirely alone or even increasing them, because the opposition party doesn't agree philosophically with the program.

Only at the 11th hour have we been told the cuts contained within this package will go to deficit reduction. That is something which I have supported and which I encouraged the committee to adopt. But I am not convinced that the $12 billion or so in this package will in fact be put against the deficit.

There are major tax cut proposals being advanced in this Congress which may do more harm than good to our efforts to balance the budget. Proponents of tax cuts will have to find a way to pay for those cuts, and even as we debate this bill, we are told that the really big cuts are still to come.

Supporters of the bill we consider today were originally considering using these savings as a downpayment on those tax cuts. Now we are told it will be put in a deficit-reduction lock box. Even if they siphon off $12 billion in spending and supposedly put it toward deficit reduction, it will still be necessary to find nearly $200 billion to finance those tax cuts.

What we should be doing is making the tough choices on spending and putting all of it toward deficit reduction. Anything less, and I will be obligated to vote ''no.''

Deficit reduction is not going to be easy. I am prepared to make the tough choices. But I am not going to cut today simply to make it easier for others to borrow tomorrow.

Let me also indicate another strong objection to this bill. I represent Decatur, IL, the Pride of the Prairie, a good town with good people. Right now, Decatur is weathering a tremendous storm of labor-management conflict. At three major industries we have disputes which have thousands of people off the production lines. More to the point of this debate, at the Bridgestone-Firestone plant, members of the United Rubber Workers union are being permanently replaced.

This bill includes a ban on the President's executive order to deny Federal contracts to companies hiring permanent replacements for striking employees. I support the President and oppose the ban. I do not take sides in any of the three labor situations. I urge everyone to use the collective-bargaining process to reach agreements which put people back to work. But I do support the right of workers to strike without being permanently replaced.

For these reasons I cannot support the bill and urge a ''no'' vote.

Mr. KENNEDY of Massachusetts. Mr. Chairman, I stand before the American people and this body in absolute shock at this bill. The attack on the poor, the old, our children, our cities, and working families continues and intensifies today.

It is hard to exaggerate just how serious this is.

Let us start with housing. This bill is an attack on homeless children; 12,000 children living on America's streets or in its shelters would have gotten real housing this year. They are being cut.

In Massachusetts, funding for the homeless is so tight that the State is going to start sheltering the homeless in mental hospitals. Yet, the Republicans stand ready to add to the homeless population.

Five thousand drug addicted or mentally disturbed residents of supposedly senior-only public housing could have been moved out so that our seniors could once again feel safe in their elevators and hallways, and secure in their apartments.

This bill kills that funding.

Fourteen thousand elderly households would have been able to stay in the apartments they have lived in for years through the Affordable Housing Preservation Program.

This bill will put them on the streets because their landlords will turn these buildings into luxury condos, and the Republicans are cutting every new dollar for assistance to help them find affordable alternatives.

Two thousand young people would have been able to earn their high school degrees while apprenticing in the building trades—these are innercity kids who could have straightened out their lives and become working, productive members of our society through an innovative program called Youthbuild.

This bill closes the door to the economic mainstream for these young men and women.

Six hundred thirty thousand children and 530,000 seniors will be forced to live in public housing that is substandard, unsafe, and falling apart because of this bill.

The Republicans roll out Nancy Reagan to complain about the fight the Democrats are waging against drugs. But it is the Republicans that are cutting $32 million from drug elimination grants that could prevent innocent children from being gunned down in their homes or on their playgrounds.

Republicans talk about economic opportunity, yet they decimate the summer jobs program.

They want to cut Healthy Start, a successful program that reduces infant mortality in our innercities, where a higher percentage of babies die than in many Third World nations.

The Republicans are eliminating the entire Energy Assistance Program. This will force our senior citizens to choose between buying the prescription drugs they need and heating their homes. It will mean tens of thousands of children around the country will suffer from malnutrition because their parents cannot both buy enough food and keep their homes warm.

Finally, Mr. Chairman, the Republicans are sentencing 3,000 homeless people with AIDS to an early death by denying them the housing aid they would have otherwise qualified for. With stable homes, many AIDS victims could expect to live 10 more years. But on the streets, they are more likely to die within 6 months. Another 50,000 people with AIDS will never be assured of housing because this bill completely eliminates the housing for people with AIDS funding.

By any measure of good policy, by any measure of decency, this bill is a bad bill. We must balance our budget, and we can balance our budget, but we must not and need not balance it on the backs of children and old people.

Mr. KNOLLENBERG. Mr. Chairman, I rise to express my strong support for the rescissions bill before us today.

There is nothing like a rescission bill to get the Washington special interest lobbying machine cranking.

I have a stack of letters and faxes in my office from people who are opposed to this bill. They all say something like this: ''I know we have to cut spending, but please save this or that program because it costs so little and helps so many people.''

I also have a pile of very serious-looking analyses from the Clinton administration which say that children will starve—senior citizens will be thrown out on the streets—and businesses will cease to be competitive if we cut this or that program.

But you know what? I have yet to receive a letter from someone who says, ''I don't have any ties to these programs. I do not receive my salary from them. I do not receive other monetary benefit from them, but I think you should continue to fund them anyway.''—not a single one.

Folks, the American people are not buying into the ratings of Washington's spendoholics.

They know that a nation's compassion is not measured by the amount of money it spends.

They know that the effectiveness of government programs cannot be judged solely by the goodness of their names or their intentions.

Above all, they know that the most compassionate thing this Congress can do is lift the heavy burden of government debt off the back of their kids and grandkids.

So Mr. Chairman, I would say to my colleagues: Listen closely to the arguments against this bill. You will find the pleadings for compassion have the hollow ring of self-interest.

Then, remember the silent majority. Remember the Americans who pay the bills and their children and grandchildren who will pay them for decades to come.

And cast your votes for them.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker pro tempore [Mr. LINDER] having assumed the chair, Mr. BEREUTER, 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. 1158) making emergency supplemental appropriations for additional disaster assistance and making rescissions for the fiscal year ending September 30, 1995, and for other purposes, pursuant to House Resolution 115, reported the bill back to the House with an amendment 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 to the amendment in the nature of a substitute adopted by the Committee of the Whole? If not, the question is on the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the 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.

MOTION TO RECOMMIT OFFERED BY MR. OBEY

Mr. OBEY. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. OBEY. I certainly am, Mr. Speaker.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. OBEY moves to recommit the bill, H.R. 1158, to the Committee on Appropriations with instructions to report back the same to the House forthwith with the following amendments:

1. Disaster Assistance: On page 2 line 15, strike ''$5,360,000,000'' and insert ''$536,000,000''.

2. WIC, Women, Infants and Children: On page 6, strike lines 17 through 22.

3. Training & Employment Services: On page 23 line 10, strike ''$1,601,850,000'' and insert ''$939,350,000''. On page 23 lines 13 & 14, strike ''$12,500,000 for the School-to-Work Opportunities Act,''. On page 23, strike lines 23 through 25.

4. Community Services Employment for Older Americans: On page 24 strike lines 1 through 9.

5. Health Resources and Services: On page 25 line 12, strike ''$53,925,000'' and insert ''$43,925,000''.

6. Low Income Energy Assistance: On page 27, strike lines 2 through 6.

7. Education Reform: On page 28 line 14, strike ''$186,030,000'' and insert ''$103,530,000''. On page 28 line 15, strike ''$142,000,000'' and insert ''$83,000,000''. On page 28 line 16, strike ''$21,530,000'' and insert ''$10,530,000''. On page 28 line 19 after the word ''Act'' strike all through the word ''partnerships'' on line 23.

8. Education for the Disadvantaged: On page 29 line 4 strike all after ''103–333,'' through line 7 and insert ''$8,270,000 from part E, section 1501 are rescinded.''

9. School Improvement: On page 29 line 16, strike ''$747,021,000'' and insert ''$327,021,000''. On page 29 line 18, strike ''$100,000,000'' and insert ''$80,000,000''. On page 29 line 18, strike ''$471,962,000'' and insert ''$71,962,000''.

10. Student Financial Assistance: On page 31 line 6, strike ''$187,475,000'' and insert ''$124,100,000''. On page 31 line 7 & 8, strike ''part A–4 and''.

11. Corporation for Public Broadcasting: On page 33 line 20, strike ''$47,000,000'' and insert ''$31,000,000''. On page 33 line 22, strike ''$94,000,000'' and insert ''$34,000,000''.

12. Assisted Housing: On page 49 line 14, strike ''$5,733,400,000'' and insert ''$5,018,400,000''. On page 49 line 17, strike ''$1,157,000,000'' and insert ''$467,000,000''. On page 50 line 4, strike ''$90,000,000'' and insert ''$65,000,000''. On page 50, strike lines 22 through 26.

Mr. OBEY (during the reading). Mr. Speaker, I ask unanimous consent that the motion to recommit be considered as read and printed in the RECORD.

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

There was no objection.

The SPEAKER pro tempore. The gentleman from Wisconsin [Mr. OBEY] is recognized for 5 minutes in support of his motion to recommit.

Mr. OBEY. Mr. Speaker, I yield to the gentleman from California [Mr. BERMAN].

Mr. BERMAN. Mr. Speaker, this bill unfairly and without precedent ties disaster assistance for California's flood and earthquake victims to cuts in programs for low-income seniors and children. Because of that—in spite of how the Northridge Earthquake pounded my congressional district—I must oppose this bill.

But I also oppose the motion to recommit.

FEMA needs this money to repair earthquake damage to over 200 public schools, to libraries and hospitals, to police stations, museums, and homeless shelters.

More victims applied for Federal assistance from the Northridge Earthquake than from Hurricanes Hugo and Andrew, and the floods in the Midwest, Georgia, and Texas combined.

After the fact, it is wrong to shift funding from grants to loan guarantees, and shift the entire responsibility onto California's back without regard to its ability to pay. This is the mother of all unfunded mandates.

Do not take out—on my constituents and those of Representatives MCKEON, BEILENSON, FARR, WOOLSEY, RIGGS, and others—your anger at Pete Wilson's failure to do what he should have done for disaster victims—and your anger at watching the Governor try to launch his Presidential campaign by blasting Washington while shirking his own responsibility to the victims of earthquakes and floods. Being victimized by Mother Nature is bad enough. We should not be victimized anew by Congress.

That is why I oppose the motion to recommit.

Mr. OBEY. Mr. Speaker, this motion to recommit is simple. This House can choose to provide 100 percent of the aid to disaster victims contained in this bill and still at the same time reduce by about one-third the hit that most State and local governments will take as a result of the rescissions proposed in this bill. We can do that and at the same time increase the total savings contained in the bill.

You ask how. You simply ask California and other States receiving disaster aid to assume the paper in the transaction instead of the Federal Government. Somebody has to borrow money to pay the victims of disasters. The committee is proposing that the Federal Government do it. We are proposing that the State governments do it.

As those on the other side of the aisle are fond of saying, we are in a new era. The old system of disaster aid is no longer viable. We cannot provide the aid outside of the budget targets, and we cannot have Uncle Sam picking up 98 percent of the tab.

What this motion would mean is that a lot of victims of other things in this society, namely, a lot of children and old people who live at the margins throughout the United States, will not have to pay for the California disaster.

This recommittal motion means big bucks for kids and seniors. It means big bucks for your Governor, your mayor, your local schools. We can restore Healthy Start and WIC, PBS for preschoolers, half a billion to help protect quality in elementary and secondary schools, we can restore drug-free schools, we can restore job training and school-to-work and the summer jobs programs. For the elderly we can restore fuel assistance, housing programs, and older-worker programs.

This motion will mean $400 million to the State of New York, $80 million for

Wisconsin, $85 million for North Carolina, it means $200 million for Ohio, $240 million for Pennsylvania, $87 million for Tennessee, $130 million for Texas, $180 million for Illinois, about $80 million for Indiana, et cetera, et cetera. This can happen. You can make it happen. You can take this money and put it back in your home States.

It is up to you. All it takes is a decision on your part to put your State ahead of national politics, a decision to put your standing with your constituents ahead of your standing with the Republican caucus, I would say to my friends on this side of the aisle. In fact, this amendment saves $200 million more than the committee bill.

You can take that money and totally eliminate the cut made in the next fiscal year by the Human Resources Committee in the school lunch program and still have the same amount of money left to pay down the deficit. It is up to you.

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It is up to you. I would ask you to make war on the status quo rather than making war on kids and old folks. This simply sets up a loan guarantee system under which States will finance disaster programs. It fully assures that every victim of disasters will get the full amount due to them, but it shares that burden much more equitably. It is an idea whose time has come.

The gentleman from Georgia [Mr. GINGRICH] himself, as the Speaker, indicates there will have to be offsets in the future. This creates a way to provide those offsets in a much more humane way than the bill. It helps you to help your own States.

I understand some Members from California may be opposed to it. But if you are from any other State, you are cutting off your own State's interest if you vote against the motion to recommit.

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

Mr. LIVINGSTON. Mr. Speaker, I rise to respond to the gentleman.

The SPEAKER pro tempore (Mr. LINDER). Is the gentleman opposed to the motion to recommit?

Mr. LIVINGSTON. I am, Mr. Speaker.

The SPEAKER pro tempore. The gentleman is recognized for 5 minutes in opposition to the motion to recommit.

Mr. LIVINGSTON. Mr. Speaker, I yield to the gentleman from California [Mr. LEWIS], the distinguished chairman of the Subcommittee on VA, HUD, and Independent Agencies Appropriations.

Mr. LEWIS of California. I thank the gentleman from Louisiana for yielding to me.

Mr. Speaker, I rise simply to say that FEMA comes under our responsibility in my subcommittee. We look closely at all of those agencies in the committee process. Halfway through the process, there came forward a request from FEMA for a supplemental to meet the disasters across the country in which some 40 States are effected, California indeed being among them.

The request was originally for $6.7 billion. We examined it and trimmed it back 20 percent. Indeed, having done that, I now see my State, essentially, under water one more time and I wonder about the rescission we made.

The fact is, however, that this country, for years, has reflected the best of the work of the House by standing together in support of the regions of the country which have faced disaster. This is such a time, and we urge the House to stand together one more time.

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

Mr. Speaker, I rise in opposition to the motion to recommit. It is similar to, but different from, that offered by the gentleman from Illinois [Mr. DURBIN] in committee, which lost 20 to 35 in the committee. It eliminates $4.8 billion of emergency funding which we have paid for in this bill, the first time an emergency supplemental has ever been paid for in history.

This amendment redistributes $4.6 billion back into programs which we decided were low priority, duplicative, unnecessary from excessive growth in 1995 and 1994, and which were flushed in the pipeline from unobligated balances. It is based on the assumption that the authorizing committees will create a loan guarantee trust fund for disasters.

What happens if they do not? The fact is we will have redistributed $4.6 billion in emergency funds, the money will be gone, the FEMA money will not get to California and the other 40 States that need money now. This is a gutting amendment. It upsets the balance that is carefully crafted in this whole bill. It denies money promised to those people most in distress, as exemplified by the floods in California this year. And finally, I would only say to my friends that this shortens the first major step toward our reformation and reliance on common sense.

I urge all of the body, for the future of America's children and their prosperity, vote ''no'' to the motion to recommit. Vote ''aye'' on this first significant step to a balanced budget on the largest rescission in history. Vote ''aye'' on the bill and final passage.

We have heard a lot of wailing and gnashing of teeth and seen much beating of breasts by drug store liberals who never saw a program they did not like, or a victim they did not wish to champion.

For 63 years, since the inception of the New Deal, they have bombasted their way through history, bleating for the poor, the hungry, the infirm, the elderly, the afflicted, the impaired, and the disadvantaged, as well as the obnoxious, the loud, the boisterous, the most obtrusive, and the most squaking of wheels.

In the beginning, they had a strong case that life had overwhelmed the ability of the truly deserving to help themselves, but as time passed their case became weaker, less convincing, and more disingenuous.

Government became larger, more encompassing, more costly, less efficient, more demanding and intrusive, and yes, even less compassionate.

Redundancy of programs, waste, inefficiency, abusiveness, and even symptoms of totalitarian intolerance became the order of the day as we woke to the news of an energy shortage which was fabricated, endangered species which were not really endangered, environmental and tax cases which bankrupted good hard-working families for failure of technical fulfillment, and atrocities like the Weaver case and Waco.

Under the so called liberal Democrat domination of the House of Representatives, we saw Government move from the role of servant of the people, to become a master, which often dictates without recourse or recompense.

Those liberal Members of Congress, who so badly ran their own affairs, witnessed by the restaurant, post office and bank scandals, became arrogant and insensitive in 63 years of almost unfettered domination of the political scene, and they lost sight of the real victims of today's society.

The poor, average, working stiff, the 9 to 5'er who often has to moonlight to supplement his or her income; whose spouse so often has to work one or two jobs as well to help raise their kids, to pay tuition, and medical bills; who support their parents, or their church, their Scout troop, or their favorite charity.

Where is the liberal bleating for the honest, hard working, law abiding, uncomplaining, struggling average person, in whose pockets, wallets, and purses dig the liberal who wears his compassion on his sleeve as long as he can take someone else's money to buy a few extra votes to remain in power? Where is the compassion for that most deserving of people who asks for nothing but to be left to raise his family without a Government handout, subsidy, or enticement?

When will we in Congress have the guts to admit to the American citizens that ''We have 'helped' you enough and now it is time for us to help you help yourselves?''

We should stop increasing Governments' role, raising taxes, increasing regulations, and reducing freedom and liberty, and start doing that which at the very least we should have done in all common sense long ago. We should rein in our uncontrolled spending, reduce our deficit, balance our budget, stop borrowing against the future of our children and grandchildren, and bring an end to the modern tyranny of the do-gooders.

We can indeed help those who are truly in need by maintaining a slimmer, more efficient, less redundant, more effective safety net. We can have a Government which is leaner, not meaner, but we must do so in a smarter, more thoughtful fashion than merely throwing taxpayers dollars at every cause.

Compassion has become a weapon in the hands of the obtuse and uninformed, and its victims are the people whom we should most wish to help—the average American working citizen and his or her family.

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

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

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

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

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

The Sergeant at Arms will notify absent Members.

Pursuant to the provisions of clause 5 of rule XV, the Chair announces that he will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device, if ordered, will be taken on the question of passage.

This is a 15-minute vote on the motion to recommit.

The vote was taken by electronic device, and there were—yeas 185, nays 242, not voting 7, as follows:

[Roll No. 250]

YEAS—185

Abercrombie
Ackerman
Andrews
Baesler
Baldacci
Barcia
Barrett (WI)
Becerra
Bentsen
Bevill
Bishop
Bonior
Borski
Boucher
Browder
Brown (FL)
Brown (OH)
Bryant (TX)
Cardin
Chapman
Clay
Clayton
Clement
Clyburn
Coleman
Collins (MI)
Conyers
Costello
Coyne
Cramer
Danner
de la Garza
Deal
DeFazio
DeLauro
Dellums
Deutsch
Dicks
Dingell
Doggett
Doyle
Durbin
Edwards
Engel
Eshoo
Evans
Fattah
Fields (LA)
Filner
Flake
Foglietta
Ford
Frank (MA)
Frost
Furse
Gejdenson
Gephardt
Geren
Gibbons
Gonzalez
Gordon
Green
Gutierrez
Hall (OH)
Hall (TX)
Hamilton
Hastings (FL)
Hayes
Hefner
Hilliard
Hinchey
Holden
Hoyer
Jackson-Lee
Jacobs
Jefferson
Johnson (SD)
Johnston
Kanjorski
Kaptur
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kleczka
Klink
LaFalce
Laughlin
Levin
Lincoln
Lipinski
Lowey
Luther
Maloney
Manton
Markey
Martinez
Mascara
McCarthy
McDermott
McHale
McKinney
McNulty
Meehan
Meek
Menendez
Mfume
Miller (CA)
Minge
Mink
Moakley
Mollohan
Montgomery
Moran
Murtha
Nadler
Neal
Oberstar
Obey
Olver
Ortiz
Orton
Owens
Pallone
Parker
Pastor
Payne (NJ)
Payne (VA)
Pelosi
Peterson (FL)
Peterson (MN)
Pickett
Pomeroy
Poshard
Rahall
Rangel
Reed
Reynolds
Richardson
Rivers
Roemer
Rose
Roybal-Allard
Rush
Sabo
Sanders
Sawyer
Schroeder
Schumer
Scott
Serrano
Sisisky
Skaggs
Skelton
Slaughter
Spratt
Stark
Stenholm
Stokes
Studds
Stupak
Tanner
Tauzin
Taylor (MS)
Tejeda
Thompson
Thornton
Thurman
Torres
Torricelli
Towns
Traficant
Velazquez
Vento
Visclosky
Volkmer
Ward
Waters
Watt (NC)
Williams
Wilson
Wise
Wyden
Wynn
Yates

NAYS—242

Allard
Archer
Armey
Bachus
Baker (CA)
Baker (LA)
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Beilenson
Bereuter
Berman
Bilbray
Bilirakis
Bliley
Blute
Boehlert
Boehner
Bonilla
Bono
Brewster
Brown (CA)
Brownback
Bryant (TN)
Bunn
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Castle
Chabot
Chambliss
Chenoweth
Christensen
Chrysler
Clinger
Coble
Coburn
Collins (GA)
Combest
Condit
Cooley
Cox
Crane
Crapo
Cremeans
Cunningham
Davis
DeLay
Diaz-Balart
Dickey
Dixon
Dooley
Doolittle
Dornan
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Ensign
Everett
Ewing
Farr
Fawell
Fazio
Fields (TX)
Flanagan
Foley
Forbes
Fowler
Fox
Franks (NJ)
Frelinghuysen
Frisa
Funderburk
Gallegly
Ganske
Gekas
Gilchrest
Gillmor
Gilman
Goodlatte
Goodling
Goss
Graham
Greenwood
Gunderson
Gutknecht
Hancock
Hansen
Harman
Hastert
Hastings (WA)
Hayworth
Hefley
Heineman
Herger
Hilleary
Hobson
Hoekstra
Hoke
Horn
Hostettler
Houghton
Hunter
Hutchinson
Hyde
Inglis
Istook
Johnson, Sam
Jones
Kasich
Kelly
Kim
King
Kingston
Klug
Knollenberg
Kolbe
LaHood
Lantos
Largent
Latham
LaTourette
Lazio
Leach
Lewis (CA)
Lewis (KY)
Lightfoot
Linder
Livingston
LoBiondo
Lofgren
Longley
Lucas
Manzullo
Martini
Matsui
McCollum
McCrery
McDade
McHugh
McInnis
McIntosh
McKeon
Metcalf
Meyers
Mica
Miller (FL)
Mineta
Molinari
Moorhead
Morella
Myers
Myrick
Nethercutt
Neumann
Ney
Norwood
Nussle
Oxley
Packard
Paxon
Petri
Pombo
Porter
Portman
Pryce
Quillen
Quinn
Radanovich
Ramstad
Regula
Riggs
Roberts
Rogers
Rohrabacher
Ros-Lehtinen
Roth
Roukema
Royce
Salmon
Sanford
Saxton
Scarborough
Schaefer
Schiff
Seastrand
Sensenbrenner
Shadegg
Shaw
Shays
Shuster
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Stearns
Stockman
Stump
Talent
Tate
Taylor (NC)
Thomas
Thornberry
Tiahrt
Torkildsen
Upton
Vucanovich
Waldholtz
Walker
Walsh
Wamp
Watts (OK)
Waxman
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wolf
Woolsey
Young (AK)
Young (FL)
Zeliff
Zimmer

NOT VOTING—7

Collins (IL)
Cubin
Franks (CT)
Johnson (CT)
Johnson, E.B.
Lewis (GA)
Tucker

□ 1312

The Clerk announced the following pair:

On this vote:

Mrs. Collins of Illinois for, with Mrs. Cubin against.

Mr. ENGLISH of Pennsylvania, Mr. MINETA, Ms. WOOLSEY, and Mr. LANTOS changed their vote from ''yea'' to ''nay.''

Mr. TORRICELLI and Mr. WILSON changed their vote from ''nay'' to ''yea.''

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

Mr. OBEY. Mr. Speaker, I ask unanimous consent to speak out of order for 1 minute.

The SPEAKER pro tempore. Without objection, the chair recognizes the gentleman from Wisconsin [Mr. OBEY] for 1 minute.

There was no objection.

Mr. OBEY. Mr. Speaker, I think the Members of the House ought to know before the vote that we have just been informed that the gentleman from Ohio [Mr. KASICH], the chairman of the Committee on the Budget, has indicated that, despite the passage of the Brewster amendment yesterday, that he intends to use the savings in this bill in his assumptions for the tax cut that he has presented to the Committee on the Budget. It seems to me Members ought to know that before they vote.

The SPEAKER pro tempore. The question is on the passage of the bill.

Pursuant to clause 7 of rule XV, the yeas and nays are ordered.

The Chair reminds Members that this is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 227, nays 200, not voting 7, as follows:

[Roll No. 251]

YEAS—227

Allard
Archer
Armey
Bachus
Baker (CA)
Baker (LA)
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Bilbray
Bilirakis
Bliley
Blute
Boehner
Bonilla
Bono
Brewster
Brownback
Bryant (TN)
Bunn
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Castle
Chabot
Chambliss
Chenoweth
Christensen
Chrysler
Clinger
Coble
Coburn
Collins (GA)
Combest
Cooley
Cox
Crane
Crapo
Cremeans
Cunningham
Davis
DeLay
Diaz-Balart
Dickey
Dooley
Doolittle
Dornan
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Ensign
Everett
Ewing
Fawell
Fields (TX)
Flanagan
Foley
Forbes
Fowler
Fox
Franks (NJ)
Frelinghuysen
Frisa
Funderburk
Gallegly
Ganske
Gekas
Gilchrest
Gillmor
Gilman
Goodlatte
Goodling
Goss
Graham
Greenwood
Gunderson
Gutknecht
Hancock
Hansen
Hastert
Hastings (WA)
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
Largent
Latham
LaTourette
Laughlin
Lazio
Leach
Lewis (CA)
Lewis (KY)
Lightfoot
Linder
Livingston
LoBiondo
Longley
Lucas
Manzullo
Martini

McCollum
McCrery
McDade
McHugh
McInnis
McIntosh
McKeon
Metcalf
Meyers
Mica
Miller (FL)
Molinari
Montgomery
Moorhead
Morella
Myrick
Nethercutt
Neumann
Norwood
Nussle
Oxley
Packard
Parker
Paxon
Petri
Pombo
Porter
Portman
Pryce
Quillen
Quinn
Radanovich
Ramstad
Regula
Riggs
Roberts
Rogers
Rohrabacher
Ros-Lehtinen
Roth
Roukema
Royce
Salmon
Sanford
Saxton
Scarborough
Schaefer
Schiff
Seastrand
Sensenbrenner
Shadegg
Shaw
Shuster
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Stearns
Stockman
Stump
Talent
Tate
Taylor (NC)
Thomas
Thornberry
Tiahrt
Upton
Visclosky
Vucanovich
Waldholtz
Walker
Walsh
Wamp
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wolf
Young (AK)
Young (FL)
Zeliff
Zimmer

NAYS—200

Abercrombie
Ackerman
Andrews
Baesler
Baldacci
Barcia
Barrett (WI)
Becerra
Beilenson
Bentsen
Berman
Bevill
Bishop
Boehlert
Bonior
Borski
Boucher
Browder
Brown (CA)
Brown (FL)
Brown (OH)
Cardin
Chapman
Clay
Clayton
Clement
Clyburn
Coleman
Collins (MI)
Condit
Conyers
Costello
Coyne
Cramer
Danner
de la Garza
Deal
DeFazio
DeLauro
Dellums
Deutsch
Dicks
Dingell
Dixon
Doggett
Doyle
Durbin
Edwards
Engel
Eshoo
Evans
Farr
Fattah
Fazio
Fields (LA)
Filner
Flake
Foglietta
Ford
Frank (MA)
Franks (CT)
Frost
Furse
Gejdenson
Gephardt
Geren
Gibbons
Gonzalez
Gordon
Green
Gutierrez
Hall (OH)
Hall (TX)
Hamilton
Harman
Hastings (FL)
Hayes
Hefner
Hilliard
Hinchey
Holden
Hoyer
Jackson-Lee
Jacobs
Jefferson
Johnson (SD)
Johnston
Kanjorski
Kaptur
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kleczka
Klink
LaFalce
LaHood
Lantos
Levin
Lipinski
Lofgren
Lowey
Luther
Maloney
Manton
Markey
Martinez
Mascara
Matsui
McCarthy
McDermott
McHale
McKinney
McNulty
Meehan
Meek
Menendez
Mfume
Miller (CA)
Mineta
Minge
Mink
Moakley
Mollohan
Moran
Murtha
Nadler
Neal
Ney
Oberstar
Obey
Olver
Ortiz
Orton
Owens
Pallone
Pastor
Payne (NJ)
Payne (VA)
Pelosi
Peterson (FL)
Peterson (MN)
Pickett
Pomeroy
Poshard
Rahall
Rangel
Reed
Reynolds
Richardson
Rivers
Roemer
Rose
Roybal-Allard
Rush
Sabo
Sanders
Sawyer
Schroeder
Schumer
Scott
Serrano
Shays
Sisisky
Skaggs
Skelton
Slaughter
Spratt
Stark
Stenholm
Stokes
Studds
Stupak
Tanner
Tauzin
Taylor (MS)
Tejeda
Thompson
Thornton
Thurman
Torkildsen
Torres
Torricelli
Towns
Traficant
Tucker
Velazquez
Vento
Volkmer
Ward
Waters
Watt (NC)
Waxman
Williams
Wilson
Wise
Woolsey
Wyden
Wynn
Yates

NOT VOTING—7

Bryant (TX)
Collins (IL)
Cubin
Johnson, E.B.
Lewis (GA)
Lincoln
Myers

□ 1323

The Clerk announced the following pair:

On this vote:

Mrs. Cubin for, with Mrs. Collins of Illinois against.

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to recommit was laid on the table.

PERSONAL EXPLANATION

Mrs. LINCOLN. Mr. Speaker, during rollcall vote 251 on H.R. 1158, the rescission bill, I was unavoidably detained during that 5-minute vote. Had I been present, I would have voted ''no'' on the rescission package.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. LINDER). Without objection, the RECORD will be corrected to indicate that the vote on final passage was automatically and a yea and nay vote under the new rule XV, clause 7.

There was no objection.

AUTHORIZING THE CLERK TO MAKE CORRECTIONS IN ENGROSSMENT OF H.R. 1158, EMERGENCY SUPPLEMENTAL APPROPRIATIONS FOR ADDITIONAL DISASTER ASSISTANCE AND RESCISSIONS FOR FISCAL YEAR 1995

Mr. LIVINGSTON. Mr. Speaker, I ask unanimous consent that in the engrossment of H.R. 1158 the Clerk be authorized to correct section numbers, punctuation, cross references, and to make other conforming changes as may be necessary to reflect the actions of the House today.

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

There was no objection.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 4, PERSONAL RESPONSIBILITY ACT OF 1995

Mr. SOLOMON, from the Committee on Rules, submitted a privileged report (Rept. No. 104–83) on the resolution (H. Res. 117) providing for the consideration of the bill (H.R. 4) to restore the American family, reduce illegitimacy, control welfare spending, and reduce welfare dependence, which was referred to the House Calendar and ordered to be printed.

CONFERENCE REPORT ON S. 1, UNFUNDED MANDATES REFORM ACT OF 1995

Mr. CLINGER. Mr. Speaker, I call up the conference report on the Senate bill (S. 1) to curb the practice of imposing unfunded Federal mandates on States and local governments; to strengthen the partnership between the Federal Government and State, local, and tribal governments; to end the imposition, in the absence of full consideration by Congress, of Federal mandates on State, local, and tribal governments without adequate funding, in a manner that may displace other essential governmental priorities; and to ensure that the Federal Government pays the costs incurred by those governments in complying with certain requirements under Federal statutes and regulations; and for other purposes.

The Clerk read the title of the Senate bill.

The SPEAKER pro tempore. Pursuant to the rule, the conference report is considered as having been reading.

(For conference report and statement, see proceedings of the House of Monday, March 13, 1995, at page H3053.)

The SPEAKER pro tempore. The gentleman from Pennsylvania [Mr. CLINGER] will be recognized for 30 minutes and the gentleman from New York [Mr. TOWNS] will be recognized for 30 minutes.

The Chair recognizes the gentleman from Pennsylvania [Mr. CLINGER].

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

State and local governments can sleep safer tonight because we are about to put the menace of unfunded mandates behind lock and key. Congress has recognized, on a bipartisan basis, that its penchant for passing the costs of programs on to States and localities is a threat to our system of government. It has mustered the courage to say: Please, stop us before we mandate again.

It is an enormous relief to know that we are in the final stage of House consideration of S. 1, the Unfunded Mandates Reform Act of 1995. The conference committee that negotiated the differences between the House and the Senate was the first conference committee of the 104th Congress to complete action.

I believe it set an excellent precedent for bipartisan, thoughtful negotiation in the interest of producing the best conference report possible.

Mr. Speaker, no blood was shed; no voices were raised. It was a model of civility and comity as we deliberated on these matters that are going to mean so much to States and local governments throughout this country.

The Unfunded Mandates Reform Act is a better and stronger piece of legislation as a result of the conference committee. It makes historic changes in the way the Federal Government does business with its State and local partners. It ensures Congress and Federal agencies have——

Mr. DREIER. Mr. Speaker, point of order. The House is not in order. There are conferences taking place. This is the first conference in 40 years from a Republican House of Representatives.

The chairman of the committee deserves to be heard.

The SPEAKER pro tempore. The House will be in order.

Mr. CLINGER. It is a historic moment; the first conference report from a Republican-controlled Congress in 40 years. And I agree with the gentleman from California [Mr. DREIER], it is significant.

This bill will ensure that Congress and Federal agencies have more information than ever before on the impact of Federal actions on the private sectors and it holds Members of Congress accountable for any decision to impose a mandate without paying for it.

The conference report provides that Congress must have Congressional Budget Office estimates for the costs of the mandates it imposes on State and local governments and the private sector.

The public sector mandates that will cost over $50 million must be funded through new budget or new entitlement authority or through the appropriations process, and legislation that does not meet those requirements will be subject to a point of order on the House and Senate floor or a majority of Members must vote to waive the point of order before Congress can impose a mandate without paying its costs.

□ 1330

It makes us accountable, Mr. Speaker. If a mandate is funded through appropriations and in any year appropriations are insufficient to cover the mandate's costs, the responsible Federal agency must notify Congress within 30 days after the start of the fiscal year. The agency shall either re-estimate the cost of the mandate and certify that the funds appropriated are indeed sufficient or submit recommendations to Congress for making the mandate less costly or making it ineffective for the fiscal year.

Congress then would have 60 calendar days to act or the mandate becomes ineffective for that entire fiscal year. This is a change, a change from the House passed bill, H.R. 5, and it has improved, in my opinion, it has improved our final product. The language makes it clear that the final disposition of underfunded mandates is decided by Congress, not by the Federal agencies.

Mr. Speaker, title II of the bill requires Federal agencies to analyze the effects of their rules on State and local governments and the private sector and to prepare written statements detailing the costs and benefits of rules expected to cost over $100 million. The agencies must consult with State and local elected officials who are given a limited exemption from FACA, the Federal Advisory Committee Act. This recognizes that in the implementation of intergovernmental programs, States and localities are our partners, not just another regulated entity.

This title also requires agencies to select the least costly or most cost-effective rule where possible. The Office of Management and Budget must report annually to Congress on the compliance of Federal agencies with these requirements.

Mr. Speaker, title III provides for a look back at existing mandates, something that I think is a very important piece of this legislation, requires the Advisory Commission on Intergovernmental Relations to reevaluate existing mandates and to make recommendations to Congress and the President within 1 year as to whether some or all should be changed to ensure that they still make any sense at all.

I will submit now that my suspicion is that a lot of them do not make any sense. These recommendations will not sit on a shelf collecting dust. We have the assurance of the House leadership that they will act on them expeditiously and will bring them to the floor for consideration. So I am very pleased that the conference committee agreed to most of the amendments that were passed during House consideration of the companion piece, H.R. 5, most notably, most notably and most importantly judicial review in a modified form. I am sensitive to the concerns of some of my House and Senate colleagues on judicial review. Yet the majority of Members in the House, many of them Democrats, believe that judicial review is absolutely essential to ensure that agencies perform the analyses and the estimates and the statements that are required by title II.

The compromise on judicial review worked out in conference is by no means a lawyers' employment act. That was one of the charges that was made about it. It allows courts to compel agencies to prepare analyses, statements and estimates required under title II but without judging their content or adequacy. It precludes the requirements of title II from being the grounds on which a court can stay, enjoin or otherwise affect an agency rule.

However, Mr. Speaker, in most cases the contents of these analyses, statements and estimates can be reviewed by the court as part of the whole rulemaking record in judicial review under the underlying statute.

In my view, this is a fair deal, balancing one side's concern that this bill not become a nightmare of litigation with the other side's conviction that judicial review is essential to force agencies to obey the law.

I want to thank a number of people for their great contributions to this process over the past few months.

First, I want to commend the Speaker for making this legislation part of the Contract With America and a priority for the 104th Congress. And I want to express my deep appreciation to my fellow sponsors of this legislation, the gentleman from Ohio [Mr. PORTMAN], the gentleman from California [Mr. DREIER], the gentleman from Virginia [Mr. DAVIS], and the gentleman from California [Mr. CONDIT], for their absolutely outstanding commitment to mandate relief and the hours that they put in to bring us to this point.

They have been all outstanding leaders on the issue and I appreciate their efforts. I note I omitted the gentleman from Virginia [Mr. MORAN], who was also a very stalwart soldier in this effort.

I want to acknowledge the minority House conferees, the gentlewoman from Illinois [Mrs. COLLINS], the gentleman from New York [Mr. TOWNS], and the gentleman from Massachusetts [Mr. MOAKLEY], for their valuable contribution to the conference.

I thank also Senators ROTH, DOMENICI, GLENN, EXON, and especially Senator DIRK KEMPTHORNE for the outstanding job they have done in guiding this bill through the Senate.

Of course, I would be remiss if I did not thank our partners in the public and private sector who endorsed this bill: the National Association of Counties, National Association of Towns and Townships, National Governors Association, League of Cities, and on and on. They have worked so hard over many, many months toward passage.

Finally let me commend the staff of both bodies for their efforts in drafting, to draft a strong measure and broad support, working sometimes, 15, 16 hours a day, Christine Simmons on my staff, George Bridgeland with Mr. PORTMAN, Steve Jones with Mr. CONDIT, Vince Randazzo with Mr. DREIER, and on, Chip Nottingham and others. There have been just a number of heroes in this overall effort. They have all done enormously good work.

This is a good day for Congress, Mr. Speaker, a good day for the country and certainly a most welcome day for State and local elected officials throughout this Nation. I can almost hear the cheers and the applause across the Nation with the enactment of this conference report.

I urge all my colleagues to vote for this conference report so that we may forward the unfunded mandates relief reform bill to the President for his signature, which I am confident we shall have.

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

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

Mr. Speaker, I rise in support of the conference report on S. 1, the Unfunded Mandates Reform Act of 1995, and I would note that the ranking member of the committee, Mrs. COLLINS, also supports the conference report.

Mr. Speaker, as one of the authors of the bipartisan mandates legislation that passed the Government Operations Committee last year with broad bipartisan support, it was with great reluctance that I opposed the House bill this year.

Unfortunately, the majority members of the Government Reform Committee rushed through a bill that was drafted in secret, and gave the minority almost no opportunity to review it.

As a result, the bill was filled with procedural and regulatory excesses. It simply went too far.

The Conference Committee spent 7 weeks rewriting the bill, and the result is an agreement that I believe we all can support:

Under the agreement on judicial review, special interests cannot tie up regulations.

Congress retains the final say over whether agencies can end mandates depending on the level of appropriations.

Other provisions were clarified and tightened.

Let me state that as a result, the Conference Report is not too different from last year's bill.

Mr. Speaker, let me say that this bill addresses the major concerns of the State and local elected officials with whom we have been working with over the past several years. It guarantees that Congress has a full and open debate on the costs to State and local governments before it passes legislation mandating any new and costly requirements.

Before I reserve the balance of my time, I would like to thank the chairman of the full committee, the gentleman from Pennsylvania [Mr. CLINGER], for the outstanding job that he did. I also would like to thank my colleague, the gentleman from Ohio [Mr. PORTMAN], who worked very hard to make this day a reality. I also would like to thank the ranking member of the full committee, the gentlewoman from Illinois [Mrs. COLLINS], for her work and leadership in this area as well, who worked very hard to strengthen the bill to make it better.

I also would like to thank my colleague, the gentleman from Virginia [Mr. MORAN], who kept this alive over the past few years, and the gentleman from California [Mr. CONDIT], who also worked very, very hard to bring us to where we are today. I also would like to thank the staff of both committees and, of course, who worked and put a lot of time and energy in to help us to strengthen this bill. So I would like to thank them, too.

Mr. Speaker, I yield 3 minutes to the gentleman from Virginia [Mr. MORAN], a member who kept this issue alive during the 103d Congress and came into the 104th Congress fighting to strengthen it because he felt that unfunded mandates was very, very important.

Mr. MORAN. Mr. Speaker, I thank the distinguished ranking minority member of the subcommittee, and I want to thank the chairman of the full committee for carrying this bill through to its conclusion, the gentleman from Ohio [Mr. PORTMAN], the gentleman from Virginia [Mr. DAVIS], and the gentleman from California [Mr. CONDIT].

This has been a cooperative, bipartisan, constructive effort to address a very serious problem within this country and particularly experienced by State and local governments and the private sector.

I am going to support this bill. It is a necessary bill. It should have been passed years ago.

I do want to raise some issues, however, because I do have some concerns with what will happen once this bill is signed. The principal concern is with regard to appropriations. The last bill we passed included three programs that suffered very substantial reductions: lead abatement, let me make sure I have all of them, asbestos removal, safe drinking water. We had rescissions in all three programs, just passed them, $1.3 billion in reductions.

But, my colleagues, there was no reduction in the mandates that States and localities must carry out to implement those programs. I think it is kind of ironic that we just imposed a more severe burden on States and localities by taking away over $1 billion that they needed to carry out Federal mandates and now, within the same hour, we are going to pass a conference report which says that they have to fully implement them.

I wish that we had the provision in this as well that says that the executive agency has to seek out from the States and localities and the private industrial sectors affected the least burdensome option for carrying out the intent of the legislation.

□ 1345

It does not include that as being subject to judicial review. That could be a serious problem if the executive branch is not in full accord with the intent of this legislation. I wish that were included.

Mr. Speaker, I do think that this is going to improve the relationship between States and localities and the Federal Government. Most importantly, it is going to improve the relationship between the American people and their Government. It is a good bill.

I congratulate all those who worked so hard to get to this day. I am confident the President will pass it, and I appreciate having been given the time to address these issues. I thank the chairman, the gentleman from Pennsylvania [Mr. CLINGER].

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

Mr. Speaker, I want to recognize the contributions of the gentleman from New York [Mr. TOWNS]. He was chairman of the subcommittee of jurisdiction last year that held field hearings, and he took a deep interest in the question of the burden that unfunded mandates were imposing on State and local governments, and deserves a great deal of credit for this exercise.

Mr. Speaker, I am pleased to yield 5 minutes to the gentleman from Ohio [Mr. PORTMAN], one of the prime movers and key people in this overall effort, and one who has worked endlessly and constructively and creatively to fashion the compromise that this conference report represents.

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

Mr. PORTMAN. Mr. Speaker, I thank the gentleman from Pennsylvania [Mr. CLINGER], the chairman of the full committee, for yielding time to me.

Mr. Speaker, in a few minutes this Chamber is going to pass the Unfunded Mandates Relief Act of 1995, landmark legislation that is part of the Contract With America. After a long and sometimes difficult process, it is good to see history being made.

With Senate passage of the legislation yesterday by a strong vote of 91 to 9, and with every indication from the White House that the President will sign this bill, I think within a few days we are likely to see a bill become law that not too long ago was a radically new concept, unfunded mandate reform.

The bill is historic because it redefines the relationship between the Federal Government and our State and local partners. It is historic because it ensures for the first time that Congress will have cost information on mandates as they go through the committee process; a guaranteed informed debate on the floor of the House on unfunded mandates, which we have never had before, and yes, accountability, a vote, up or down, in front of the public, the press, our local partners, on the issue as to whether to impose unfunded Federal mandates.

As the chairman, the gentleman from Pennsylvania [Mr. CLINGER], noted earlier in this debate, Mr. Speaker, we are pleased to report that the conference report on S. 1 has given us an even stronger bill than passed either the House or the Senate.

I am going to submit much more extensive comments in the RECORD on some of the key issues we worked out in conference, but I want to spend a minute expanding on Chairman CLINGER's good description of the judicial review provision, because I think it is critical to understanding why this is strong, meaningful legislation.

To address the concerns that many of us had, we wanted to ensure that Federal agencies complied with the key requirements of title II of the bill, especially the cost-benefit analysis. We insisted that agency action be subject to judicial review. The sad history of compliance with the Regulatory Flexibility Act made that absolutely essential.

The conference report provides that courts may compel agencies to perform cost-benefit analyses and to comply with other provisions of title II. It is simple. This review ensures that the agencies meet the requirements that Congress says are necessary in the context of rulemaking regarding mandates.

At the same time, we reflected the case law that once an agency acts, the courts are not to substitute the court's judgment for the judgment of the agencies, not to second guess the adequacy

of the analysis prepared by the agencies.

We also addressed the concern that judicial review would become a haven for lawyers and paralyze the regulatory process altogether, by making it very clear that the requirements of title II alone could not be used as a basis for staying, enjoining, or invalidating a rule.

Let me emphasize, however, that if the underlying statute, and all of the requirements of S. 1 would arise in the context of the underlying statute, does not preclude the type of analysis contemplated in S. 1, a court may review the analysis, the statements, the estimates and the descriptions required by S. 1 as part of the whole rulemaking record to determine whether that rule should be stayed or should be struck down as arbitrary and capricious.

This is crucial. As many will recall, judicial review was in our House-passed bill and was not in the Senate-passed bill. Thus, retaining judicial review was a victory for the House. However, much more important, it is a victory for our State and local partners and for all of our constituents and, yes, for the private sector.

Let me sum up, Mr. Speaker, by mentioning just a few of the many people who have contributed to this effort. I will tell the Members, having been intimately involved with this bill for the last year or so as it has moved through the process, this is one of those situations where, but for the efforts of any one of these individuals, we might not be here today. It took all of us, working together, pulling together, to get it done. It is hard to get things done in Washington, and we could not have done it without pulling, all of us pulling together.

First, as the gentleman from Pennsylvania, BILL CLINGER, said, we have to thank our Speaker. He allowed us to put this language in the Contract With America. He prioritized the issue. He also worked very closely with State and local officials through this whole process.

Second, I want to mention one of my colleagues in this effort, the gentleman from California, GARY CONDIT, the man I call our spiritual leader, the heart and soul of this effort. He was the sponsor of H.R. 5 and one of the conferees selected by the Republicans, and we were happy to have him as part of the team. He was out there talking about this issue, unfunded Federal mandates, long before it was well understood and popular in the House and throughout this country.

Next, the person I call our Senate partner, DIRK KEMPTHORNE. He was the original proponent of this legislation. He was the driving force in the Senate, and he worked cooperatively with us in an extraordinary show of bicameralism over the last 8 or 9 months to pull together this legislation.

I thank the gentleman from Pennsylvania, BILL CLINGER, the chairman, for his partnership with all of us in this great debate, particularly for giving me an incredible opportunity here on the floor.

I would also like to thank Senator JOHN GLENN, my colleague from Ohio, who showed a commitment to this issue early on in the Senate when few of his colleagues on this side of the aisle were supporting it; the gentleman from California, DAVID DREIER, for his excellent work in sorting out the difficult House procedural issues that came up in the context of the conference, particularly with the Byrd amendment; the gentleman from Virginia, TOM DAVIS, a freshman member of the conference and an original sponsor of this legislation, who not 4 or 5 months ago was lobbying us on behalf of the National Association of Counties, because he lived under these crippling mandates not long ago.

There are lots of other critical players in the House: The gentleman from Virginia [Mr. MORAN]; the gentleman from Pennsylvania [Mr. GOODLING]; the gentleman from Kansas [Mr. ROBERTS]; the gentleman from Texas [Mr. GEREN]; the gentleman from New York [Mr. SOLOMON]; the gentleman from New York [Mr. TOWNS]; the gentleman from Ohio [Mr. KASICH], and the list goes on.

From my home State of Ohio, Gov. George Voinovich, he led the Governors on this, and helped us to get focused on mandate relief legislation. I am going to mention some key staffers. They do a lot of heavy lifting around here, and do not get enough credit; Kristine Simmons with the chairman, the gentleman from Pennsylvania, Mr. CLINGER; Steve Jones with the gentleman from California, GARY CONDIT; Vince Randazzo, with the gentleman from California, DAVID DREIER, and my chief of staff, John Bridgeland.

On the Senate side, there is Buzz Fawcett with Senator KEMPTHORNE, Sebastian O'Kelly with Senator GLENN, and Austin Smythe with Senator DOMENICI. We would not be here without them.

Finally, thanks to our State, local, and county officials. Without them, we would not be here. It is on their behalf we are acting today to help them to govern this great country.

Mr. TOWNS. Mr. Speaker, I yield 5 minutes to the gentleman from California [Mr. CONDIT], a member of the committee.

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

Mr. CONDIT. Mr. Speaker, I am excited and delighted to be here today. This is a long time coming. What this really does, I think, across the country is give us a ray of hope, because a couple of years ago when we started with the unfunded mandate issue, we were told by experts inside the beltway that ''This cannot be achieved; you will never get an unfunded mandate bill through the House, through the Senate, and get the President to sign it. It cannot be done.''

Let me say, we are going to do it today. In the next couple of weeks, the President will sign this piece of legislation. He has already indicated his support in the past, and has indicated his support to this conference committee report. This is a ray of hope to the American people and to local elected officials across this country that we can come to grips with problems facing this country here in Congress; that we Republicans and Democrats can come together and find a solution. We have found a solution, and this is a bipartisan solution.

I cannot say enough about my colleagues on the other side of the aisle for their cooperation: The gentleman from Pennsylvania [Mr. CLINGER] who has been a total gentleman, and has involved us in every phase of this issue. I want him to know that I truly appreciate that. That is the kind of attitude we ought to take in solving problems facing this country.

I want to thank the gentleman from Illinois [Mr. PORTMAN], who a couple of days after the election was on the phone to me, talking to me about what we should include in an unfunded mandate bill. I truly appreciate his efforts.

I thank the gentleman from New York [Mr. TOWNS] and the gentleman from Virginia [Mr. MORAN] and a variety of other people; the gentleman from Kansas [Mr. ROBERTS] who was a trooper with the unfunded mandate caucus and forced the issue; the gentleman from Virginia [Mr. DAVIS] who has come abroad and been active in this issue.

It is truly a bipartisan effort. That is why there is a ray of hope here today, Mr. Speaker, because this is an example of what we can do on other issues. This is an example of how we can solve the problems facing this country, that we can come together and we can tell the experts they are wrong, we can find solutions to the problems facing this country, because we just found one. It may not be perfect, but this is a huge, huge step in battling unfunded mandates.

Local governments across this country, as the gentleman from Pennsylvania [Mr. CLINGER] said, ought to rejoice today, because we are on the verge of freeing them; giving them some discretionary authority so they can have control over their own destiny. I want to commend and congratulate all my colleagues, and Senator KEMPTHORNE, who has worked very hard, I want to mention him; and the Senate and the people who have been involved over there, I want to thank and congratulate them as well.

I am delighted and honored that I was able to serve on the conference committee. I thank the Speaker of the House for that opportunity. I am truly honored that I had that opportunity.

Mr. Speaker, as a Member who has sought relief from unfunded Federal mandates for State and local governments since 1991, I am truly proud to be standing before you today. We are at the culmination of a long journey

which will conclude today with the passage of the conference report on the Unfunded Mandates Reform Act. The action which we will take today will do more for State and local governments than anything we have done in the last 20 years or are likely to do in the next 20.

There is not a Member of this body who has not heard from their local or State governments about the damage that unfunded mandates do to their local budgets. Not only do unfunded Federal mandates displace local priorities, but they compel State and local jurisdictions to either increase taxes or curtail services. This is the real injustice with unfunded mandates; they allow us in Congress to get all the credit for approving new programs, but they require State and local governments to scramble to come up with the funds needed to implement them.

As many of my colleagues know, there is not an issue in which I feel more passionately about than the abolition of unfunded mandates on State and local governments. I came to this body in 1989 after spending 17 years in either city, county, or State government. So I came here with a full knowledge of what unfunded mandates do to a local official's budget, and I came committed to putting an end to the practice.

In January 1993, I introduced legislation that effectively said that if a mandate on a State or local government was not fully funded, then its application was voluntary. The bill could be summed up with the simple phrase, ''No money, no mandate.'' Much to my surprise, this legislation struck a chord with State and local officials nationwide and they actively lobbied their representatives to support the bill. In fact, this legislation was cosponsored by a majority of Members during the last session of Congress. Nevertheless, the no money, no mandate legislation was controversial and engendered a significant amount of opposition from those who wanted to preserve the status quo. Despite the enormous bipartisan support for the no money, no mandate legislation, it was never even considered by the last Congress. However, I knew that this was an issue whose day would eventually come.

The Speaker of the House obviously knew it was a good public policy initiative because he included unfunded mandate reform legislation in the Contract With America. While the contract is obviously a Republican endeavor, I would be remiss if I did not state that my Republican colleagues fully included me in this effort to enact unfunded mandate relief. I sincerely appreciate their willingness to work with me.

The day after the November elections, Representatives CLINGER, PORTMAN, DAVIS, and myself immediately began drafting the House version of the Unfunded Mandates Reform Act. Very similar to the Senate bill S. 1, our bill, H.R. 5, set up an elaborate system of rules and procedures that Congress would have to follow when considering legislation imposing mandates on State and local governments and the private sector. As my colleagues will recall, H.R. 5 was approved by this body, on February 1, by a vote of 370 to 86.

After 6 weeks of sometimes tortuous negotiations with our Senate counterparts, the conference finally agreed on a final product. The conference report is a good bill. Is it a perfect bill? Of course not. Is it everything that this Member would have preferred? No. But, is it a landmark bill that will begin to rein in our penchant for passing the costs of Federal programs onto State and local governments? It is that. And it deserves the support of all Members who profess to believe in putting an end to unfunded Federal mandates.

The conference report on the Unfunded Mandates Reform Act truly reforms the way that we do business. Under the conference report, Congress must identify the costs of new mandates imposed on State and local governments by either increasing spending, increasing receipts, or through appropriations. If a mandate is to be paid for with appropriations, then the authorizing bill creating the mandate must condition its effectiveness on subsequent appropriations. If subsequent appropriations are insufficient to pay for a mandate, the mandate will cease to be effective unless Congress provides otherwise by law within 90 days of the beginning of the fiscal year.

This process is enforced by a point of order. Legislation that does not satisfy the aforementioned requirements can be ruled out of order, thereby blocking further consideration of the bill by either the House or the Senate. A majority vote can waive the point of order.

Title I of the conference report, which I have just described, applies only to future mandates. It is not retroactive. Existing mandates on State and local governments will be examined by the Advisory Commission on Intergovernmental Relations [ACIR]. ACIR is charged to study these mandates and make recommendations to Congress, within a year, on mandates that can be consolidated, modified, or repealed.

Finally, title II of the conference report requires Federal agencies, when issuing new rules that will cost State and local governments or the private sector $100 million, to perform a detailed cost-benefit analysis before promulgating the final rule.

Now let me describe the significant changes that resulted from the conference committee. Although S. 1 and H.R. 5 were very similar, there were several differences between the two bills. The main differences between the two bills were as follows: Judicial review, the CBO threshold for estimates of private sector mandates, congressional reconsideration of mandates that fail to receive adequate funding, and applying the point of order provision to appropriation bills.

S. 1 contained no judicial review of title II requirements dealing with the cost-benefit analyses that Federal agencies are to perform before issuing new regulations containing significant mandates on State and local governments and the private sector. H.R. 5 allowed judicial review of these actions. The conference report contains judicial review, but it only allows petitioners to compel agencies to perform the required analysis. Furthermore, courts are not allowed to judge the adequacy of the agency's estimates or question their methodology. The judicial review provision in the conference report also does not allow petitioners to say, enjoin, invalidate, or otherwise affect the rule. I believe that this should allay the fears that many Members in this body had about this legislation spawning an endless stream of litigation. On the other hand, I want my colleagues to realize that regulated entities will still have full judicial review that is granted under the underlying statute that authorizes that rulemaking. So I believe that this judicial review provision suits the needs and concerns of both sides of this issue.

S. 1 contained a $200 million threshold for CBO cost estimates of mandates affecting the private sector. H.R. 5 contained a $50 million threshold. After much debate, we decided to split the difference. The conference report contains a $100 million threshold of CBO estimates for mandates affecting the private sector.

S. 1 contained a provision, inserted by Senator ROBERT BYRD, that provides for congressional reconsideration of underfunded mandates. H.R. 5 contained no such provision. The conference report contains the Byrd amendment. Under this proposal, a Federal agency, within 30 days of the beginning of fiscal year, must inform Congress that it has sufficient funds to implement a mandate or provide legislation recommendations to scale back an underfunded mandate in order to meet a partial level of funding. Both of these determinations must be ratified by Congress within 60 days of its submission by the Federal agency. If the Congress fails to act within this 60-day time period, then the mandate shall be ineffective for that fiscal year. Under section 425(a)(2)(B)(iii)(III) of the conference report, if Congress does not act within 60 calendar days when an agency submits either a statement that the amount appropriated is sufficient to carry out the mandate, or legislative recommendations for implementing a less costly mandate, the mandate will cease to be effective. It is the intent of the managers on the part of the House that, in the House of Representatives, the 60-calendar-day period be a continuous period that would not be disrupted by a sine die adjournment. While this provision was not a part of the original House bill, it was my opinion that this provision makes the bill stronger, and I advocated for its inclusion in the conference report.

Finally, S. 1 contained a provision that would allow Members to strike mandates contained in appropriation bills. H.R. 5 contained no such provision. While House rules already prohibit legislating on an appropriations bill, it was the sense of the House conferees that this provision made sense and should be adopted. The conference report contains a provision whereby Members in either the House or Senate may strike mandates contained in appropriations bills.

These were the main differences between S. 1 and H.R. 5. I would also like to report that the final conference report contains several amendments that were adopted by the House. The conference report contains a version of an amendment added by the gentleman from Pennsylvania [Mr. KANJORSKI] that excludes title II of the Social Security Act from the bill. The conference report contains the amendment added by the gentleman from Virginia [Mr. MORAN] that requires agencies, when considering options in their rulemaking proceedings, to adopt the least costly, most cost-effective, or least burdensome option or explain why it did not. Finally, the conference report contains the amendment added by the gentlelady from Ohio [Ms. PRYCE] that requires OMB to report on compliance with title II provisions to the House Committee on Government Reform and Oversight and the Senate Committee on Government Affairs.

Finally, Mr. Speaker, I would like to thank, several people who had a hand in getting us to the point where we are today. I would like

to thank Chairman CLINGER, who has been a leader on this issue; Representative ROB PORTMAN, who has done much of the nuts and bolts work on this issue; Representative TOM DAVIS, whose insights into the workings of local government have been invaluable; my cochairman in the unfunded mandates caucus, Representative PAT ROBERTS; Representative JIM MORAN, a longtime champion of this issue; Representative PETE GEREN, who has worked with my office extensively; and the speaker, majority leader, majority whip, and Rules Committee chairman who allowed me to participate in this conference. I would also like to thank the Senate conferees: Senators GLENN, EXON, ROTH, DOMENICI, and KEMPTHORNE. I know I am probably forgetting a few people who certainly deserve the recognition.

In closing Mr. Speaker, let us ring in a new and meaningful relationship with our State and local government brethren. Let us pass the conference report on the Unfunded Mandates Reform Act.

Mr. CLINGER. Mr. Speaker, I am pleased to yield 4 minutes to the gentleman from California [Mr. DREIER], another stalwart soldier in this effort.

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

Mr. DREIER. Mr. Speaker, I thank the gentleman for yielding time to me.

Mr. Speaker, I want to extend congratulations to the gentleman from Pennsylvania [Mr. CLINGER] and all of our colleagues who played a role in bringing about this very, very important success.

Mr. Speaker, I want to say specifically that the gentleman from Pennsylvania, BILL CLINGER, the gentleman from Ohio, ROB PORTMAN, and the gentleman from Virginia, TOM DAVIS, and all of the people who have been involved in a bipartisan way in addressing this issue are to be congratulated.

Rather than going through the litany of the people who have been involved in this issue here, I would like to talk about a couple of people who specifically raised issues of concern to me at the local level.

I, just about 15 minutes ago, got off the phone with the mayor of the city of Los Angeles, Richard Riordan. He is absolutely ecstatic. He is ecstatic at the passage of this for several reasons. When one looks at what he describes, and sometimes we do not always agree with this, as well-intentioned Federal mandates, the cost for the city of Los Angeles for the Clean Water Act is over $3 billion over a 5-year period. The cost of the Resource Conservation and Recovery Act is $112.7 million over a 5-year period; the ADA, it is $1.2 billion over a 5-year period. The Fair Labor Standards Act is $80.3 million over a 5-year period.

These are the kinds of constraints that we are imposing on local elected officials, and I am happy to say that based on what this conference has done, we are finally turning the corner on that. In fact, what we are doing here today, Mr. Speaker, is really history in that it is the first time in 40 years that a Republican majority is actually bringing down a conference report. It could not happen on a better piece of legislation.

Adoption of the Unfunded Mandates Reform Act marks the beginning of an entirely new era of the relationship between State and local governments and the Federal Government. State and local officials now will have a seat at the table every time we here in the Congress write a law, or an agency writes a rule or regulation that imposes new burdens on them.

Since the historic first election of President Ronald Reagan in 1980, those of us on this side of the aisle, as well as many of my colleagues on the other side of the aisle, have been working to restore the balance of power to take back, bring back to States and local communities, the power as it was envisioned in the Constitution, and of course, specifically, the 10th amendment.

In fact, I will never forget here on the West Front of the Capitol when Ronald Reagan in his first inaugural address said ''The Federal Government did not create the States, the States created the Federal Government.''

Unfortunately, Mr. Speaker, this piece of constitutional history has often been lost with the proliferation of unfunded mandates. Since 1980, Congress, Federal agencies, and even the courts have imposed hundreds of unfunded Federal mandates on State and local governments. Compliance with just 10 of those mandates will cost cities alone $54 billion between 1994 and 1998.

The result has been fewer resources at the local level to deal with local problems, such as fighting crime, paving roads, maintaining parks, and recreational facilities, and cleaning up the local environmental problems.

□ 1400

The Unfunded Mandates Reform Act will finally put the brakes on Washington's runaway power grab and regulatory excesses. It makes it harder for Congress to pass feel-good legislation while passing the buck to State and local governments. No longer will Congress be playing the role of drunken sailors having a good time while recklessly running up a tab at State and local taxpayer expenses.

Mr. Speaker, S. 1 is a stronger bill than the one that we passed here in the House. It is going to go a long way towards bringing about the level of accountability that we need. I congratulate all my colleagues that have been involved in this process.

Mr. TOWNS. Mr. Speaker, I yield 2 minutes to the gentleman from Louisiana [Mr. TAUZIN].

Mr. TAUZIN. I want to thank my dear friend the gentleman from New York for yielding time to me.

I want to congratulate all who have played a role in bringing this conference committee forward. When we announced the formation of our little band of conservative Democrats called the Coalition, we promised America two things. We promised America that we would stand to do the right thing regardless of party or partisanship. We also promised we would try to deliver big bipartisan support for issues of importance to the American public. We delivered on this promise. This bill is hugely supprted—360 Members of this House voted for it, 91 Members of the Senate voted for the conference report. Why? Because it is good and right for the country. While we are not worried about who gets particular credit for it, it is important today to remember that it was one of our members, in fact one of our officers in the coalition, the gentleman from California [Mr. CONDIT] who first created this notion that Congress ought to speak very clearly, that unfunded mandates are wrong, and that we ought to avoid them in the future if we are to have the right kind of relationship between Federal, State, and local governments.

It was the gentleman from California [Mr. CONDIT] who put together the caucus in this House of Democrats and Republicans who brought this issue to the point where it has come today, where the President of the United States has announced publicly he is ready to sign this bill into law. To the gentleman from California [Mr. CONDIT] and to all of the members of that caucus, Democrat and Republican, to all who have joined in this House to make this a huge bipartisan victory for the American public, I think this is a day of celebration and cheer.

I again want to congratulate our friend, the gentleman from California [Mr. CONDIT], for having the courage years ago before anyone was ready to rally behind this cause to make this his No. 1 cause in the Congress and to bring us to this point of victory in the House, in the Senate and eventually as I said with the Presidential signature for the American people.

Mr. CLINGER. Mr. Speaker, I yield 4 minutes to the gentleman from Virginia [Mr. DAVIS], a freshman Member of our leadership team on unfunded mandates and one who shares the victory we celebrate today.

Mr. DAVIS. Mr. Speaker, I thank the chairman of our committee for yielding to me and I appreciate all the work he has done in this, finessing it through the committee and through the conference, and I agree with him, I think we have a better report and a better bill now at the end of this process than when we started out, and that is with the help of a lot of people.

This is the successor to the Kempthorne-Condit bill that was up last time before the House and Senate and got watered down. We appreciate the strong leadership of the gentleman from California [Mr. CONDIT] during the last session and continuing in this session to help bring this about, and to my colleague, the gentleman from Ohio [Mr. PORTMAN], he was really the intellectual leader of this as we moved through some of the fine-tuning of this

legislation in explaining it and working out some of the fine points in the conference, to Christine Simmons from the committee staff. She did an outstanding job of coordinating and putting this together. Our thanks to her, as well as John Bridgeland from Representative PORTMAN's staff, Steve Jones from Representative CONDIT's staff, Vince Randazzo from Representative DREIER's staff, and Chip Nottingham from my staff.

Mr. Speaker, let me begin by stating clearly, this is not, as far as I am concerned, a debate about the merits of any Federal mandate. This is strictly a question of who pays, what are the benefits relative to cost, what is the impact on local priorities, and what is our flexibility in carrying out mandates in the most efficient way.

As the Congress knows, the ability of the Federal Government, even with its vast resources, is limited, and the Congress each day faces difficult decisions about ordering priorities and determining what services can be funded.

This is exactly the same problem faced by local governments and State governments with one difference. No one can superimpose on Congress spending priorities or costs beyond those which the Congress is willing or able to support. But that has not been the case at the local level, because their priorities and needs are often being pushed further to the side by the increasing burden of funding mandates laid down on them by both Federal, and in many cases, their own State governments.

Mr. Speaker, during the past decade, unfunded Federal mandates have literally grown out of control, and today counties are spending more of their locally raised revenues to comply with these mandates than they receive in Federal aid.

A recent study of the Advisory Council on Intergovernmental Relations found that in the decade between 1981 to 1991, Congress enacted 27 laws imposing one or more new unfunded mandates. This compares with 36 such laws enacted during the previous 50 years, and Congress enacted an additional 13 new mandates in 1993 alone.

Mr. Speaker, Mandate Watch, a bimonthly publication of the National Conference of State Legislatures, confirms there is no end in sight to these mandates, and just this past Congress, 156 new mandates were introduced. Localities are becoming totally consumed by Federal mandates, and essential local services, as a result, suffer tremendously, and locally elected leaders will be reduced to the role of back-door tax collectors if this is not stopped.

I want to say this has never been a partisan bill outside of the Beltway. I think with the closure we have had in this conference report, working together in a bipartisan fashion, as the gentleman from California noted, there is no end to what we can accomplish in this Congress.

The good news here is today that when we work with the administration and work in a bipartisan way across party lines, the seemingly insurmountable becomes conquerable and that is where we are with this legislation today.

I just want to note in the end that this bill is about accountability, making Members of Congress stand up and cast a recorded vote on all substantial mandates with the full knowledge of their costs. This is a very, very important precedent for our future. I think taxpayers are tired of routinely paying for unintended consequences that should be easily foreseeable by Federal lawmakers.

This legislation, I think, will bring that into focus. My thanks to all members involved in this process. This is a great day for State and local officials as they take a look at their plates over the next few years as we reduce the burdens we put on them, and a great day for the American taxpayer.

Mr. TOWNS. Mr. Speaker, I yield 2 minutes to the gentleman from Ohio [Mr. TRAFICANT].

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

Mr. TRAFICANT. Mr. Speaker, I want to commend the chairman, the ranking member, the gentleman from Ohio [Mr. PORTMAN], the gentleman from California [Mr. CONDIT], the gentleman from Louisiana [Mr. TAUZIN], the gentleman from Virginia [Mr. MORAN], and everybody who had something to do with this bill.

Federal mandates and regulations had much to do with injuring and almost destroying the steel industry. Right now the coal industry is banging around trying to find an opportunity, and I think Congress has showed some eminent good sense in in fact addressing this bill.

I am pleased that my one amendment had stayed in the bill that basically deals with the issue that on the advisory commission, they say that they shall review the role of Federal mandates and their impact on a competitive balance between State, local, and tribal governments and the private sector and consider the views of and the impact on working men and working women in these same matters.

Let me say this, that, Congress, this is a long time overdue. Every piece of legislation we pass should be directed at what is the status of jobs as it is in direct relationship to the legislation that is being passed. In the past, Congress had the greatest of intentions but with those great intentions there have been accompanying loss of jobs and it made little sense to me. I thank those for supporting it.

But my second amendment dealt specifically with section 202(a)4 that basically talked about the effect on the national economy, the effect on productivity, economic growth, and productive jobs, and my amendment said also the effect on benefits and pensions. There was some concern about germaneness and a broad-ranging view of this but I would like now to ask the chairman of the committee, is it not a fact under section 202(a)4 that those particular areas can be addressed in these matters once the review of such mandates are in fact applied?

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

Mr. TRAFICANT. I yield to the gentleman from Pennsylvania.

Mr. CLINGER. Let me say I commend the gentleman for the contribution he made to this bill because he did, took a great interest and had a very helpful contribution. We were unfortunately unable to sustain all of his amendments in the conference report.

But in answer to the gentleman, yes, they would certainly not be precluded. That would certainly be within the ambit of the things they could consider.

Mr. TRAFICANT. I thank the gentleman, I appreciate his support, and I encourage support of the conference report.

Mr. CLINGER. Mr. Speaker, I yield 2 minutes to the gentleman from New York [Mr. GILMAN], chairman of the Committee on International Relations and a valued Member of Congress.

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

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

Mr. Speaker, I am pleased to rise in support of the conference report on the Unfunded Mandate Reform Act of 1995. I commend the sponsors of the legislation, the gentleman from Ohio [Mr. PORTMAN], the gentleman from California [Mr. CONDIT], the gentleman from Virginia [Mr. DAVIS], the gentleman from New York [Mr. TOWNS], and the gentleman from Pennsylvania [Mr. CLINGER], who serves as the distinguished chairman of our Committee on Government Reform and Oversight, for their efforts in bringing this important measure to the floor at this time.

I support S. 1 because it effectively addresses congressional accountability. The Congress, by this bill, will be far more accountable than ever before. This body will no longer be able to casually approve legislation in Washington and then send the burdensome bills to our home districts in the form of future increases in State and local taxes. This legislation will enable Members to more fully analyze the possible future consequences of new mandates by requiring the Congressional Budget Office to prepare cost estimates of proposed mandates in pending legislation. By approving this bill we are demonstrating to our Governors, our mayors, and city officials that we will duly consider the budgetary burdens they face when they struggle to alter their budgets to respond to the cost of any additional Federal mandates.

Accordingly, Mr. Speaker, I urge our colleagues to forge a fairer partnership

with our State and local governments by supporting this important measure.

Mr. TOWNS. Mr. Speaker, I yield 2 minutes to the gentlewoman from Arkansas [Mrs. LINCOLN].

[Mrs. LINCOLN addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.]

Mr. TOWNS. Mr. Speaker, I yield 3 minutes to the gentleman from New York [Mr. ENGEL].

Mr. ENGEL. I thank my friend the gentleman from New York for yielding me the time.

I am wondering if I could ask the gentleman from Pennsylvania to answer a few questions.

I think that the conference report from my vantage point is a much better bill than the original bill but I still have some fears and some questions, particularly with regard to ecological concerns, clean water, clean air. For instance, in the rescissions bill that was just passed, we took away $1.3 billion from the States from the safe drinking water revolving fund. If we are going to continue to do things like that and take money away from the States that we gave them to pay for things, my big fear is that we then say, well, we are not funding this and therefore it can't happen and therefore all the progress we have made in terms of clean water, clean air will never be able to be funded. Therefore, the Federal Government stepping in and forcing these things will just be rendered impotent and we will not have them. I wonder if the gentleman could allay my fears about that.

Mr. CLINGER. To this extent, if the gentleman will yield, the gentleman understands that this is only prospective in its application. In other words, we are not, in effect, looking back at all of the cornerstones of environmental legislation, clean air, clean water, safe drinking water that are in place.

We do also provide that a point of order would lie against an authorization within an appropriations bill. The other provision is that if in fact there is a mandate that is imposed but there is not sufficient funds to deal with it, the agency imposing the mandate or the regulation would make recommendations as to how they would deal with that if there are not sufficient funds. Congress would then have an opportunity to weigh in on that and must approve whatever downsizing or change that might be imposed by the agency.

□ 1415

Mr. ENGEL. Mr. Speaker, I would say to the gentleman that given the present mood and the budget cutting freezes we have in this Congress, my fear is that the things we are used to seeing in terms of progress on clean water and clean air will just dissipate and we will not be able to do those things in the future.

I want to also ask the gentleman, he said it was prospective, how do we handle reauthorizations in this bill?

Mr. CLINGER. Reauthorization, if there are no additional new mandates imposed as a result of a reauthorization of an existing program, it would have no effect at all. It is only where there would be an additional or added mandate that would exceed the threshold limit that this thing would kick in. So in terms of existing regulations and existing mandates within the Clean Water Act, for example, which is one we would be considering presumably this year, it would have no effect.

Mr. ENGEL. I thank the gentleman.

Mr. TOWNS. Mr. Speaker, I yield 2 minutes to the gentleman from Pennsylvania [Mr. GEKAS].

Mr. GEKAS. Mr. Speaker, I thank the gentleman from New York for yielding time to me. It is because of him that I rise to speak here today.

The former chairman of the subcommittee, the gentleman from New York [Mr. TOWNS], brought his then committee to Harrisburg about 2 years ago to the capital city of Pennsylvania for a hearing, at which time local legislators and local representatives of other municipal subdivisions of the Commonwealth of Pennsylvania gave us a torrent of laments and complaints about the very subject matter which we discuss here today.

We did an odd thing then, the gentleman from New York [Mr. TOWNS] did and the rest of us who attended that hearing. We promised these State legislators and the municipal subdivision officers and officials that we were going to return to Washington and do something about unfunded mandates.

I cannot believe it. We are here reporting to them through our deliberations on the floor that we actually fulfilled the promise that we made that day. And it was not just a wild political type of atmosphere in which we made promises as politicians. These were reserved and concerned public officials in Pennsylvania who one after another sought our help.

Today we are delivering that package of assistance to the local township officials, local officials all over, not just Pennsylvania, all over the Nation, and it is a happy day for us.

I want to thank the gentleman from New York for allowing me to join that meeting in Harrisburg, and I now thank the gentleman from Pennsylvania for being from Pennsylvania and assisting us to come to the floor today with this finality of splendor in bringing about change that the local public officials so wanted.

Mr. TOWNS. Mr. Speaker, I do not have any further requests for time.

I would like to encourage all of my colleagues to vote for this bill because I think it is a much better bill after conference than it was when it left here.

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

Mr. CLINGER. Mr. Speaker, I yield 1 minute to the gentleman from New Jersey [Mr. MARTINI], a valued member of the committee.

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

I rise today, Mr. Speaker, as a former elected county official. I rise today in strong support of the conference report on unfunded mandates. As a result of an annual deficit of $200 billion and a $4.5 trillion national debt, Congress too often in the past shifted the burden of unfunded Federal mandates on States and municipalities. With today's passage of this bill I am proud to say that we are now shifting accountability back to where it belongs, here in Congress.

By passing this legislation we are restoring the faith and trust in Congress by our State and local governments. Too often the Federal Government has frustrated State and local officials in their efforts to deal with their local problems. Too often the Federal Government has mandated inflexible solutions, which has made the situation worse, and too often we have neglected the needs and concerns of our localities.

Yes, Mr. Speaker, we are keeping our word and changing the way government does business. We are putting the people back in charge, and that is the way it should be. The American people have demanded change and we are standing firm and delivering. Unfunded mandates reform is the first building block in establishing a better future for America.

I urge support of this bill.

Mr. CLINGER. Mr. Speaker, I am pleased to yield 1½ minutes to the gentleman from Pennsylvania [Mr. FOX] another freshman member of the committee and very helpful member.

(Mr. FOX of Pennsylvania asked and was given permission to revise and extend his remarks.)

Mr. FOX of Pennsylvania. Mr. Speaker, first I want to thank Chairman CLINGER for his outstanding leadership on this legislation. This passage of unfunded mandate reforms shows we are committed to making Government smaller, less costly, and more efficient.

The bill will block consideration of any unfunded mandates, which I know as a former county commissioner has crippled budgets in the past and will now be a new reality of change.

The bill requires the Federal agencies to develop proceeds to minimize unfunded mandates and to publish cost-benefit analyses.

It provides relief to taxpayers. At present State and local governments and ultimately taxpayers pay the price for heavy-handed mandates dictated by Congress and Washington bureaucrats. Ten unfunded mandates alone already on the books will cost cities an estimated $54 billion from 1994 to 1998. Taxpayers cannot afford them.

They also impose heavy burdens on the private sector. These additional

costs are passed on to consumers in higher prices.

The cost of complying with all Federal regulations is conservatively estimated at $600 billion per year, most of which falls on the private sector with this reform.

And we will finally say we will decrease the cost of doing business which will help to save jobs in the private sector and help Americans. This is particularly true of small business which creates most of the jobs we have in the country.

I ask all of my colleagues to vote unanimously.

Mr. CLINGER. Mr. Speaker, in conclusion, I yield myself such time as I may consume just to say I think this is a historic piece of legislation. It is going to be the first step in reordering the relationship between Federal and State and local governments. It is going to substantially restructure that relationship and, I think, restructure it in a way that is for the best.

Mr. Speaker, I strongly urge all of my colleagues to vote in favor of this conference report.

Mr. COLEMAN. Mr. Speaker, I reluctantly voted in favor of the House version of the Unfunded Mandates Reform Act—H.R. 5. With less reluctance, but with continuing reservations, I rise today in support of the House-Senate conference agreement, House Report 104–76.

I have already expressed my dissatisfaction with several of the provisions of the bill. I have enumerated the specific ways in which the people of my district stand to be hurt by provisions of this legislation. And I know that not all of my concerns have been fully addressed. For instance, the bill as drafted by the conference committee will create a discrepancy in the playing field between the private and public sector.

But in many ways, the conference report has addressed some of my deepest misgivings about the bill. The limitations placed upon judiciary review are fair and balanced. The provisions on judiciary review that were agreed to in conference will not cause a backlog of litigation. It will allow regulatory agencies to perform their proper functions efficiently. Furthermore, because the conference report was the product of a much greater deliberative effort that was the original House version of HR 5, the new bill is much more clear in describing the terms under which a point of order may be raised against new regulation.

Finally, I am pleased to see that the language of the conference report pays specific attention to the needs of border communities like the district I represent. Control of our borders is a Federal responsibility, and this bill pays much needed consideration to that fact. This new provision creates hope that border communities may no longer be saddled with the disproportionate burdens of federal regulations.

The process of relieving States, localities, tribal governments, and private corporations of their increasingly heavy federal regulatory burden deserves our attention and commitment. The Unfunded Mandates Reform Act will be a useful instrument in achieving this purpose. Unfortunately, good tools in the wrong hands have the potential to create undesirable results. Therefore, I wish to make it clear that I will fight any efforts to use this legislation as a tool against the regulations that help to ensure public health and safety. I will express my opposition to any use of this legislation against the safety of workers. Furthermore, I will oppose the efforts of those Members who will try to use this legislation as a defense for their indefensible efforts to gut important environmental regulations. This law creates a powerful new legislative tool, and I would like to help to ensure that it is used wisely in the hands of this body.

Mrs. MALONEY. Mr. Speaker, I rise in support of the conference report on S. 1. I voted against H.R. 5, the original House-passed version of this bill, and would like to explain to the House why I support this bill.

The basic purpose of unfunded mandate relief legislation is sound and important. Almost everyone agrees that something must be done to address the increasing burdens that the Federal Government places on State and local governments. I was proud to support unfunded mandate legislation in the 103d Congress and I voted for the Moran substitute to H.R. 5. And now, I support this bill, because it has been stripped of the excesses of the original House version.

One of the major problems that I had with H.R. 5 was the abuse of the legislative process which brought the bill to the floor. We didn't have 1 minute of hearings in the Government Reform and Oversight Committee, which had primary jurisdiction over the bill and on which I serve. It is largely because of this abuse that the conference committee took 7 weeks to come to agreement. On a noncontroversial bill such as this, the conference usually takes days, not weeks, and I am pleased that the conference process was a deliberative one.

Mr. Speaker, several major changes were made by the conference committee which have made S. 1 truly bipartisan legislation and much closer in content to the bill reported out of the Government Operations Committee last year. First and foremost, the conference severely limited the right of judicial review applicable to regulations falling under this act. This is a vital difference. Under the House version of this bill, special interests and industries would have been able to tie up those regulations and rules for years. Executive agencies would thus have been unable to carry out the Clean Air Act, the Safe Drinking Water Act, and other laws that protect public health and welfare.

Another major change is the acceptance by the conference of the so-called Byrd amendment, which gives Congress a role when annual appropriations do not fully cover State and local costs in complying with a mandate. Under the report, agency determinations as to how to rachet-down the mandate are now subject to congressional approval, preserving an important power of the legislative branch.

The conference committee on S. 1 is to be commended for its diligence and bipartisanship. The Unfunded Mandate Reform Act has been cleansed of many of its more extreme provisions and I urge its adoption.

Mr. PORTMAN. Mr. Speaker, today this House will pass the conference report on S. 1, the Unfunded Mandate Reform Act of 1995. We addressed some complicated and important issues in the House-Senate conference. I, therefore, wanted to take a moment to discuss in some detail two of the more significant issues.

First, judicial review. The House-passed version of the bill had almost full judicial review of agency compliance with all title II requirements. The Senate-passed version precluded judicial review entirely. Going into the conference, then, we had diametrically opposed positions on this issue and much work to do if an agreement was going to be reached.

Many of the House conferees, and some in the Senate, were very concerned that agencies would not comply with the requirements of title II if there was no enforcement mechanism. The history of the Regulatory Flexibility Act, which specifically precluded court review of agency action, in part prompted our concern that, without judicial review, factors that Congress made relevant to the rulemaking process would be totally ignored by agencies. And, in fact, that is what has happened under regulatory flexibility.

To address this concern, I insisted, together with other House conferees, that the conference agreement had to maintain some court review of agency action to ensure compliance with the requirements of title II. We began to explore areas of mutual agreement on judicial review.

House and Senate conferees agreed that title I, which addresses internal procedures of the House and Senate, should clearly not be subject to court review. We also agreed that the provisions regarding the review of existing mandates outlined in title III should not be subject to court review. We also came to a threshold agreement that certain key requirements in title II should be subject to such review to ensure that agencies were acting in accordance with congressional intent.

Our first effort to reach agreement focused on clarifying the requirements of title II and identifying those that involved relatively objective analysis. We also identified those provisions that were central to the rulemaking process with respect to mandates. In the end, we reached agreement that the requirements of sections 202 and 203(a) (1) and (2) would be subject to court review.

S. 1 permits a court, pursuant to section 706(1) of the Administrative Procedures Act, to compel an agency to prepare, as a threshold matter, the cost/benefit analyses and other estimates, descriptions, statements, and plans contemplated by sections 202 and 203(a) (1) and (2) of title II. Any aggrieved party will have up to 180 days after the final rule is promulgated, or the shorter time period, if any, specified in the underlying statute to which the S. 1 requirements relate, to bring an action under 706(1). I believe that this right will give agencies an incentive to meet these requirements before the final rule is promulgated. The threat of litigation should be enough of a hammer.

In order to address the concern that S. 1 not unreasonably spawn litigation or result in an unjustified delay of the implementation of Federal policy, S. 1 does not permit the courts to stay, enjoin or invalidate the agency's rule for a failure to meet, or for doing an inadequate job meeting, the specified requirements of S. 1. The conference report also makes it clear, consistent with current caselaw, that once the agency performs the analysis, a court is not to substitute its judgment for that of the agency's—not to second

guess the data used, the methodologies involved or the manner in which the analysis was performed.

S. 1 does not permit a court, when acting pursuant to the review permitted under the underlying statute, to consider any information generated by an agency in accordance with the requirements of S. 1—the cost/benefit analysis for example—as part of the entire record in determining whether the agency rulemaking record supports the rule under the ''arbitrary and capricious'' or ''substantial evidence'' standard—whichever is applicable. A court can not use a failure to meet these requirements adequately or at all as the sole basis for staying, enjoining or invalidating the rule, but a court could consider these factors as part of the mix when considering the entire rulemaking record. Thus, a court could review under section 706(2) of the Administrative Procedures Act the entire rulemaking record that includes information by the agency generated because of the requirements of S. 1.

If the underlying statute specifically precludes an agency from examining costs and benefits in connection with the promulgation of the rule, then the requirements of S. 1 do not have to be met. If the underlying statute is silent or contemplates some analysis, however, an agency would have to meet the requirements of S. 1, or fail to do so at its own hazard, when promulgating a rule. The requirements of S. 1 are additional factors that Congress has made relevant to the rulemaking process for significant mandates. These factors should be considered by agencies and the analysis contemplated should be performed. A court can review agency action with respect to these requirements in connection with the review permitted under the underlying statute.

I believe this is sensible judicial review that strikes the right balance. S. 1 does not change the landscape of review under the underlying statute—we can not do that in this law. S. 1 also should not result in a delay of the implementation of Federal policy. The judicial review provided under S. 1 ensures, however, that agencies will meet the specified requirements of title II so that agencies consider these critical factors before promulgating rules implementing significant mandates.

It is also important to note that in addition to judicial review, the conference agreement includes congressional oversight, both on the least burdensome option requirements and each of the requirements in title II. Under section 205(c), the Director of the Office of Management and Budget shall no later than 1 year after enactment certify to Congress, with a written explanation, Agency compliance with the least burdensome option requirements. Section 208 also provides that the Director of OMB shall annually submit to Congress a written report detailing compliance with the requirements of title II.

Second, the Byrd amendment. I believe this provision will be helpful to State and local governments. Essentially, it requires an agency reestimate of the actual costs of mandates, after consultations with State and local governments, whenever appropriations in a fiscal year are less than the CBO estimated costs of such mandates. Agencies can submit a statement to Congress saying that such mandate can be implemented for the amount provided—perhaps as a result of decreased costs resulting from new technology—or can submit legislative recommendations. In any case, the mandate is ineffective for such fiscal year unless Congress acts within 60 calendar days after the statement or recommendations are submitted to Congress.

What was sometimes a long and difficult conference has come to an end now. The Founders intentionally designed one of the most inefficient machines for legislating and for good reason. Having taken the time to craft careful legislation based on sound policy, I think the final product is an improvement over the respective House and Senate-passed bills.

This is a truly historic day. By enacting the Unfunded Mandate Reform Act of 1995, we launch yet another chapter in the new federalism, where State and counties and cities and towns are recognized as our partners in governing and are given the freedom to meet the needs of the citizens they serve. Thomas Jefferson, a staunch advocate of State rights, was right when he said, ''I believe the States can best govern our home concerns.'' This bill will help them do just that. I was honored to be a part of that effort.

Mrs. THURMAN. Mr. Speaker, I rise in support of the conference report to the Unfunded Mandate Reform Act. I am particularly grateful that the conferees accepted an amendment from the other body's version of the legislation, authored by my colleague from Florida, Senator BOB GRAHAM.

This amendment further defined an unfunded Federal mandate as any action that reduces or eliminates money authorized for controlling U.S. borders or reduces or eliminates reimbursement for costs associated with the severe problem of illegal immigrations.

Florida, like other States, is burdened by the costs of illegal immigration. The drain on our State's resources has been devastating; affecting every aspect of State and local services. By including this provision in the conference report, we are saying emphatically that the Federal Government must take responsibility for its laws.

In closing Mr. Speaker, I would like to recognize and praise the efforts of my colleague Senator BOB GRAHAM. His commitment to this issue led to its final inclusion in the conference report. I would like to thank my colleague from California, Mr. CONDIT, who served as one of the conferees. Mr. CONDIT and I have worked together on the issue of illegal immigration over the past 2 years and because of his efforts, this provision was included in the final report. Once again, I urge support of the conference report.

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

The SPEAKER pro tempore (Mr. EMERSON). Without objection, the previous question is ordered on the conference report.

There was no objection.

The SPEAKER pro tempore. The question is on the conference report.

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

Mr. CLINGER. 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 394, nays 28, not voting 12, as follows:

[Roll No. 252]

YEAS—394

Abercrombie
Ackerman
Allard
Andrews
Archer
Armey
Bachus
Baesler
Baker (CA)
Baker (LA)
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bateman
Bentsen
Bereuter
Berman
Bevill
Bilbray
Bilirakis
Bishop
Bliley
Blute
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boucher
Brewster
Browder
Brown (FL)
Brown (OH)
Brownback
Bryant (TN)
Bryant (TX)
Bunn
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cardin
Castle
Chabot
Chambliss
Chapman
Chenoweth
Christensen
Chrysler
Clay
Clayton
Clement
Clinger
Clyburn
Coble
Coburn
Coleman
Collins (GA)
Combest
Condit
Cooley
Costello
Cox
Cramer
Crane
Crapo
Cremeans
Cunningham
Danner
Davis
Deal
DeFazio
DeLauro
DeLay
Deutsch
Diaz-Balart
Dickey
Dicks
Dixon
Doggett
Dooley
Doolittle
Dornan
Doyle
Dreier
Duncan
Dunn
Durbin
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Ensign
Eshoo
Evans
Everett
Ewing
Farr
Fawell
Fazio
Fields (LA)
Flake
Flanagan
Foley
Forbes
Ford
Fowler
Fox
Frank (MA)
Franks (CT)
Franks (NJ)
Frelinghuysen
Frisa
Frost
Funderburk
Furse
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Geren
Gilchrest
Gillmor
Gilman
Gonzalez
Goodlatte
Goodling
Gordon
Goss
Graham
Green
Greenwood
Gunderson
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hancock
Hansen
Harman
Hastert
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Hefner
Heineman
Herger
Hilleary
Hilliard
Hinchey
Hobson
Hoekstra
Hoke
Holden
Horn
Hostettler
Houghton
Hoyer
Hunter
Hutchinson
Hyde
Inglis
Istook
Jackson-Lee
Jacobs
Jefferson
Johnson (CT)
Johnson (SD)
Johnson, Sam
Jones
Kanjorski
Kaptur
Kasich
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kim
King
Kingston
Kleczka
Klink
Klug
Knollenberg
Kolbe
LaFalce
LaHood
Lantos
Largent
Latham
LaTourette
Laughlin
Lazio
Leach
Lewis (CA)
Lewis (KY)
Lightfoot
Lincoln
Linder
Lipinski
Livingston
LoBiondo
Lofgren
Longley
Lowey
Lucas
Luther
Maloney
Manton
Manzullo
Markey
Martini
Mascara
Matsui
McCarthy
McCollum
McCrery
McDade
McHale
McHugh
McInnis
McIntosh
McKeon
McNulty
Meehan
Meek
Menendez
Metcalf
Meyers
Mfume
Mica
Miller (FL)
Mineta
Minge
Mink
Moakley
Molinari
Moorhead
Moran
Morella
Murtha
Myrick
Neal
Nethercutt
Neumann
Ney
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Orton

Oxley
Packard
Pallone
Parker
Pastor
Paxon
Payne (VA)
Pelosi
Peterson (FL)
Peterson (MN)
Petri
Pickett
Pombo
Pomeroy
Porter
Portman
Poshard
Pryce
Quinn
Radanovich
Rahall
Ramstad
Reed
Regula
Reynolds
Richardson
Riggs
Rivers
Roberts
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Rose
Roth
Roukema
Roybal-Allard
Royce
Rush
Sabo
Salmon
Sanders
Sanford
Sawyer
Saxton
Scarborough
Schaefer
Schiff
Schroeder
Schumer
Scott
Seastrand
Sensenbrenner
Serrano
Shadegg
Shaw
Shays
Shuster
Sisisky
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Spratt
Stearns
Stenholm
Stockman
Studds
Stump
Stupak
Talent
Tanner
Tate
Tauzin
Taylor (MS)
Taylor (NC)
Tejeda
Thomas
Thompson
Thornberry
Thornton
Thurman
Tiahrt
Torkildsen
Torres
Torricelli
Towns
Traficant
Tucker
Upton
Vento
Volkmer
Vucanovich
Waldholtz
Walker
Walsh
Wamp
Ward
Watt (NC)
Watts (OK)
Waxman
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Williams
Wilson
Wise
Wolf
Woolsey
Wyden
Wynn
Young (AK)
Young (FL)
Zeliff
Zimmer

NAYS—28

Becerra
Beilenson
Collins (MI)
Conyers
Dellums
Dingell
Fattah
Filner
Foglietta
Gibbons
Gutierrez
Levin
Lewis (GA)
Martinez
McDermott
McKinney
Mollohan
Nadler
Owens
Payne (NJ)
Rangel
Skaggs
Stark
Stokes
Velazquez
Visclosky
Waters
Yates

NOT VOTING—12

Brown (CA)
Collins (IL)
Coyne
Cubin
de la Garza
Fields (TX)
Johnson, E.B.
Johnston
Miller (CA)
Montgomery
Myers
Quillen

□ 1441

The Clerk announced the following pair:

On this vote:

Mrs. Cubin for, with Mr. Johnston against.

Messrs. FATTAH, FOGLIETTA, and VISCLOSKY changed their vote from ''yea'' to ''nay.''

So the conference report was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

MOTION OFFERED BY MR. CLINGER

Mr. CLINGER. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. CLINGER moves that the House recede from its amendment to the title.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania [Mr. CLINGER].

The motion was agreed to.

LEGISLATIVE PROGRAM

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

Mr. HOYER. Mr. Speaker, I ask for this time in order that I might yield to my good friend, the chairman of the Committee on Rules, the gentleman from New York [Mr. SOLOMON], for the purposes of enlightening us on the coming schedule.

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

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

Mr. SOLOMON. On behalf of the majority leader, I will be happy to try to enlighten you, my good friend.

The House will not be in session on Monday, March 20.

On Tuesday, the House will meet at 12:30 p.m. for morning hour and 2 p.m. for legislative business. We will take up the rule and general debate on H.R. 4, the Personal Responsibility Act.

Members are advised we expect no votes to be held before 5 p.m. on Tuesday.

On Wednesday the House will meet at 11 a.m. to continue consideration of the welfare reform bill.

On Thursday and Friday of next week the House will meet at 10 a.m. to complete consideration of H.R. 4. We expect to complete this legislation on Friday, and it is our hope to have Members on their way home to their districts and their families by at least 3 p.m. on that Friday.

Mr. HOYER. I thank the gentleman for his enlightening us on next week's schedule.

I take it then the week will be concerned with the consideration of the rule and the bill on welfare reform?

Mr. SOLOMON. We would at this time not expect any other business. As the gentleman knows, that is a very, very important piece of legislation. After consulting with the minority leader, the gentleman from Missouri [Mr. GEPHARDT] and others, we want to make sure that ample time is given to that issue, and we would expect to devote the whole week to it.

Mr. HOYER. I thank the gentleman for that clarification.

I would like to ask the gentleman from New York, on Tuesday, it is my understanding that the only vote we expect is the vote on the rule. Am I correct on that?

Mr. SOLOMON. Yes. And it is the expectation right now that there would not be a vote on that rule, if we have an agreement with the minority. The rule passed by unanimous vote in the Committee on Rules. It is simply providing for 5 hours of general debate at which time, if the rule does pass, then we would go into that 5 hours of general debate, and there would be no vote that day at all.

□ 1445

But we cannot make that promise, as the gentleman knows. We do not expect a vote and we do not expect the gentleman's side to ask for a vote either.

Mr. HOYER. Mr. Speaker, it was our understanding—and I was just checking to make sure with our minority leader's staff to make sure—we do not expect any Member to ask for and we do not plan to ask for a vote on the rule, as the gentleman suggests.

In light of that, I ask the gentleman, is it possible, therefore, for us to notify Members that pursuant to an agreement between the majority and the minority that there would be no votes on Tuesday, so that Members, if they need to, could return either late Tuesday or Wednesday morning?

Mr. SOLOMON. Let me just say it is very important, because we will have completed the rule in the Committee on Rules on the welfare reform bill. We would want the opportunity to explain that rule to our Members who will be returning Tuesday night and therefore we would want them early Wednesday morning. We do not intend to ask for a vote at this time and we do not expect to on Tuesday.

Mr. HOYER. So that the gentleman feels relatively confident that Members, if they were here early Wednesday morning, they would not miss any votes?

Mr. SOLOMON. We would want to discuss that further with the gentleman, but, yes, we feel very comfortable with that.

Mr. HOYER. I thank the gentleman for his information and look forward to next week.

Mr. Speaker, I yield back.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY NEXT

Mr. SOLOMON. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule be dispensed with on Wednesday next.

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

There was no objection.

AUTHORIZING THE SPEAKER AND MINORITY LEADER TO ACCEPT RESIGNATIONS AND MAKE APPOINTMENTS, NOTWITHSTANDING ADJOURNMENT

Mr. SOLOMON. Mr. Speaker, I ask unanimous consent that notwithstanding any adjournment of the House until Tuesday, March 21, 1995, the Speaker and the minority leader be authorized to accept resignations and to make appointments authorized by law or by the House.

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

There was no objection.

CUTS IN ENERGY ASSISTANCE DEVASTATING TO RHODE ISLAND'S SENIORS, WORKING POOR

(Mr. KENNEDY of Rhode Island asked and was given permission to address the House for 1 minute and to revise and extend his remarks, and include extraneous matter.)

Mr. KENNEDY of Rhode Island. Mr. Speaker, we hear all the time from Republicans about how they want less Government. Now we know what are talking about. They are talking about less Government assistance to our senior citizens during the winter. That is right. The Republicans have cut heating assistance for low-income families in my State of Rhode Island.

When the average heating bill in Providence, Rhode Island, is $1,200 a winter, a grant of $414 can make a world of difference. Sixty percent of the households in my State who receive energy assistance are either elderly or on fixed incomes, or working poor. Most have household incomes between $6,000 and $8,000.

Mr. Speaker, talking about tax cuts, a capital gains tax cut is not going to be any comfort to my senior citizens in my State next winter.

Mr. Speaker, we have heard time and time again that the opposition is determined to provide less Government and lower taxes, but for who?

Well, now we have the answer. The cuts before us clearly show that the intention is to provide less help to those who most need it, and lower taxes for those who have the most.

For those who fear the onset of winter, and the long and cold nights that it brings, these cuts will force a choice between heating and eating. My State of Rhode Island was supposed to receive $8.8 million in energy assistance next winter. No more.

This bill turns its back on the 26,000 households, more than 59,000 individuals in Rhode Island, who rely on the little bit of help they get for energy assistance.

When the average heating bill in Providence is $1,200 a winter, a grant of $414 can make a world of difference.

To quote a couple from my State, writing about the assistance they received: "Thank you so very much from our hearts to yours. By your compassion we're touched. May God bless you * * *. Not one day did we live cold * * *."

Sixty percent of the households in Rhode Island who receive energy assistance are either elderly, on fixed-incomes, or working poor. Most have household incomes between $6,000 and $8,000. A capital gains tax cut will provide little comfort to these people in the dead of winter next year.

This cut is indefensible, and I suspect that is why the majority would not even allow an amendment restoring this money to make it to the floor.

They will be able to avoid the pain of a vote today, but our seniors will be forced to feel the pain of their cuts tomorrow.

The cuts to housing again hit at those most in need. Forty percent of the housing cuts will strike senior citizens, threatening the very viability and quality of their housing by slashing operating subsidies and modernization funds—maintenance, necessary improvements, and security will be cut back.

In Pawtucket, RI the cut in modernization funds could mean that a planned central security station will have to be eliminated. What protection will the seniors living in Burns Manor derive from the big business loop holes in the tax package?

Is this the right way to begin cutting the budget? I do not think so.

When it comes to cutting the budget, let us start with the programs that are the weakest and not the programs for the weakest.

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 4, 1995, and a previous order of the House, the following Members are recognized for 5 minutes each.

A TRIBUTE TO JIM ''BOW TIE'' PHELAN AND THE MOUNTAINEERS OF MOUNT ST. MARY'S COLLEGE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Maryland [Mr. BARTLETT] is recognized for 5 minutes.

Mr. BARTLETT of Maryland. Mr. Speaker, I rise today to congratulate the Mountaineers of Mount St. Mary's College on their first ever trip to the NCAA division 1 basketball tournament.

The Mountaineers are led by their coach Jim ''Bow Tie'' Phelan, the second most active winning coach in the country, and in his honor I wear this bow tie today.

The Mountaineers got to the big show by defeating Rider College in the championship game of the North East Conference tournament. Coach Phelan's hard work ethic and determination drove the Mount to overcome an early 23–9 deficit to defeat Rider in the final minutes of the game. The Mountaineers are a young group of energized players that play with the pride inspired by Coach Phelan. I am gratified that such a spirited team of young men is representing western Maryland in our national tournament.

The Mountaineers face a tough challenge when they play the No. 1 seeded Kentucky Wildcats in the first round of the tournament. I am sure the Mountaineers will play to their very best and the lessons they will learn will make them better players and a better team in the future.

I wish the Mountaineers and Coach Phelan all the best of luck in this competition.

CRITICISMS OF THE RESCISSIONS PACKAGE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California [Mr. HORN] is recognized for 5 minutes.

Mr. HORN. Mr. Speaker, we will no doubt hear a great deal of criticism of this rescissions package as cutting too much, too fast, or that vital programs are being cut unfairly. I can understand that feeling. All of us have had to have a little bit trimmed on various programs that are pet projects or pet laws that we thought were working very effectively. Obviously, because of the size and scope of the bill which we passed this morning—and I think justly—this rescissions package offers ample opportunity for objection on the part of those who are opposed to spending cuts. Likewise, amendments were proposed and might have been proposed by those who would rather see alternative cuts to those contained in the bill. I attempted to offer an amendment to rescue the summer youth program which is vital to most urban cities in this country and was eliminated in the stealth of night, 1:30 a.m., over the chairman's objection. And we were not able to offer it because of the time situation on the floor and the fact that we had to preside over a committee that could only be held this morning when the House was in session.

We hope that will be worked out in conference and I am confident that between the other body and the House conferees, it will be worked out in conference.

The point I want to make is in some ways the bill does not go far enough. For instance, the rescission bill that came before us does not make a single cut or rescission in the military construction program. That budget category has been totally spared from the budget knife. While this Congress does not want to cut needed funding for military housing and for facilities critical to the national defense, to argue that every single dollar in the military construction program is of a critical nature is nonsense. We should be as rigorous in our efforts to cut wasteful spending in military programs as we are in social programs.

Let me give one example of such waste. The Navy is preparing to spend hundreds of millions of dollars to homeport up to 3 nuclear aircraft carriers in San Diego. The fiscal year 1995 military construction budget contains $18.3 million for dredging San Diego Bay to accommodate those carriers and directs that the Navy spend another $5.1 million for the design of facilities necessary to homeport these carriers. This represents a costly down payment on what may be a three-quarters of a billion dollars boondoggle duplicating existing facilities the Navy is proposing to eliminate in the base closure process.

Engineering reports suggested that the Navy could homeport these same carriers in Long Beach for $25 million or less. At the same time, the Los Angeles Times has reported in a March 3 story that the Navy's plan to dispose of the spoils of this dredging may very well be illegal. Thus, the project may not even be allowed to go forward. Yet the Navy is proposing that we spend in excess of $100 million in next year's

military construction budget with more to come in future budgets.

All told we may be wasting as much as $750 million for this project.

I have asked the General Accounting Office to look into this matter and to detail the costs involved. This is exactly the type of rescission we should have made. The Navy does not even know if it can spend this money. Certainly it cannot spend this money in this fiscal year. Meanwhile, far less expensive alternatives are available that build on existing infrastructure instead of needlessly duplicating what we already have.

At the same time that vital readiness programs are underfunded, when we are grounding aircraft and cutting training, when some military families are having to use food stamps, when Army divisions are not combat prepared, this Congress should be going over each and every program to determine if it is really necessary or it could be done at less cost.

Unfortunately, I am not given the opportunity to offer an amendment to rescind the funding in that bill because while we had to, I think quite correctly, find the funding in the chapter where we were either trying to add or subtract money, I would hope next time we have a rescission bill that we could go anywhere in that bill to find the funding and anywhere in the appropriations for a given year to find the funding.

While I supported the bill, I would like to see that type of flexibility provided in a rule from the Committee on Rules because last night it was impossible to amend portions of the bill once an amendment had already been made and that makes no sense.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Missouri [Mr. VOLKMER] is recognized for 5 minutes.

[Mr. VOLKMER 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 SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York [Mr. OWENS] is recognized for 5 minutes.

[Mr. OWENS 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 Missouri [Mr. GEPHARDT] is recognized for 5 minutes.

[Mr. GEPHARDT addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

ELEMENTS OF WELFARE REFORM

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Tennessee [Mr. CLEMENT] is recognized for 5 minutes.

Mr. CLEMENT. Mr. Speaker, this next week we are going to be voting on a major piece of legislation and we are going to have several options when it comes to welfare reform, ending welfare as we know it today. And surely the time has come when we must do this for America.

I have had the opportunity like other Members of Congress to meet with welfare recipients who feel trapped, who do not think they have a future. Many of them do not have the education and training, many of them are mothers with small children. They want a better way of life but they feel very dependent today and want government to offer some incentives rather than being trapped in a life of welfare. They are not proud of themselves. They know they are not mentors or role models for their families.

We have got third and fourth generations that are in a life of welfare. Yet we know the world of work offers self-esteem and self-worth and a future not only for those welfare recipients, but for those dependents as well.

Congressman DEAL, myself, and four other Members of the House of Representatives have been meeting during the last Congress and in this Congress to come up with some legislation that we are very proud of, that we are going to be introducing next week. This legislation, welfare reform which we have introduced, offers three principles, those of work, individual responsibility and State flexibility.

Mr. Speaker, our proposal places an emphasis of moving recipients into the private sector as soon as possible, includes real work requirements, requires recipients to sign a binding contract, applies significant sanctions to those who fail to comply with the terms of the contract, fulfills the pledge that recipients must be working after two years, requires recipients to participate in work or work-related activity in order to receive benefits.

Recipients who refuse a job would be denied benefits; makes every effort possible to provide the funding and tools necessary to move recipients to self-sufficiency, establishes a minimum number of hours a recipient must spend in work, job search, or work-related activity which leads to private sector employment in order to receive benefits.

□ 1500

We remove all incentives which make welfare more attractive than work and remove the biggest barriers to work, child care and health care.

Mr. Speaker, our proposal contains a visible, or a viable, work program with real work requirements. We maintain the guarantee of benefits for all eligible recipients who comply with the specific requirements. We maintain the current food and nutrition programs such as school lunch, WIC, and Meals on Wheels. We eliminate SSI benefits to alcoholics and drug addicts. We reform and revise SSI for children in a fair and equitable manner which eliminates the fraud and abuse, and controls the growth and ensures due process for each and every child currently on the rolls, ensuring that no qualifying child loses benefits.

Mr. Speaker, ours is a responsible, workable approach which maintains the Federal responsibility without simply shifting the burden to the States. In short, our bill will end welfare as we know it today. Recipients will be required to work for benefits, but there is an absolute time limit for receipt of these benefits. Our plan provides the best opportunity for welfare recipients to become productive members of the work force. We provide States with the resources necessary to provide this opportunity without incurring an additional fiscal burden. We have a real opportunity in America to give people hope and give them a future once again.

Mr. Speaker, I have had horror story after horror story from people at home in Tennessee, as well as throughout the United States, about welfare, and I encourage those that are listening to write and let us know in Washington, DC, that they are behind welfare reform and support the Deal legislation next week.

SHOULD THE FEDERAL GOVERNMENT BE MANAGING THE FOOD STAMP PROGRAM?

The SPEAKER pro tempore (Mr. KIM). Under the Speaker's announced policy of January 4, 1995, the gentleman from Indiana [Mr. HOSTETTLER] is recognized for 60 minutes as the designee of the majority leader.

Mr. HOSTETTLER. Mr. Speaker, should the Federal Government be managing the Food Stamp Program?

Mr. Speaker, my colleagues and I rise today because the Food Stamp Program provides clear evidence that the Founding Fathers were correct when they advocated a limited role for the Federal Government.

I'm talking about a system that has increased in cost to the taxpayers by 300 percent. I'm talking about a system that wastes $3 billion yearly in fraud and errors alone. I'm talking about a system that does nothing to address the root causes of recipients' needs. I'm talking about the Federal Food Stamp Program—a monument to Great Society pseudocompassion.

In Marvin Olasky's ''The Tragedy of American Compassion'' we see an exceptional portrayal of how American society can and will take better care of its needy without the interference of

the Federal Government. Olasky tells how, in 1890:

> a successful war on poverty was waged by tens of thousands of local charitable agencies and religious groups around the country. The platoons of the greatest charity army in American history often were small, and made up of volunteers led by poorly paid professional managers. Women volunteers by day and men by night often worked out of cramped offices and church basements.

What Olasky is describing is an America that reaches out to its fellow man. Private charities and churches are still capable of doing that and they can do it much better than the Government has.

Mr. Speaker, people may be listening tonight and thinking—that's what the Republican welfare reform bill is supposed to do. They would be correct, if not for one exception. That exception is the Federal Food Stamp Program. A decision has been made to exempt what is by far the largest Federal food assistance program from the block grant concept. We're block granting AFDC, we're block granting WIC, we're block granting school nutrition programs, but we're going to keep the Federal Food Stamp Program at the Federal level.

Olasky compares the attempts to do this with an anecdote from mythology. ''Year after year,'' he writes, ''proposals to tinker with the bureacracy and reduce the marginal tax wall caused mild stirs in Washington, but even the best proposals mirrored Hercules's early attempts to kill the nine-headed monster Hydra; each time he hacked off one head, he found two growing in its place.''

Block granting the Food Stamp Program by itself is not slaying the monster, but I reject the notion of some great Federal responsibility to administer the program. The taxpayers providing the funding are residents of the States. It is taxpayer money, not money belonging to the Agriculture Committee, the Congress, or the Federal Government. We should take the administration of this program closer to the people.

This chart provides a perfect illustration of why we should take the administration of this program closer to the people. As you can see from this chart, about 25 percent of the costs of the current Food Stamp Program are not used for the potential purchase of food. In fact, right off the top of the Federal funds for food stamps. $1.1 billion is issued for a special block grant to Puerto Rico. Next, the Federal Government must reimburse the States for about half of the administrative costs that the States incur for issuing these coupons. This does not take into account an additional $250 million in other administrative-type costs that decrease the benefits. And even after all these bills have been paid, we still have to consider that there is 1.9 billion dollars' worth of coupons that are issued erroneously. This includes caseworker mistakes, unintentional mistakes made by recipients, and about $500 million in intentional deceit on the part of recipients. Last, but certainly not least, we have heard estimates from the Secret Service that there is an additional $1 billion lost to illegal food stamp trafficking. After all these costs are factored into the equation, we are left with 75 cents for every taxpayer dollar that might go to the purchase of food for the needy. And may I remind you, this doesn't consider the fact that the States also spend approximately $1.5 billion in administrative costs as well.

Why does it cost so very much to provide food services to those who are in need? It costs so much because the Federal Government is attempting to provide the services. My amendment would change all of that. Instead of layer upon layer of administrative guidelines, regulations, and rules at every level of government, this amendment would simply repeal the administrative nightmares and give the States the flexibility needed to provide true and meaningful welfare reform. As you can see from the chart, my amendment, which almost mirrors the contract language, would limit 5 percent of the block grants for administrative expenses. It requires that 95 percent of the funds from the block grant be used for food assistance for the economically disadvantaged. It is simple, clear, and I believe quite compelling. How can we argue against sending the funds to those who are closely and acutely aware of the problems and eliminating the red tape that has prohibited success in the Food Stamp Program. If we take the Federal bureaucracy out of the equation, what remains is a lot more money for food assistance.

Mr. Speaker, I yield to the gentleman from North Carolina [Mr. FUNDERBURK], my colleague.

Mr. FUNDERBURK. Mr. Speaker, I am happy to associate myself with the remarks of the gentleman from Indiana [Mr. HOSTETTLER].

Mr. Speaker, when Bill Clinton campaigned for President as a new Democrat he promised to end welfare as we know it. What happened? The Democrats first so-called reform actually expanded welfare spending by $110 billion and it destroyed what was left of workfare. It was business as usual; more government, more taxes, more bureaucrats.

But you know what Mr. Speaker, the American people weren't fooled. Last November, they said to the liberals, ''enough is enough.'' They understood that in no area is the intellectual and spiritual bankruptcy of the American left more apparent than in welfare reform. The liberal left's notion of reform is to spend more of other peoples' money. Their notion is to have the poverty industry and the professionally indignant churn out more of the perverse regulations and programs which have turned so many of our people into a mass of favor seekers.

This is the liberal Democrats' version of welfare reform: Have a child out of wedlock, don't have a job, and don't live with a man who is working. If you do these things the taxpayers will take care of you. Uncle Sam will give you a check each month, with free medical care, free food, and under Mr. Clinton's plan, 2 years in a Federal job program and free child care. You see the liberals can't breakout of their Washington-knows-best mentality. They want to undo the damage of 30 years of failed Federal programs by creating more Federal programs. Mr. Speaker, since 1965, we have spent over $5 trillion on welfare and all we have to show for it is disintegrating families, children having children, burned out cities, and a 30-percent illegitimacy rate. We won't make a dent in the problem by trotting out the same tired old liberal ideas.

We can make a good start today by endorsing the food stamp block grant amendment. This amendment returns us to the original welfare reform formula in the Contract With America. It freezes funding at the 1995 spending level and provides almost $19 billion in savings over 5 years. But, more importantly, it says people getting food stamps under the age of 60 must work.

Mr. Speaker, we were sent to Washington to put people to work and to get the Government's hands out of the peoples' pockets. Let me tell you where we will be if we don't get a handle on the runaway welfare train. This year food stamps will cost the American people $26 billion. If left alone food stamps will cost us $32 billion by the year 2000. Today Federal welfare spending stands at $387 billion, by 2000 we will spend $537 billion on welfare entitlements. Simply put, the madness has to stop.

The food stamp block grant eliminates the Federal middleman and cuts the heart out of the Washington bureaucracy. It says the real innovators are in the States and the counties. These are the people who are closest to the problem. They know peoples' needs. They are on the front line in the fight against poverty. They understand its causes and they can provide the moral and spiritual leadership so many of our citizens so desperately need.

Mr. Speaker, the goal of welfare reform is to get people off the Federal payroll. The best welfare program is a job. By cutting government, taxes, regulations, and bureaucrats we can create a new era of opportunity that will make it easier for poor Americans to get back on their feet.

I want to close with remarks from the Governor of Michigan, John Engler, who is leading the fight to take government back from the bureaucrats and the social planners. Governor Engler tells us:

> Ultimately, the debate over welfare reform is a debate about our basic principles and values as Americans—about the value of work, responsibility, freedom, and self-reliance. It's a debate we cannot afford to lose. It's a debate we can win—if we act in time.

Mr. Clinton is right about one thing, it really is past time to end welfare as we know it. Let's start with food stamp reform.

Mr. HOSTETTLER. Mr. Speaker, I thank the gentleman from North Carolina [Mr. FUNDERBURK].

Mr. Speaker, when we talk about block granting food stamps to the States, opponents of the idea express doubts about the ability of State government to reform the program. Forgetting momentarily that the Federal Government has not shown any ability to operate the program under its own auspices, let us look at what the States have done with welfare reform.

First of all, Wisconsin Governor, Tommy Thompson, introduced a number of innovative programs that reduced welfare rolls in his State by 25 percent, saving State taxpayers $16 million per month. In 1988, he began Learnfare which discourages truancy and promotes education. In 1990, he started Children First, a program to increase child support collections. In 1992, his Parental and Family Responsibility Initiative removed disincentives to marriage and discouraged children from having children. This year, he launched Work Not Welfare requiring able-bodied recipients to work for cash benefits.

Michigan Governor, John Engler, who we heard about prior, offered welfare clients incentives to work and required them to sign a social contract agreeing to work, receive job training, or volunteer at least 20 hours per week. In just 2 years, the plan has helped nearly 55,000 welfare achieve independence, and welfare caseloads have fallen to their lowest level in 7 years, saving taxpayers $100 million.

Massachusetts Governor, William Weld, signed legislation last year to strengthen child support collection which is expected to save $102 million in AFDC and Medicaid expenses and enable an estimated 7,000 families to discontinue the AFDC Program.

□ 1515

This year, he introduced welfare reform requiring able-bodied welfare recipients to take a job or community placement within 60 days in exchange for child care and health care benefits.

In addition, Governor Thompson recently identified four principles around which any welfare system should be built. These include: First, to end indefinite cash assistance; require work of able-bodied adults as a condition of receiving temporary assistance; include provisions to reduce illegitimacy; fund States, not individuals, by ending individual entitlements.

Michigan Governor John Engler stated matters well on February 9 at an Agriculture Subcommittee hearing on food stamps. The Governor said, and I quote, ''Let me be absolutely clear on this from the start: America's governors understand the importance of good nutrition, especially for children, pregnant women, and other vulnerable individuals. None of us would adopt policies that would take food from the mouths of people in need. On the contrary, we want the freedom of a block grant to be able to help more people with better, more efficient community-based programs that better meet local needs,'' end quote.

Governor Engler also said, and I quote, ''With the freedom of block grants, I trust my human service department directors and their colleagues at the county, city, and neighborhood level to get the job done. And I trust local charities, civic groups, churches, synagogues and mosques to make sure that the children and mothers to be in their respective communities get the proper nutrition.''

Mr. Speaker, I know some people feel that the Federal Government is inherently better at providing food assistance. I believe the track record shows otherwise. The closer the administration is to the people who need the food, the better that administration will be.

How effective are churches and private charities in dealing with hunger? As early as the pilgrims establishing a community in Massachusetts, Americans have shown compassion for one another free of government interference. Marvin Olasky, in The Tragedy of American Compassion, quotes Pilgrim leader William Bradford describing the benevolent activities of those Pilgrims who remained healthy. Bradford's account describes able-bodied men and women cooking food, washing clothes, and providing medicinal aid to those less fortunate.

Olasky writes that the need to offer personal help and hospitality became a frequent subject of sermons, which in colonial days were more powerful in shaping cultural values, meanings, and a sense of corporate purpose.

Congregationalist and Presbyterian sermons noted that faith without works of compassion was dead. Anglicans also argued that those blessed materially by God should have compassion for the poor by descending into misery when necessary in order to help them up: This in one order of life is right and good; nothing more harmonious.

And when Methodism spread in the 18th century, American followers propagated John Wesley's advice to, quote, ''Put yourself in the place of every poor man and deal with him as you would hope that God would deal with you.''

I do not need to document the work of organizations like Catholic Social Services, Lutheran Social Services, and the United Jewish Appeal. I even have some firsthand experience at church-directed charities. I ran the food pantry at 12th Avenue General Baptist Church in Evansville, IN. We met people's needs, we took an interest in people's lives. That is the America I know. That is the America that used to be and can be again if we can get away from this idea that the Federal Government is our nanny.

At this time I would like to offer time to the gentleman from Texas, Mr. SAM JOHNSON.

Mr. SAM JOHNSON of Texas. Mr. Speaker, I think that if the gentleman from Indiana [Mr. HOSTETTLER] wants to conduct a colloquy, I will be happy to talk with the gentleman about it. But it seems to me that the Committee on Agriculture varied the Contract With America and from the change that the people in America have been asking for, and that is a smaller Federal Government and local control. And that is what we were sent here to accomplish.

We are not eliminating food stamps. We are not eliminating food assistance. We are in favor of kids growing up good and strong. And good, healthy fat ones is what we want, right?

Mr. HOSTETTLER. Yes, sir.

Mr. SAM JOHNSON of Texas. So, I think that it is important that people understand in the world that the Education Committee designed three block grants for child care, for family nutrition, and for school-based nutrition. And all of those programs provide more money for all of the programs.

And not only do they provide more money, but they allow the States to be their own judge of how to spend that money and move a little bit of it around to wherever the priority projects are in each State, based on each State's needs, each kid's needs, each school's needs. Would you agree with that?

Mr. HOSTETTLER. Yes, sir.

Mr. SAM JOHNSON of Texas. I think the Committee on Ways and Means designed block grants for child protection and family assistance, so the two committees together have formed block grants that protect children, protect the school system, protect the pregnant women, infants, and childrens programs, and make America safer and better. And, in addition, ask only in return that they please work for whatever benefits that they receive. Do you think that is too much to ask for Americans to do?

Mr. HOSTETTLER. I do not, sir.

Mr. SAM JOHNSON of Texas. Would you not think that most Americans want to work anyway?

Mr. HOSTETTLER. Yes, sir, they sure do.

Mr. SAM JOHNSON of Texas. And we are going to give them that opportunity, along with greater and better benefits based on their own local input and needs.

And I think there seems to be resistance in this town to doing things that would protect our children at home. Most people here would say that the resistance here wants to keep the massive Federal bureaucracy in operation, the massive Federal control over every individual's life, including the kids.

And we are teaching the kids, I think, would you not agree, that we are teaching the kids that the Federal Government knows best? And I defy anybody to say, whether you or I, or

anybody else in this House of Representatives or Senate, knows what is best for the children in their own hometown, in an individual school district, in an individual home.

Would you agree?

Mr. HOSTETTLER. I would most assuredly agree with you.

Mr. SAM JOHNSON of Texas. And I like your chart by the way. I did not get a chance to tell you that. But I think all the people that vote for the remainder of the welfare bill under block grants, but refuse to make this needed change should rethink their vote, because we think we need to be consistent; consistent with the Contract With America, consistent with the wishes of the American people, and consistent with the ideas and principles of the conservative party, the Republican party. Given America back to Americans. Thank you for letting me talk with you.

Mr. HOSTETTLER. Thank you very much, sir.

Mrs. SCHROEDER. Will the gentleman yield?

Mr. HOSTETTLER. The Rules Committee is graciously allowing me to do my special order, and I would like to continue and conclude at this time. But there will be an opportunity later.

Mrs. SCHROEDER. The gentleman will not yield.

Mr. HOSTETTLER. Mr. Speaker, I thank the gentleman from Texas for putting it so well. The local, State, and county governments know best. That is where our tax dollars come from, and we need to return the idea that they know what is best. Theirs is the resource of the money. Let them do things in their locales that they think is best.

There is a quote that says, ''Welfare is a narcotic. A subtile destroyer of the human spirit.'' Who said this Mr. Speaker? Was it, A, Charles Murray; B, Ronald Reagan; or C, William F. Buckley? The answer, Mr. Speaker, is none of the above. The quote is from Franklin Delano Roosevelt.

Who would you say, Mr. Speaker, has been least effective in meeting the needs of the poor? A, Mother Teresa; B, the United Way; C, the Salvation Army; or D, the Federal Government? If you formulated your answer based on dollars spent, you would probably choose one of the top three. But in answering the question, Who has been least effective in meeting the needs of the poor, the answer is clear. The Federal Government has failed.

Why, then, would we think of a federally run food stamp program as the ultimate social safety net as some are calling it? Marvin Olasky, in ''The Tragedy of American Compassion,'' writes how charity workers deal with applicants for assistance. They start with the goal of answering one question: Who is bound to help in this case? Charity workers then called in relatives, neighbors or former coworkers or coworshipers.

Relief given without reference to friends and neighbors is accompanied by moral loss. Mary Richmond of the Baltimore Charity Organization Society noted, and I quote, ''Poor neighborhoods are doomed to grow poorer and more sordid whenever the natural ties of neighborliness are weakened by our well-meant but unintelligent interference.''

Another minister said, quote: ''Raising the money required specially on each case, though very troublesome, has immense advantages. It enforces family ties and neighborly or other duties instead of relaxing them.''

The Federal Government does not do any of these things. The proposed plan for food stamps, while less of a budget strain than the current system, continues on with the Federal tradition of throwing money at the problem.

Mr. Speaker, in conclusion, I would ask that Members consider the idea of block granting food stamps and the idea that the Federal Government does not always know best and that State and local governments can best meet the needs, along with private and religious charities, to meet the needs of our neighbors. And I give back the balance of my time.

SAVE THE CHILDREN

The SPEAKER pro tempore. Under the Speaker's announced policy of January 4, 1995, the gentlewoman from Colorado [Mrs. SCHROEDER] is recognized for 60 minutes as the designee of the minority leader.

Mrs. SCHROEDER. Mr. Speaker, thank you very much for yielding. And I am sorry the prior gentleman would not yield to me, because I had several things that I thought would have been a very interesting discussion.

I heard what he said about State and local government and that is where the money is raised, but he is asking us to raise it at the Federal level and then give it back to them to spend however they want with no strings attached.

And so I think I am the one standing here as the real conservative. I figure if they want to spend money with no strings attached, they ought to raise the money. Why in the world are we going through this system and then going up and down the elevator?

I think if we are raising the money here and we are giving it to localities to spend, we should be saying there should be nutritional guidelines. We should be saying to farmers who get subsidies from us that they ought to have a buy crop insurance rather than wait and if there is a disaster, the Federal Government bails them out.

If the State and local government want total say in how they spend money, then they have the right to go raise that money and they are on their own. So I found that really amazing.

I also wanted to point out to him, he was citing Governor Engler of Michigan. And on the wire service at this moment there is a story about Governor Engler saying that conservative micromanagement is just as bad as liberal mircomanagement. And he is pointing out that between the prison bill and the Republican welfare bill and many other things, they are micromanaging, but only they are micromanaging in their way. So let us clear the air of some of this politics.

Mr. Speaker, I wanted to rise and say a few things. No. 1, I have on this Save the Children scarf. A lot of us are going to be wearing these next week. We never thought we were going to have to wear them for saving American children, but that is what we are doing. We are going to have to wear them to save American children because all of the sudden we are watching all sorts of programs that were their safety net being totally dismantled in the name of all sorts of political smoke and rhetoric that is blowing everywhere. And I think that is very unfair.

An awful lot of the cuts we pass today, and the things we will be doing next week, are going to go—and I am a Democrat, so I do not have as fancy a chart as he does—they are going to go for tax cuts. They are going to go for tax cuts, and these are supposed to be great things for America's families.

Yes, they are great if you make over $100,000. If you make over $100,000, this tax cut is going to mean $1,223.23, on an average, per person. That is great.

However, if you make less than $100,000, guess what? It is going to mean $26.05. So for most Americans, I think this is a real distortion of what is happening.

I think too, when you look at where this comes from, again, what you see is 63 percent of the cuts that we are talking about are coming from only 12 percent of the programs. This is not across the board.

□ 1530

They are not cutting DOD. They are not cutting the space program. In fact, there are programs in the space program that went up as much as 400 percent. They are not cutting those programs. No, no, no. You are cutting children. Obviously children caused this debt. I do not remember that. I do not think children had anything to do with this debt. And I think to jeopardize their future is positively outrageous.

When you look at low income programs, you again see that when you break it down to discretionary low income programs, they got 15 percent of the cuts; other discretionary programs only got 1 percent of the cuts. Now, tell me how that spells fair? I do not think it spells fair at all.

I had a few other things to say on this 72d day of the contract. I know the gentleman from California wants to talk too. I will be yielding to him very shortly. But here we are on day 72 of the contract. We are seeing all sorts of ethics violations piling up in front of the Committee on Ethics. We are seeing all sorts of legislation that has not

really been thought out, coming down a conveyor belt like a bunch of cream pies hitting us in the face. They look like they were written by interns. They are admitted to have been put together by pollsters. No one knows how it is going to happen. It is stalled over on the Senate. They are busy ironing their togas and seeing if they can get around to dealing with this stuff, and everybody is hoping on them bailing us out.

This very day from my congressional district I am very sad to say that by the vote we passed today, we cut out all summer jobs for kids. Now, if we are going to go around and tell kids what to say no to, we better have something to say yes to. Last year we had 4,200 kids in the summer job program, and we had the safest summer we have seen in Colorado in a long time. Well, bye-bye. It is gone. and it is now March. Kids are going to get out of school in 2 months. I think that is outrageous.

We also lost training programs for 2,300 adults and another 1,500 youth programs that went all year-round.

The Denver public schools tell me what we did today, the Goals 2000 cuts are unbelievable. They will affect 35,000 elementary school children in Denver alone. And what will they affect? They are going to take away the science-related teaching. Oh, that is great. We are going to live in the 21st century without science-related teaching? That is terrific. Well, today we did it to 35,000 kids in my district in elementary school. If I sound mad, I am mad.

Let me tell you what else they did. In the Eisenhower Grant cuts they cut the math and science training for 2,000 teachers in my districts. I think if anything we need more math and science teachers in K through 12. We know if America is going to be competitive, that is one of the areas we are very weak in. So what do we do? We cut it.

I cannot understand this war on kids. I absolutely do not understand this war on kids, except they do not have political action committees to donate money to people running. They do not even vote, so I guess we figure they are the most vulnerable. But when you look at America's kitchen tables, they do everything they can to hold children economically harmless as long as possible. Here we put them in harm's way, rather than touch ourselves or touch some program that we are trying to preserve.

Now, many people will say oh, she is a liberal, she wants to vote for spending, and on and on and on. I will put the spending I voted against up against anybody else's spending, any day. One of the things I voted against over and over again was a thing called the super collider. Well, guess what? We were told we will never find the 8th quark, you are part of the flat earth caucus. This is absolutely terrible. We got to have a super collider.

Well, you know what? They found the eighth quark and we defunded the super collider. We found it without that massive program. Meanwhile, we are going to cut science teachers for our kids so we will not even have scientists to look for that type of thing in the future if we keep going down this path.

We have heard all sorts of nostalgic talk about what is happening and where we are going. This session was begun with the Speaker throwing out the first orphan. Today we see him talking about how we are returning to Victorian values.

I remind people that those are beautiful pictures of Queen Victoria in her castle. But unless you were part of Queen Victoria and her family, the Victorian era was not such a good time. When you look at Dickens in his Tale of Two Cities, he talks about it was the best of time, but it was the worst of time; it was an age of wisdom, but it was also an age of foolishness; it was an age of light, and it was an age of darkness. I think we all remember that great novel, that reminded us that there was a Victorian underworld; that belief in the family was also accompanied by a high incidence of prostitution and all sorts of other things.

So what really happens is in the good old days we tend to only remember the good old part and we forget some of the bad old part. I do not think the Speaker or anyone in this body wants to go back to those kind of days. We have made a lot of progress in this country. We have said that our young children have the right to be safe, to be fed, and a right to dignity and a right to an education, and that should depend upon their citizenship, and not who their parents were. If our new message is to the kids, too bad, you should have picked richer parents, then we are in real trouble.

I know the gentleman from California wants to speak, and I am just about ready to yield to him, but I just want to remind everybody that the basic difference between what America was about and what other countries were about is we always said that in America you were what your children became, and in other countries you had no choice. You were what your parents were. So there was no option for you to grow out of that class or grow out of that rut that you were born into.

Here, the great American dream was the dream of your children becoming, your children doing bigger and better things that you than you were ever able to dream about. But they cannot do that if they are not well fed.

I want to tell you if I vote for money for nutrition programs, I want them to be nutritional. I do not want to give them to 50 States and say spend them any way you want, have a nice day. We collect it and send it to you.

I think most States do a good job, but some would rip it off. That is true with every other thing. If we have the responsibility of raising it, we have the responsibility of seeing that it is spent sensibly and correctly. And whenever there is any fraud, waste or abuse, we ought to attack it.

The gentleman from California has some fancier charts than I do. He got his made, so let me yield to him at this time, and I thank him for waiting patiently.

Mr. TUCKER. I thank the gentlewoman from Colorado for yielding. I would submit to her that no matter how fancy my charts are, they could not in any way overcome what she has already said to this body, because you have been so accurate in your depiction about what is going on here. I would like to just take a few moments to really just dovetail on what you have said.

There is an attack on our children. If I have to wear one of those scarves, I guess I will too, certainly to make the point that there is a very insidious attack on our children right now.

So many talk about the Contract With America. But obviously there must be a contract out on our young people. That is why I want to talk this afternoon and this day about some of these attacks, and particularly in the wake of what we are going to be dealing with next week as it relates to what some call welfare reform, or as it is related in one of the plans of the Contract on America, the so-called Personal Responsibility Act.

I rise in strong opposition to this so-called Personal Responsibility Act. For many years now, Mr. Speaker, Democrats and Republicans alike have talked about the fact that there are welfare recipients and Americans on opposite ends of the political spectrum and have all agreed on two things: No. 1, the welfare system is broken. We understand that. But No. 2, Mr. Speaker, and most importantly, we as Americans must change welfare as we know it and we must change it fairly.

The bill, as I read it, Mr. Speaker, fails in several ways to address the real problem. First, the bill erroneously assumes that the problem with welfare is that the people on welfare, the welfare recipients, just do not want to work. They are a bunch of lazy, shiftless, no good people who just do not want to work. That is what they want America to believe.

The reality, the reality is, Mr. Speaker, that 70 percent of those on welfare who receive welfare benefits, oh no, they are not welfare shyster fraudulent mothers. They are not crooks. They are not ripoff artists. They are children. They are our Nation's children. Seventy percent of them, I am going to say it again, because it is worth repeating, 70 percent of all welfare benefit recipients are children.

I have one of these charts just to illuminate this point. You can see there that the lion's share, and I think that is a good term since the kids like the Lion's King, I will throw that in, that the lion's share of welfare recipients are our children. Seventy percent. And that is significant. It is more than significant, because as we started talking about the facts, we need to dismantle

this notion that it is just a lot of adults bilking the system. Somebody has to stand up in this House and in this well to protect America's children.

My colleague, the gentlewoman from Colorado, has said it so aptly and so appropriately, that it is a battle to protect our children.

Mrs. SCHROEDER. We still have child labor laws as I remember, right? So the gentleman's point would be if we wanted everybody on welfare to work, we better quickly repeal the child labor laws.

Mr. TUCKER. I appreciate the gentlewoman's point. The remaining 30 percent are the mothers of these children and disabled persons. Second and most importantly to this body, and this body, as it has done in the past, is attempting to base new policy on the same false premise, and that premise is that if we cut these people off of welfare that will encourage them to work. We give them more pain, we give them more punishment; that will encourage them to work.

The reality, Mr. Speaker, is that the problem with welfare is this body's total abdication of its responsibility to deal openly and forthrightly with the cause of welfare. Once again, we run around here so often talking about the problems of America and what we have to do to solve them, but very infrequently do we get down to the real root causes of the problem. We put Band-aid solutions on things and we try to in some way shift the burden and say that now it is the States' problem, not our problem, but we never get to the root cause of the problem.

Well, what are we talking about? The problem is that these people, the recipients of welfare, need a job, need a livable wage, and that is something that is not in the Contract With America. That is something that we are not addressing ourselves to.

If we did address this problem openly, Mr. Speaker, we would find that what most welfare recipients want to do is they want an opportunity to work. They do not want a welfare check. They want to work. There is dignity in work. There is self-sufficiency in work. There is no shame in work. They just want an opportunity to work.

Now, this bill, Mr. Speaker, that is coming up next week does nothing to offer that. It does nothing to empower people. But it does everything to cut them off. It does everything to turn their backs, our backs on them. It does nothing to address those very important secondary impediments to welfare, mothers going to work. That is the need for day-care for their children, so they can go to work.

This past weekend I was home in my district, and I was talking to a young woman who had had a serious struggle with crack addiction, cocaine addiction. And one of the things that she said in one of these encounter groups, and she was recovering and realized that years of her life had been taken away, she had three kids and through some programs out there, very needy programs, programs that are in jeopardy because of the kind of rescissions we made this week on the House floor, through these programs she had an opportunity to pick herself up, she had an opportunity to finally have some straps to pull her boots up by, and she said that it was very important that she had child care. Because without child care, she could not realize her dream of one day becoming a nurse. She thought her dreams had all turned to nightmares, but she needed some support.

Child care is not in this Personal Responsibility Act; it is not in that bill. So without child care, once again, we are not getting to the root causes of the problem. We are merely sweeping the dust under the rug.

There is another thing that is not in this bill, and that is health care. We need health care for these welfare recipients, if we are going to make people whole. Yes, we had a debate last year about health care and some people said we were doing too much, some people said the Government was too involved in it. But one thing nobody could deny was that at least 37 million Americans did not have health care, and millions more were under-insured.

There are a lot of Americans out there. Some of them might be your relatives, your cousins, your friends, your family. They do not have health care. It is very difficult to survive. It is very difficult when something, God forbid, should happen to you or your loved one, and there is a choice between actually working, living, and being able to get some type of treatment.

□ 1545

Further, Mr. Speaker, the bill fails to invest the resources in job training and education necessary, vital to equip welfare mothers to compete for the jobs that are available.

So what we are saying is, in essence, this; that if we are going to have a serious, comprehensive, effective and a real and a valid Personal Responsibility Act, then let's give people something that they can be responsible with. Either we are going to provide them with jobs or we are going to provide them with the job training that will help them get the jobs that are already out on the job market. It has got to be one or the other, because you can't just cut people off and not provide them with something that they can get onto.

It reminds me so much of the debate that goes on about drugs and this whole notion of how we are going to get our young people to get off drugs and get away from crime, which we know that so many of our crimes are drug related, and that is, it is not just a question of what we are telling our young people to say no to. It is a matter of what we are telling them to say yes to.

The same people who take this House floor telling our young people, say no to drugs, drugs are bad, say no to them, but yet they are the same people who will cut AmeriCorps, who will stand on this floor, punch that machine and cut a program that will allow our young people to go out and to move into higher levels of education by being able to collateralize that with giving back to their community with community services, teaching and working in community centers. It is double minded and it is double tongued.

We cannot have it both ways. Either we are going to invest in America and invest in Americans or we might as well just be honest and say that we are not our brother's keeper and we do not care about our fellow man anymore.

We have got to provide this means of jobs or this means of job training. In fact, Mr. Speaker, the only thing that the Personal Responsibility Act as a bill guarantees to our children is that once their parents have used their allotted benefits, that is it, it is over, no mas. There is no other safety net for these families or their children and my colleague spoke about that so readily.

This is what we are talking about. Someone has to stand up and be responsible. If we are talking about the Personal Responsibility Act, doggone it, the U.S. Congress has got to take some responsibility first and we have got to lead by example. We have to take responsibility for our Nation's children.

So no matter what happens to the Nation's economy or the economy of any particular State, no matter what happens with your personal circumstances, regardless of your efforts to secure employment, it doesn't matter. That is it, no more benefits. When you are cut off, your are cut off that is no kind of way to have a responsible government.

Mr. Speaker, this bill would abolish the entitlement status of those essential programs that protect our children from hunger and from homelessness. We talk all the time about wishing that we had less homeless people, but the reality is that with every action, there is a reaction. With every act, there is a consequence, and Mr. Speaker, if we pass this Personal Responsibility Act without child care, without health care, without jobs and without job training, without some type of entitlement status and guarantee for these people who, for whatever reason, on a temporary basis can't do better, then what we are doing is, we are just turning our backs on them and we are advocating and promoting homelessness.

Now, we all do not see it right now, but the streets will be flooded with people without a job, without a home, languishing and laying in the streets, and where does the responsibility for that Responsibility Act lie? It lies right here on the floor of the House of Representatives.

What this means, Mr. Speaker, is that no longer are poor children guaranteed that they will grow up with a

roof over their head and food in their mouths. Oh, yes, America, land of the free and home of the brave. We are going to take care of our little ones, take care of our elderly, and yet with this Personal Responsibility Act, with one fell swoop, we send these young children without a roof over their head, without clothes on their back, and without food on the table.

Somewhere I remember some great man once said, ''suffer the little children and forbid them not.'' What we will do if we pass this act, we will push those little ones aside. We will push them out. We will turn our backs on them. In fact, what our children are guaranteed, Mr. Speaker, in this bill is that their basic health care and nutrition needs will now be subject to individual State priorities at each new Congress' view about their mothers and their willingness to work. No guarantee.

What we will do in this bill, Mr. Speaker, is decide that welfare and single mothers and their children are the root of all evil in society, and if we are to ever balance the budget, we must get these pariahs off the road. No guarantee.

Mrs. SCHROEDER. I want to thank the gentleman for his very, very, wonderful statement, and I thought his point about child care was excellent.

When I was one of the cochairs of the Congressional Caucus on Women's Issues, back when we were allowed to have those, back when we were freer, I guess, we asked the Government Accounting Office to look at what happened in programs that gave women, the mothers you are talking about, the 30 percent, a 100 percent voucher for child care reimbursement, did it affect their work. Guess what—158 percent of them on their work. You don't have to be a rocket scientist to figure this out, but the gentleman is absolutely right.

Those mothers, most of them would like to go to work, but you can't leave your children at home, and if you would give them a child care voucher, then they can. But your point is, they are not, so you beat on them for staying home, and yet, they let the children home alone, you beat on them for doing that. There is nothing they can do that is right, and I thank you for pointing this out. You are doing a great job.

Mr. TUCKER. I thank the gentlewoman for pointing that statistic out because certainly this Congress, though it might be cutting conscious, though it might be conscious of making the budget leaner, it should not make Government meaner.

We have a responsibility to Americans and we have a responsibility particularly to our children. When the gentlewoman was talking earlier about the assault on America, the assault on our children, the assault on lower- and middle-income programs and people, and she was mentioning with quite a bit of dexterity the cuts that came down on this floor, I would like to, in one of these charts, show another example of some of the cuts that happened.

The same people who talk about the Responsibility Act, the same people who talk about that word responsibility, this is what is being done to America. It is not a Contract With America. It is a contract on America. It is Robin Hood in reverse. It is taking from the poor and giving to the rich. We all know what it is all about. Yes, I would like to have a tax cut. Everybody would like to have a tax cut, but not on the backs of the needy and the poor people in this country who can ill afford, who can least afford to be burdened any further.

Look at the kind of cuts that we are talking about. We are talking about programs like the Low Income Home Energy Assistance Program, a program whose function was pure in its concept. It was to help low-income people who could not afford to pay their energy bill, who could not afford to pay that heating bill in the cold months of the year, these people on fixed incomes who just need a little help. Not welfare. They just need some support. A $1.3 billion cut. And what is the consequence of that? Low-income elderly people freezing in the wintertime. America, land of the free, home of the brave.

What about this cut? Job training programs, oh, yes, there is another wasteful welfare program. Let's not train our people to work. Let's not train our people to be prepared for the 21st century, as the gentlewoman from Colorado pointed out. We talk about the supercollider, but yet we do not want to teach our young kids basic science. Look at this cut, $2.3 billion cut, and the consequence of that cut, what is the consequence? Almost 800,000 youth, once again, an attack and an assault on our young people, almost 800,000 youth, adults, will be displaced, and displaced workers will not get job training and summer jobs.

Do not blame the Democratic Party when you see all these young people out there in the streets and you want to know why somebody is stealing the hubcaps off your cars, why somebody is burglarizing your house, why somebody is putting graffiti all over across town and your property values are going down. Do not blame us because your young people in your community do not have anything to do this summer, do not have any training and cannot get a job, because of the $2.3 billion cut that just cuts job training programs and disallows these young people or displaced workers, and you might be some of those displaced workers. I had a lot of them out in California from the aerospace industry trying to find a job, trying to redirect their careers.

Third one, look at this one, a $1.6 billion cut of the safe and drug-free schools, Goals 2000 and School-to-Work Programs, all laudable, well worthwhile programs, meritorious programs, what happens? A $1.6 billion cut. The consequence? More drugs in our schools and fewer dollars to fight crime and drugs.

Nobody likes to see the deficit balloon. Nobody likes to see the debt go up, but at some point we have got to take responsibility about the things that are important for this Nation. These programs are not throwaway programs. These programs are programs that say, if you don't pay me now, you are going to have to pay me later. It is just that simple, and I don't know where anybody gets off thinking for one moment that just because you cut, that this problem goes away. The problems go away; they come back compounded. You are going to pay 10, 20, 30 times more trying to clean up the mess.

Mr. Speaker, the reality of welfare is not only that 70 percent of all welfare recipients are our Nation's children, but the reality of welfare is that 70 percent of all welfare recipients are off of welfare in 2 years and only 12 percent of all welfare recipients stay on welfare for more than 5 years, and I happen to have a chart to elucidate this.

As you can see, 50 percent of all the recipients leave welfare in 1 year. Of all welfare recipients, 70 percent get off of welfare in 2 years, and 88 percent, far above the majority, leave welfare within 5 years. What are we saying? These declarations, these representations that say that all these people, it is just a lifelong thing, they are bilking the system, it is a career, these people are career rip-off artists, this is a program that not only deals with our young people, but it also deals with people who have hit some hard times, and I believe that everybody out there is just one step away from hitting some hard times, or at least most Americans are.

Most Americans live from paycheck to paycheck. At some point in time, those who are lower and middle income have some hard times. Yes, they may need 1 year; yes, they may need 2 years; yes, they may need a few years, 5 years, but the reality is that welfare is a transitional program.

Mrs. SCHROEDER. I am so glad to see the gentleman's chart, because I think every one of us who have been trying to discuss this issue gets so frustrated by the misinformation and the disinformation floating around, and it reminds me of last week when we were all trying to deal with the product liability bill and people kept talking about the Girl Scouts, the Girl Scouts, how the Girl Scouts wanted this, and if you remember, the Girl Scouts were in the Wall Street Journal day after day saying, no, no, no, no, no; that is all being made up.

We need like a truth squad on this floor. So I am glad that the gentleman from California is being a truth squad and pointing it out. That is not to say there are not some people who abuse it, but it is a very, very small percentage. It is not like a huge largess spraying out there.

□ 1600

Most people are embarrassed to be on welfare, cannot wait to get off welfare, and want to do everything they can to improve themselves.

Mr. TUCKER. I thank the gentlewoman for her contribution. Certainly she is correct, that we have to set the record straight. There has been so much. If there is an abuse here, it has been the abuse of information, it has been the abuse of the truth to the American public; people telling others welfare is just the biggest ripoff there is.

The reality is that, yes, there are those in our society, in segments of our society, who are in need and who need transitional help. This shows us just how temporary the transition is.

Mr. Speaker, why would this body base welfare policy on the 12 percent of people who go over 5 years? If 88 percent of the people are off by 5 years, there are only 12 percent of the people who stay on welfare over 5 years. Why this body would base welfare policy on that 12 percent of the people is beyond me.

Mr. Speaker, this bill, the Personal Responsibility Act, would require, or, as we like to say in Washington, it would mandate that States deny AFDC permanently to families where the children were born after this bill's passage to unmarried mothers younger than age 18. States would also have the option to deny assistance to children born to unmarried mothers younger than 21. What that means is that the States would have an option to punish the children, to punish the children, just because a mother had them under age.

Once again, Mr. Speaker, as my colleague indicated, the children do not have a right to pick when they come into this world. They do not have a right to pick who their parents are. However, because of the distorted and perverse notion of responsibility that my colleagues on the other side of the aisle are proffering, the children, once again, will end up having to pay for the pregnancy of their parents.

Mr. Speaker, this bill would allow States to eliminate all cash benefits to families who have received aid for 2 years, and would permanently bar such families from any future aid if the parent had participated in the work program for at least 1 year, so they can dance around this. They can give them a work program for 1 year, and after that they can forever and ever bar them from any future participation or future benefits in the program. It is just a loophole to getting them off the basis of support.

Such families would definitely suffer. After 5 years, States would be required or mandated to terminate permanently the family from cash assistance. The State, even if it wanted to continue cash payments, would be directed by Washington to deny the benefits.

In both of these cases, the contract on Americans would allow children and families to be left without any cash help or a public service job, even when the parent was willing to work but unable to find work in the private sector.

There is an interesting situation and an interesting scenario. Here is a scenario where someone is willing to work, cannot find work, but they are still going to be cut off and still going to be punished by this new wonderful Responsibility Act.

An even more omnious provision in this assault on America's children would take the savings generated by denying assistance to the unmarried teens and their children and use those same funds to build orphanages for those children, or group homes for those children and their teen parents rendered destitute by this bill.

So many people talk about what is going on in Washington: the 100 days, we are moving forward, we are moving fast. Yes, we are moving fast. We are moving nowhere fast. As my colleague said, it was the best of times.

Mrs. SCHROEDER. Maybe we are moving backwards fast, back to the Victorian age.

Mr. TUCKER. That is right, we are moving backwards fast, because backwards is nowhere, it is a place called nowhere. We are moving so fast that we do not realize that we are moving backwards, and backwards is nowhere to be. It is nowhere we want to be, because it is where we have already been, and that is why we left it.

Mr. Speaker, we know what happened in the days of orphanages. We have these people who take the floor and somehow try to glamourize Dickens, somehow try to glamourize Boy's Town, somehow try to glamourize the concept of an orphanage. That is like trying to glamourize a whorehouse; it is nice, it is a place of comfort and refuge.

No matter what words you put on it, no matter what semantics you use, no matter what window dressing you use, an orphanage is still an orphanage. Why can we not, as a country, wake up to our responsibility, to our children in this country, and realize, yes, we have to cut the deficit.

The argument that our colleagues use for cutting the deficit, do you know what the argument they use is? It is always our children, ''We don't want to mortgage this debt on our children. We don't want to have the ignoble responsibility of going down in history as that generation that left a multi-billion dollar deficit and multi-trillion dollar debt to our children. We are mortgaging our children's future.''

That is what we hear on the floor of Congress every day. Therefore, if they are so concerned about our children, why don't they show it?

Mrs. SCHROEDER. Mr. Speaker, I think the gentleman is going right to the core of it. What we are doing in the name of the children, we are also doing it to the children. You have a financial deficit, and to deal with that, we are going to create a human deficit.

We are into this very mean thing where the adults are saying, ''We are not going to give up anything we have, thank you very much, take it out on the children.'' Hey, where is that fair? These kids did not create that deficit.

There is no one in this country, I think, that feels we can compete in the 21st century without more education and without kids that are healthy and well fed. We know if they are healthy and well fed they do better in school. We can go on and on and on.

Yet, what are we doing? They are the first out of the budget, the first out of the budget. Again, that is why we are wearing ''Save the Children'' scarves. I know we have a tie for the gentleman from California [Mr. TUCKER], so we will tie one on you and get you enlisted on this.

Mr. TUCKER. Thank you. I will wear it. I think the gentlewoman expressed the point so aptly, that our children do not have the big lobbying firms. They are not this powerful special interest that can come up here and fight. That is why we have to be a voice for the voiceless; that is why we have to talk about this, because it is our Nation's children that are being exploited.

Mr. Speaker, is it not interesting that when we talk about that kind of deficit, what we are talking about is the fact that we cannot only be concerned about being economically bankrupt as a government, but we also have to be concerned about being morally bankrupt. If we turn our backs on our Nation's children, this Nation, this great Nation, will not progress and will not fare well.

In closing, Mr. Speaker, as we talk about the fact that it is open season on the poor and on our children, and in fact those who sent many of us here to Washington to protect them, we must understand that this welfare is not about long-term bilking the system, it is not about people who do not want to work.

In fact, another important point, setting the record straight about welfare, and as is the case so often with our colleagues on the other side of the aisle, they have a tendency to bring up and to proffer these race-baiting wedge issues. Welfare is not a black issue. It is not just a woman's issue. It is not a black issue. It is not just a white issue. It is an issue that relates to Americans in need.

Let us set the record straight on this. The racial composition of AFDC recipients: 18 percent are Hispanic, 37 percent are African-American, and 39 percent are non-Hispanic white Americans. It is interesting, though, that every time you see the images and you see the ''stereotypical welfare recipient,'' it is somebody black, it is somebody brown.

Therefore, this issue is not a black issue. This issue is not a welfare fraud mother issue. This issue is 70 percent, once again, the recipients are children, the recipients are poor, the recipients are needy. The recipients are not lazy.

The recipients are people who want to work.

Unless we are going to take the kind of responsibility that we should take as leaders of this country, to be honest with the American people, to be truthful with the American people, and then to be responsible for America's children, then we should not be serving here in the House of Representatives.

Mr. Speaker, I appreciate this time to give America what I feel is an honest assessment and an honest appraisal of what the welfare system is and what kind of reform we need in this system. I thank my colleague, the gentlewoman from Colorado, for joining me, because certainly I will wear that tie and I will wear it proudly.

I hope that before it is all over, we can tie some responsibility, some real responsibility onto Republicans who stand on this floor and tell us that the best way to solve our problems in this country is to punish and to cut off. No, the best way to solve our problems in this country is to reach out.

Mr. Speaker, it is not so much that these people need a handout. What they need is a hand, and not just in money. They need us to reach out to them and to let them know that this America is for them, too. That is why they need health care, that is why they need child care, that is why they need job training, and that is why they need jobs, so they can realize their dreams, just like everybody else in America wants to realize theirs. Then we will not have to worry about wasting so much time talking about who is ripping off the system.

It is interesting how my colleagues always talk about eradicating or bringing down the deficit or the national debt. Maybe if we did more to empower some of our welfare recipients, they would become working, empowered American citizens who would be putting more into the government till, and thereby raising our revenues and bringing down the deficit and bringing down the national debt.

Mrs. SCHROEDER. Mr. Speaker, I want to say what a privilege it is to yield to the gentleman from California, because there is some good news today. I think we are going to have to keep doing these kinds of things. The good news is that I think we had a meltdown on meanness. When we voted on the rescissions, although we did not win, we had 200 votes. We got six Republican votes with us.

Often I wondered if they had an MRI and could not have a heart bigger than a swollen pea, but apparently they do not have an MRI machine. Apparently that is not part of the membership. I think people are waking up and finding out what these issues are that are coming at us very fast. I think that is part of the strategy, send them so fast they cannot find out.

The gentleman staying here late in the afternoon to talk about this I think is very important, and I think by having gotten 200 votes more than we have gotten all this time on day 72 says that people are beginning to wake up and say ''Not our children. Hands off our children,'' and we will wear these scarves, even though we thought they were for other countries, but we now find out they are for ours. Maybe we can make a change.

Mr. TUCKER. If the gentlewoman will yield, I want to applaud her for her consistent and long-standing fight, not only to protect our children, but to protect the interests of those who are in need. Certainly, your point is well taken, that when America wakes up to the reality of what these rescissions have done, the people will start to understand that it is not just your neighbor that was cut, it is not just your friend or it is not just the person in the other State that had a devastating impact from these cuts, but that indeed, these cuts are across the board.

When we look at things like the School Lunch Program, this goes all over the Nation. It is across the board. When we look at things like welfare, they are people that you know that will be affected. When you look at the job training programs, people you know will be affected.

When America wakes up from its wild night partying and having a good time, it will find out that the hangover was not worth it.

Mrs. SCHROEDER. I thank the gentleman from California [Mr. TUCKER].

Mr. Speaker, NEWT GINGRICH wants to move America back, back to the fifties—back to the 1850's.

Earlier this week, the Speaker announced that America needs to be more like Victorian England, whose heyday was in the mid-1800's.

I have a difficult time believing that the Speaker wants to take us back to another age, much less another country—the one we waged our revolution against.

But it is more difficult for me to believe that the Speaker, who prides himself on being a futurist, who claims to be a surfer of the third wave of information, who by his own admission was a free thinker of the sixties, and continues to use the tactics and language of the sixties, actually prefers to reinvent Victorian England here in America.

As Dickens spoke of that age in his opening paragraph of ''A Tale of Two Cities'' in 1859:

> It was the best of times, it was the worst of times, it was the age of wisdom, it was the age of foolishness, it was the epoch of belief, it was the epic of incredulity, it was the season of Light, it was the season of Darkness, it was the spring of hope, it was the winter of despair, we had everything before us, we had nothing before us.* * *

The Victorian Age was great for the privileged few and awful for just as many. According to the Encyclopedia Britannica, ''There was always a Victorian underworld.'' Belief in the family was accompanied by a high incidence of prostitution, and in every large city there were districts where every Victorian virtue was ignored or flouted.

But I do not think Speaker GINGRICH literally wants to go back to Victorian England. He just wants to get back to the good old days of America.

The good old days. What were the good old days of the late 1800's like in America?

Otto Bettman in his book, ''The Good Old Days,'' points out:

> The good old days were good, but for the privileged few. For the farmer, the laborer, the average breadwinner, life was an unremitting hardship. This segment of the populace was exploited or lived in the shadow of total neglect, and youth had no voice.

And that is why I took this time today, to remind people that we don't want to go back to the days of orphanages, chronic diseases, polluted air, unsafe food, and unremitting hardships.

The 1990's more than any other decade of our history has to be one of hope, opportunity for all, and prosperity.

But as soon as Speaker GINGRICH began this new means season of politics by throwing out the first orphan when he floated his idea of Federal orphanages for children of the poor, I know that this was going to be rocky years for those of us who have put into place in America an infrastructure for America's kids.

Over the past 20 years, our Federal Government has made a commitment to our young children that they have a right to be safe, a right to be fed, and a right to dignity.

We have been able to put teeth into those promises. We put into place a school lunch program. We made child abuse treatment and prevention a national priority and committed resources to that end. We put in money and standards for children in childcare programs whose mother must work.

We made great strides for kids. And still, the amount of Federal dollars and resources we dedicate to them in paltry. In the 1980's budget commitments for kids were dwarfed by our investments in defense, highways, you name it.

But now the Republican rescissions threaten these modest gains as well as other progress our country has made for kids.

The majority of these rescissions are aimed at children and the elderly. The Republicans slash the women, infants, and children program that provides basic food and nutrition to pregnant women and children—even though this program saves more than three times its cost by eliminating the need for crisis health and prenatal care.

This move becomes even more unfair when you compare it to the risk-assessment legislation Republicans have passed so that their wealthy supporters can get out from regulations they don't want. If the principle of cost-effectiveness is good enough for their rich friends, why isn't it good enough for America's children?

The Republicans also cut programs to increase safety and reduce drug abuse in our schools. The Republicans eliminate more than 100,000 college scholarships and more than 600,000 summer jobs for young people.

The cuts against the elderly are just as bizarre, to use the Speaker's terminology. They cut housing for the elderly. They totally eliminate a heat assistance program for the elderly.

But batten down the hatches, folks. Just wait to you see next week's grotesquery. Under the Republican Welfare Reform Act, we are going to block grant our kid's lives away. We are folding programs that help battered, beaten, and neglected children into one grant, cutting that money, and shipping it off to the States. America is telling our kids: you are not

our problem. Our Federal guarantee to you is null and void, superseded by the Republicans' Contract for America.

If the Welfare Reform and Consolidation Act is enacted, funding will be cut by an estimated $2.5 billion over 5 years. At that rate, in the year 2000, families of over 350,000 children will be without Federal child care assistance.

The Republican welfare bill is tough on kids and poor on work.

The Democrat proposal is great on kids and tough on work. It's a program where people work and one that honors children.

Welfare reform cannot happen without parents ability to work. The Congressional Caucus for Women's Issues, which I cochaired last year and this Republican Congress has since killed, released a GAO study last year that demonstrates the importance of child care subsidies in determining whether or not low-income mothers will participate in the labor force.

The GAO found that given a 100 percent child care allowance, low-income mothers' work participation could increase by 158 percent. These results show that if we expect mothers to successfully leave welfare, we must be prepared to guarantee adequate child care subsidies. The best catalyst for getting women off welfare is good child care.

But this Republican bill goes the direct opposite way. It decimates child care. It removes requirements for minimum health and safety standards for child care assistance. This at a time when all the research and polls show that safe child care is a top priority for American working parents.

Not only are they hurting children's safety by doing away with such standards, but as a taxpayer, I don't want to spend precious Federal dollars on unsafe child care.

In addition, there are no funds for States to use to improve quality and no funds for school age child care.

The bill ends the guarantee that children in child care centers, family child care homes, Head Start, and before and after school programs will receive nutritious meals. The new Family Base Nutrition Block Grant cuts funds by close to $5 billion over the next 5 years.

The result will be: More children suffering from poor nutrition; costs for parents and providers will soar; and less incentives for family child care providers to become license or registered.

So now, Mr. Speaker, I am beginning to understand why you would like to go back to Victorian England where shame ruled the day. Because under your Contract With America, shame will rule the day. But the shame will be Congresses.

Mr. Speaker, I yield to the gentleman from New Jersey [Mr. PALLONE].

Mr. PALLONE. Mr. Speaker, I wanted to say that I found the comments by the gentleman from California also very interesting. I think an important part of this debate as we move toward welfare reform, I certainly learned a lot just from listening to him the last few minutes.

Mr. Speaker, the Clean Water Act, which I would like to discuss at this point, has brought us very far since its inception in 1972. It is particularly important in my district, because many of the municipalities that I represent are on the ocean or on the rivers or on the bay, in my case, the Raritan Bay.

Yet if we look at the Clean Water Act and we look at an overall report card about its effectiveness, we would still have to say that it is incomplete; that it would achieve a grade of incomplete, over the course of its inception in 1972. We still have a long way to go.

Today I have introduced the Clean Water Enforcement and Compliance Improvement Act Amendments of 1995. This is an act or a bill that I am reintroducing from the last session. It targets what I call bad actors, those corporations or municipal authorities that have consistently violated their water quality permits. The bill rights the Clean Water Act enforcement wrong in the States that allows permit violators and the States that overlook these violations to reap economic benefits through their misbehavior.

Basically, we are trying to send a message with this bill that it does not pay to pollute. The problem is that too often, because of noncompliance or because of insufficient penalties, it is easier to pollute and to violate your water quality permits and pay the fines, rather than try to achieve compliance with the Clean Water Act.

□ 1615

The key to the penalty structure that is introduced in my bill is that civil penalties will be required to recover, at a minimum, the economic benefits of Clean Water Act violations. Regulations for calculating this economic benefit would be established by the EPA. It should be noted that both the Government Accounts Office and the EPA Inspector General have reported that current penalties do not reflect or recover the economic benefits of Clean Water Act noncompliance. My bill will correct this crucial flaw in present enforcement procedures.

I should also point out that we have introduced and passed in New Jersey an enforcement act that was very similar on a State level to what I am trying to do with the Clean Water Act on the Federal level, and those enforcement amendments have been very effective in upgrading water quality and bringing about better compliance in the State of New Jersey.

The bill sets up a mandatory penalty for serious violators that exceeds pollution effluent limitations by a specific percentage. If the frequency of these violations increase, the penalty also increases.

Finally, penalties collected are placed in a clean water trust fund to be established within the U.S. Treasury. These moneys would be available for use by the EPA administrator for better inspection and enforcement.

We have found that inspection also is something that we need to do a better job of. My bill deters Clean Water Act noncompliance not only by penalizing violators but by helping to stop violations before they occur through more rigorous inspection and reporting procedures. Frequent self-monitoring and reporting have been shown to help facilities achieve and maintain compliance with the Clean Water Act.

Again, if we look at the State of New Jersey we can see that the increased enforcement and inspection have had an effect on compliance and has increased this goal within my home State. As the bill provides, the worst violators are the ones subject to the most stringent inspection. Minimum inspection standards to be established by EPA and random inspections would be required.

Finally, the bill promotes more rigorous enforcement by empowering citizens to enforce the Clean Water Act. Many of my colleagues I am sure know that much of the enforcement of the Clean Water Act is done by private citizens, or grass roots citizen organizations. Since 1988 citizens have recovered for the U.S. Treasury over $1 million in penalties and interest from environmental law violations. This bill gives citizens access to permanent compliance information. It also establishes posting provisions which increase citizens' awareness of water quality standard noncompliance as well as the resulting environmental and health effects and any fishing or shellfishing bans, advisories, or consumption restrictions.

Most importantly, the bill expands citizens' abilities to bring actions for violations, including past violations.

As a result of the bill I am introducing today, Clean Water Act violations would not longer be allowed to sabotage our efforts to achieve water quality goals, especially not at the expense of those States and facilities that act responsibly. We cannot continue to turn a blind eye to bad actors. To do so is to essentially turn our backs on years of effort and hundreds of billions of dollars spent to improve the quality of the Nation's water resources.

Again, we have made great strides with the Clean Water Act but there is no question we need better enforcement and better inspections.

The bill ensures efficacy in enforcement and equality in compliance. Moreover, it would bring us that much closer to achieving our water quality goals.

I know in this Congress there have been a lot of efforts to make some changes in our environmental laws. Some of the legislation we have passed in the first 100 days in my opinion has actually sent us far back, if it is ultimately enacted into law, in terms of dealing with environmental quality and environmental enforcement. We hope that in the next 100 days of the Congress that we would seek to turn that around and achieve better enforcement not only with the Clean Water Act but with many of our other environmental laws, and I think this bill will go far toward improving water quality and improving the Clean Water Act.

I again thank the gentlewoman for yielding.

Mrs. SCHROEDER. I must say as I wind down this hour that I think on day 72 we have had a very interesting discussion here about some of the things that happened in those first 72 days. The gentleman's attempt to try and get things back on course as we attain clean water, and the attempt that we have been talking about here to try and get things back on course in our commitment to children I think is very, very critical.

This is going to be a very exciting weekend. I think that going home on day 72 with the fact that we finally got up to 200 votes because enough members said no, those rescissions went much too far, you should not take from the poorest to give tax cuts to the richest; that is wrong, it gets us in a much better frame of mind to work on all of the issues that will be in front of this Congress next week when we will be dealing with very tough issues on welfare and nutrition issues that we have been discussing.

I think more and more people around the country are talking about it. As I said, this Sunday there will be many Members serving a lunch here on Capitol Hill, thousands of children are coming in, we are going to try to encircle the Capitol, we are going to be talking about these are our future, these children are our future, and if we do not care about them we are in real trouble. We often talk about natural resources being timber and coal and oil; well, yes, they are, but there is no natural resource as important to the sustenance of this country and the future as our children. They are our greatest natural resource.

So there will be that great event going on here this Sunday. And as I say, the Members serving will be wearing these and wearing ties and we are hoping to also go back to our districts, as I will be. We will be talking to the local people there and we hope to only keep building that number. If we can get it from 200 to 219 we can say stop, stop this war on children, let us go back and let us look at where we ought to be cutting.

Yes, we should have cut the super collider a long time ago. We put a lot of money in that hole in the ground and they found the quark without it.

Yes, we can cut an awful lot of programs in America's space program. We put a 400-percent increase in some of the things. Nobody in the world can spend a 400-percent increase efficiently.

Come on; get a clue. No, we do not need to do star wars and some of the other commitments that people have made, not when the Berlin Wall has come down and we are living in an entirely different generation.

The issues in defense are what is the threat out there, and if we are spending more than almost the whole rest of the world combined is on defense and we cannot find a way to defend ourselves spending that much money we are in real trouble.

Those are the kind of debates we should have rather than this meanness and this attitude of picking on those who are least able to fight back.

I think there is a lot of anxiety in this society right now, anxiety about where they are going to go in the future, what kind of job are they going to have, will their lives be better. I understand that and I think every single American has some degree of that anxiety.

But being mean to kids is certainly not going to lessen America's anxiety. We ought to be looking at what we can do here to make people's lives better.

I introduced a bill I think would help, and that is to allow Americans to be able to bid off the same health care program we have. Why should they not be able to bid off of that same menu that every Member of Congress, every Federal employee, Federal retiree, the President, every one else bids off of? That says to them you can have our choices. It allows them to stop.

We have been reading this week about Members putting folks on their payroll for 1 month out of the year for $100 so that person gets the option to bid off our health care benefits. Well hey, we cannot do that for everybody in America, we cannot put them all on our payroll. That does not make sense. This ought to be available.

Think of what creative energy that would free up for Americans and some of the tensions it would take off Americans who feel locked in their job because if they quit their job they are afraid they will lose their health care insurance, or locked in their job because they have health care now but if they went somewhere else they would have what is now called a preexisting condition, or someone who cannot quit and become self-employed because they know that if they are self-employed they will not have health care.

Think of that harness that absolutely stymies the creative energy in this country. It does not allow people to go where they think they could make the best contribution to society or make the most money for their family. Health care is a real anchor around their necks.

We did not deal with it last year. This is a way we could deal with it. It would alleviate only some of the anxiety families have. But it is that kind of anxiety we ought to be analyzing and trying to address, because when we allow it to build and build and build, then what we end up doing as a society is becoming Bosnia, where we are looking around trying to find who we can blame, who we can yell at, who we can throw radio epithets at over talk show hosts, how we can energize people to go hate. And I tell you, if we keep doing that this society comes apart.

But those who attack a child are shameless. Attacking a child and attacking a child who has no way to fight back is absolutely wrong.

When you look at every other part of the Western world, they do so much more for their children, it is embarrassing. I only hope we begin to look at that, we look at the mirror, we talk about what we are doing, and we also take our mind off our ingrown toenail and start looking at the horizon ahead of us and saying what are these programs to do as we march this country toward the future.

So I thank all of you for tolerating us in this interesting discussion we have had about children, the future, where we are going. I also must say I do end on a more positive note than I thought I would because I think the votes came out a lot better, and it says educating and talking is beginning to work.

Let us only do more of it.

MESSAGE FROM THE SENATE

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

H. Con. Res. 41. Concurrent resolution providing for an adjournment of the House from Thursday, March 16, 1995, to Tuesday, March 21, 1995.

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 4, 1995, the gentleman from California [Mr. TUCKER] is recognized for 5 minutes.

[Mr. TUCKER addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

APPOINTMENT OF EMPLOYEES TO REVIEW PANEL FOR THE OFFICE OF FAIR EMPLOYMENT PRACTICES

The Speaker pro tempore (Mr. KIM) laid before the House the following communication from the Honorable RICHARD A. GEPHARDT:

HOUSE OF REPRESENTATIVES,
OFFICE OF THE DEMOCRATIC LEADER,
Washington, DC, March 15, 1995.

Hon. NEWT GINGRICH,
House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: In accordance with House Rule LI, Clause 7(a) (2), in my capacity as Democratic Leader, I appoint the following House employees to the review panel for the Office of Fair Employment Practices: Karen Nelson, Office of Congressman Waxman, and Marda Robillard, Office of Congressman Dingell.

Yours very truly,

RICHARD A. GEPHARDT.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Ms. EDDIE BERNICE JOHNSON of Texas (at the request of Mr. GEPHARDT) for today, on account of illness.

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. WATT of North Carolina) to revise and extend their remarks and include extraneous material:)

Mr. PALLONE, for 5 minutes, today.

Mr. VOLKMER, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

Mr. OWENS, for 5 minutes, today.

Mr. GEPHARDT, for 5 minutes, today.

(The following Members (at the request of Mr. HOSTETTLER) to revise and extend their remarks and include extraneous material:)

Mr. BARTLETT of Maryland, for 5 minutes, today.

Mr. MCCOLLUM, for 5 minutes each day, on March 21 and 23.

Mr. HORN, for 5 minutes each day, on today and March 21.

(The following Member (at his own request) to revise and extend his remarks and include extraneous material:)

Mr. CLEMENT, for 5 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Mr. WATT of North Carolina) and to include extraneous matter:)

Ms. DELAURO.

Mr. KILDEE.

Mr. TAUZIN.

Mr. BECERRA.

Mr. CLAY.

Mr. FRANK of Massachusetts.

Mr. EVANS.

Ms. SLAUGHTER.

Mr. JACOBS.

Mr. GEJDENSON in two instances.

Mr. MARKEY.

Mr. DICKS.

Mr. VENTO.

Mr. GEPHARDT.

Mr. MOAKLEY.

Mrs. THURMAN.

(The following Members (at the request of Mr. HOSTETTLER) and to include extraneous matter:)

Mr. LATOURETTE.

Mr. ENSIGN.

Mr. MCHUGH.

Mr. LAHOOD.

Mr. GILLMOR in three instances.

Mr. ROTH.

Mr. PACKARD.

Mr. CRANE.

Mr. SAM JOHNSON of Texas.

Mr. OXLEY.

ADJOURNMENT TO TUESDAY, MARCH 21, 1995

Mrs. SCHROEDER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to.

The SPEAKER pro tempore. Pursuant to the provisions of House Concurrent Resolution 41 of the 104th Congress, the House stands adjourned until 12:30 p.m., Tuesday, March 21, 1995 for morning hour debates.

Thereupon (at 4 o'clock and 29 minutes p.m), pursuant to the provisions of House Concurrent Resolution 41, the House adjourned until Tuesday, March 21, 1995, at 12:30 p.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

549. A letter from the Chairman, Nuclear Regulatory Commission, transmitting a draft of proposed legislation to authorize appropriations for the Nuclear Regulatory Commission for fiscal years 1996 and 1997 and for other purposes, pursuant to 31 U.S.C. 1110; to the Committee on Commerce.

550. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting notification of a proposed manufacturing license agreement with Australia (Transmittal No. DTC–4–95), pursuant to 22 U.S.C. 2776(d); to the Committee on International Relations.

551. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting notification of a proposed manufacturing license agreement for the production of major military equipment with Korea (Transmittal No. DTC–2–95), pursuant to 22 U.S.C. 2776 (c) and (d); to the Committee on International Relations.

552. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting notification of a proposed license for the export of major defense equipment and services sold commercially to Russia/Kazakhstan (Transmittal No. DTC–37–94), pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

553. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting notification of a proposed technical assistance agreement for an export license of defense services sold commercially to Saudi Arabia (Transmittal No. MC–6–95), pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

554. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting notification of a proposed manufacturing license agreement for production of major military equipment with Japan (Transmittal No. DTC–38–94), pursuant to 22 U.S.C. 2776(d); to the Committee on International Relations.

555. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting notification of a proposed technical assistance agreement for an export license of major defense services sold commercially to Kuwait (Transmittal No. MC–5–95), pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

556. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting notification of a proposed technical assistance agreement for major defense services sold commercially to Saudi Arabia (Transmittal No. MC–7–95), pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

557. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a report on chemical and biological weapons proliferation control efforts for the period of February 1, 1994, to January 31, 1995, pursuant to Public Law 102–182, section 308(a) (105 Stat. 1257); to the Committee on International Relations.

558. A letter from the Chairman, the Appraisal Subcommittee, Federal Financial Institutions Examination Council, transmitting the 1994 annual report, pursuant to Public Law 102–73, section 1103(a)(4) (103 Stat. 512); to the Committee on Government Reform and Oversight.

559. A letter from the Chairman, U.S. Commission on Civil Rights, transmitting a draft of proposed legislation to authorize appropriations for fiscal year 1996 for the U.S. Commission on Civil Rights, pursuant to 31 U.S.C. 1110; to the Committee on the Judiciary.

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. SOLOMON: Committee on Rules. House Resolution 117. Resolution providing for the consideration of the bill (H.R. 4) to restore the American family, reduce illegitimacy, control welfare spending, and reduce welfare dependence (Rept. 104–83). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. DICKS:

H.R. 1257. A bill to amend the Solid Waste Disposal Act, and for other purposes; to the Committee on Commerce.

By Mr. FLAKE:

H.R. 1258. A bill to amend the Small Business Act to increase the guarantee fee charged by the Small Business Administration on general business loans, and for other purposes; to the Committee on Small Business.

By Mr. JEFFERSON:

H.R. 1259. A bill to amend title 10, United States Code, to give a priority to the States for the transfer of nonlethal excess supplies of the Department of Defense; to the Committee on National Security.

By Mr. JOHNSON of South Dakota (for himself, Mr. WILLIAMS, and Mr. POMEROY):

H.R. 1260. A bill to ensure equity in, and increased recreation and maximum economic benefits from, the control of the water in the Missouri River system, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. MOAKLEY (for himself, Mr. RANGEL, Mrs. KENNELLY, Mrs. MEYERS of Kansas, Ms. PRYCE, and Mr. NEAL of Massachusetts):

H.R. 1261. A bill to provide for duty free treatment for entries and withdrawals of tamoxifen citrate after December 31, 1993, and before January 1, 1995; to the Committee on Ways and Means.

By Mr. PALLONE (for himself, Mr. SHAYS, Mr. GILCHREST, Mr. DEFAZIO, Mr. Towns, Ms. ROYBAL-ALLARD, Mr. STARK, Ms. LOWEY, Mr. JACOBS, Mr. ROMERO-BARCELO, and Mr. JOHNSTON of Florida):

H.R. 1262. A bill to amend the Federal Water Pollution Control Act to improve the enforcement and compliance programs; to the Committee on Transportation and Infrastructure.

By Mr. PAYNE of New Jersey:

H.R. 1263. A bill to establish a program that would assist abandoned and medically fragile infants; to the Committee on Economic and Educational Opportunities.

By Mr. RANGEL:

H.R. 1264. A bill to amend the Controlled Substances Act and the Controlled Substances Import and Export Act to eliminate certain mandatory minimum penalties relating to crack cocaine offenses: to the Committee on the Judiciary, and in addition to the Committee on Commerce, 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. ROHRABACHER (for himself, Mr. DORNAN, and Mr. ROYCE):

H.R. 1265. A bill to amend the base closure laws to require Federal agencies that desire to acquire excess or surplus property resulting from the closure or realignment of military installations to agree to retain possession of, and to use, such property for agency purposes; to the Committee on National Security.

By Mr. YOUNG of Alaska (for himself and Mr. MILLER of California):

H.R. 1266. A bill to provide for the exchange of lands within Admiralty Islands National Monument, and for other purposes; to the Committee on Resources.

By Mr. LIVINGSTON:

H. Con. Res. 41. Concurrent resolution providing for the adjournment of the House on Thursday, March 16, 1995, to stand adjourned until 12:30 p.m. on Tuesday, March 21, 1995.

By Mr. ENGEL (for himself, Mr. PORTER, Mr. TORRICELLI, Mr. SMITH of New Jersey, Mr. ACKERMAN, Ms. ROS-LEHTINEN, Mr. ANDREWS, Mr. BILIRAKIS, Mr. MENENDEZ, Mr. GEKAS, Mrs. MALONEY, Mr. ZIMMER, Mr. PALLONE, and Mr. FORBES):

H. Con. Res. 42. Concurrent resolution supporting a resolution to the long-standing dispute regarding Cyprus; to the Committee on International Relations.

By Mrs. MALONEY (for herself, Mr. MANTON, Mr. NADLER, Mr. ABERCROMBIE, Mr. MCDERMOTT, Mr. OWENS, Mr. SCHUMER, Mr. HINCHEY, Mr. BLUTE, Mr. FRANK of Massachusetts, Mr. COYNE, Mr. BORSKI, Ms. VELÁZQUEZ, Mr. ACKERMAN, Ms. LOWEY, Ms. MCCARTHY, Mr. ENGEL, Mr. PALLONE, Mr. LAFALCE, and Mr. FORBES):

H. Con. Res. 43. Concurrent resolution endorsing the Irish-American agenda for the White House Conference on Trade and Investment in Ireland to be held in May 1995; to the Committee on International Relations.

By Mr. MENENDEZ (for himself, Mr. MANTON, Mr. KING, Mr. ENGEL, Mr. MEEHAN, and Mr. BLUTE):

H. Con. Res. 44. Concurrent resolution expressing the sense of the Congress with respect to the conflict in the northeast of the island of Ireland; to the Committee on International Relations

By Mr. WYDEN (for himself and Mr. PORTER):

H. Res. 118. Resolution expressing the sense of the House of Representatives with respect to restricting medical professionals from providing to women full and accurate medical information on reproductive health options; to the Committee on Commerce.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 38: Mr. FAZIO of California, Mr. FOLEY, Mr. TAYLOR of North Carolina, Mr. LINDER, Mr. REGULA, Mr. ROTH, Mr. TORRES, Mr. SAXTON, Mr. BAKER of California, Mr. BOEHLERT, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. STUMP, Mr. STUPAK, Mr. GALLEGLY, Ms. RIVERS, Mr. MURTHA, Mr. BARTLETT of Maryland, Mr. CLYBURN, Mr. WILLIAMS, Mr. MCKEON, Mr. WARD, Mr. KIM, Mr. BORSKI, Mr. MOORHEAD, Mr. CRAMER, Mr. THORNBERRY, Mr. HAYES, Mr. QUILLEN, Mr. HINCHEY, Mr. BENTSEN, Mr. RIGGS, Mr. KINGSTON, Mr. WATTS of Oklahoma, Mr. ENGLISH of Pennsylvania, Mr. SAM JOHNSON of Texas, Mr. LEWIS of Kentucky, Mr. HUTCHINSON, and Mr. FAWELL.

H.R. 65: Mr. DURBIN, Mr. WISE, and Mr. CANADY.

H.R. 103: Mr. CHAPMAN, Mr. VOLKMER, Ms. VELAZQUEZ, Mr. CALVERT, and Mr. SMITH of New Jersey.

H.R. 104: Mr. REYNOLDS.

H.R. 221: Mr. CLYBURN and Mr. LEWIS of Georgia.

H.R. 244: Mr. LANTOS, Mr. MORAN, and Mr. HOLDEN.

H.R. 303: Mr. WISE and Mr. OBERSTAR.

H.R. 310: Mr. SOUDER.

H.R. 311: Mr. REED and Mr. BROWN of Ohio.

H.R. 313: Mr. SOUDER.

H.R. 328: Mr. HOUGHTON and Mr. BAKER of California.

H.R. 366: Mr. COLEMAN, Mr. BROWN of California, Mr. FRAZER, Mr. ROMERO-BARCELO, Mr. FOX, Mr. GENE GREEN of Texas, Mr. THOMPSON, and Mr. FARR.

H.R. 371: Mr. HAYWORTH.

H.R. 372: Mr. WILSON and Ms. DANNER.

H.R. 375: Mr. BAKER of Louisiana.

H.R. 467: Mr. BARTLETT of Maryland and Mr. LIPINSKI.

H.R. 470: Mr. MCNULTY, Mr. KANJORSKI, Mr. LANTOS, Mr. MORAN, and Mr. PAYNE of New Jersey.

H.R. 481: Mr. SHAW, Mr. YOUNG of Florida, Mr. CANADY, Mr. MCCOLLUM, Mr. BILIRAKIS, Mr. GIBBONS, Ms. ROS-LEHTINEN, Mr. SCARBOROUGH, Ms. BROWN of Florida, Mr. HASTINGS of Florida, and Mr. DIAZ-BALART.

H.R. 502: Mrs. SEASTRAND.

H.R. 607: Mr. HEFLEY and Mr. BOEHNER.

H.R. 739: Mr. EHRLICH.

H.R. 752: Mr. MCDERMOTT, Mr. LEWIS of Georgia, Mr. WELLER, Mr. STUMP, and Mr. BARTON of Texas.

H.R. 759: Mr. ROYCE.

H.R. 783: Mr. ROBERTS, Mr. ROSE, and Mr. HILLIARD.

H.R. 888: Mr. SANDERS.

H.R. 903: Mr. BORSKI, Mr. TRAFICANT, Mr. SERRANO, Mr. MARTINEZ, and Mr. KILDEE.

H.R. 942: Mr. BILIRAKIS, Mr. FOLEY, Mr. VISCLOSKY, Mr. BROWN of Ohio, Mr. FRELINGHUYSEN, Mr. ABERCROMBIE, Ms. SLAUGHTER, Mr. MENENDEZ, and Mr. MORAN.

H.R. 945: Mr. CUNNINGHAM, Mr. STEARNS, Mrs. KELLY, Mr. BLUTE, Mr. GREENWOOD, Mr. PALLONE, and Mr. MCNULTY.

H.R. 1023: Mr. KENNEDY of Rhode Island and Mr. MCDERMOTT.

H.R. 1044: Mr. BARCIA of Michigan and Mr. BEREUTER.

H.R. 1066: Mr. BARRETT of Wisconsin.

H.R. 1073: Mr. JACOBS, Mr. PETERSON of Minnesota, Mr. SANDERS, Mr. TALENT, Mr. RAHALL, Mr. BACHUS, Mr. FRANK of Massachusetts, Mr. SERRANO, Mr. FORD, Mr. MCDERMOTT, Mr. UNDERWOOD, Mr. THOMPSON, Mr. NEY, Mrs. MINK of Hawaii, Mr. VENTO, Mr. OLVER, Mr. WILSON, Mr. CALVERT, Mr. COLEMAN, and Ms. MCCARTHY.

H.R. 1074: Mr. JACOBS, Mr. SANDERS, Mr. RAHALL, Mr. SERRANO, Mr. FORD, Mr. MCDERMOTT, Mr. UNDERWOOD, Mr. THOMPSON, Mr. NEY, Mrs. MINK of Hawaii, Mr. VENTO, Mr. OLVER, Mr. CALVERT, and Mr. COLEMAN.

H.R. 1090: Mr. FRANK of Massachusetts, Mr. BLUTE, and Mr. UNDERWOOD.

H.R. 1114: Mr. LEWIS of California, Mr. MCKEON, Mr. BOEHNER, Mr. BISHOP, Mrs. FOWLER, Mr. ANDREWS, Mr. BRYANT of Tennessee, Mr. BREWSTER, Mr. HOSTETTLER, Mr. HEFLEY, Mr. LINDER, Mr. BACHUS, and Mr. CALVERT.

H.R. 1126: Mr. VENTO.

H.R. 1137: Mr. ALLARD.

H.R. 1143: Mr. ACKERMAN and Mr. BRYANT of Texas.

H.R. 1144: Mr. ACKERMAN and Mr. BRYANT of Texas.

H.R. 1145: Mr. ACKERMAN, Mr. BRYANT of Texas, and Mr. PAXON.

H.R. 1162: Mr. PORTMAN, Mr. MCHALE, Mr. FOLEY, Mr. WELDON of Florida, Mr. MILLER of Florida, and Mr. WYNN.

H.R. 1203: Mr. EMERSON.

H.R. 1233: Mr. CLINGER and Mr. SAWYER.

H.J. Res. 76: Mr. FIELDS of Texas.

H. Con. Res. 25: Mr. CALVERT.

H. Con. Res. 31: Ms. SLAUGHTER, Ms. LOWEY, Ms. RIVERS, and Mr. SHAYS.

H. Con. Res. 32: Mr. LIPINSKI, Mr. MCNULTY, Mr. CONDIT, Mr. BURTON of Indiana, Mr. WILSON, Mr. ROHRABACHER, Mr. JEFFERSON, Mr. FIELDS of Texas, Mr. TOWNS, Mr. PETERSON of Minnesota, Mr. CRANE, Mr. DIAZ-BALART, Mr. BARTLETT of Maryland, Mr. CUNNINGHAM, Ms. ROS-LEHTINEN, Mr. HERGER, Mr. POMBO, Mr. KLUG, Mr. DOOLITTLE, and Mr. HOUGHTON.

H. Res. 30: Mr. GEJDENSON, Mr. MCKEON, Ms. KAPTUR, Mr. BENTSEN, Ms. MCCARTHY, and Mr. LUTHER.

H. Res. 97: Mr. HERGER, Mr. GUTKNECHT, Mr. WELLER, Mr. FORBES, Mr. INGLIS of South Carolina, and Mr. SOUDER.

DISCHARGE PETITIONS

Under clause 3 of rule XXVII, the following discharge petition was filed:

Petition 1, March 15, 1995, by Mr. CHAPMAN on H.R. 125, was signed by the following Members: Jim Chapman, Bill K. Brewster, Glen Browder, W.J. (Billy) Tauzin, James A. Hayes, Harold L. Volkmer, Charles Wilson, G.V. (Sonny) Montgomery, Ralph M. Hall, Nathan Deal, Robert E. (Bud) Cramer, and Tom Bevill.