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House of Representatives

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

DESIGNATION OF THE SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
April 6, 1995.

I hereby designate the Honorable BOB INGLIS to act as Speaker pro tempore on this day.

NEWT GINGRICH,
Speaker of the House of Representatives.

PRAYER

The Reverend Tim Bunn, Karcher Church of the Nazarene, Nampa, ID, offered the following prayer:

Father, today we pause to recognize that You are sovereign and there is no other God before You. Lord, we pray that Your will may be done as Your Son requested it may ''* * * on earth as it is in heaven.'' We know that for His prayer to be answered requires our obedience and service to You.

Heavenly Father, I pray specifically for the representatives of the people of the United States of America. Lord, as they represent rich and poor, ghetto and mansion, farm and factory, may their actions be motivated by the desire to serve others.

Theirs, Lord, is a task greater than human wisdom can answer; therefore we call on You recognizing Your sufficiency when our resources are inadequate.

Father, we pray for peace and justice in our homes, our Nation, and our world. We invite You to use us to create it. We pray that You will heal our land where we are damaged and bless our lives with Your presence.

Father, we love You and praise You in the name of Your Son Jesus who suffered in our place. Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. The gentleman from Ohio [Mr. TRAFICANT] will lead the House of Representatives in the Pledge of Allegiance.

Mr. TRAFICANT led the Pledge of Allegiance as follows:

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

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on 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.''

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. At this point, the Chair will entertain 20 1-minutes on both sides, starting with the gentleman from Oregon [Mr. BUNN], the sponsor of the guest Chaplain.

WELCOME TO THE REVEREND TIM BUNN

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

Mr. BUNN of Oregon. Mr. Speaker, I want to take this opportunity to welcome and thank my brother, Tim Bunn, who is a pastor from Karcher Church of the Nazarene, who offered our prayer this morning.

As we conclude our 100 days and look forward, we have and will continue to work on legislation that will strengthen families. We also want to encourage the volunteer spirit. We all know that it is not government that fosters or encourages the volunteer spirit or strengthens families, it is the individual.

And my brother Tim is an example of someone who has worked since college in missionary work. He has been a volunteer in disaster relief, and one of the most important things is working as a counselor trying to keep families together, which is really one of the crucial things we are all about.

I just wanted to take the opportunity to thank him for being with us today, to say I am proud he is my brother, and to welcome him to Congress.

PATCH UP THE CONTRACT

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

Mr. GUTIERREZ. Mr. Speaker, over the past 100 days, Mr. GINGRICH has had his fun taking out his hole puncher and putting a few holes in his copy of the Contract With America.

Well, I never saw what the big deal was.

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The way I see it, that contract was already full of holes.

Remember the Republican tax plan or their balanced budget amendment? Right where you thought they would tell you how to pay for it, there was a big, gaping hole.

And they had special kinds of holes for different people.

If you are a working family, trying to raise your kids, there is a sinkhole for your wages to fall into, but if you are looking for a capital gains cut, there is a nice loophole for you.

And you know those blackholes in outer space, those things that stuff gets sucked into and nothing comes out of? It turns out you do not need the Hubble telescope to see them.

Because the Republicans' cuts in home heating assistance for the elderly and child nutrition for the country's babies are a blackhole that is going to pull people into poverty and pain where they will never be heard from again.

So, Mr. Speaker, instead of getting a hole puncher, you should have used something to patch up the holes that were already in your contract from day one.

REPUBLICAN CONTRACT WITH AMERICA

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

Mr. RIGGS. 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; common sense legal reform to end frivolous lawsuits—we kept our promise; welfare reform to encourage work, not dependence—we kept our promise; congressional term limits to make Congress a citizen legislature—we kept our promise; family reinforcement, tax cuts for middle-income families, and the Senior Citizens' Equity Act to allow our seniors to work without Government penalty—we kept our promise.

Mr. Speaker, this is the Republican Contract With America.

IRS AND THE BURDEN OF PROOF

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

Mr. TRAFICANT. Mr. Speaker, the IRS actually had the gall to tell Congress, ''If you change the burden of proof in a tax case, you will destroy our voluntary-compliance program.'' Right. Some kind of voluntary. Who is kidding whom?

If you do not voluntarily pay your voluntary taxes, the IRS will come in and voluntarily take your parakeet, your beagle, your golf clubs, your wife, your rubber ducky. Beam me up here. Voluntary?

Ladies and gentlemen, are they smoking dope around here or what?

My bill will say you have to substantiate your tax form, but when you go to court, you will be treated like an American citizen, innocent until proven guilty.

Voluntary? My assets.

WHAT ABOUT FOREIGN AID?

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

Mr. FUNDERBURK. Mr. Speaker, the first 100 days of the 104th Congress are over. We passed 9 of the 10 items in the Contract With America. The new majority set our country on a new course. But we did not go far enough. While we are at home for Easter, the Mexican dictatorship and New York City financiers will be raking in billions of American dollars and the lords in the Kremlin will be soaking up foreign aid while their planes ravage Chechnya and their scientists provide the Ayatollahs with nuclear reactors.

Mr. Speaker, we desperately need a reality check. How can we seriously debate the future of student loans and farm programs while the State Department and the World Bank dispense billions of our dollars without the Congress saying one word? The $20 billion handout to Mexico City is 20 times the value of the yearly tobacco crop in North Carolina. Is it not tragic that Bill Clinton and his establishment friends in Congress will drag hard-working tobacco farmers in my district through the wringer and give Mexican thugs and Russian autocrats billions of our money with a wink and a nod?

Mr. Speaker, if last November really was a revolution we had better come back here in May and cut off the foreign aid monster at its knees or the American people will put us out in the street.

TAX FAIRNESS

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

Mr. VOLKMER. Mr. Speaker, Members of the House, today is the 92d day of the imperial speakership.

You know, yesterday afternoon, discussing with one of the Gingrich Republicans about their tax bill, I advised them that I did not plan to vote for that tax bill. I planned to vote against it. He says, ''You must be brave to be able to go back to your district after voting against such a great tax bill.''

Well, in the first place, I said, ''I don't think that is a great tax bill. Second thing, it has no tax fairness in it. It doesn't lead to deficit reduction, but it explodes the deficit in out years.''

I advised that Gingrich Republican I was going to vote for the Gephardt tax bill which limited the $500 child credit to those earning $95,000, not $200,000. You know, in my district, the Ninth District in Missouri, middle income is not $200,000. I do not have very many people earning $200,000. Yet the Gingrich Republican says $200,000 are middle income. They say that corporations should not have to pay any taxes here in the United States.

I say corporations should pay their fair taxes.

I voted for a tax fairness yesterday.

PROUD TO BE A PART OF THE CONTRACT WITH AMERICA

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

Mr. TIAHRT. Mr. Speaker, today is a great day on the Potomac.

This is the Contract With America, and even though a New York newspaper tells us only 38 percent of the people know what the Contract With America is, all of them know what a balanced-budget amendment is, all of them know what a real crime package is that punishes criminals instead of giving them dance lessons, all of them know what welfare reform is, and on down the line including the tax-relief package passed last night that restores hope to people with families, gives them a break, because we believe that people who have children know better how to spend that money on their children than the Federal Government does here in the beltway.

So we are very pleased to be part of this Contract With America, to see all 10 pieces passed as promised. It will be the first Congress to say we are going to do something during a campaign and then actually do it when they get to Washington.

I am very proud to restore hope to the next generation and to this generation, to be a part of this Congress and pass the Contract With America.

CONGRESS MUST BE TOLD WHAT IS IN LEGISLATION

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

Mrs. SCHROEDER. Mr. Speaker, I stand in this well to admit that I was wrong, and I must correct my remarks. I have been here several times protesting the $63 million that we heard Rupert Murdoch got slipped into the bill that was to give relief to middle Americans on their health care coverage. Well, I find out it is not $63 million, it is more like $38 million.

But I am still just as outraged that he would get this $38 million rebate on the backs of the middle class.

I do not know what we can do at the end to correct this. We have introduced bills. We have tried to bring it to the floor, and today I am introducing one more bill that says in the future when this process is used to slip something in that this body never considered nor knew was in there, we must be told. I think it is unbelievable these kinds of games are going on, and I think the American public expects a whole lot more from us.

I think we are here to protect them and not to line the pockets of fat cats.

CLARIFICATION OF THE MURDOCH CONTRACT

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

Mr. LINDER. Mr. Speaker, when such information as you have just heard is presented to the House floor, it needs to be responded to.

The fact of the matter is this: Mr. Murdoch was selling a property to the Tribune Co. headed by Quincy Jones, a black entrepreneur. Mr. Murdoch had two contracts for that property, one to be sold at this amount and one to be sold at another amount if he got a Treasury certificate.

The beneficiary of the Treasury certificate was the Quincy Jones operation, which would have received that property at less than the amount equal to the Treasury certificates. Mr. Murdoch was going to get precisely the same amount whether or not the certificates were ordered.

In the other body, the gentlewoman from Illinois argued that we should open the timeframe for the certificates to be allowed, and she amended the contract to open the timeframe to extend it.

The Senate insisted on her position. The House could not get her to remove her position, and so Quincy Jones is going to be the beneficiary of the $38 million or $65 million, whichever the amount is.

LEFT WANTING BY THE CONTRACT WITH AMERICA

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

Mr. KLINK. Mr. Speaker, let me get this contract correct. If I am a child and I happened to be born to a mother who is of the wrong age or who has been on assistance for too long, then the Contract With America leaves me wanting just because of the circumstances surrounding my birth. If I am a child and my mother would happened to depend on WIC, that money is now going to be block-granted, and 20 percent of it can be used for other things. The same thing for school lunch, if I am dependent upon school lunches, we are now going to have 50 laboratories across this country where people will be able to take as much of that money out, 20 percent of it, and use it for paving highways and for doing all sorts of other things.

If I survive all of that under the Contract With America, Mr. Speaker, let me understand this, if I get to be 14 or 15 years old, and I want to learn the work ethic, I want a summer job, the Contract With America leaves me with no summer job and no opportunity to rebuild my community.

Let me understand that also, Mr. Speaker, that then if I want to go to college and get the same kind of federally backed loans that the Speaker and the majority leader had, now again, I am going to be left wanting by the Contract With America.

□ 1015

GET GOVERNMENT OUT OF MY LIFE

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

Mr. NORWOOD. Mr. Speaker, I ran for this office because I saw a government out of control, I see a Congress who clearly did not understand, and this morning I see additional Members of Congress who do not understand. Like the people of the 10th District of Georgia, I want a government to protect our borders and help maintain order, but otherwise I want government out of my life, out of my business and, most especially out of my pocket.

Mr. Speaker, in these first 100 days, we have made significant steps forward. We have cut Government regulation and cut taxes to return more of the fruits of labor back to workers who earn them. I can tell we are making progress because the liberal Democrats are whining loud and the bureaucrats are running scared.

There is still a long way to go. Balancing the budget will not be easy. But to the people back home, I say we can take back this great Nation of ours from the people who think that government knows best; stay involved; stay with us; we will take this country back.

FURTHER EXPLANATION TO CORRECT THE RECORD

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

Mr. OBEY. Mr. Speaker, I yield to the gentlewoman from Colorado.

Mrs. SCHROEDER. I am very grateful to the gentleman from Wisconsin for yielding.

I want to point out and correct the record again: First of all, it does not pass the straight-face test that one Senator of the minority party could force this entire House to yield to something the House never considered or the conferees on her side. There were 17 of these deals—18 of these deals—and this is the only one that stood. I cannot believe that one Senator has ever had that kind of power.

Second, I want to point out that this $38 million revenue does go back to the sellor. The idea of this was to give the sellors benefits if they sold to minority owners. And the idea has been, we all were going to do away with those, going to do away with all of those.

We found we did away with all of them except the one, and that owner happens to be Rupert Murdoch. He gets the benefit of this.

So let us make the record perfectly clear.

I thank the gentleman for yielding.

INTRODUCTION OF PROSTATE CANCER DIAGNOSIS AND TREATMENT ACT OF 1995

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

Mr. FIELDS of Texas. Mr. Speaker, today I am introducing the Prostate Cancer Diagnosis and Treatment Act of 1995 in the hopes that we will finally do something to effectively battle prostate cancer. Prostate cancer is one of the deadliest forms of cancer for men—and yet, as men, we seem almost afraid to talk about it. More than 215,000 American men will be diagnosed with prostate cancer this year and more than 40,000 men will die from it. It is the most common form of cancer among men and the second leading cancer killer.

If you look around this Chamber—about every third male over age 50 probably already has prostate cancer in some form and does not know it; roughly one-quarter of those who are stricken, will get a life-threatening form of the disease. Most people find out about their prostate cancer too late, even though the cancer can be detected with a simple, inexpensive blood test—the P.S.A. test. This test is the most effective cancer screening marker there is; it can spot prostate cancer accurately 5 years or more before it presents a serious health problem. The American Cancer Society and several other groups recommend that everyone over age 50 get this test once a year, and General Schwarzkopf, a man who has undergone prostate surgery, said the test saved his life. Nevertheless, Medicare and veterans' health programs do not pay for this, so most of the 13 million Medicare men and a few million older veterans are not getting the care they need for early detection. My bill would fix that hole.

Finally, the budget for prostate cancer research is a pittance compared to what we are spending on other cancer research. Studies needed to identify the most effective treatment are either not being done, or will not be completed for several years. My bill would

increase the research effort by diverting more research dollars to prostate cancer.

We must end the public embarrassment about a disease that has already taken the lives of several of our colleagues and that will affect many more of us in the future. We need to make men more aware of what this disease can do and what they must do to protect themselves. I believe my bill can help point us in the right direction, and I urge my colleagues to cosponsor this legislation.

PROPOSED CUTS TO STUDENT FINANCIAL AID

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

Mr. BALDACCI. Mr. Speaker, I am deeply concerned about the cuts to student financial aid that have been proposed by our Republican colleagues. It would seem that I am not alone in my concerns.

I have received letters from hundreds of Maine college students and their families. Each letter tells a poignant story of what Federal financial aid means to that family.

One student wrote to tell me that he was the first person in his family to go to college. His parents work hard, but the family still struggles to make ends meet. He dreams of finishing his bachelor's degree, perhaps going on to obtain further education, and then securing a well-paying job so that he can support himself and help his parents out.

But without Federal financial aid, he will not be able to even finish his undergraduate studies.

In our zeal to provide tax cuts for the well-off, we must not forget about those who will come next. We must continue to ensure that bright, motivated, hard-working young Americans have the opportunity to better themselves through higher education. We must continue to invest in the future of our Nation by continuing to provide student financial aid.

THE CONSEQUENCES OF BIGGER GOVERNMENT

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

Mr. HAYWORTH. Mr. Speaker, for the last generation the governing principle here in Washington, especially here in the Congress, was always, above all, make government bigger. We now see the consequences of this ridiculous principle, almost $5 trillion national debt, bloated, inefficient government, failed welfare state, obsessive regulation, and some of the highest taxes in history.

Mr. Speaker, the liberal Democrat leadership claims that we Republicans misread the message of last November. They claim Americans really do not want a tax cut, they do not want term limits, they really do not want to balance the budget. But, Mr. Speaker, it is the liberal Democrats who have misread the message of last November, because, you see, the Contract With America is not about Republicans, it is about the American people. The American people want an end to the out-of-control growth of a Federal Government, they want safer neighborhoods, they want lower taxes, they want a secure future for their children. That is what our contract is all about.

It is not really all that complicated. The new governing principle in this Nation is not what benefits the Government but what benefits the American people.

THE DEFICIT EXPLOSION ACT

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

Mr. DOGGETT. Mr. Speaker, on the path to approve the Deficit Explosion Act last night, otherwise known as the campaign tax cut bill, the Gingrichites hit a roadblock. How they dealt with that roadblock was significant implications for the future of this Congress and this country.

You will recall that on day one a rule was approved here requiring a three-fifths' vote for a tax hike. In all the talk of capital gains tax reduction yesterday, overlooked was the fact that the capital gains taxes were actually raised from 14 percent to 19 percent for many small companies in this country.

How was that dealt with when it came time to apply the three-fifths' vote requirement? It was dodged, it was hedged. Instead they turned to the captive consultants of the Joint Tax Committee, who told us that we did not need a three-fifths vote because the basis for this conclusion relates generally to the fact that this provision would be inoperative as it relates to current law after the enactment of the pending legislation.

Meaningless gobbledygook. If you strike a provision in one place and add another, it is not a tax increase? Well, taxpayer protection bit the dust last night.

CONTRACT WITH AMERICA: WE KEPT OUR PROMISE

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

Mr. SAXTON. Mr. Speaker, it is simple; 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—we kept our promise; congressional term limits to make Congress a citizen legislature—we kept our pomise.

And finally, the Contract With America Tax Fairness and Deficit Reduction Act, including tax cuts for middle-income families, and the Senior Citizens' Equity Act to allow our seniors to work without Government penalty—we kept our promise.

This is the Contract With America.

WE SHOULD NOT IGNORE OUR OWN RULES

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

Mr. JOHNSTON of Florida. Mr. Speaker, I was very disappointed that we undermined our own rules and procedures to assure the passage of the tax bill. As my colleagues know, and as it was explained just now by the gentleman from Texas [Mr. DOGGETT] there was a substantial increase. In 20 years in the State legislature and in Congress, I have never voted against the ruling of the Chair. In fact earlier this year I supported Speaker GINGRICH in the resolution on Mexico against my own colleague, the gentleman from Mississippi [Mr. TAYLOR]. But in this instance I was forced to vote against the Chair.

While I sincerely compliment the gentleman from California who chaired during this and was very fair-minded throughout, I do fault those Members who advised him from the floor to totally ignore our rules which were only 3 months ago adopted.

Our rules are the glue that hold this body together under the best and most adverse conditions. If we ignore them intentionally, we not only act with intellectual dishonesty but we invite anarchy.

ITEMS CONTAINED IN THE MINORITY LEADER'S MOTION TO RECOMMIT

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

Mr. HOKE. Mr. Speaker, last night when the minority leader presented his

motion to the House to recommit, he said the following, and I quote:

This motion to recommit is very simple. It does four simple things.

When I read the 16-page motion, I found out it included more like 40 than 4 changes. For example, it eliminates the marriage penalty, it eliminates the American dream savings account, it eliminates the spousal IRA. It eliminates the child tax credit completely in the first year and then reduces it to $100. It changes it from a $200,000 ceiling to a $60,000 ceiling which was called $95,000.

It eliminates the tax on Social Security benefits, the tax preference for long-term insurance, the accelerated death benefits and long-term care benefits, it eliminates the capital gains tax reduction, it eliminates the neutral cost recovery provisions, it eliminates the repeal of the alternative minimum tax, it eliminates the increase in the social security earnings test.

My question to the minority leader is I would like to give him the opportunity to explain why, what the disconnect is here when we were told this was a 4-point change when in fact it really completely and totally changed the bill.

WGOP RADIO

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

Ms. DELAURO. Mr. Speaker, it's nothing new for politicians to use the power of radio to send a message, but it appears that Republicans in this body are hoping to start their own station. WGOP radio—playing all the greatest hits from the 1980's, 24 hours a day.

For the last 100 days we have been listening to the Republican Party's greatest hits compilation, entitled the ''Contract With America.'' It includes an array of golden oldies from the grand ole party. Among the easy listening favorites are the crowd pleasing, tax-cut fever, the cold war favorite, the theme from Star Wars. And, finally, that fairy tale put to music, puff the magic budget.

Tax cuts for the wealthy, runaway military spending, and empty promises for a balanced budget—these familiar tunes have been playing 'round the clock on WGOP.

Mr. Speaker, Republicans are hoping to find a new audience for these old songs, but the American people do not think that skyrocketing deficits and tax breaks for the wealthy and billionaires being able to renounce there citizenship so they can get a tax evasion, they do not think these are anything to sing about. And, Mr. Speaker, they are going to change the station.

REPUBLICANS' PLEDGE TO THE AMERICAN PEOPLE: PROMISES MADE, PROMISES KEPT

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

Mr. CHRISTENSEN. Mr. Speaker, last September 27, Republican incumbents and candidates stood on the Capitol steps and made a pledge to the American people. We promised to bring to the floor legislation that had been blocked by the Democrat-controlled Congress for years. Congressional reform, welfare reform, tax breaks, term limits, regulatory reform, legal reform.

Mr. Speaker, I stand here today to say that we kept our promise. A new day has dawned in America. We have proved to the people that politicians can keep a promise. The Republican majority is working hard to recapture the long-lost trust the American people used to have in their elected officials. And I am proud to be a part of this healing process.

Mr. Speaker, it is as simple as this—promises made, promises kept. This is what the Republicans are all about.

WEALTHY AMERICANS GAIN MORE THAN THEY PAY

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

Mr. KEVIN. Mr. Speaker, a central issue yesterday was what is the impact of the bill on various income groupings. The gentleman who heads the Committee on Ways and Means yesterday said that wealthy Americans will pay a slightly higher portion of the Nation's total tax bill.

True. But that is because 1 percent of all taxpayers will have an income increase in the year 2000 of $47 billion if this bill ever was enacted.

□ 1030

So their share of taxes goes up slightly because their share of wealth goes up tremendously.

I now just want to say a word about ethnic slurs in this country. A slur on any part of America is a slur on all of America. People should not be excused for outrageous statements because they are outrageous on many other occasions. A gentleman in the other body owes everyone in America an apology.

LAST NIGHT'S MOTION TO RECOMMIT WAS DECEPTIVE

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

Mr. CASTLE. Mr. Speaker, I would like to follow up on the gentleman from Ohio [Mr. HOKE] with respect to the motion to recommit last night. This was presented, it is a 10-minute debate, then we vote on it, and that could become part of the legislation. It was presented in such a way that it was very appealing to some of us who had some concerns about certain aspects of the tax bill. We found out in the middle of all this that it was 16 pages. We went over, and we researched it, and in a short period of time we learned exactly what the gentleman from Ohio has represented here today, and that is that it basically gutted all aspects of the tax bill. It did much more than the four things which were on the placard here. I do not know why this happened in this particular way; that is to be answered some other day in some other way.

But the bottom line was it was a deceptive approach to how that motion to recommit was handled. Maybe we have problems with motions to recommit, maybe they need to be filed sooner, maybe we need to have a longer time in order to digest them, but certainly we should not be in a situation in which deception is being practiced in this building.

I put into the RECORD last night in a 5-minute appearance all the mistakes that were presented on the floor and the correct version of what was actually in that 16-page motion to recommit. From now on I hope we can pay more attention to this particular problem.

REPUBLICANS' CONTRACT IS DAMAGING AMERICA

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

Mr. GEJDENSON. Mr. Speaker, the Republican contract may have good titles, but it is bad policy. Its policy is just too extreme for America. What we end up doing is cutting taxes for the top 1 percent while we take away educational opportunity for average and middle class kids.

What does that do to this country? It does not just hurt the children. It hurts the future of our country and its competitiveness. What do they try to do on drug treatment during the crime bill? A great title; they cut the funding for drug rehabilitation.

The Republican contract is too extreme. Its impact on the deficit is that it will explode it. Its impact on the economy of the country is that it will retard it, it will leave us less competitive as a nation, it will increase unemployment and, in the end, further add to the deficit.

Mr. Speaker, maybe we have got great rhetoric on the Republican side and good titles, but it is bad policy, it is too extreme, and it is damaging America.

THE REPUBLICAN MAJORITY HAS KEPT ITS PROMISES

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

Mr. LONGLEY. Mr. Speaker, the bitter defenders of the old order have spent a lot of time complaining, even whining, about the legislation in our Contract With America. But they seem to have forgotten that since January 4, our legislation has continuously received bipartisan support—in fact, the average vote for contract legislation in the House has been 332 to 96. On an average, over 100 Democrats have voted ''yes'' on the Contract With America.

Mr. Speaker, I have faith that the American people are going to look past all the distortions and rhetoric and see that the Republican majority has kept the promises we made, and we will continue to work hard to change Washington—to make the Federal Government smaller, less costly, less intrusive, and more efficient for the American people. It truly is a new day here in Washington, DC.

IS THEIR CONTRACT GOOD FOR AMERICA? NO

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

Mr. WILLIAMS. Mr. Speaker, my colleagues, I think the Republicans indeed do deserve recognition. They said they would bring the contract to the floor of this House and attempt to pass it, and indeed they did, and I think that the Democrats and Americans have to recognize them for that. But the real question for all Americans is:

''What's in the contract? What did they pass?''

Mr. Speaker, I think much of what was in the contract is, by definition, extremism. For example, one element to the contract which passed this House with Republican votes allows the Government to break down our doors, search our homes without a search warrant. One element of the contract allows illegal immigrants who commit crimes in this country and are convicted of a felony not to go to prison in America, but to be sent back home to their own country, presumably so they can reenter illegally here.

Mr. Speaker, last night we passed another element of the contract which takes America back to trickle-down economics, a pittance for middle-income people, huge tax breaks for the wealthy.

Did they pass he contract?

Yes.

Is he contract good for America?

No, it is extremism.

CONTRACT AND TAXES

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

Mr. KNOLLENBERG. Mr. Speaker, yesterday the Republican Party passed the last hurdle in the Contract With America by passing our tax reduction package.

We provide families a $500 per child tax credit, we slash the capital gains tax rate, repeal the Clinton tax increase on Social Security benefits, double an investment deduction for small businesses, provide a tax credit to families who adopt children, and create the American dream savings account to encourage saving.

In the last 92 days we kept our word with the American people. We changed Washington and we have worked hard to preserve the American Dream for America's children. The contract is only the first step, however, toward moving power and money out of Washington and returning it to the people. Henry Ford said that, ''What's right about America is that although we have a mess of problems, we have great capacity—intellectual and resources—to do something about them.''

I am proud to say that this new Congress is changing America and helping to restore its greatness.

REPUBLICAN EXTREMISTS HAVE GONE TOO FAR

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

Mr. BROWN of Ohio. Mr. Speaker, the last 2 weeks have seen the most disturbing developments of the Republican Contract on America, the worst example of Republican extremists simply going too far. Thirty-five million dollars in tax breaks for Australian-born Rupert Murdoch, $3.6 billion for American billionaires that have renounced their citizenship, $3.6 billion in tax cuts, tax cuts for people making $200,000 a year and calling them middle class taxpayers, and the elimination of a major corporate tax, all at the same time while cutting school lunches for America's school children, while cutting student loans for America's middle class families, while cutting the Summer Jobs Program.

Let me make sure I understand this. We have Rupert Murdoch, a billionaire from Australia, becoming an American citizen so he can buy Fox network, buy a big book publishing house and negotiate book deals with American politicians. Then we have a bunch of American billionaires renouncing their U.S. citizenship so they can get a tax break,

Mr. Speaker, in the last 3 months Republican extremists have gone too far.

H.R. 1258 TO ENHANCE SMALL BUSINESS OPPORTUNITIES

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

Mr. FLAKE. Last week, Mr. Speaker, I introduced legislation to enhance funding opportunities to America's small businesses. H.R. 1258, the Small Business Capital Access Act of 1995, is designed to raise the lending cap from $500,000 to $750,000 for the Small Business Administration's [SBA] 7(a) Loan Program. H.R. 1258, with significant support from lending institutions, accomplishes the goal of raising the lending limits of the program without further Federal expenditure.

Mr. Speaker, raising the lending limits of the 7(a) Program, the Federal Government is demonstrating its commitment to fostering small business growth by enabling them to more easily overcome startup impediments. These impediments are often a result of undercapitalization. The $250,000 increase is accomplished without greater financial exposure to the taxpayer. This is made possible by lowering the Federal subsidy to lenders who participate in the SBA program and reprogramming those funds to guarantee a significant portion of those higher-capped loans. The SBA currently extends a 2.74-percent subsidy for 7(a) loans in fiscal year 1995. My proposal lowers the subsidy to 1.65-percent, thereby allowing more funds to actually guarantee 7(a) loans.

Mr. Speaker, I urge all of my colleagues to please join with me in supporting H.R. 1258 so we can rebuild America through the small business sector.

LAST NIGHT'S TAX-CUT BILL CUTS $5 BILLION FROM CRIME TRUST FUND

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

Mr. STUPAK. Mr. Speaker, even though I am a Democrat, I must say congratulations to my friends, the Republicans on this side of the aisle, for passing a Contract on America. They showed a lot of discipline in doing so, I say, ''Congratulations,'' but, being a former police officer, as I was for 13 years, I say, ''I admire the discipline you showed on the contract, but please use that discipline when you now try to pay for your contract.''

As my colleagues know, the tax cut bill that was passed last night, in there they took $5 billion from the crime trust fund to start paying for these cuts. That $30 billion in the crime trust fund is going to pay for more prisons, is going to pay for local grants back to our districts.

I say to my colleagues, ''You've already reneged on your first promise. You've cut $5 billion out of the crime trust fund to start paying for this new tax bill that you put forth, so what I ask you to do in your disciplined ways is quit spending the same money over, and over, and over again. Don't go back to your good old days of spend, spend, spend without the money being there.''

So, again, congratulations, but let us be cautious on how we are spending that money three times over.

ABOUT LAST NIGHT

(Mr. LEWIS of Georgia asked and was given permission to address the House

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

Mr. LEWIS of Georgia. Mr. Speaker, NEWT GINGRICH put the crown jewel on his contract last night. And if you earn over $200,000 a year, it is a crown jewel indeed. But if you earn $20,000 or $30,000 or $40,000 a year, you were sold fool's gold—costume jewelery.

Under the Republican plan passed under the cover of darkness, if you earn $200,000 a year you will get a tax break of over $11,000. Those earning over $350,000 will get $20,000—more than some working families earn in a year.

But if you earn $20,000 or $30,000 you will get a meager $25 a month. You can see why NEWT GINGRICH calls this plan a jewel—it is precious to the rich.

The Republicans say they can cut taxes without increasing the deficit. We tried that once before in the 1980's. We are still trying to dig, our way out of the huge record deficits it created.

Mr. Speaker, the Republicans are robbing poor Peter to pay Paul. The American people know better. For shame, Mr. Speaker, for shame.

THE BEST TIME TO CUT TAXES

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

Mr. HANCOCK. Mr. Speaker, as my colleagues know, we keep talking about what we tried in 1980–81 to cut taxes. Only difference is we got a Republican Congress now that is going to cut the spending, too, so that will take care of that.

As my colleagues know, the argument over the last several days has been that there is not a good time to cut taxes. Every place we hear this is not a good time to cut taxes. We got full employment, practically full employment, we have got the production facilities in the United States operating at capacity; now is not a good time to cut taxes.

I am going to ask the question of the other side of the aisle over here, ''When is a good time to cut taxes?''

Mr. Speaker, I say to my colleagues, ''Now you can't cut taxes when the economy is down; that is true, as my colleagues know, because we got to pump it up, we have got to take tax money and generate the economy.'' So they are also saying that it is not a good time to cut taxes when the economy is doing well. So my question is:

''When is a good time to cut taxes?''

I can tell my colleagues when it is. Down in southwest Missouri, down in the hill country, we used to be a major apple producing area. At that time the question was when was the best time to prune the trees. I tell my colleagues, ''The best time to prune the trees is when you got a sharp knife. The best time to cut taxes is whenever you can get it done.''

SUMMER YOUTH EMPLOYMENT PROGRAM

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

Mr. OWENS. Mr. Speaker, I am disappointed that the Senate has not restored the Summer Youth Employment Program in the rescissions package. The rescissions package zeroed out the Summer Youth Employment Program, a very vitally needed program across the Nation in both rural and urban communities. Thirty-two thousand youngsters, teenagers, were employed last summer in the New York City Summer Youth Program.

□ 1045

I am disappointed in the Senate, but I am shocked at the rumor I hear that the President will support this package and not veto it. If the President does not veto this package, it is an abandonment of the youth in our cities. We are going to restore money for national service. At the same time, you are going to leave the zero out for the Summer Youth Employment Program. That is unfair to any national service components that are going to go into our cities. To go into our cities and not have the youth there employed when they get there, they are going to find a hostile environment, I assure you.

I appeal to the President. He should demand the restoration of the Summer Youth Employment Program or veto the bill. Please do not abandoned the poorest teenagers in America.

TAX CUT IS A MIDDLE INCOME, WORKING AMERICAN, JOB CREATION PROGRAM

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

Mr. DREIER. Mr. Speaker, over the past several weeks through this debate on taxes we have been listening to little more than class warfare, the ''us versus them'' mentality, pitting one segment of society against another. When one looks closely at what we call the crown jewel, there should be a realization that those people who are in the upper 10 percent of wage earners in this country actually shoulder 60 percent of the Federal tax burden. We also should recognize that the tax cut that is going to take place is much greater for those earning between $30,000 and $75,000 a year. It is actually 4.4 percent. Those who are earning over $200,000 a year get only a 2.9-percent cut. And the $500 per child tax credit, 90 percent of that will be going to families with incomes of less than $100,000 a year.

We need to realize that this is a program for middle income, working families, and it has some incentives to create more job opportunities for those who are struggling to find greater opportunity. Remember, 4.7 million Americans are completely taken off the tax rolls because of that $500 per child tax credit.

APOLOGY DUE AMERICANS OF JAPANESE ANCESTRY

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

Mr. ABERCROMBIE. Mr. Speaker, 50 years ago this year Senator DANIEL INOUYE was fighting to liberate Italy from Nazi oppression. He lost his arm and almost his life, as did many other American soldiers of Japanese ancestry.

What a savage irony it is that Senator INOUYE and other veterans of the 442d and the 100th Battalions have to listen to the kind of mockery that was displayed on the 50th anniversary of the defeat of nazism by Senator ALFONSE D'AMATO.

I trust that Senator D'AMATO will display some sense of shame. I would like to believe it was an anomaly, that it was something that was spontaneous and not well thought out. I would like to think that Senator D'AMATO would have the common courtesy, as well as a sense of shame, to let Senator INOUYE and all Americans of Japanese ancestry know that he apologizes.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. INGLIS of South Carolina). The Chair would remind Members that references to the other body and individuals in the other body should be avoided.

INTRODUCTION OF BLACKSTONE RIVER VALLEY NATIONAL HERITAGE CORRIDOR ACT OF 1995

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

Mr. NEAL of Massachusetts. Mr. Speaker, today I am joining my colleagues, Mr. BLUTE, Mr. PATRICK KENNEDY and Mr. REED, in introducing a bill that would revise the boundaries and extend the life of the Blackstone River Valley National Heritage Corridor in Massachusetts and Rhode Island.

This region, which is the birthplace of the American Industrial Revolution, was established by Congress as a national heritage area in 1986 and has proven to be a successful Federal investment. This legislation will build upon the outstanding record of historic preservation and tourism development that the Blackstone Valley has enjoyed during the past 10 years.

Expanding the boundaries of the corridor to include Worcester, MA, New England's second largest city, and four other communities will enhance the opportunities for the Corridor Commission to solicit funds from private

groups to accompany those provided by the Federal Government. This partnership between the public and private sector will serve as a model for our country, by preserving a region without draining the public's pocketbook.

I am proud to join with my colleagues from the region in this bipartisan effort to preserve the Blackstone River Valley. Working together we can help to ensure that this area, which is so rich in history, will be around for future generations to experience and enjoy.

COMMUNICATION FROM THE HONORABLE BOB FRANKS, MEMBER OF CONGRESS FROM THE STATE OF NEW JERSEY

The SPEAKER pro tempore laid before the House the following communications from the Honorable BOB FRANKS, a Member of Congress from the State of New Jersey:

APRIL 5, 1995.

Hon. NEWT GINGRICH,
Speaker, U.S. House of Representatives, Washington, DC.

DEAR MR. SPEAKER: This is to formally notify you pursuant to Rule L (50) of the Rules of the House that my office has received a subpoena issued by the Municipal Court of Manville, New Jersey.

After consultation with the General Counsel, I have determined that compliance with the subpoena is not consistent with the privileges and precedents of the House.

Sincerely,

BOB FRANKS,
Congressman.

CONFERENCE REPORT ON H.R. 889, EMERGENCY SUPPLEMENTAL APPROPRIATIONS AND RESCISSIONS FOR FISCAL YEAR 1995

Mr. DREIER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 129 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES 129

Resolved, That upon adoption of this resolution it shall be in order to consider the conference report to accompany the bill (H.R. 889) making emergency supplemental appropriations and rescissions to preserve and enhance the military readiness of the Department of Defense for the fiscal year ending September 30, 1995, and for other purposes. All points of order against the conference report and against its consideration are waived. The conference report shall be considered as read.

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

Mr. DREIER. Mr. Speaker, for purposes of debate only, I yield the customary 30 minutes to my very good friend, the gentleman from Woodland Hills, CA [Mr. BEILENSON], and, pending that, I yield myself such time as I may consume. All time yielded is for the purpose of debate only.

(Mr. DREIER asked and was given permission to revise and extend his remarks, and include extraneous material.)

Mr. DREIER. Mr. Speaker, this rule responds to a national emergency in defense readiness and training. The rule makes in order for consideration the conference report to accompany the bill H.R. 889, making emergency supplemental appropriations and rescissions to preserve and enhance the military readiness of the Department of Defense for the fiscal year ending September 30, 1995.

The rule waives all points of order against the conference report and its consideration, and the conference report is to be considered as read.

The conference report requires a waiver of the 3-day layover rule. This rule is being waived in order to permit the House to consider this very vital measure as quickly as possible. The Secretary of Defense recommended that this bill be completed by March 31, 1995, and since we failed to do that, we are trying to move as expeditiously as possible to get this done.

Mr. Speaker, yesterday was an historic day in the House of Representatives. The new majority completed the final legislation outlined in our Contract With America. The new majority proved that Congress is finally led by legislators that keep their promises and live up the commitments that they make. The new majority proved that they value families ahead of Government, cutting taxes and ensuring that every dollar returned to the people that earned it comes from reduced Government spending, rather than adding to the deficit. And the new majority made the Washington establishment lash out in anger because we are doing something totally new: cutting taxes, reducing government, and cutting the deficit.

People take note of major accomplishments, Mr. Speaker. They measure Congress by high profile legislation, like the tax relief deficit reduction bill that we passed late last night. However, I believe that it is in the more mundane legislative accomplishments that we can really measure the difference in the House of Representatives between this year and past years. When I use the term ''mundane,'' I do not mean in any way to criticize my very dear friend, the chairman of the Committee on Appropriations.

The conference report on this emergency defense supplemental appropriations bill is proof that we are making a real difference, changing the long-ingrained culture of deficit spending in Congress. For years those of us on this side of the aisle have said that we are committed to fiscal responsibility, that the Federal Government must live within its means. However, I can understand how people would want to see some results before they actually are sure that that is the case.

The Contract With America proved that we keep our promises, and this conference report begins to establish the real record of fiscal responsibility American taxpayers have demanded.

Our $4.7 trillion national debt is so massive it is almost incomprehensive. How did we get there? You can probably get as many reasons as there are Members of Congress. But I know that one reason is that in the past the standard operating procedure for this House, dealing with emergency spending, is to simply add to the deficit.

Well, Mr. Speaker, that era has come to an end. Things have changed. The new leadership has said that we will find offsetting cuts for all supplemental spending. While the big spenders said it could not be done with a $1.5 trillion Federal budget, it can. We are doing it here, and we will do it again with a disaster relief supplemental appropriations bill. In fact, it is now the only way for us to meet emergencies.

Make no mistake, H.R. 889 makes supplemental appropriations of a truly emergency nature. It provides $3.04 billion in readiness funds. Those defense funds are offset with $2.5 billion in defense rescissions, $775 million in nondefense rescissions, and $142 million in foreign assistance rescissions.

Two months ago some said that the House's original nondefense rescissions were going nowhere. They said the Senate would not even consider them. I would note, Mr. Speaker, that instead of failure, the House got much of what it wanted, and this bill cuts $746 million more than it spends. In other words, we are again doing the people's business and making a down payment on balancing the budget.

Mr. Speaker, the real changes in Congress are at least as evident when we send a bill like this to the President as when we cut taxes and cut spending to pay for it. I urge all of my colleagues to support this very fair rule and permit the House to consider this conference report. There is a critical national security need that must be met, and H.R. 889 meets it.

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

Mr. BEILENSON. Mr. Speaker, I thank the gentleman from California for yielding to me. I yield myself such time as I may consume.

Mr. Speaker, over the past few years this country has called on the men and women of our armed services to perform duties ranging from humanitarian assistance in Somalia to all out war in Iraq. These duties were performed superbly and with honor. There is not one of us here today who can feel anything but pride for the job our Armed Forces have done in Africa, the Middle East, the Balkans, or in the Caribbean.

I would like to commend the conferees for their work with regard to the defense side of the conference report. While the increases in defense spending are not fully offset by direct defense cuts, this bill is certainly an improvement over the bill which the House sent to conference just a few weeks ago.

The bill still relies on some nondefense cuts to offset the additional defense spending. Those offsets include cuts of $200 million from environmental cleanup at the Department of Energy sites and $142 million in foreign assistance, as well as major cuts in the technology reinvestment program, the defense conversion grants that have been so important to companies in areas that have experienced significant losses of defense and aerospace jobs.

We would like to raise some additional concerns with a number of other domestic rescissions in the conference report which are not needed to offset defense spending. A few examples of those cuts are $35 million for student loans under the Pell Grant Program, $200 million for training and employment services, and $200 million for clean coal technology.

Also, Mr. Speaker, the conference report effectively places a hold on any endangered species listing and critical habitat designations for the remainder of the year. We believe that the authorizing committee and not the Committee on Appropriations is the proper place to address this far-reaching and very critical issue.

Finally, Mr. Speaker, the rules does not allow separate votes on any of the amendments in disagreement. The conference report contains items which the House has not had the opportunity to consider before today, and we believe, Mr. Speaker, that it is only fair that some of these issues be voted on separately.

Mr. Speaker, even though we have many reservations about the conference report, we support the rule because it is absolutely necessary that we have this bill on the President's desk as soon as possible.

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

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

Mr. DREIER. Mr. Speaker, I would simply urge support of this very important first step toward dealing with the deficit, and at the same time dealing with emergency spending, and again I have to apologize not only to the chairman of the Committee on Appropriations for in any way leading one to believe that this might be a mundane measure, but also the chairman of the Subcommittee on Defense Appropriations, Mr. YOUNG, who has now joined us, and say that I believe this is extraordinarily important. I hope we can immediately report out this rule.

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

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

□ 1100

Mr. LIVINGSTON. Mr. Speaker, pursuant to House Resolution 129, I call up the conference report on the bill (H.R. 889) making emergency supplemental appropriations and rescissions to preserve and enhance the military readiness of the Department of Defense for the fiscal year ending September 30, 1995, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. INGLIS of South Carolina). Pursuant to House Resolution 129, the conference report is considered as having been read.

(For conference report and statement, see proceedings of the House of Wednesday, April 5, 1995, at page H4319.)

The SPEAKER pro tempore. The gentleman from Louisiana [Mr. LIVINGSTON] will be recognized for 30 minutes, and the gentleman from Wisconsin [Mr. OBEY] will be recognized for 30 minutes.

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

GENERAL LEAVE

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

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

There was not objection.

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

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

Mr. LIVINGSTON. Mr. Speaker, I am very pleased to bring to the House what I believe to be an extraordinary—and I say to the gentleman from the Rules Committee [Mr. DREIER], nonmundane conference report to accompany H.R. 889, making emergency supplemental appropriations for the Department of Defense and rescinding additional budget authority.

We need to adopt the conference report so that we can respond quickly to what we all acknowledge is an emergency in funding readiness operations.

First, I want to acknowledge the valiant efforts of the distinguished chairman of the Subcommittee on National Security, the gentleman from Florida, [Mr. YOUNG] and all of the members of that subcommittee, as well as all of the subcommittee chairmen who participated in the conference. They have worked diligently, along with the Members of the other body, to confect this conference agreement and have it ready today before the recess begins.

It was not an easy conference, but I think that everyone worked so hard that we ended up with an extremely valuable product which will not only provide needed assistance and support to the young men and women in uniform in our armed services but ultimately will maintain the national security of this country.

Mr. Speaker, this bill contains $3,041,700,000 in new budget authority for the Department of Defense. All of this budget authority is paid for, mostly from other less critical defense programs. We offset $2,259,956,000 from the Defense Department. We provide $442,014,000 in offsets from defense-related sources, including foreign operations, nuclear facility cleanup, and military construction activities. Also, we include burden-sharing receipts totaling $360 million that provide additional offsets. In total, we have provided a net reduction in defense and defense-related activities of $20,870,000.

The bill also provides other cuts totaling $775,067,000 in nondefense budget rescissions., Taken in total, the bill provides a net budget authority reduction of $746,067,000. Let me repeat that. This bill has a net budget authority reduction of $746 million plus.

I will include for the RECORD a table detailing these specific reductions.

Mr. Speaker, we had a difficult conference on what I had hoped would be a not-too-difficult bill. But I would ask that the Members consider the following points as they consider this conference report:

The bill is more than offset in budget authority, as I have indicated, by nearly three-quarters of $1 billion.

It meets Secretary of Defense Perry's needs to replenish readiness accounts depleted by humanitarian peacekeeping operations.

It also carries the emergency designation for funding that Secretary Perry has requested. And it makes a modest contribution to our readiness needs.

Mr. Speaker, in addition to the appropriations mentioned, the agreement includes language requiring the Secretary of the Treasury to submit reports to the Congress each month concerning our loans and our currency agreements with Mexico.

It also requires that certifications be made by the President to the Congress on that very important issue.

Mr. Speaker, time is of the essence in passing this measure. We need to have this bill clear Congress before we leave for the recess to avoid a major disruption in our readiness activities. Democrats and Republicans alike have worked hard in a bipartisan, bicameral spirit to approve this conference report in time for our departure. I urge all Members to vote for this agreement.

At this point in the RECORD I would also like to insert a table reflecting the details of the conference. It is a very important conference report. Again, I urge its adoption.

FY 1995 EMERGENCY SUPPLEMENTAL APPROPRIATIONS BILL (H.R. 889)

Doc No.		Supplemental Request	House	Senate	Conference	Conference compared with House	Conference compared with Senate
	TITLE I						
	SUPPLEMENTAL APPROPRIATIONS						
	CHAPTER I						
	PART I						
	DEPARTMENT OF DEFENSE - MILITARY						
	Military Personnel						
104-4	Military Personnel, Army	69,300,000	69,300,000	35,400,000	260,700,000	+191,400,000	+225,300,000
104-4	Military Personnel, Navy	49,500,000	49,500,000	49,500,000	183,100,000	+133,600,000	+133,600,000
104-4	Military Personnel, Marine Corps	10,400,000	10,400,000	10,400,000	25,200,000	+14,800,000	+14,800,000
104-4	Military Personnel, Air Force	71,700,000	71,700,000	37,400,000	207,100,000	+135,400,000	+169,700,000
.....	Reserve Personnel, Army	.....	.....	.....	6,500,000	+6,500,000	+6,500,000
104-4	Reserve Personnel, Navy	4,600,000	4,600,000	4,600,000	9,600,000	+5,000,000	+5,000,000
.....	Reserve Personnel, Marine Corps	.....	.....	.....	1,300,000	+1,300,000	+1,300,000
.....	Reserve Personnel, Air Force	.....	.....	.....	2,800,000	+2,800,000	+2,800,000
.....	National Guard Personnel, Army	.....	.....	.....	11,000,000	+11,000,000	+11,000,000
.....	National Guard Personnel, Air Force	.....	.....	.....	5,000,000	+5,000,000	+5,000,000
	Total, Military Personnel	205,500,000	205,500,000	137,300,000	712,300,000	+506,800,000	+575,000,000
	Operation and Maintenance						
104-4	Operation and Maintenance, Army	958,600,000	958,600,000	636,900,000	936,600,000	-22,000,000	+299,700,000
104-4	Operation and Maintenance, Navy	347,600,000	347,600,000	284,100,000	423,700,000	+76,100,000	+139,600,000
104-4	Operation and Maintenance, Marine Corps	38,000,000	38,000,000	27,700,000	33,500,000	-4,500,000	+5,800,000
104-4	Operation and Maintenance, Air Force	888,700,000	888,700,000	785,800,000	852,500,000	-36,200,000	+66,700,000
104-4	Operation and Maintenance, Defense-Wide	43,200,000	43,200,000	43,200,000	46,200,000	+3,000,000	+3,000,000
104-4	Operation and Maintenance, Navy Reserve	6,400,000	6,400,000	6,400,000	15,400,000	+9,000,000	+9,000,000
	Total, Operation and Maintenance	2,282,500,000	2,282,500,000	1,784,100,000	2,307,900,000	+25,400,000	+523,800,000
	Procurement						
104-4	Other Procurement, Army	28,600,000	28,600,000	.....	8,300,000	-20,300,000	+8,300,000
104-4	Other Procurement, Air Force	8,100,000	8,100,000	.....	.....	-8,100,000	.....
	Total, Procurement	36,700,000	36,700,000	.....	8,300,000	-28,400,000	+8,300,000
	Other Department of Defense Programs						
104-4	Defense health program	14,000,000	14,000,000	14,000,000	13,200,000	-800,000	-800,000
	GENERAL PROVISIONS						
104-4	Burdensharing contribution, misc. receipts (sec. 102)	-360,000,000	-360,000,000	.....	-360,000,000	.....	-360,000,000
	Total, Chapter I	2,178,700,000	2,178,700,000	1,935,400,000	2,681,700,000	+503,000,000	+746,300,000
	CHAPTER II						
	PART II						
	RESCINDING CERTAIN BUDGET AUTHORITY						
	DEPARTMENT OF DEFENSE - MILITARY						
	Operation and Maintenance						
.....	Operation and Maintenance, Navy	.....	.....	-16,300,000	-2,000,000	-2,000,000	+14,300,000
.....	Operation and Maintenance, Air Force	.....	-15,000,000	-2,000,000	-2,000,000	+13,000,000	.....
.....	(By transfer)	.....	.....	.....	(23,500,000)	(+23,500,000)	(+23,500,000)
.....	Operation and Maintenance, Defense-Wide	.....	-18,800,000	-90,000,000	-68,800,000	-50,000,000	+21,200,000
.....	Operation and Maintenance, Army Reserve	.....	.....	.....	-6,200,000	-6,200,000	-6,200,000
.....	Operation and Maintenance, Army National Guard	.....	.....	.....	-15,400,000	-15,400,000	-15,400,000
.....	Environmental Restoration, Defense	.....	-150,000,000	-300,000,000	-300,000,000	-150,000,000	.....
.....	Former Soviet Union threat reduction	.....	-80,000,000	.....	-20,000,000	+60,000,000	-20,000,000
	Total, Operation and Maintenance	.....	-263,800,000	-408,300,000	-414,400,000	-150,600,000	-6,100,000
	Procurement						
.....	Aircraft Procurement, Army, 1995	.....	.....	-77,611,000	-34,411,000	-34,411,000	+43,200,000
.....	Procurement of Ammunition, Army, 1993	.....	.....	-85,000,000	-85,000,000	-85,000,000	.....
.....	Procurement of Ammunition, Army 1995	.....	.....	-89,320,000	-55,900,000	-55,900,000	+33,420,000
.....	Other Procurement, Army, 1995	.....	.....	-46,900,000	-32,100,000	-32,100,000	+14,800,000
.....	Shipbuilding and Conversion, Navy, 1995	.....	.....	-26,600,000	.....	.....	+26,600,000
.....	Aircraft Procurement, Air Force, 1993	.....	.....	.....	-100,000,000	-100,000,000	-100,000,000
.....	Aircraft Procurement, Air Force, 1994	.....	-15,000,000	.....	.....	+15,000,000	.....
.....	Aircraft Procurement, Air Force, 1995	.....	-71,400,000	.....	-27,500,000	+43,900,000	-27,500,000
.....	Missile Procurement, Air Force, 1993	.....	-33,000,000	-33,000,000	-33,000,000	.....	.....
.....	Missile Procurement, Air Force, 1994	.....	-86,200,000	-86,184,000	-99,000,000	-12,800,000	-12,816,000
.....	Missile Procurement, Air Force, 1995	.....	.....	.....	-89,500,000	-89,500,000	-89,500,000
.....	Other Procurement, Air Force, 1995	.....	.....	-6,100,000	-6,100,000	-6,100,000	.....
.....	National Guard and Reserve Equipment	.....	-30,000,000	.....	-30,000,000	.....	-30,000,000
.....	Procurement, Defense-Wide, 1995	.....	.....	-81,000,000	-32,000,000	-32,000,000	+49,000,000
.....	Defense Production Act Purchases	.....	-100,000,000	-100,000,000	-100,000,000	.....	.....
	Total, Procurement	.....	-335,600,000	-631,715,000	-724,511,000	-388,911,000	-92,796,000

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Doc No.		Supplemental Request	House	Senate	Conference	Conference compared with House	Conference compared with Senate
	Research, Development, Test and Evaluation						
.....	Research, Development, Test and Evaluation, Army, 1994	.....	-28,300,000	.....	-5,000,000	+23,300,000	-5,000,000
.....	Research, Development, Test and Evaluation, Army, 1995	.....	-19,700,000	-38,300,000	-43,000,000	-23,300,000	-4,700,000
.....	Research, Development, Test and Evaluation, Navy, 1994	.....	-1,200,000	.....	.....	+1,200,000	.....
.....	Research, Development, Test and Evaluation, Navy, 1995	.....	-58,900,000	-59,600,000	-68,800,000	-9,900,000	-9,200,000
.....	Research, Development, Test and Evaluation, Air Force, 1994	.....	-93,800,000	-81,100,000	-49,600,000	+44,200,000	+31,500,000
.....	Research, Development, Test and Evaluation, Air Force, 1995	.....	-75,800,000	-226,900,000	-191,200,000	-115,400,000	+35,700,000
.....	Research, Development, Test and Evaluation, Defense-Wide, 1994	.....	-77,000,000	-77,000,000	-77,000,000	.....	.....
.....	Research, Development, Test and Evaluation, Defense-Wide, 1995	.....	-491,600,000	-351,000,000	-436,445,000	+55,155,000	-85,445,000
	Total, Research, Development, Test & Evaluation..	.....	-846,300,000	-833,900,000	-871,045,000	-24,745,000	-37,145,000
	RELATED AGENCIES						
	National Security Education Trust Fund:						
.....	Total funding available	.....	(-161,287,000)	.....	(-75,000,000)	(+86,287,000)	(-75,000,000)
.....	Appropriation from trust fund currently unobligated.	.....	-14,500,000	.....	.....	+14,500,000	.....
	Total, Chapter II	.....	-1,460,200,000	-1,873,915,000	-2,009,956,000	-549,756,000	-136,041,000
	PART III						
	ADDITIONAL SUPPLEMENTAL APPROPRIATIONS						
	DEPARTMENT OF DEFENSE - MILITARY						
	Military Personnel						
.....	Military Personnel, Army	.....	75,500,000	.....	.....	-75,500,000	.....
.....	Military Personnel, Navy	.....	68,200,000	.....	.....	-68,200,000	.....
.....	Military Personnel, Marine Corps	.....	3,000,000	.....	.....	-3,000,000	.....
.....	Military Personnel, Air Force	.....	70,400,000	.....	.....	-70,400,000	.....
.....	Reserve Personnel, Army	.....	6,500,000	.....	.....	-6,500,000	.....
.....	Reserve Personnel, Navy	.....	5,000,000	.....	.....	-5,000,000	.....
.....	Reserve Personnel, Marine Corps	.....	1,300,000	.....	.....	-1,300,000	.....
.....	Reserve Personnel, Air Force	.....	2,800,000	.....	.....	-2,800,000	.....
.....	National Guard Personnel, Army	.....	11,000,000	.....	.....	-11,000,000	.....
.....	National Guard Personnel, Air Force	.....	5,000,000	.....	.....	-5,000,000	.....
	Total, Military Personnel	.....	248,700,000	.....	.....	-248,700,000	.....
	Operation and Maintenance						
.....	Operation and Maintenance, Army	.....	133,000,000	.....	.....	-133,000,000	.....
.....	Operation and Maintenance, Navy	.....	107,000,000	.....	.....	-107,000,000	.....
.....	Operation and Maintenance, Marine Corps	.....	46,000,000	.....	.....	-46,000,000	.....
.....	Operation and Maintenance, Air Force	.....	80,400,000	.....	.....	-80,400,000	.....
.....	Operation and Maintenance, Army Reserve	.....	13,000,000	.....	.....	-13,000,000	.....
.....	Operation and Maintenance, Navy Reserve	.....	18,000,000	.....	.....	-18,000,000	.....
.....	Operation and Maintenance, Marine Corps Reserve	.....	1,000,000	.....	.....	-1,000,000	.....
.....	Operation and Maintenance, Air Force Reserve	.....	2,600,000	.....	.....	-2,600,000	.....
.....	Operation and Maintenance, Army National Guard	.....	10,000,000	.....	.....	-10,000,000	.....
.....	Operation and Maintenance, Air National Guard	.....	10,000,000	.....	.....	-10,000,000	.....
	Total, Operation and Maintenance	.....	421,000,000	.....	.....	-421,000,000	.....
	Total, Part III	.....	669,700,000	.....	.....	-669,700,000	.....
	CHAPTER III						
	PART IV						
	GENERAL PROVISIONS						
104-4	Coast Guard operations (sec. 104)	28,297,000	.....	28,297,000	28,297,000	+28,297,000	.....
.....	FFRDC'S/Consultant services (sec. 106)	.....	.....	-100,000,000	-150,000,000	-150,000,000	-50,000,000
	Military Construction (sec. 113):						
.....	Military construction, Army, 1995	.....	.....	.....	-3,500,000	-3,500,000	-3,500,000
.....	Military construction, Navy, 1995	.....	.....	.....	-3,500,000	-3,500,000	-3,500,000
.....	Military construction, Air Force, 1995	.....	.....	.....	-3,500,000	-3,500,000	-3,500,000
.....	Military construction, Naval Reserve, 1992	.....	.....	.....	-25,100,000	-25,100,000	-25,100,000
.....	NATO, 1995	.....	.....	.....	-33,000,000	-33,000,000	-33,000,000
.....	Base realignment & closure account, Part III, 1993..	.....	.....	.....	-32,000,000	-32,000,000	-32,000,000
.....	Research, Development, Test and Evaluation, Air Force (by transfer) (sec. 115)	.....	.....	.....	(76,900,000)	(+76,900,000)	(+76,900,000)
.....	Sec. 8005 transfer authority	.....	.....	(-250,000,000)	.....	.....	(+250,000,000)
.....	Expiring balances, FY 1993, Title III (sec. 117)	.....	.....	.....	-100,000,000	-100,000,000	-100,000,000
	Total, Chapter III	28,297,000	.....	-71,703,000	-322,303,000	-322,303,000	-250,600,000
	Total, Chapters I, II and III	2,206,997,000	1,388,200,000	-10,218,000	349,441,000	-1,038,759,000	+359,659,000

FY 1995 EMERGENCY SUPPLEMENTAL APPROPRIATIONS BILL (H.R. 889) — continued

Doc No.		Supplemental Request	House	Senate	Conference	Conference compared with House	Conference compared with Senate
	CHAPTER IV						
	PART V						
	FOREIGN OPERATIONS, EXPORT FINANCING AND RELATED PROGRAMS						
	BILATERAL ECONOMIC ASSISTANCE						
	Agency for International Development						
104-4	Debt restructuring: Debt relief for Jordan	275,000,000		275,000,000			-275,000,000
	DEPARTMENT OF TRANSPORTATION						
	Federal Railroad Administration						
	Grants to the National Railroad Passenger Corporation: Capital				21,500,000	+21,500,000	+21,500,000
	Total, Title I (net)	2,461,997,000	1,368,200,000	264,782,000	370,941,000	-1,017,259,000	+106,159,000
	Appropriations	(2,461,997,000)	(2,848,400,000)	(2,238,697,000)	(2,731,497,000)	(-116,903,000)	(+492,800,000)
	Rescissions		(-1,480,200,000)	(-1,973,915,000)	(-2,360,556,000)	(-900,356,000)	(-386,641,000)
	TITLE II - OTHER RESCISSIONS						
	CHAPTER I						
	DEPARTMENT OF JUSTICE						
	Immigration and Naturalization Service						
	Immigration Emergency Fund		-70,000,000	-10,000,000	-45,000,000	+25,000,000	-35,000,000
	DEPARTMENT OF COMMERCE						
	National Institute of Standards and Technology						
	Industrial technology services		-107,000,000	-32,000,000	-90,000,000	+17,000,000	-58,000,000
	National Oceanic and Atmospheric Administration						
	Operations, research and facilities			-2,500,000			+2,500,000
	National Telecommunications and Information Administration						
	Information infrastructure grants			-34,000,000	-15,000,000	-15,000,000	+19,000,000
	Economic Development Administration						
	Economic development assistance programs			-40,000,000			+40,000,000
	Total, Department of Commerce		-107,000,000	-108,500,000	-105,000,000	+2,000,000	+3,500,000
	RELATED AGENCIES						
	Small Business Administration						
	Salaries and expenses			-15,000,000	-15,000,000	-15,000,000	
	Legal Services Corporation						
	Payment to the Legal Services Corporation			-15,000,000	-15,000,000	-15,000,000	
	Total, Related Agencies			-30,000,000	-30,000,000	-30,000,000	
	DEPARTMENT OF STATE						
	Administration of Foreign Affairs						
	Acquisition and maintenance of buildings abroad			-26,500,000			+26,500,000
	Total, Chapter I (rescissions)		-177,000,000	-177,000,000	-180,000,000	-3,000,000	-3,000,000
	CHAPTER II						
	DEPARTMENT OF ENERGY						
	Atomic Energy Defense Activities: Defense Environmental Restoration and Waste Management		-100,000,000	-100,000,000	-200,000,000	-100,000,000	-100,000,000
	CHAPTER III						
	FOREIGN OPERATIONS, EXPORT FINANCING AND RELATED PROGRAMS						
	MULTILATERAL ECONOMIC ASSISTANCE						
	International Financial Institutions						
	Contribution to the International Development Association			-70,000,000	-80,000,000	-80,000,000	+10,000,000
	Contribution to the African Development Fund		-62,014,000	-62,014,000	-62,014,000		
	Total, International Financial Institutions		-62,014,000	-132,014,000	-122,014,000	-60,000,000	+10,000,000
	BILATERAL ECONOMIC ASSISTANCE						
	Agency for International Development						
	Development Assistance Fund			-13,000,000	-12,500,000	-12,500,000	+500,000
	Assistance for Eastern Europe and the Baltic States			-9,000,000			+9,000,000
	Assistance for the New Independent States of the Soviet Union		-110,000,000	-18,000,000	-7,500,000	+102,500,000	+10,500,000
	Total, Agency for International Development		-110,000,000	-40,000,000	-20,000,000	+90,000,000	+20,000,000
	Total, Chapter III (rescissions)		-172,014,000	-172,014,000	-142,014,000	+30,000,000	+30,000,000

FY 1995 EMERGENCY SUPPLEMENTAL APPROPRIATIONS BILL (H.R. 889) — continued

Doc No.		Supplemental Request	House	Senate	Conference	Conference compared with House	Conference compared with Senate
	CHAPTER IV						
	DEPARTMENT OF INTERIOR						
	United States Fish and Wildlife Service						
.....	Resource management	.....	.....	-1,500,000	-1,500,000	-1,500,000	.....
	RELATED AGENCIES						
	DEPARTMENT OF ENERGY						
.....	Clean coal technology	.....	-200,000,000	-200,000,000	-200,000,000	.....	.....
	Total, Chapter IV (rescissions)	.....	-200,000,000	-201,500,000	-201,500,000	-1,500,000	.....
	CHAPTER V						
	DEPARTMENT OF LABOR						
	Employment and Training Administration						
.....	Training and employment services	.....	-200,000,000	-200,000,000	-200,000,000	.....	.....
	DEPARTMENT OF EDUCATION						
104-28							
104-40	School improvement programs	-103,084,000	-100,000,000	.....	-65,000,000	+35,000,000	-65,000,000
.....	Student financial assistance	.....	.....	-100,000,000	-35,000,000	-35,000,000	+65,000,000
	Total, Chapter V (rescissions)	-103,084,000	-300,000,000	-300,000,000	-300,000,000	.....	.....
	CHAPTER VI						
	DEPARTMENT OF TRANSPORTATION						
	Federal Aviation Administration						
.....	Facilities & equipment (Airport and Airway Trust Fund)	.....	.....	-35,000,000	-35,000,000	-35,000,000	.....
	Federal Highway Administration						
.....	Federal-aid highways (Highway Trust Fund)	.....	.....	-139,948,000	.....	.....	+139,948,000
.....	Miscellaneous highway demonstration projects (Highway Trust Fund)	.....	.....	-12,004,450	-12,004,000	-12,004,000	+450
	Total, Federal Highway Administration	.....	.....	-151,952,450	-12,004,000	-12,004,000	+139,948,450
	Federal Railroad Administration						
104-28	Local rail freight assistance	-13,216,371	-13,126,000	.....	-6,563,000	+6,563,000	-6,563,000
	Grants to the National Railroad Passenger Corporation:						
.....	Pennsylvania station redevelopment project	.....	-40,000,000	.....	-40,000,000	.....	-40,000,000
	Total, Federal Railroad Administration	-13,216,371	-53,126,000	.....	-46,563,000	+6,563,000	-46,563,000
	Total, Chapter VI (rescissions)	-13,216,371	-53,126,000	-186,952,450	-93,567,000	-40,441,000	+93,385,450
	CHAPTER VII						
	DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT						
	Housing Programs						
.....	Annual contributions for assisted Housing	.....	.....	-400,000,000	.....	.....	+400,000,000
	INDEPENDENT AGENCIES						
	National Aeronautics and Space Administration						
.....	National aeronautical facilities	.....	-400,000,000	.....	.....	+400,000,000	.....
	Total, Chapter VII (rescissions)	.....	-400,000,000	-400,000,000	.....	+400,000,000	+400,000,000
	Total, Title II (rescissions)	-116,300,371	-1,402,140,000	-1,537,466,450	-1,117,081,000	+285,059,000	+420,385,450
	Grand total (net)	2,365,696,629	-13,940,000	-1,272,684,450	-746,140,000	-732,200,000	+526,544,450
	Appropriations	(2,481,997,000)	(2,848,400,000)	(2,238,697,000)	(2,731,497,000)	(-116,903,000)	(+492,800,000)
	Rescissions	(-116,300,371)	(-2,862,340,000)	(-3,511,381,450)	(-3,477,637,000)	(-615,297,000)	(+33,744,450)
	(Transfer out)	.....	.....	.....	.....	.....	.....
	(By transfer)	.....	.....	(-250,000,000)	(100,400,000)	(+100,400,000)	(+350,400,000)

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

Mr. OBEY. Mr. Speaker, I yield myself 6 minutes.

Mr. Speaker, when this bill originally left the House, I voted against it for a number of reasons. First of all, because it took money from domestic programs to pay for some of the additional Pentagon spending in the bill.

Second, the bill added to the deficit. At the time the bill left the House, the committee indicated that even though the outlays were not in balance, that in fact the bill was balanced in terms of budget authority. But after the bill passed the House, the committee produced a table, I did not produce that table, the committee produced a table, which indicated that in fact the bill, as it left the House, added $186 million in budget authority to the deficit and it added $250 million in outlay spending to the deficit in the first year and $650 million to the deficit in the out years.

I thought that was a very important reason to object to the bill. When we went to conference with the Senate, I offered a motion to instruct conferees. And essentially at that time what I said is that I was willing to overlook, though I was not enthusiastic about the idea, I was willing to overlook the fact that some domestic-related programs were used to finance some of the Pentagon spending in the bill, provided that the bill, in fact, would be paid for. So we asked the conferees to produce a bill which was, in fact, paid for.

In conference, I did not sign the conference report for a number of reasons.

First of all, because in the nondefense portion of this bill, it retains spending for an item which was strongly insisted on in the Senate, which begins a new construction program in the area of education. I, frankly, think it is silly and shortsighted and stupid, even though that program in and of itself may be useful, for us to spend money on that program which we do not have at the very same time that we are cutting money from existing education programs.

Second, I wanted to register my objection to the fact that the committee continues to insist that we spend $14 million in my district which I do not want to spend. I do not know of another situation in the Congress where you have both U.S. Senators and the Member of the House representing a specific district asking that a project be canceled in our district. That is what we are asking to do. Yet the Congress, in what I regard as a typical lap dog puppy situation, again rolled over and decided to give the Navy the money for its toy again.

Third, I do not like the fact that this is treated as an emergency and, therefore, does not count added defense spending in out years against the budget caps. In fact, it should, if we are serious about deficit reduction.

And fourth, I was trying to help the administration on the issue of Jordan because the administration was asking for help in seeing to it that the Jordan debt provision, which in the Senate was originally contained in this bill, not be moved from this bill to the $17 billion rescission bill which we have sent to the Senate.

But on that score, I would say that, in light of the administration's negotiations which they conducted last night in the Senate, without consultation on the side so far as I know, it appears to me that the White House does not mind being jerked around on the issue of Jordan. It would appear to me the White House does not mind being blackmailed on the issue of Jordan. And so if they do not care, why should I?

So what I am going to do on the floor, now that I have registered my concern on the individual points, is to support this conference report, because in essence, it does what we asked them to do in the motion to instruct, and it does what the bill did not do when it originally left the House, which is to largely offset the spending with cuts, so it does remain significantly deficit neutral.

So I think that in comparison to the House-passed package, this is much more preferable. Having registered my concerns on the details, I will, in the interest of comity and the interest of getting things done, recognize the progress that was made in the conference report and support the bill as it is reported.

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

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

Mr. LIVINGSTON. Mr. Speaker, I thank the gentleman for yielding to me. Certainly I will reciprocate in the event that we run short of time, although I do not think that we will. I would just like to point out that insofar as the gentleman's objections to the educational infrastructure project are concerned, the gentleman from Louisiana and the gentleman from Illinois [Mr. PORTER], who chairs the subcommittee on which the gentleman is the ranking minority member, totally agree with the gentleman from Wisconsin that that program is wasteful, inefficient, and almost constitutes a brand new entitlement for which the taxpayer to the U.S. Federal Government cannot possibly be expected to ultimately pay.

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

I say further to the gentleman that the fact is that the other body pressed very hard for this program, notwithstanding the prognosis that in future legislative activities before this body, that this program will not be looked upon kindly. Yet, it was a compromise. It was an effort to reach an accommodation, at least temporarily, so this very important bill could go forward. Unfortunately, the whole appropriation was not stricken. But I totally share the sentiment of the gentleman and want to assure him that it was only agreed to for the purposes of comity with the other body in order to conclude the entire conference.

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

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

Mr. OBEY. Mr. Speaker, I thank the gentleman for his statement, and I would say that I certainly recognize the value of the program that the Senate is trying to support, but it just seems to me that the worst thing one can do in a situation of tight budgets is to unfairly raise people's expectations about the ability of the Federal Government to fund yet another program when, in fact, we are making substantial reductions in programs that now do some very good things for a lot of people who need help.

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I share the gentleman's view on that point, and would simply observe that for all of the Members who voted for the motion to instruct, demanding that conferees come back with a bill which is essentially budget neutral and does not add to the deficit, we won our point, and I think that deserves recognition on our part on the conference report.

Mr. LIVINGSTON. Reclaiming my time, Mr. Speaker, in further response to the gentleman, I agree with his points. I would add, though, that the administration made a commitment to Jordan that there would be three tranches in response to the President's agreement to forgive Jordanian debt; that one would be expected to be provided in 1995, one in 1996, and one in 1997.

We are currently dealing with a conference agreement on a supplemental and a rescission of 1995 appropriations. We are going to deal with another one, another 1995 supplemental and rescission conference agreement in the coming weeks. We will deal with this relief in that agreement. The fact is that the three tranches for Jordanian aid will be dealt with in 1995, not in 1996 or 1997, for the entire total balance of the commitment that the President has made to Jordan.

If that is jerking the administration around, I think they would think it is a good way to do it, from their point of view.

Mr. Speaker, I am delighted to yield 5 minutes to the gentleman from Florida [Mr. YOUNG], the very hard-working, diligent, and most distinguished chairman of the Subcommittee on National Security of the Committee on Appropriations.

Mr. YOUNG of Florida. Mr. Speaker, I thank the distinguished gentleman from Louisiana for yielding time to me.

Mr. Speaker, I do not think it is necessary to use all of the time we have allocated today. I did want to pay a special tribute to my chairman, the gentleman from Louisiana [Mr. LIVINGSTON], because as we proceeded with

this supplemental he was there every step of the way in strong support of what we were doing.

I have to admit, after having served in the minority for so many years, to be the chairman of the subcommittee that brought out the first appropriation bill of this new Congress was gratifying, and it was a partnership effort. The gentleman from Pennsylvania [Mr. MURTHA], the former chairman of the subcommittee, could not have been a stronger supporter, and I think we both felt really good when the subcommittee and the full committee agreed to the recommendation we made on how to deal with this emergency supplemental. We moved it even ahead of the request from the administration, because we recognized the emergency and the time element.

I would also want to say that, in addition to the Members who were so helpful and so supportive, I never saw a staff work as many hours, attend as many meetings, draw up as many papers and make as many comparisons on so many different ideas as I saw in this particular exercise. I pay tribute to that staff, because even after we would go home at 10 or 11 o'clock at night, they were still here after we left, and they were here before we got back the next morning.

Mr. Speaker, I want to take just a couple of minutes to say that we are facing not just a supplemental issue today but we are facing a real concern about the readiness of our forces and the ability to defend our national interest.

For the last 10 years we have experienced a reduction, a reduction in the amount of funding made available to our national defense establishment for pay for forces, for uniforms, for training, for modernization of equipment. We have reduced that budget for the last 10 years. The budget request that we deal with this year would be the 11th reduction.

The gentleman from Pennsylvania [Mr. MURTHA] and I have discussed this on a number of occasions, we would not be able to do today what we did in Desert Storm just a few short years ago, because of the tremendous reductions. We have to face up to and recognize that the many contingencies that are not planned for, that are not funded, that we have to develop some way to deal with these contingencies.

If the President is going to deploy forces around the world on an unplanned contingency, he ought to consult with the Congress of the United States, so we can work together not only in devising the plan to handle the deployment and the mission, but to determine how we are going to pay for it before we get into a crisis situation like we face today.

If we do not pass this supplemental today, the Navy is prepared to tie up ships within the next couple of weeks. The Air Force and the Navy both are prepared to ground airplanes; not prepared to, they would be forced to, because the money for those purposes has already been spent for these contingencies.

Mr. Speaker, one other issue, Haiti. There was a strong difference of opinion in this House whether or not we should even have gone to Haiti to return Aristide to office. Nevertheless, it happened. Our troops performed almost flawlessly. We should be so extremely proud of the way that they did perform in Haiti.

However, Haiti was not a military threat to our Nation, not a security threat to our Nation, and the Department of Defense should not have to pay the bill for the Haiti operation. It should come from another account, whether it is the State Department or the foreign aid account. It should not come out of the hide of the national defense establishment that is already suffering from 10 years of funding reductions.

Mr. Speaker, I hope Members will pay close attention, because the gentleman from South Carolina [Mr. SPENCE], the distinguished chairman of the Committee on Armed Services, which we now call the Committee on National Security, and I have met on many occasions since the beginning of this Congress. We have reached an agreement that any projects, any items that are going to be authorized in their bill or appropriated by our appropriations subcommittee had better have a national defense application.

We are not going to use the national defense budget for a slush fund for anyone. We are going to be very careful not to use the national defense funding for political projects, whatever they might be. Whatever is funded and authorized in this Congress for national defense is going to be used for national defense.

Mr. Speaker, I want to thank my friend, the gentleman from Wisconsin [Mr. OBEY], for the stature that he displays in being willing to support this legislation today, although he opposed it in the beginning. It is somewhat different than it was in the beginning. I appreciate all the support from the gentleman from Wisconsin and his staff, all of the Members of the House and our subcommittee.

Mr. Speaker, as I said earlier, the Department of Defense is facing a critical shortfall in its funding for military readiness and training—because the funds we provided last year for these activities have been siphoned off, and used to pay for the large number of contingency operations that our Armed Forces have been involved in since last fall. Haiti, Bosnia, the Middle East, refugee relief at Guantanamo Bay, Korea, Somalia. All these operations, the DOD has been forced to pay for out of hide—from funds intended for training and readiness in the second half of the current fiscal year.

The second half of the fiscal year began last Saturday, Mr. Speaker—and if we do not act to replenish the DOD's accounts, beginning next week we will start to see the Pentagon ordering cutbacks in all of the military services.

The Joint Chiefs of Staff have recommended that without this supplemental, in April they will have to order the Air Force to cut flying hours by 25 percent; the Navy will have to cancel scheduled maintenance on two aircraft carriers; the Marines will have to cancel exercises and cut operating forces budgets by 20 percent; and the Army will have to cut tank training 25 percent and scrub preparations for exercises at the National Training Center in California.

That is just what will happen in April. It will get worse as the year goes on.

That is why we have to act—and why we have brought back to the House this emergency supplemental for the DOD which, while it is not perfect, provides the only way we can avoid what will be a disaster for military readiness.

This bill provides just over $3 billion in readiness funding for the military—and it not only covers the costs of the contingency operations I just mentioned but also provides money to fully finance the military pay raise for 1995, as well as a $250 million shortfall in pay accounts for our forces stationed overseas, brought on by the drop of the dollar.

And at the same time we provide this emergency funding, we have more than fully offset these costs—by recommending over $3.8 billion worth of rescissions and offsets. As a result, even with the funding for the DOD, this bill will reduce current budget authority by over $740 million dollars.

Now, I have to admit I am not entirely comfortable with having to totally offset an emergency supplemental for our military. Our committee has never done this before; and we have to realize that depending on the type of military actions our forces may have to carry out, it may be impossile to totally offset Defense supplementals in the future. But in this bill we have done so.

I must also admit that I am not entirely pleased with how we finally offset this bill. After a long and hard negotiation with the other body, we ended up agreeing to taking nearly $2.4 billion in rescissions out of other Defense accounts—$2.26 billion from programs under the National Security subcommittee, and another $100 million from military construction. On top of this, $200 million is coming from the defense-related accounts in the Department of Energy.

In conference, we were basically asked to rob Peter to pay Paul—take money out of other Defense accounts to pay for Defense readiness. We did our best to recommend Defense offsets which were less critical, less important—but the fact remains, the Defense budget has been cut for 10 straight years. There are no easy cuts left. And we had a very difficult time settling with the Senate which Defense accounts were important, and which ones were not.

None of this was easy for the House conferees—but we were left with no choice. And I want to thank Chairman VUCANOVICH and Chairman MYERS for helping with offsets, because without these we could not have gotten an agreement before the recess.

We would not be in this situation if the President would have come to the Congress and asked for approval of these operations as well as the needed money in advance. With the exception of the deployments to the Middle East and Korea, we are not talking about emergency military operations here. We are

talking about peacekeeping, and humanitarian operations—things that are not the core mission of the Department of Defense.

That is one thing we were all able to agree upon in our conference—that the President just cannot keep ordering these operations and then expect us to come up with the money afterwards. We just can not keep doing this. We will destroy military readiness and other critical defense programs. We lay all this out in the statement of managers. And I know, based on how all of us in the conference felt—Chairman LIVINGSTON, Senators HATFIELD, BYRD, STEVENS, and INOUYE; and certainly myself and the gentleman from Pennsylvania, Mr. MURTHA—that if the President does not do something to correct this then we will come back in the 1996 appropriations bills with some further recommendations of our own.

So, this is not a perfect agreement, but it is one that we have to pass. And I want to thank BOB LIVINGSTON and the ranking member of our subcommittee, JACK MURTHA, as well as our Senate counterparts for their efforts to bring this emergency bill back to the House before we leave this week. This is a good bill, and one that is absolutely essential. I urge your support.

Mr. OBEY. Mr. Speaker, I yield myself 4 minutes.

Mr. Speaker, I would simply like to make one additional point on the Jordan issue, in light of the comments made by the chairman. Let me put it this way, Mr. Speaker: I can recall when a previous President, President Bush, asked for bipartisan help to see to it that they could in fact move events forward in the Middle East by withholding funds for the Israel loan guarantee.

That was not a popular position for President Bush to take in the Congress. At that time I supported President Bush strongly, because I thought that unless those loan guarantees were held up, we would never see a posture on the part of the Israeli Government with respect to the settlements issue that was consistent with American foreign policy.

I would compare that bipartisan support of President Bush with the quite different approach taken by the other body, and especially the majority party in the other body on the issue of Jordan. We now have this President asking for help to again move the peace process forward by funding the commitment that the President made to Jordan when they agreed to follow along in this round on the peace process. But instead, what has happened is that we have had an insistence from the majority leader in the other body that funding for Jordan be taken out of this bill, where it belongs, and put into what is essentially a domestic rescission bill.

What that will mean is that any Member who votes for that rescission bill will be asked to make cuts in domestic programs for kids and for seniors in order to fund debt relief for Jordan. I do not think that is a very smart thing to do tactically, I do not think that is the right thing to do substantively. It seems to me if we are going to provide that action for Jordan, that it belongs in this bill and it should be offset in this bill, because I am tired of seeing this Government make foreign policy decisions that wind up having domestic consequences that are negative for our constituents.

Another example would be, for instance, the situation which we find ourselves in with respect to refugees, where the Federal Government will make agreements allowing refugees into this country, and then they will walk away from the obligation to support the financing of those refugees, and turn the obligation for that over to State and local governments.

I do not think that is legitimate. I think foreign policy issues should be dealt with in foreign policy bills. That is why Jordan belongs in this bill. That is why Jordan belongs in this bill, not the other bill.

However, I find it quaint that the administration asked a bipartisan group of people to go up to the other end of Pennsylvania Avenue twice on last Thursday to talk about the necessity to keep Jordan funding in this bill, rather than moving it over to the other bill, and then we find out that without any notice whatsoever to anybody on this side of the Capitol, the administration decides, after all, they are going to acquiesce in putting it in the other bill.

That is why I say that the administration apparently does not mind being jerked around. I do. It seems to me the next time the administration asks someone in the Congress to defend their position on a foreign policy issue in the Congress, it would be nice to know that we could find the administration where they were the last time we talked to them.

Mr. LIVINGSTON. Mr. Speaker, I will let the gentleman's comments stand where they are, and I am delighted to yield 2 minutes to the gentlewoman from Nevada [Mrs. VUCANOVICH], the distinguished chairwoman of the Subcommittee on Military Construction of the Committee on Appropriations.

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

Mrs. VUCANOVICH. Mr. Speaker, I thank the gentleman for yielding time to me.

Mr. Speaker, I rise to speak regarding the conference agreement on Senate amendment numbered 5, the Military Construction Subcommittee's portion of the bill H.R. 889, as well as action to date on the bill H.R. 1158.

As these two bills proceeded through the House, no rescissions were proposed for military construction.

The Senate took an opposing view. On H.R. 889, the Senate imposed a contingent rescission based on the current round of base closure, and this contingent rescission may have reached a total of $150 million. On H.R. 1158, the Senate imposed additional rescissions totaling $230.8 million. In the House view, these rescissions were ill-advised and unnecessary at this time.

In conference action on H.R. 889, the House very reluctantly agreed to rescissions totaling $100.6 million, and these specific rescissions are explained in detail in the statement of the managers accompanying the conference report. More importantly, the conferees agreed that all rescissions proposed by the Senate in both bills would be addressed in the conference agreement on the bill H.R. 889. Therefore, no rescissions will be recommended for military construction in final action on H.R. 1158.

Mr. OBEY. Mr. Speaker, I yield 3 minutes to the gentlewoman from Ohio [Ms. KAPTUR].

Ms. KAPTUR. Mr. Speaker, I thank the gentleman for yielding time to me.

Mr. Speaker, I wish to bring to the Members' attention a title that is a part of this Defense supplemental bill, title IV, entitled ''The Mexican Debt Disclosure Act of 1995,'' a measure that was attached in the Senate and then agreed to by the conferees.

Let me mention also, Mr. Speaker, that as the ranking member on our side has indicated, it has been very difficult to get the $3.1 billion identified in the overall defense supplemental bill to take care of costs for Haiti, for Bosnia, for Somalia. I might mention $3.1 billion.

Title IV, which deals with Mexico, talks about $20 billion. Of course, that is money that has not been voted on by the Members of this body, because we have not been permitted a vote by our own leadership. We have been thwarted at every turn.

Now we are faced with a vote on a defense supplemental that has a title that pushes us a little bit further toward getting some additional information from the Clinton administration. I have to say that it is a step in the right direction, but it is certainly not what we have been asking for in this body.

□ 1130

A little recent history here. Members will remember that we were ruled against, those of us who wanted a clean vote on the question of whether we should be appropriating dollars to support the bailout in Mexico. The Speaker ruled against us. We were not allowed an open debate a few weeks ago. Then there was a vote in the Republican conference about a week ago, 2 to 1 against getting a vote here, a clean vote on the floor on the question of these credits and loan guarantees being extended to Mexico. Now the only item we were able to get passed was a resolution that had broad bipartisan support here, House Resolution 80, which we had to use a special procedure to disgorge it from committee and it essentially only asked the administration for information which was supposed to be here by March 15 and which is not here. Only parts of it are here.

Now the cleanest measure that we could get on this floor is not this title

IV of this bill but rather Discharge Petition 2 which sits at the desk there that would allow us a clean vote on the issue of how many dollars if any should be extended further to Mexico to help bail out that tragic situation down there.

I want to point out to the Members, this title does exist in this bill. It is a serious title. Essentially what it says is that no money, loan credit guarantee or arrangement through the Exchange Stabilization Fund at the Treasury or the Federal Reserve can be extended unless the President of the United States has provided us with every single document that we have asked for in our resolution of inquiry.

I can say based on the research we have done in our office, again this information was to have been here by March 15. There are big holes in what the administration has failed to tell us, including the conditions that were placed on the bailout by members of the investment community, the relationships to the Bank for International Settlement and the other international funds involved in this bailout, and private phone conversation notes between the Government of the United States and Mexico.

I just have to say that this is another weak attempt to try to get some vote here in the Congress on a massive amount of money that is being extended by the people of the United States.

Mr. Speaker, I have to say that it is not comfortable to be a Member of this body and not be allowed a full debate on a matter that is 7 times as large as the base dollar funding in this defense supplemental. This has been an insiders' deal from the beginning. I think that the Members should read the language of title IV carefully. We have a right to debate this amount of money going to another country. We are tied in knots over $3.1 billion of money that needs to be paid to restore the amount in our readiness accounts. Why is it so difficult to get a full debate in the Congress of the United States when we have a new form of back-door foreign assistance that has been allowed to Mexico setting an incredible precedent that we will have to account for later?

I just have to say that this amendment that was added to this bill gets us to maybe second base but it does not get us the full and open debate and the kind of oversight that we need in this body on the amount of money that is now being extended to not just back up the Government of Mexico but the Mexican banking system. This is extremely serious. Title IV, an important step perhaps, gets us to second base, not the home run that we really need in order to gain proper oversight over this massive expenditure of our tax dollars.

Mr. LIVINGSTON. Mr. Speaker, I yield myself 1 minute to respond to the gentlewoman and say that had it not been for the Appropriations Committee, the gentlewoman would not have an opportunity to discuss this issue at all. We have developed a compromise with the Senate on this bill. We have compelled the White House to provide documentation which has not been forthcoming to date despite a resolution passed by this House on March 1. We are doing our best to get to the bottom of the issue and try to provide as much light on the decision process on the issue of providing aid to Mexico as we possibly can. This is a good first step. There may be others. The gentlewoman should in fact be pleased that we have gone as far as we have.

Ms. KAPTUR. Mr. Speaker, would the gentleman yield for three questions?

Mr. LIVINGSTON. To the extent I have any more time on the minute, I would be happy to yield to the gentlewoman from Ohio.

Ms. KAPTUR. I would just ask the gentleman, is it the gentleman's understanding that in title IV that if passed it certifies that the President—

The SPEAKER pro tempore (Mr. HASTINGS of Washington). The time of the gentleman from Louisiana [Mr. LIVINGSTON] has expired.

Mr. OBEY. Mr. Speaker, I yield 2 minutes to the gentlewoman from Ohio [Ms. KAPTUR].

Ms. KAPTUR. I thank the gentleman for yielding me the time.

Mr. Speaker, I would like to know whether if we vote for this, we assure ourselves that until the President certifies that without exception every requested document has been turned over to Congress, all further Mexican bailout funds through the ESF, the Federal Reserve Board or any other fund with which the United States is associated in the pipeline are halted.

Mr. LIVINGSTON. If the gentlewoman would yield, I would say that certainly the White House counsel is going to be examining this provision carefully, but it is the gentleman's understanding that from the point of passage of the bill that the White House, or that the administration has 10 days to sign the bill. If in fact they have not provided the documentation at the end of the 10 days, there will be a period of time during which there shall be no Mexican assistance. However, if the documentation is provided prior to that time, then there is no lapse at all.

Mr. BURTON of Indiana. If the gentlewoman would yield, I think the gentleman the chairman is correct with one possible exception. I want to make sure this is well understood. After the President signs the bill, the time starts. Then the requirement starts. Not after we pass it here in the House. It is after the President signs it, I believe, which could be as late as the 24th or 25th of this month.

Ms. KAPTUR. This leads to my second question. Then it is my understanding that under the legislation the President would not have to provide the documentation until the last day of the first month after which this legislation is passed, which would mean the end of May; is that correct?

During which time billions more could flow out of that fund. Am I correct in my understanding?

Mr. LIVINGSTON. If the gentlewoman would yield to me, that is not my understanding. I think that the time limits are much shorter than that.

Mr. BURTON of Indiana. Mr. Speaker, will the gentlewoman yield?

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

Mr. BURTON of Indiana. Regarding the certification, it said the funds stop unless and until the President submits the appropriate documents. Until we get the certification, the money is cut off, so it would be around the 24th or 25th of this month.

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

Mr. Speaker, I would simply suggest that I do not think it is particularly constructive for individual Members of Congress to try to write a record of legislative intent when in fact the record that is being written is probably not accurate nor legitimate.

I do not believe, for instance, that any Member of the House who is not a member of the conference can really assure the House about anything with respect to what that language means. I certainly do not necessarily subscribe to the interpretation of the gentleman from Indiana since he was not a member of the conference and cannot possibly have an understanding of what the agreement was that was reached by persons who were in the room.

Ms. KAPTUR. If the gentleman would be kind enough to yield, I would just like to read into the RECORD the actual language in title IV which says that the reports will be provided beginning on the last day of the first month which begins after the date of enactment, which would be the end of May.

Mr. LIVINGSTON. Mr. Speaker, I yield 5 minutes to the distinguished gentleman from California [Mr. CUNNINGHAM], a member of the Committee on National Security.

Mr. CUNNINGHAM. Mr. Speaker, I would say to the gentleman from Wisconsin [Mr. OBEY] and the last speakers, that many of us on this side of the aisle agree that when he talked about Jordan, King Hussein, we all witnessed the King up here with good intentions, but he, in fact, does not have control of Jordan and with the Palestinians, this Member personally feels that we are dumping money down a rat hole.

I think we have also taken a look and many Members on this side of the aisle want an up-or-down vote on Mexico, the bailout. I think that it is going to be a problem. I do not know what the deal is with the support of President Clinton on the issue, but many of us would like to halt the money going to Mexico, because I think again it is money going down a rat hole.

I also agree with the gentleman from Wisconsin [Mr. OBEY] that when we are

looking at a balanced budget and we are sending money to Mexico, we are sending money to Jordan and we have domestic problems here in this country and we also have military readiness problems, that we have got to change our modus operandi on both sides of the aisle and the administration as well.

But why is this particular issue that we are talking about today important? Military readiness, and I quote from testimony in the Committee on National Security, that we are near buffet condition when it comes to national security, and near buffet is the condition in which an airplane goes into an out-of-control spin. That condition has been created much because of the operations of this body. Our op tempo today, operation tempo, is higher than it was during Desert Storm or Vietnam. But yet our military has had dollars cut out of it not only in a $177 billion defense cut but from not funding BRAC, from all the operations that were in Somalia, Haiti, and so on.

In Somalia, we testified, when there was an extension of Somalia that it was going to cost billions of dollars, and that was going to come out of military readiness, time and training.

This is an attempt to get a little portion of that money back. In the meantime, we have gone a year and a half without allotting the training in the military. I just got through with a briefing of the military. Our F–18's, C–10's, our F–15's, our AWACS in Bosnia and these other expenditures are killing the flight time left on those airframes. At the same time, we have air wings back in the States that are not flying. Top Gun did not fly against its class because it did not have enough fuel or parts because of the Somalia, the Haiti, the Bosnia expeditions. This is critical.

If we take a look at the extension of Somalia, we said it was going to cost billions of dollars. Then if we take a look at the retreat from Somalia that we just went through, General Aideed is still there, and it cost us over 100 Rangers that were killed in Somalia at great cost to this country. When we talk about domestic programs, when we talk about military readiness, it was not Members on this side of the aisle that made the decision to extend Somalia that cost lives and billions of dollars.

Haiti is another case. We put into position a madman in Haiti. I ask the Speaker, if we pulled out of Haiti today, what would be the condition? Do Members remember Papa Doc and Baby Doc? It would be a total turmoil there. That has cost us billions of dollars. We are paying for those military forces, military, the United States is. That is wrong, against our own military defense. Again, when we pull out of there, it is going to go back just like it has, and we could have left it there for another 100 years and it would not have been a national security.

The President is saying, what a great victory. Pull out of there and see what kind of victory we have.

Mr. Speaker, I would also like to take a look at the different costs. There are many on the other side of the aisle that would depreciate our readiness and our capability in national defense and our military. But we are asking our men and women to put their lives on the line. Readiness is not just machines. Readiness is not just going out and turning and burning in a jet or in the ground on a tank. It is the families that are involved. We ask these high up-tempo operations at a cost of family separation, and the No. 1 indicator of our men and women leaving the service is family separation. That is part of readiness as well. We need to get a grip on this.

I ask Members on both sides of the aisle to support this supplemental, because if we do not get it, and I quote, our military will shut down at the end of this fiscal year.

□ 1145

Mr. LIVINGSTON. Mr. Speaker, I yield 3 minutes to the gentleman from Indiana [Mr. BURTON], a distinguished member of the Committee on International Relations.

Mr. BURTON of Indiana. Mr. Speaker, I thank the gentleman for yielding.

Let me just say that the gentlewoman who has worked so hard on the Mexican issue is to be commended, the gentleman from Alabama [Mr. CALLAHAN], subcommittee chairman, should be commended, the gentleman from California [Mr. COX], the gentleman from Florida [Mr. YOUNG], the chairman, the gentleman from Louisiana [Mr. LIVINGSTON], and the gentleman from Wisconsin [Mr. OBEY] for putting language in here that at least gives the Congress an opportunity to get information on the Mexican bailout.

But as the gentlewoman from Ohio said, we still are not going to have a vote on the ultimate $52 billion that is going to go to Mexico, $52,000 million that is going to Mexico without a vote by the people's House on their tax dollars.

So far it was reported in the Los Angeles Times yesterday that of the first $5 billion, $5,000 million, that was sent to Mexico, $4 billion, $4,000 million, was used to pay off American insurance companies, mutual fund investors, Wall Street brokerage houses, Mexican banks, and the richest of Mexico's rich, these people that bought their tesobonos, their bonds, down there, and that is not what we were sending the money down there for in the first place.

It is really a tragedy our tax dollars are being used to pay off these people who invested in Mexico knowing the risks. We are bailing out the big investors who took the risks, and now they are being repaid even though they should have taken the loss like anybody else that invests in financial instruments.

Now, this legislation does head in the right direction. It is a step in the right direction. The President is going to have to certify to the Congress what this money is being spent for, where it is going. They do not particularly like that at the White House, but, nevertheless, they are going to have to do it, otherwise additional tranches of money are not going to go to Mexico.

That still begs the issue. Should we be sending this money down there in the first place? Anyone who is following the financial markets knows the dollar has been dropping like a rock. It is at the lowest levels against the Japanese yen in decades, and in large part, if you talk to many economists, you will find that is due to the Mexican bailout that has been taking place unilaterally by the executive branch of Government.

This Congress was going to vote on it. We had a proposal that would protect the American taxpayer. We could not get Mexico to go along with the provisions. We could not get the White House to go along with the provisions. They decided to use the Exchange Stabilization Fund, which has never been used for that purpose before to my knowledge. There are some people that question the legality of it.

As a result, the peso has continued to drop. It finally stabilized at half of what it was worth. The dollar continues to drop.

We are responsible for the taxpayers' dollar. Even though the Committee on Appropriations is to be commended for at least putting this language in the legislation, it does not go far enough. We ultimately need an up-or-down vote on whether we should continue to send billions of United States taxpayers' dollars, billions of United States taxpayers' dollars to Mexico without any guarantees it is going to be repaid. That money right now is going down a rat hole.

Of the first $12 billion that has gone down there, $11 billion of it is gone. They have only increased their reserves by $1 billion. We still need an up-or-down vote on this entire issue.

Mr. LIVINGSTON. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Alabama [Mr. CALLAHAN], chairman of the Subcommittee on Foreign Operations, Export Financing and Related Programs, who did an outstanding job in the conference.

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

Mr. CALLAHAN. Mr. Speaker, I rise in support of the conference report on the supplemental appropriations and rescissions bill. As chairman of the Subcommittee on Foreign Operations, I am pleased to report that we have participated in the effort to offset the defense spending in this bill by reducing foreign aid spending by $142 million. In addition, we have reallocated $15 million from the Russian Officer Housing

Program, a program I have strongly opposed, to other economic assistance in the New Independent States. However, these funds would not be available to Russia.

These reductions are a downpayment on the cuts that will be necessary in fiscal year 1996. In addition, we will be looking at further reductions in the second rescission bill that is currently pending in the Senate.

In addition, while we have not provided debt relief for Jordan in this conference agreement, we have pledged to address this issue in the second rescission bill as well. We committed ourselves to meeting the parameters of the agreement between the administration and Jordan in support of the October 1994 peace agreement. The President believes this debt relief is in the national security interest of the United States, and we will make every effort to provide the full amount for debt relief in the next rescission bill.

I would just like to say a few words about the agreement on Mexican debt relief. The agreement we have reached with the Senate requires the President to provide the information on the Mexican debt crisis called for in House Resolution 80. This resolution passed the House by an overwhelming bipartisan majority of 407 to 21. If you voted for that resolution, you should support this agreement.

The bill language does not cut off aid to Mexico. It does, however, require the President to provide the information requested in House Resolution 80, prior to the extension of additional aid to Mexico.

Mr. Speaker, I strongly support this conference agreement to provide needed additional funds for our national security, and I urge its adoption.

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

Mr. LIVINGSTON. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, I am overwhelmed with the gentleman's remarks.

I would only say, Mr. Speaker, that I think this is an outstanding compromise with the other body.

It meets the emergency needs of our young people in uniform in the armed services. It requires documentation from the White House on the Mexican affair, and it is a good bill.

I urge adoption of H.R. 889.

Mr. COLEMAN. Mr. Speaker, I rise today in support of the conference agreement on H.R. 889, the defense supplemental bill. However, I do so with strong reservations. The conference agreement rescinds a net total of $746 million in fiscal year 1995 and prior years appropriations in order to fund emergency defense and Coast Guard needs and to make additional offsetting reductions.

Mr. Speaker, I support the emergency supplemental appropriations that are required to restore funds spent by the Department of Defense and the Coast Guard in unanticipated peacekeeping operations. In particular, the conference agreement provides the $28.3 million requested by the President to reimburse the Coast Guard for operating expenses associated with extraordinary Caribbean regional activities. I am concerned that the conference committee did not fully fund the supplemental request for the operation and maintenance accounts, the backbone of our Armed Forces.

I also have strong reservations about the $223 million rescission included in the DOD-related section of this bill for the Technology Reinvestment Program [(TRP]. A program such as the TRP is very important to our national security interests. I, and others, feel that the TRP is vitally necessary to our country's future as we position ourselves strategically in the post-Cold War era. The President, Secretary of Defense Perry, Office of Management and Budget Director Rivlin and Fortune 500 corporations oppose the rescission of these funds, which would ensure that commercial firms in this country supply the superior technologies needed to maintain our military advantage.

In addition, I do not support the $775 million rescinded in the bill for important domestic programs. Mr. Speaker, in particular, I take exception to the rescissions of $200 million slated for cutting critical employment and training programs for our Nation's youth, and $100 million to be taken out of programs for our Nation's school children and college students. I am also concerned about the rescission of $6.6 million from the Local Rail Freight Assistance [LRFA] Program, which has a major, beneficial impact on the economy of smaller communities, small businesses and job creation.

In summary, I believe the result of the conference agreement on H.R. 889, while flawed, should be passed so that military readiness is not impaired. I urge my colleagues to vote for the conference report.

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

The SPEAKER pro tempore (Mr. HASTINGS of Washington). 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.

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

The vote was taken by electronic device, and there were—yeas 343, nays 80, not voting 11, as follows:

[Roll No. 296]

YEAS—343

Abercrombie
Ackerman
Allard
Andrews
Archer
Armey
Bachus
Baesler
Baker (CA)
Baker (LA)
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Beilenson
Bentsen
Bereuter
Berman
Bevill
Bilbray
Bilirakis
Bishop
Bliley
Blute
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boucher
Brewster
Browder
Brown (CA)
Brown (FL)
Brown (OH)
Brownback
Bryant (TN)
Bryant (TX)
Bunn
Bunning
Burr
Buyer
Callahan
Calvert
Camp
Canady
Cardin
Castle
Chabot
Chambliss
Chenoweth
Christensen
Chrysler
Clement
Clinger
Coble
Coleman
Collins (GA)
Combest
Condit
Cooley
Costello
Cox
Cramer
Crane
Crapo
Cremeans
Cubin
Cunningham
Danner
Davis
de la Garza
Deal
DeLauro
DeLay
Deutsch
Diaz-Balart
Dicks
Dingell
Doggett
Dooley
Doolittle
Dornan
Doyle
Dreier
Dunn
Durbin
Edwards
Ehrlich
Emerson
Engel
English
Ensign
Eshoo
Everett
Ewing
Farr
Fawell
Fazio
Fields (TX)
Flake
Flanagan
Foley
Forbes
Ford
Fowler
Fox
Franks (CT)
Frelinghuysen
Frisa
Funderburk
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Geren
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goodlatte
Goodling
Gordon
Goss
Greenwood
Gunderson
Hall (OH)
Hall (TX)
Hamilton
Hancock
Hansen
Harman
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Hefner
Heineman
Herger
Hilleary
Hobson
Hoke
Horn
Hostettler
Houghton
Hoyer
Hunter
Hutchinson
Hyde
Inglis
Istook
Jackson-Lee
Jacobs
Jefferson
Johnson (CT)
Johnson, E. B.
Jones
Kanjorski
Kaptur
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kim
King
Kingston
Kleczka
Klink
Knollenberg
Kolbe
LaFalce
LaHood
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Lewis (CA)
Lewis (KY)
Lightfoot
Linder
Livingston
LoBiondo
Longley
Lowey
Lucas
Maloney
Manton
Manzullo
Markey
Martinez
Martini
Mascara
Matsui
McCarthy
McCollum
McCrery
McDade
McHale
McHugh
McInnis
McKeon
McNulty
Meehan
Meek
Menendez
Metcalf
Meyers
Mfume
Mica
Miller (CA)
Miller (FL)
Molinari
Mollohan
Montgomery
Moorhead
Morella
Murtha
Myers
Myrick
Neal
Nethercutt
Neumann
Ney
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Orton
Oxley
Packard
Parker
Paxon
Payne (VA)
Peterson (FL)
Petri
Pickett
Pombo
Pomeroy
Porter
Portman
Poshard
Pryce
Quillen
Quinn
Radanovich
Reed
Regula
Richardson
Riggs
Rivers
Roberts
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Rose
Roth
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Royce
Sabo
Salmon
Sanford
Sawyer
Saxton
Schaefer
Schiff
Scott
Seastrand
Sensenbrenner
Shadegg
Shaw
Shays
Shuster
Sisisky
Skaggs
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Spratt
Stearns
Stenholm
Stockman
Stump
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Taylor (MS)
Taylor (NC)
Tejeda
Thomas
Thornberry
Thornton
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Torkildsen
Torricelli
Traficant
Visclosky
Volkmer
Vucanovich
Waldholtz
Walker
Walsh
Wamp
Ward
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)
Zeliff
Zimmer

NAYS—80

Barrett (WI)
Becerra
Clay
Clayton
Clyburn
Coburn
Collins (IL)
Collins (MI)
Conyers
Coyne
DeFazio
Dellums
Dixon
Duncan
Ehlers
Evans
Fattah
Fields (LA)

Filner	Luther	Schumer
Foglietta	McDermott	Serrano
Frank (MA)	McKinney	Stark
Franks (NJ)	Mineta	Stokes
Furse	Minge	Studds
Graham	Mink	Thompson
Green	Moakley	Torres
Gutierrez	Nadler	Towns
Gutknecht	Owens	Tucker
Hastings (FL)	Pallone	Upton
Hilliard	Pastor	Velazquez
Hoekstra	Payne (NJ)	Vento
Holden	Pelosi	Waters
Johnson (SD)	Peterson (MN)	Watt (NC)
Johnson, Sam	Rahall	Williams
Johnston	Ramstad	Wise
Klug	Rangel	Woolsey
Lewis (GA)	Roybal-Allard	Wyden
Lincoln	Rush	Wynn
Lipinski	Sanders	Yates
Lofgren	Schroeder	

NOT VOTING—11

Burton	Hinchey	Reynolds
Chapman	Kasich	Scarborough
Dickey	McIntosh	Waxman
Frost	Moran	

□ 1213

Mr. WYNN, Mr. CLYBURN, Mrs. CLAYTON, Mr. SCHUMER, Mrs. MINK of Hawaii, and Messrs. COYNE, WISE, MOAKLEY, THOMPSON, and FIELDS of Louisiana changed their vote from ''yea'' to ''nay.''

Mr. BRYANT of Texas, Mr. SHADEGG, and Mrs. THURMAN changed their vote from ''nay'' to ''yea.''

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.

PERSONAL EXPLANATION

Mr. BURTON of Indiana. Mr. Speaker, I wish to have the RECORD reflect, immediately after rollcall vote No. 296 on H.R. 889, that I would have voted ''aye'' had I been here. I was across the hall.

PERSONAL EXPLANATION

Mr. SCARBOROUGH. Mr. Speaker, I also wish to have the RECORD reflect that I missed the vote, and had I been here, I would have supported the approval of the conference report on defense supplemental.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Edwin Thomas, one of his secretaries.

□ 1215

PROVIDING FOR CONSIDERATION OF H.R. 660, HOUSING FOR OLDER PERSONS ACT OF 1995

Mr. DIAZ-BALART. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 126 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 126

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 660) to amend the Fair Housing Act to modify the exemption from certain familial status discrimination prohibitions granted to housing for older persons. The first reading of the bill shall be dispensed with. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on the Judiciary now printed in the bill. Each section of the committee amendment in the nature of a substitute shall be considered as read. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore (Mr. HASTINGS of Washington). The gentleman from Florida [Mr. DIAZ-BALART] is recognized for 1 hour.

Mr. DIAZ-BALART. Mr. Speaker, for purposes of debate only, I yield the customary 30 minutes to the gentleman from Ohio [Mr. HALL], pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

Mr. Speaker, House Resolution 126 is an open rule providing for the consideration of H.R. 660, the Housing for Older Persons Act of 1995 authored by our distinguished colleague from Florida, [Mr. SHAW].

The purpose of this legislation is to clarify the requirements for seniors-only housing by removing the ''significant facilities and services'' requirement for housing for older persons from the Fair Housing Act, 42 U.S.C. 3601–3631. The Fair Housing Act prohibits discrimination against families with children, and as the father of two young boys, I am a strong supporter of the rights of families with children of any age. However, current law also allows for seniors-only housing if it meets certain requirements, including the provision of ''significant facilities and services.'' It is my understanding that compliance with the regulations that the Department of Housing and Urban Development has devised to meet this requirement are often vague and sometimes very expensive to meet.

Mr. Speaker, I would defer to the sponsor of the bill, the gentleman from Florida [Mr. SHAW] and to others, other members of the Committee on the Judiciary and Members who have worked diligently on this legislation, which of course the Committee on the Judiciary reported this bill, to speak to the details, to the bill's merits.

I will speak to the rule with which the Committee on Rules brings this bill to the floor. It is, I believe, an extremely fair rule; it is an open rule. Two amendments were offered by members of the minority in the Committee on the Judiciary, amendments that failed on recorded vote, and there may be other Members of Congress and not on the Committee on the Judiciary that may wish to amend this bill. Under this open rule any Member of Congress, regardless of committee or party affiliation, has the opportunity to offer any germane amendment.

The rule provides for 1 hour of general debate, equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary. After general debate, it shall be in order to consider as an original bill for the purpose of amendment under the 5-minute rule the amendment in the nature of a substitute recommended by the Committee on the Judiciary now printed in the bill.

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

Mr. Speaker, House Resolution 126, I believe, is exemplary, it is a totally fair, completely open rule, and I urge its adoption.

THE AMENDMENT PROCESS UNDER SPECIAL RULES REPORTED BY THE RULES COMMITTEE,[1] 103D CONGRESS V. 104TH CONGRESS

[As of April 5, 1995]

Rule type	103d Congress		104th Congress	
	Number of rules	Percent of total	Number of rules	Percent of total
Open/Modified-open[2]	46	44	21	72
Modified Closed[3]	49	47	8	28
Closed[4]	9	9	0	0
Totals:	104	100	29	100

[1] This table applies only to rules which provide for the original consideration of bills, joint resolutions or budget resolutions and which provide for an amendment process. It does not apply to special rules which only waive points of order against appropriations bills which are already privileged and are considered under an open amendment process under House rules.

[2] An open rule is one under which any Member may offer a germane amendment under the five-minute rule. A modified open rule is one under which any Member may offer a germane amendment under the five-minute rule subject only to an overall time limit on the amendment process and/or a requirement that the amendment be preprinted in the Congressional Record.

[3] A modified closed rule is one under which the Rules Committee limits the amendments that may be offered only to those amendments designated in the special rule or the Rules Committee report to accompany it, or which preclude amendments to a particular portion of a bill, even though the rest of the bill may be completely open to amendment.

[4] A closed rule is one under which no amendments may be offered (other than amendments recommended by the committee in reporting the bill).

SPECIAL RULES REPORTED BY THE RULES COMMITTEE, 104TH CONGRESS

[As of April 4, 1995]

H. Res. No. (Date rept.)	Rule type	Bill No.	Subject	Disposition of rule
H. Res. 38 (1/18/95)	O	H.R. 5	Unfunded Mandate Reform	A: 350–71 (1/19/95).
H. Res. 44 (1/24/95)	MC	H. Con. Res. 17	Social Security	A: 255–172 (1/25/95)
		H.J. Res. 1	Balanced Budget Amdt	
H. Res. 51 (1/31/95)	O	H.R. 101	Land Transfer, Taos Pueblo Indians	A: voice vote (2/1/95)
H. Res. 52 (1/31/95)	O	H.R. 400	Land Exchange, Arctic Nat'l. Park and Preserve	A: voice vote (2/1/95)
H. Res. 53 (1/31/95)	O	H.R. 440	Land Conveyance, Butte County, Calif	A: voice vote (2/1/95)
H. Res. 55 (2/1/95)	O	H.R. 2	Line Item Veto	A: voice vote (2/2/95)
H. Res. 60 (2/6/95)	O	H.R. 665	Victim Restitution	A: voice vote (2/7/95)
H. Res. 61 (2/6/95)	O	H.R. 666	Exclusionary Rule Reform	A: voice vote (2/7/95)
H. Res. 63 (2/8/95)	MO	H.R. 667	Violent Criminal Incarceration	A: voice vote (2/9/95)
H. Res. 69 (2/9/95)	O	H.R. 668	Criminal Alien Deportation	A: voice vote (2/10/95)
H. Res. 79 (2/10/95)	MO	H.R. 728	Law Enforcement Block Grants	A: voice vote (2/10/95)
H. Res. 83 (2/13/95)	MO	H.R. 7	National Security Revitalization	PQ: 229–100; A: 227–127 (2/15/95)
H. Res. 88 (2/16/95)	MC	H.R. 831	Health Insurance Deductibility	PQ: 230–191; A: 229–188 (2/21/95)
H. Res. 91 (2/21/95)	O	H.R. 830	Paperwork Reduction Act	A: voice vote (2/22/95)
H. Res. 92 (2/21/95)	MC	H.R. 889	Defense Supplemental	A: 282–144 (2/22/95)
H. Res. 93 (2/22/95)	MO	H.R. 450	Regulatory Transition Act	A: 252–175 (2/23/95)
H. Res. 96 (2/24/95)	MO	H.R. 1022	Risk Assessment	A: 253–165 (2/27/95)
H. Res. 100 (2/27/95)	O	H.R. 926	Regulatory Reform and Relief Act	A: voice vote (2/28/95)
H. Res. 101 (2/28/95)	MO	H.R. 925	Private Property Protection Act	A: 271–151 (3/1/95)
H. Res. 104 (3/3/95)	MO	H.R. 988	Attorney Accountability Act	A: voice vote (3/6/95)
H. Res. 103 (3/3/95)	MO	H.R. 1058	Securities Litigation Reform	
H. Res. 105 (3/6/95)	MO			A: 257–155 (3/7/97)
H. Res. 108 (3/6/95)	Debate	H.R. 956	Product Liability Reform	A: voice vote (3/8/95)
H. Res. 109 (3/8/95)	MC			PQ: 234–191 A: 247–181 (3/9/95)
H. Res. 115 (3/14/95)	MO	H.R. 1158	Making Emergency Supp. Approps	A: 242–190 (3/15/95)
H. Res. 116 (3/15/95)	MC	H.J. Res. 73	Term Limits Const. Amdt	A: voice vote (3/28/95)
H. Res. 117 (3/16/95)	Debate	H.R. 4	Personal Responsibility Act of 1995	A: voice vote (3/21/95)
H. Res. 119 (3/21/95)	MC			A: 217–211 (3/22/95)
H. Res. 125 (4/3/95)	O	H.R. 1271	Family Privacy Protection Act	A: 423–1 (4/4/95)
H. Res. 126 (4/3/95)	O	H.R. 660	Older Persons Housing Act	
H. Res. 128 (4/4/95)	MC	H.R. 1215	Contract With America Tax Relief Act of 1995	A: 228–204 (4/5/95)
H. Res. 130 (4/5/95)	MC	H.R. 483	Medicare Select Expansion	

Codes: O-open rule; MO-modified open rule; MC-modified closed rule; C-closed rule; A-adoption vote; PQ-previous question vote. Source: Notices of Action Taken, Committee on Rules, 104th Congress.

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

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

(Mr. HALL of Ohio asked and was given permission to revise and extend his remarks.)

Mr. HALL of Ohio. Mr. Speaker, I would like to commend my colleague, the gentleman from Florida [Mr. DIAZ-BALART], as well as my colleagues on the other side of the aisle for bringing this resolution to the floor. House Resolution 126 is an open rule which will allow full and fair debate on the important issue of housing for older Americans. As the gentleman from Florida has described, this rule allows 1 hour of general debate. It makes in order the Judiciary Committee amendment in the nature of a substitute as an original bill for the purpose of amendment. Under the rule, germane amendments will be allowed under the 5-minute rule, the normal amending process in the House of Representatives. I am pleased that the Rules Committee was able to report this rule without opposition, and I plan to support it.

Although this rule is open, I do have some questions about the bill itself. In passing the Fair Housing Amendments of 1988, the Congress protected families living with children against discrimination. At the same time, Congress did recognize the particular needs of older people to live among their peers in age restricted communities. This was a correct policy in my view. However, by changing the requirements for senior housing now, I want to make sure that we are not shutting out families, who are struggling to make ends meet, from obtaining affordable housing.

According to the Justice Department, under this bill more than half the persons living in a facility designated as ''housing for older persons'' could be younger than 55 and that facility would not be required to provide any significant services for seniors. Yet, such a facility could be exempt from the Fair Housing Act. Fortunately, the rule we have before us today will allow amendments to this measure, and I sincerely hope the bill can be improved.

As I indicated before, I support this open rule and I urge my colleagues to join me in supporting it.

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

Mr. DIAZ-BALART. Mr. Speaker, we have four speakers who have asked to address the House. I will begin by yielding 2½ minutes to the distinguished gentleman from Florida [Mr. GOSS], a member of the Committee on Rules.

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

Mr. GOSS. Mr. Speaker, I thank the distinguished gentleman from Florida [Mr. DIAZ-BALART], my colleague and close friend, for yielding me this time, and I parenthetically say it is a great pleasure having a gentleman of his esteemed distinction and knowledge serving on the Committee on Rules. The fact that he is from Florida also is an extra blessing. I certainly welcome the opportunity to speak in favor of this wide-open rule on a bill that I hope will have very broad bipartisan support.

As my colleagues know, much has been said about the Contract With America and just which is the crown jewel of that contract, and my colleague from the southwest coast of Florida [Mr. MILLER], and myself from the southwest coast of Florida believe this probably is the crown jewel of the Contract With America; at least in my district it is in close competition because this legislation makes good on yet another promise we made in the Contract With America, and I have also got to point out another Floridian who had an important part of this, and I commend him as a prime sponsor of this bill, the gentleman from Florida, Mr. SHAW, my colleague who has actually been an initiator and put in a lot of hard work, and it is his persistence which brought this to a successful close today.

I think it is important to remember how we got back into this situation, and it is not a great track record. What happened is back in 1988 Congress unintentionally tried to do the right thing when it rightfully sought to exempt bona fide senior citizen communities from a bill to prohibit discrimination against families with children. Congress did have the right idea, but the administrative agency charged with implementing that idea sort of missed the mark. The result was a great deal of unnecessary, I think, unfair anxiety, upset, costly legal headaches for older Americans seeking to live in designated senior retirement communities. This Congress has not wavered on its commitment to assisting our older Americans in their effort to live out their golden years in communities with their peers, places where their special needs can be met. I know our country's grandparents, I think, because I am one, too. I believe our grandparents like to maintain active life styles, complete with frequent visits by their children, grandchildren,

and great-grandchildren, and I do not have any of those yet; I hope I will someday. I understand and I respect the wishes of many seniors to join together in communities designed and specifically maintained for people over 55. After several false starts, the administration seems to have caught on to the problem with earlier application of the 1988 law, and we are grateful that finally we have some much-improved rules from HUD, but still it is clear the bureaucracy has not been able to put the problem to rest on its own, and that is why the legislative fix is important.

So, I urge my colleagues to join in this support for H.R. 660 and this very wonderful rule we have to bring it to the floor.

Mr. DIAZ-BALART. Mr. Speaker, I yield 4 minutes to the distinguished gentleman from California [Mr. CUNNINGHAM].

Mr. CUNNINGHAM. Mr. Speaker, I rise in strong support of H.R. 660, the Housing for Older Persons Act of 1995.

Sometimes, Mr. Speaker, Congress passes laws which have unintended consequences. The Fair Housing Act of 1988 is one of those instances. This landmark legislation has laudable goals of eliminating discrimination in housing. Unfortunately the bill also contains provisions which have had a damaging and harming effect to our chronologically gifted seniors. This has been particularly apparent in San Diego.

Let me tell my colleagues the problems. When the law was enacted, first of all, that in one specific area, and that is the mobile home residents, we had a law enacted that changed the tax rate from going from DMV for mobile homes to property taxes. When that happened, it caused many of the mobile home parks to shut down. There was nowhere else to go, unlimited access to it, and then with the Fair Housing Act, it mandated that they get certain special facilities, medical facilities and others, to the chronologically gifted. In some cases those costs were passed on to our seniors, and in some cases the owners actually made a profit on those services.

Now most of these chronologically gifted folks in the mobile home parks are on a fixed income, and they could not pay the additional costs. It seemed like every time their Social Security increased, they would also get a rent raise. They could not move, and then these extra facilities were put on, and they could not meet it. The mobile home owners would say, ''Okay, move,'' and of course there was no other parks to move to because of the previous law also, so catch-22.

Mayor Thibadow of San Marcos, a city councilman, Corby Smith, and Jerry Linhart who worked with the mobile home people came to me 4 years ago with this, and that is why I laud the gentleman for bringing this bill up.

□ 1230

Even Secretary of HUD Jack Kemp wrote letters and tried to establish the policies. We have not been able to do that before this time. So I would like to thank the gentleman on the other side of the aisle as well as the Members on this side for finally being able to correct a provision that is harmful to chronologically gifted folks.

This is a good bill. It is a bill that protects, as I never use the term senior citizens, the chronologically gifted of our society, and it was one that, and it was not the intent of an original bill, hurt those folks, and we can ill afford to do it. This is government at its best.

From senior citizens going to a city council and a mayor, to coming to the Federal Government for resolutions, it has taken a long time. But again I would like to thank the chairman and CLAY SHAW for bringing this up and the Committee on the Judiciary for acting on it.

Mr. DIAZ-BALART. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Wisconsin [Mr. ROTH].

Mr. ROTH. Mr. Speaker, I thank my friend from Florida for yielding me this time. I am in strong support of this rule and this legislation. When we signed the Contract With America, one of the underlying principles of the Contract With America was that we are going to restore some common sense to our Government again. And this precisely is an area where it is needed.

The agency has now come and told senior citizens some of these areas what kind of bingo they have to have, how many ping-pong tables they have to have. It is absurd regulations.

I applaud the gentleman from Florida, Mr. SHAW, for introducing this legislation, and also another Member, one of our colleagues, DAN MILLER from Florida, for the excellent ''Dear Colleague'' he sent to all of us regarding this legislation. I thought it was very well done.

What this legislation is going to do is going to clarify the congressional intent relating to the Fair Housing Act of 1988. The 1988 law does prohibit discrimination against families and children, but it also has an exemption. It exempts healthy seniors. It exempts senior citizens who want to live in a unit where they can have relative peace and quiet.

The way it has been interpreted by the departments has been totally unworkable. The 1988 legislation has been interpreted in such a way that it is unclear, unworkable, and very costly. It is, I think, an example of what happens when government runs amuck, and this is a precise example of that.

The passage of this bill will finally set forth once and for all a clear and workable and fair exemption that will ensure that these housing facilities that are intended for older persons qualify and remain as housing for our older citizens.

Basically the nub of this bill is this: Under this bill, if a community can prove that 80 percent of its units have one or more occupants aged 55 or older, then it passes the adult only housing test and qualifies for the exemption. That is precisely what we are doing here, is redefining, clarifying, what the 1988 law was to have done.

We need senior communities. But what has happened is that these senior communities have been harassed by lawsuits. The significant facilities and services test has been completely misinterpreted. It has made senior housing unafforadable, it has driven the cost up on it, and many low and fixed income seniors have had to suffer because of this.

The other point I want to make is this, is that this bill is going to protect the realtors. Relators and community boards have been harassed because of this legislation. Basically we have got too many people working in our departments here in Washington and for the Federal Government, and they are just looking for things to do. So they are out harassing realtors and community boards. What we are doing with this legislation is this bill protects the relators and the members of the community boards who act in good faith—that is precisely what the law should do—from liability and monetary damages and lawsuits arising out of senior only provisions. There have been numerous lawsuits against realtors and directors of housing boards, and most of whom were just trying to meet this vague exemption for senior housing.

So I applaud the gentleman from Florida, the Committee on Rules, and every one who has been involved in this, because this is certainly an area that needs clarification, and finally today we are going to do that.

Mr. DIAZ-BALART. Mr. Speaker, I yield 5 minutes to the gentleman from Florida [Mr. MILLER], who, along with the sponsor, the gentleman fro Florida [Mr. SHAW], has worked extremely hard and very diligently on this legislation.

Mr. MILLER of Florida. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I am proud to be able to stand here today to offer my strong support for the Housing for Older Americans Act, H.R. 660, which we will be voting on very shortly. This is a very important piece of legislation. As my colleague the gentleman from Florida [Mr. GOSS], said, to many people in our districts down in southwest Florida, this is the crown jewel of the contract, in addition to the tax bill and reductions we offered last night.

This is the final part of the Contract With America. I would like to think of it now as the granddaddy of the Contract With America since we are going to conclude the contract with this very important issue.

It is not that important to many Members of the Congress because they do not have as many seniors as I have. I have the largest number of seniors of any congressional district in the country, and many of them move to my area to live until senior-only housing,

especially mobile home parks. And it is a special way of life. That is the reason they move to this area of Florida, is to live with their peers,

You have to be in a senior-only housing project to get a better idea of what it means to them. Mobile homes are close to each other, they share so much of their lives together as they get older. They can rely only on their neighbors to provide transportation. They have activities and programs specifically to their needs. They want to preserve this way of life. It is very, very important. And that is the reason I feel very strongly that we need to pass this legislation.

The election last year was a message to Congress and Washington to stop trying to micromanage our lives. And this is one of the many things that shows that they are trying to micromanage our lives.

I am very familiar with this issue. My grandparents moved to Florida back in the 1940's to live in a trailer park, the Bradenton Trailer Park they moved into in 1947 or so. I saw them mature and finish and retire and stay in that mobile home park. They retired to that mobile home park. It was a trailer park in those days. But it was a way of life that was very important in their final years of their lives. So it means so much to so many people in my district.

But the problem was in the 1988 legislation, when they put in legislation where they have the words significant and specific, that is significant facilities and services that are specifically designed, that is a dream word to the bureaucrats and lawyers here in Washington, to be able to define what is significant and what is specific. And they had a grand old time doing it.

Last summer, last July, they came out with 60 pages of regulations to interpret this one sentence. They had hearings. I have to commend HUD, they went around the country to hold hearings. They had one in Tampa. They had almost 3,000 people at this hearing in Tampa that I attended, and the gentleman from Florida [Mr. CANADY] was present there, and they started explaining about congregate meals and all these expensive things that is going to make these senior-only facilities not capable of maintaining and following the regulations. It was a disaster, and actually they realized it.

So when Assistant Secretary Altenberg came to the area, she actually saw these mobile home parks and said, ''Golly, I didn't realize what it means to be in these senior-only programs.'' So they came back and changed them.

So I commend HUD for doing that, and I commend my colleague the gentleman from Florida [Mr. STERNS], for being on top of this issue and encouraging HUD to get manageable, understandable, and livable regulations.

But they came back and they changed the regulations and just issued them a few weeks ago, and it is much better, a big improvement. But it is still micro-management and getting into the affairs and lives of our senior citizens, and it is wrong. Fortunately, this was included in our Contract With America, and I thank my colleagues on the Republican side for including it in the contract. There is wide bipartisan support here in the House of Representatives.

Unfortunately, the administration just does not get it yet. At a Committee on the Budget meeting recently, Secretary Cisneros was trying to defend why we need to have these regulations. They just do not get it yet. The AARP just 2 weeks ago finally got the message and came over to support the Clay-Shaw bill that we are going to be voting on shortly. Thank goodness we have got it this far. At least we have the AARP to say hey, the election last November meant something.

So I am glad to say we are keeping our promises, we are going to vote to approve this, we are going to get Washington out of the lives of our senior citizens back in senior communities, and we are going to let seniors go on and enjoy their retirement years in these senior communities.

Mr. Chairman, I urge my colleagues to support H.R. 660.

Mr. DIAZ-BALART. Mr. Speaker, I yield 2 minutes to a distinguished new Member, the gentlewoman from Washington [Mrs. SMITH].

Mrs. SMITH of Washington. Mr. Speaker, I thank the gentleman so much for this time.

Mr. Speaker, I realized that so much of what I thought I would have to come do when I got here, others were starting to work on before I got here, and it was really nice to find that out. When I was first deciding to run, I was a write-in candidate, one of the first issues that hit me in this Pennsylvania barrage was the elderly in my community. We have a lot of those folks that live in mobile home parks, and they had received 60 pages of proposed regulations to micro-manage their lives and how their parks were going to be managed. And they said we are going to elect you to send you back there to do something, because this is government at its worse. Not only that, if we do all of these costly things they want to our mobile home park, it will cost us so much money, and most of us are on fixed incomes. Can you not get those people back there to stop doing this to us?

I thought, is that not interesting? They did not really believe government was doing it for them. They felt government was doing it to them. Then I got here and thought it is getting better. They have backed off a little bit. They revisited the regulations.

Then I just looked through the new regulations. The new regulations are just cousins of the old regulations. They might think they are better, but they are really not. And it comes to this: If this place does not tell the bureaucracies how to operate, they will operate on their own, and they will take away freedoms from people. They will micro-manage their life. Bureaucracy always does. It will raise the cost of senior citizen housing by their meddling.

So this is a great bill. I am real thankful for it. It is nice to know we all do not have to work on everything, that this effort went on before, and I want to thank those that worked on it.

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

Mr. DIAZ-BALART. Mr. Speaker, I have no further requests for time, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

ANNUAL REPORT OF THE NATIONAL ENDOWMENT FOR THE ARTS FOR FISCAL YEAR 1993—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on Economic and Educational Opportunities:

To the Congress of the United States:

It is my special pleasure to transmit herewith the Annual Report of the National Endowment for the Arts for the fiscal year 1993.

The National Endowment for the Arts has awarded over 100,000 grants since 1965 for arts projects that touch every community in the Nation. Through its grants to individual artists, the agency has helped to launch and sustain the voice and grace of a generation—such as the brilliance of Rita Dove, now the U.S. Poet Laureate, or the daring of dancer Arthur Mitchell. Through its grants to art organizations, it has helped invigorate community arts centers and museums, preserve our folk heritage, and advance the performing, literary, and visual arts.

Since its inception, the Arts endowment has believed that all children should have an education in the arts. Over the past few years, the agency has worked hard to include the arts in our national education reform movement. Today, the arts are helping to lead the way in renewing American schools.

I have seen first-hand the success story of this small agency. In my home State of Arkansas, the National Endowment for the Arts worked in partnership with the State arts agency and the private sector to bring artists into our schools, to help cities revive downtown centers, and to support opera and jazz, literature and music. All across

the United States, the Endowment invests in our cultural institutions and artists. People in communities small and large in every State have greater opportunities to participate and enjoy the arts. We all benefit from this increased arts presence, and yet the cost is just 65 cents per American. The payback in economic terms has always been several-fold. The payback in human benefit is incalculable.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *April 6, 1995.*

□ 1245

HOUSING FOR OLDER PERSONS ACT OF 1995

The SPEAKER pro tempore (Mr. HASTINGS of Washington). Pursuant to House Resolution 126 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 660.

□ 1245

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 660) to amend the Fair Housing Act to modify the exemption from certain familial status discrimination prohibitions granted to housing for older persons, with Mr. DUNCAN in the chair.

The Clerk read the title of the bill.

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

Under the rule, the gentleman from Florida [Mr. CANADY] will be recognized for 30 minutes, and the gentleman from Michigan [Mr. CONYERS] will be recognized for 30 minutes.

The Chair recognizes the gentleman from Florida [Mr. CANADY].

Mr. CANADY of Florida. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, H.R. 660 corrects a serious problem by amending the Fair Housing Act to remove the significant facilities and services requirement for seniors-only housing. Under H.R. 660, if a community can show that 80 percent of its units have one or more occupants aged 55 or older, and meets certain other requirements, it will pass the housing for older persons test.

When Congress amended the Fair Housing Act in 1988, it broadened the coverage of the act to prohibit discrimination against families with children. In covering discrimination based on familial status, Congress recognized the need to respect the desires of some older people to live among their peers in age-restricted communities and crafted an exemption for senior citizens communities.

The Fair Housing Act defines ''housing for older persons'' as housing that is occupied by persons 62 years of age or older or housing that is intended for occupancy by persons 55 years of age or older where there are ''significant facilities and services specifically designed to meet the physical or social needs of older persons.''

Unfortunately, this exemption has been narrowly construed and does not offer the protection to the elderly intended by Congress in passing the 1988 amendments. Consequently, legislation is necessary to establish a workable and fair exemption to protect senior citizens who wish to live in retirement communities.

The meaning of ''significant facilities and services'' has been a source of great confusion and controversy since passage of the act. Lack of clear guidelines have made it difficult for senior's communities to qualify for the exemption. In addition, seniors with low or fixed incomes are often unable to afford the amenities which might be sufficient to qualify for the exemption.

The American Association of Retired Persons, which supports H.R. 660, recently issued a report which states that there has been no ''successful defense of a claim of exemption for housing for older person among the cases receiving judicial review.'' This makes it clear beyond any doubt that the existing statutory provisions have been inadequate to realize the original good of the Congress.

Initially, HUD issued regulations which provided little guidance to legitimate seniors' communities seeking to avail themselves of the statutory exemption for seniors communities. The Housing and Community Development Act of 1992 required HUD to issue a revised rule defining ''significant facilities and services.'' On July 7, 1994, HUD issued proposed rules to define the meaning of this language.

After hearing from several thousand senior citizens in a series of public hearings, Assistant Secretary Achtenberg announced on November 30, 1994, that HUD was withdrawing the proposed regulations for seniors-only housing. HUD recently released new regulations for comment which establish a broad checklist of potential services and facilities, and allow self-certification by communities that they are eligible for the exemption.

While these new regulations are a step in the right direction, significant uncertainties remain. Despite the good faith efforts of HUD to provide reasonable guidance, it has become clear that the only way to finally solve this problem is for Congress to take action.

The heart of the legislation, section 2, amends the Fair Housing Act to remove the significant facilities and services requirement. The major inquiry that H.R. 660 requires in order to determine whether a facility or community qualifies for housing for older persons is whether, in fact, the community is comprised of individuals 55 years of age or older. This section also requires the housing facility or community to publish and adhere to policies and procedures demonstrating the intent to provide housing for occupancy by the 55 and over age group at an 80-percent level.

Section 3 of the bill creates a defense against the imposition of money damages for compliance where a person has relied in good faith on the application of the exemption relating to housing for older persons. This section allows an individual to raise a defense which may prevent the imposition of money damages, where he or she relies, in good faith, on the existence of an exemption for housing for older persons and it is later found that the exemption did not apply.

H.R. 660 will bring needed relief to thousands of senior citizens who live in fear that they will be sued for violating the Fair Housing Act because they are living in a facility or community that is designated as seniors-only. It will relieve their fear that their exemption will be taken from them and they will lose the right to live among other older adults in an age-restricted community.

This legislation strikes a reasonable compromise—protecting the rights of families with children and the security and peace of mind of senior citizens.

I want to thank my colleague, the gentleman from Florida, [Mr. SHAW] for his leadership on this issue. He has diligently pursued this matter for a number of years. Without his hard work, this legislation would not have moved forward.

I also want to thank the gentleman from Massachusetts [Mr. FRANK] for his support in moving this legislation to the floor.

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

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

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

Mr. CONYERS. Mr. Chairman, today's housing for older persons amendment to the Fair Housing Act provides a true measure of relief for those moderate- and low-income senior citizens who have convinced us that some of the compliance requirements of the current Fair Housing Act are too onerous.

In this connection, I join with the American Association of Retired Persons in support of this amendment, which eliminates the burdensome significant facilities requirement that senior communities currently have to demonstrate that they have available to be considered seniors-only housing.

I would be remiss if I did not state explicitly that I give pause before I support any change in civil rights laws which weakens that kind of a law in any way, but in this narrow case, I believe in the careful balance which the Fair Housing Act must strike between the legitimate interests of our seniors to maintain age-specific communities for themselves and against the need of families to find decent housing, in 1988, this Congress struck the balance a little too harshly against seniors. And all

we have done in this bill is make a modest adjustment.

The only concern that I had about a provision in this bill which permits a good faith defense against liability for monetary damages in housing discrimination lawsuits prompted me to offer an amendment unsuccessfully to delete the defense from the bill. I did not succeed in that effort, but I was satisfied with the considerable narrowing of the defense that the Committee on the Judiciary adopted, mainly because of the efforts extended by the gentleman from Massachusetts, the ranking minority member of this committee.

So we have an improvement, and the Department of Housing and Urban Development has done a good job of promulgating regulations which clarify the significant facilities requirement as they were required to do in 1988 and again in 1992.

The statutory requirement of the significant facilities remains too expensive, too onerous for many of our senior, moderate- and low-income housing communities. It is for that reason that I urge support for this amendment.

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

Mr. CANADY of Florida. Mr. Chairman, I yield 5 minutes and 30 seconds to the gentleman from Florida [Mr. SHAW], the sponsor of this legislation.

Mr. SHAW. Mr. Chairman, I thank the gentleman for yielding time to me. I also thank him for his leadership in getting this to the House, and I thank the gentleman from Michigan [Mr. CONYERS], the ranking minority member. I also want to recognize the gentleman from Massachusetts [Mr. FRANK], who had a hearing on this last year, when he was chairing the committee, and made a commitment at that time that this would come back to the floor, which the new majority has honored. So I very much appreciate this. It is a bipartisan piece of legislation, and it is one that I think is well thought out. And I think it is very protective of the rights of families and of children.

In 1988, Congress passed the Fair Housing Amendments Act of 1988, which attempted to bar discrimination based on familial status. The 1988 act tried to provide an adequate exemption for those housing communities or developments intended as senior or retirement communities. Up until then, States regulated senior housing through State legislation.

The 1988 act requires communities that qualify as senior housing under the provision, to quote from the rule, that ''at least 80 percent of the households have in residence at least one person 55 years of age or older,'' and to provide ''significant facilities and services designed to meet the needs of older persons.'' Significant facilities is currently the most problematic requirement for exemption from the familial status provision. Seniors' communities throughout the country have been faced with a barrage of lawsuits challenging their qualifications under this provision. This litigation is costly and burdensome to the communities and unwelcome to the seniors who reside in them. No seniors community which has been challenged in court has ever retained its exemption.

The Housing and Community Development Act of 1992 required HUD to issue a revised rule defining the term ''significant facilities.'' On July 7, 1994, HUD issued proposed regulations to define the meaning of ''significant facilities.'' On November 30, 1994, HUD withdrew the proposed regulations. Once again, HUD has attempted to provide a rule to define ''significant facilities'' and has released new regulations. Unfortunately, as drafted, the new rules will impose expensive and unnecessary burdens on seniors-only housing communities. For example, a provision that requires a staff member assigned to read to the elderly.

H.R. 660 will make it easier for adult communities to satisfy the Fair Housing regulations. The bill would repeal the ''significant facilities and services'' requirement that is one of the troublesome and unreasonable tests seniors' communities have had to meet to qualify for an exemption from the 1988 Fair Housing Act.

Under this bill, if a community publicly states and can prove that 80 percent of its units have one or more occupants aged 55 or older and shows an intent to serve the 55 and older population through its advertising, rules and regulations, it passes the adults-only housing test. These two tests are sufficient to protect families with children against discrimination.

I want to be perfectly clear on what I am not trying to do. I am not repealing the protection for persons discriminated against based on familial status, but merely trying to establish communities around the country. The Fair Housing Amendments Act recognized that senior have a right to live in bona fide retirement communities if they choose. It is time the legal language reflects that worthy goal.

I believe, however, that these most recent guidelines are vague and still fail to provide a reasonable certainty of compliance for senior communities that attempt to comply with the 1988 act.

I believe older Americans deserve to have the senior-only housing option preserved. The should not be required to add requirements of communal and rehabilitative services that are not appropriate to the active lifestyle of some senior-only communities.

The elimination of the significant facilities from the 1988 act is of vital concern to seniors throughout Florida and indeed throughout the country. It is vital to every apartment building, every condominium association and every homeowners' association that wishes to retain the senior-only status. I have heard from and continue to hear from hundreds of my constituents about this issue. I continue to receive calls from other States as well, so this is definitely not a problem unique to Florida.

Let's take this opportunity today to provide peace of mind for senior citizens in 55 and older communities by passing H.R. 660. Let's provide assurances that they can continue to live in their 55 and older retirement communities without having to pay for expensive facilities and services they don't want and don't need. Let us pass this final portion of the Contract With America which responds to the outcry from senior citizens on this issue from every corner of the country.

□ 1300

Mr. CONYERS. Mr. Chairman, the name of the gentleman from Massachusetts, BARNEY FRANK, has been mentioned many times already in this debate.

I yield such time as he may consume to the gentleman from Massachusetts [Mr. FRANK].

Mr. FRANK of Massachusetts. Mr. Chairman, I feel a little bit like the character in the Moliere play who learned that he was speaking prose all his life without knowing it. I find that I am here advocating a part of the contract. That is not a posture I have previously found myself in very often. I did not know that this was part of the contract. It just goes to show that even a stopped clock can be right twice a day.

This is an important piece of legislation. What we did in 1988 was, sensibly, to try to protect children, families with children against discrimination. As the gentleman from Florida [Mr. SHAW], who is the author of this pointed out, this in no way weakens or repeals that substantive legislation.

What we are dealing with here is basically how you establish a certain fact. We recognize, first, that the general principle should be that you do not discriminate against families with children in the sale or rental of housing.

Second, we did not mean that this ruled out the ability to create a community of people who were older. Older people, like the rest of us, differ in their tastes and preferences. Some of them want to live just like everybody else. Others, by the time they reach a certain age, do not ever want to hear another ball bouncing against a wall, they do not want to be awakened by music they do not understand at midnight. They want to be able to get up at 6 o'clock in the morning and not worry about waking up other people. People's patterns in life can change.

Congress sensibly said in 1988, and President Reagan agreed, let us have a protection for children, but let us also say that we can have a separate situation for older people only. To define that, people put in at the time, trying to prevent abuse, a requirement that you had to have special facilities for the elderly. That is wrong, I think now, for a couple of reasons.

First of all, it suggests that if the average age in a place is in the sixties, that automatically means that they are people who cannot get around very well, that they need special facilities. There are communities of people in their sixties and seventies and eighties who do not need any special facilities. Some do, some do not.

Beyond that, and this is where I have found this to be a problem, it is especially a burden on people who live in manufactured housing. In the district I represent, there are a number of very attractive communities of older people in manufactured housing, people living in separate units. They may have one building which is kind of a community room, but they do not have the kind of facilities that you might find in a high-rise building. They have found themselves at a disadvantage.

It is to the credit of Assistant Secretary Roberta Achtenberg at HUD that, given this set of rules, she has shown a great deal of flexibility and understanding in interpreting them. She had one proposal which people pointed out was problematic, and she withdrew it, as has been noted, and she deserves credit for that.

She then came out with a second proposal. I agree with the gentleman from Florida, her second proposal was a considerable improvement. Indeed, I believe that given the framework of the statute, it was about as good as it could be. Therefore, it is not a criticism of her that we have said ''You have done a pretty good job of trying to be flexible within the statute, but there is a problem with the statute itself.

That is what this is here to amend. Therefore, we should be very clear, this is not a repeal of the protection for children, this is not any weakening of the substantive rules. It does remove one piece of evidence that you have to have to qualify for an exemption in the law. which remains essentially unchanged.

Finally, I want to note, and I appreciate the good words of the gentleman from Michigan [Mr. CONYERS] about my efforts, the original bill as it came forward or as it came to committee had some language which we thought was too broad in terms of a good faith effort.

What we do here is to say if you are an individual citizen, you are not going to be held to a very high, sophisticated standard in terms of dollars, but if you are a real estate professional, we can hold you to a somewhat higher standard, so we put real estate professionals on notice that they have to be fully cognizant of the facts. If they are not cognizant of the facts and are found to have been deceptive, they might pay a penalty, but that does not apply to individuals.

I think it is a very reasonable piece of legislation, and I thank the gentleman from Florida and others for letting us bring it forward.

Mr. CANADY of Florida. Mr. Chairman, I yield 4 minutes to the gentleman from Illinois [Mr. HYDE], chairman of the Committee on the Judiciary.

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

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

Mr. Chairman, I want to express my support for this important legislation, which injects some commonsense changes into the Federal fair housing law. I want to congratulate the chairman of the Subcommittee on the Constitution of the Committee on Judiciary, the gentleman from Florida, Mr. CHARLES CANADY, and his chief counsel, Kathryn Hazeem, as well as the ranking member of the Subcommittee on the Constitution, the gentleman from Massachusetts, Mr. FRANK, and his chief counsel, Robert Raben; in addition, the gentleman from Michigan, Mr. CONYERS, JOHN CONYERS, the ranking minority member of the Committee on the Judiciary, for their very supportive conduct on this bill.

It has pretty much all been said, and I do not want to repeat it, but I ought to mention that this legislation will protect innocent real estate agents and condominium board Members against personal liability for money damages stemming from this seniors only provision if they have acted in good faith.

The American Association of Retired Persons strongly supports enactment of H.R. 660 as a means of providing needed clarity in the law.

Housing discrimination should not be tolerated in our society, but there have been numerous instances where implementation and administration of the fair housing law has prompted unnecessary confusion and strife. This bill is a step toward fairness, accommodation, and common sense for senior citizens and the communities where they live. I certainly urge an ''aye'' vote.

Mr. CONYERS. Mr. Chairman, I am pleased to yield 5 minutes to the gentlewoman from Florida [Mrs. THURMAN]

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

Mr. Chairman, it sounds like there is a Florida day today out here on the floor. I have to tell the Members, this piece of legislation has really created in our State some, obviously, notoriety here, because it has been an issue that we have heard about for a couple of years now.

I am just delighted that the House is going to consider the necessary changes in the Fair Housing Act. I want to, along with my other colleagues, congratulate the gentleman from Florida [Mr. SHAW] for bringing this legislation forward, not only this year but also last year.

I want to thank the gentleman from Massachusetts [Mr. FRANK] for having the hearing last year and setting part of this stage so we could move in this year to consider this legislation before the House.

Mr. Chairman, I think it is also appropriate to say that this is a Florida delegation-sponsored piece of legislation in a bipartisan spirit, and again, and I cannot tell the members how important it is to our seniors in our State. It is just so important.

We have talked about that ever since the 1988 amendments to the Fair Housing Act were signed into law there has been confusion and controversy that have surrounded the definition of ''significant facilities and services'' in senior citizen housing. The provision would require senior communities to provide these facilities and services designed to meet the special needs of senior citizens.

In a footnote here, I have to tell the Members, I will invite any Member down to my district, and I can assure them that some of these things are not necessary. Some of them have more spirit and more drive than many of us sitting in Congress today, and they are out dancing and doing the kinds of things that we like to see people enjoy in their years as they get a little older.

However, the Department of Housing and Urban Development proposed this rule on this definition, and they first published it last year, which only added to the problem. Then HUD came in, to their credit, and held public hearings. They had one in the State of Florida in Tampa.

I have to tell the Members, hundreds of my constituents drove to Tampa to be heard on this important issue. I think when they came back and once they saw some of the activity that took place, they felt like they had been heard.

At the same time, Mr. Chairman, what we have heard today is that there are sometimes things that cannot just be corrected through a rule or regulation, that we really do have to make changes in the law, which is what I think we are here today for, is to make sure that the changes that are made protect this, and so HUD can go about what they intended to do in their rule recently, and that is give them the tools to do this correctly.

Again, I just want to add my support, and hope that my colleagues on this side will support H.R. 660.

Mr. CANADY of Florida. Mr. Chairman, I yield 2 minutes to the gentleman from Florida [Mr. WELDON].

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

Mr. Chairman, I rise in support of H.R. 660, the Housing for Older Persons Act. Stop bureaucrats down at the Department of Housing and Urban Development from harassing those who live in seniors-only housing.

Mr. Chairman, this is a very important issue for older Americans in my district. They should have the opportunity to live with other friends and neighbors which are sharing in the

same life experiences of retirement in the type of community they choose.

In 1990, the Congress passed amendments to the Fair Housing Act intended to protect seniors-only housing from familial status lawsuits. However, bureaucrats down at the Department of Housing and Urban Development, appointed by President Clinton, are not allowing these Americans to follow the law. There is a nebulous requirement that seniors housing include significant facilities and services. HUD has given this term an ominous and expensive definition, that costs thousands of dollars for seniors-only housing in my district.

A clear example of how the Federal Government has wreaked havoc in housing for older persons took place in my own home State. Late last year, seniors at the Windmill Pointe Village Club Association of Orlando, FL, were forced to pay more than $440,000 in damages and penalties for practicing familial discrimination.

Mr. Chairman, mandating such services as illustrated in the latest regulations issued by HUD will require housing complex owners to double, triple or quadruple rents in mobile home parks or housing complexes. Unless the House of Representatives acts on this bill, the potential of high rents could effectively ban low- and moderate-income elderly from seniors-only housing.

Mr. Chairman, I urge my colleagues to vote for this bill and end this attack on our seniors.

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

Mr. CANADY of Florida. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, the record on passage of the Fair Housing Act Amendments of 1988 is clear—Congress specifically recognized the need to protect housing for older persons as a valuable resource for the elderly. Unfortunately, the record is equally clear that the statutory exemption that we crafted requiring significant facilities and services is not working. No community which has been challenged in court has ever retained its exemption. The significant facilities and services requirement imposes expensive and unnecessary requirements on communities seeking an exemption. Seniors communities across the country live in fear that they will have their exemption revoked—or worse—that they will have to use the precious dollars that they have set aside for their retirement to defend themselves in a lawsuit in which they face the unlimited resources and legal firepower of the Federal Government.

The most recent rulemaking by HUD marks the third time that the executive branch has tried to issue regulations to give clear guidance without imposing expensive and burdensome requirements. I think Assistant Secretary Achtenberg has made an admirable effort in attempting to craft flexible regulations, but no amount of rulemaking can save a flawed statute. The best recourse available to us is to amend the law and stop the intimidation of senior citizens—especially those with fixed and low incomes—who can neither afford the expense of significant facilities and services nor lawsuits to defend their right to live their retirement years in peace and security.

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

□ 1315

Mr. STEARNS. I thank my colleague for yielding me the time.

Mr. Chairman, I rise today in strong support of H.R. 660, the Housing for Older Persons Act. I wish to thank my good friend and colleague the gentleman from Florida, CLAY SHAW, for his work on this issue. His efforts on behalf of the seniors of this country are commendable. I also want to recognize the chairman of the full committee, Chairman HYDE, and the chairman of the subcommittee, another Florida colleague, Chairman CANADY, both of whom have been instrumental in the fight for fairness for seniors.

The Fair Housing Act of 1988 created a burdensome and intrusive regulation regarding seniors-only housing. The significant facilities and services language has caused far too many problems for the seniors of our country. As you all know, I have worked on this issue since I came to Congress 7 years ago. In 1992, I amended section 919 of the Housing and Community Development Act, requiring that HUD simplify and clarify the exemption language. This year HUD finally published the new rule. The rule does simplify the requirements and ease the burden on housing communities, but does not alter the questionable and confusing facilities and services language. In other words, seniors still face a legal hurdle for doing nothing more than trying to freely live in their own communities.

It has become clear that a full repeal of the questionable regulations is the best solution to this problem. Only by removing the ambiguous language regarding significant facilities and services can we truly protect the rights of seniors. If we pass this bill, there will finally be a clear and concise test, by which seniors only housing facilities can know whether they qualify for the exemption.

Housing discrimination should not be tolerated by our society, and it certainly should be encouraged by legislation. But, the Fair Housing Act does just that: instead of making it easier for seniors to live in their own communities it has created a legal pitfall that assumes seniors are guilty until proven innocent. The act has actually discouraged seniors from exercising their right to live where they want. The Fair Housing Act has been anything but fair.

I urge my colleagues to support H.R. 660. This legislation will provide the fairness and accommodation our Nation's seniors deserve. No longer will they be treated as second-class citizens; no longer will they be punished simply for their age. Finally they will enjoy the fairness promised to them in the Fair Housing Act. Finally they will regain the right to live in peace. I urge an ''aye'' vote on H.R. 660.

Mr. CANADY of Florida. Mr. Chairman, I yield 1 minute to the gentleman from California [Mr. BONO].

Mr. BONO. Mr. Chairman, I thank the gentleman for yielding me the time. Mr. Chairman, I rise in support of H.R. 660, the Housing for Older Persons Act of 1995. In my district, particularly in communities like Hemet and San Jacinto, thousands of seniors suffer from oppressive and unfair regulations when it comes to seniors-only housing.

The bill would repeal the significant facilities requirement that is one of the tests senior communities have had to meet to qualify for an exemption from the 1988 Fair Housing Act. This will bring needed relief to not only my district, but to seniors throughout the country.

I urge my colleagues to support H.R. 660 and end the discrimination against seniors.

Mr. BILIRAKIS. Mr. Chairman, I rise today in strong support of H.R. 660, the Housing for Olders Persons Act, legislation of which I am a proud cosponsor.

I am delighted to tell my colleagues that this legislation creates no new programs, expands no bureaucracies, helps our seniors—and will cost us virtually nothing.

It merely clears up some of the tortured ''logic'' of federal regulation touched off when the Congress sought to amend the Fair Housing Act in 1988. It was a classic example of the law of unintended effects.

In a good-faith effort to prohibit housing discrimination, the Federal Government managed to virtually prohibit senior citizen retirement communities. The more loopholes the Congress sought to open to allow these communities to safety slip through this vague and ill-written law. The more bureaucratic hurdles and hoops were created by the Department of Housing and Urban Development.

These communities were forced to supply ''significant facilities and services specifically designed to meet the physical or social needs of older persons.'' Unfortunately, HUD chose not to define what these services or facilities should be. Seniors communities often sunk hundreds of dollars into service improvements only to be denied HUD certification anyway.

Last year, under pressure from citizens across the country, HUD attempted to clarify this requirement. Instead, it merely added 59 more pages of proposed rules and regulations.

HUD suggestions for costly congregate dinning facilities, daily meal delivery and other services regardless of whether they were needed or already available elsewhere led to even more confusion and frustration.

Last month, HUD tried again to clear the bureaucratic swamp it had created following another round of citizen complaints. Again, no

specific requirements were offered, but 12 categories of suggested facilities were advanced—including, as was reported in the Wall Street Journal, ''Bingo clubs, bowling trips and TAI–CHI classes.''

It is obvious to me that the only way we are going to drain this swamp is by wiping this outlandish requirement for significant facilities and services off the books entirely—which is what the bill before us does.

I urge my colleagues to strike a blow for fairness and against mind-numbing, bureaucratic nonsense by voting for this legislation today.

Mr. YOUNG of Florida. Mr. Chairman, I rise in strong support of H.R. 660, the Housing for Older Persons Act, which is legislation I have cosponsored to once and for all specify with certainty which housing communities qualify as adult-only communities.

The Fair Housing Act of 1988 prohibited housing discrimination based on familial status. Congress, however, was very clear in providing exemptions for adult-only communities. Unfortunately, in the 7 years since enactment of the law, the Department of Housing and Urban Development has been unable to issue regulations that adequately set out the requirements for adult-only communities that are to be exempted from the act. The result has been great uncertainty among the residents of these communities, volunteers serving in homeowner associations, and real estate agents who sell or rent homes.

It is an issue that has generated great interest among the residents of many, many senior retirement communities across the 10th Congressional District of Florida which I have the privilege to represent. Their concern was heard by the Department of Housing and Urban Development in a public hearing last October in Tampa. Hundreds of Tampa Bay area residents turned out to share these concerns and as a result, HUD announced late last year that it was again withdrawing proposed regulations to clarify which communities are exempt from the Fair Housing Act's requirements.

The primary concern I raised in my testimony at that hearing, which was echoed by the many residents of senior housing communities, is HUD's proposed requirement that these communities provide ''significant facilities and services specifically designed to meet the physical or social needs of older persons.'' The lack of a clear definition for significant facilities has created havoc in housing communities throughout our Nation, and particularly in Pinellas County, FL. Without some clarification, these communities have been unable to complete the process by which they receive exemptions from the act's familial status discrimination provisions. Regulations promulgated by the Department in 1991 did not clearly define what facilities and services are required to meet this test, and throughout the past 4 years, HUD officials have admitted they are unable to provide a specific list of these requirements.

The result is that many housing communities have not been able to determine with certainty whether they qualify for the exemption. Because HUD has no certification process, the only way this issue can be determined is through the courts. Therefore, communities find themselves in limbo until they are challenged in court and their exemption is approved or rejected. A number of housing communities throughout our Nation have been challenged in court by HUD and have had their senior-only status overturned.

Congress recognized the problems created by the original 1991 regulations and in October 1992 enacted legislation requiring the Department to issue revised regulations to more clearly define the significant facilities required for communities to retain their senior status. Unfortunately, HUD's latest proposed regulations, issued on March 14, one again fail to clear up the confusion and uncertainty caused by past drafts.

As I have said in cosponsoring legislation in the 101st, 102d, 103d, and this 104th Congress to correct this problem, we must take legislative action to provide a definitive solution if HUD cannot solve the problem and ease the confusion through the regulatory route. The legislation before us today, which I cosponsored, simply deletes the significant structures and services requirement from the law. This enables housing communities to definitively determine whether or not they qualify for the 55-and-older exemption from the familial status discrimination provisions. The sole remaining criteria is whether or not 80 percent of a housing community's residents are 55 or older.

Mr. Chairman, the problem we seek to solve today is not only important to the people of the many adult communities I represent, but to the hundreds of volunteers who serve as directors for the countless housing communities which remain uncertain whether they are in compliance or in violation of Federal law.

This is a good legislative solution to a long overdue problem and I urge the support of my colleagues.

Mr. KOLBE. Mr. Chairman, I rise in strong support of H.R. 660, the Housing for Older Persons Act. This legislation will at long last put to rest a burdensome bureaucratic requirement that senior's housing communities provide significant facilities and services for senior care in order to meet the Fair Housing Amendment Act's adult-only housing test.

I, along with every Member of this body, have heard from literally hundreds of seniors who fear their community will no longer be able to qualify as a senior's community. Every attempt at clarification by the Department of Housing and Urban Development of what is meant by significant facilities has led to even greater confusion. The most recent set of regulations issued in March are a nightmare. HUD has decided that in order to qualify as seniors housing, critical services such as taichi and bowling trips must be provided.

Clearly, it is time we acknowledge that the Congress erred during the 1988 expansion of the Fair Housing Act when it mandated that seniors communities provide significant facilities. James Bovard put it best when he wrote in the March 20 edition of the Wall Street Journal: ''We don't need Federal bingo mandates for our senior citizens. The real issue in this controversy is how much power politicians and bureaucrats should have to forcibly veto Americans' freedom of association.''

I urge my colleagues to vote in favor of H.R. 660.

Mr. ACKERMAN. Mr. Chairman, I rise in strong support of H.R. 660, the Housing for Older Persons Act. In 1988, Congress amended the Fair Housing Act to prohibit discrimination in housing against families with children providing an exemption in the case of housing for older persons in order to allow senior citizens to live in age-restricted housing, such as retirement communities.

Unfortunately, since enactment of the 1988 amendments, controversy has surrounded the definition of seniors-only housing which requires significant facilities and services specifically designed to meet the physical or social needs of older persons in order for a specific facility to qualify for the exemption. Some seniors' communities have been faced with housing discrimination lawsuits, due in part to confusion about the types of facilities and services that must be provided in order for a community to qualify.

H.R. 660 removes the significant facilities and services requirement that a seniors community must meet in order to qualify for the exemption and instead allows communities to demonstrate only that it is intended to provide housing for persons 55 and older, and that 80 percent of the housing units are occupied by one or more persons in this age group.

The Older Persons Act also establishes a good faith defense against liability for monetary damages in housing discrimination lawsuits which involve the exemption. This defense protects individuals, such as members of condominium boards, from lawsuits if they acted on a good faith belief that the seniors community qualified for the exemption.

Mr. Chairman, H.R. 660 removes the uncertainty from current law and protects the legitimate right of seniors to live in communities designed for them. I urge my colleagues to support the bill.

The CHAIRMAN. All time for general debate has expired.

Pursuant to the rule, the committee amendment in the nature of a substitute printed in the bill is considered as an original bill for the purpose of amendment and each section is considered as having been read.

The Clerk will designate section 1.

The text of section 1 is as follows:

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Housing for Older Persons Act of 1995''.

The CHAIRMAN. Are there any amendments to section 1?

If not, the Clerk will designate section 2.

The text of section 2 is as follows:

SEC. 2. DEFINITION OF HOUSING FOR OLDER PERSONS.

Subparagraph (C) of section 807(b)(2) of the Fair Housing Act (42 U.S.C. 3607(b)(2)) is amended to read as follows:

''(C) that meets the following requirements:

''(i) The housing is in a facility or community intended and operated for the occupancy of at least 80 percent of the occupied units by at least one person 55 years of age or older.

''(ii) The housing facility or community publishes and adheres to policies and procedures that demonstrate the intent required under clause (i), whether or not such policies and procedures are set forth in the governing documents of such facility or community.

''(iii) The housing facility or community complies with rules made by the Secretary for the verification of occupancy. Such rules shall allow for that verification by reliable

surveys and affidavits and shall include examples of the types of policies and procedures relevant to a determination of compliance with the requirement of clause (ii). Such surveys and affidavits shall be admissible in administrative and judicial proceedings for the purposes of such verification.''.

The CHAIRMAN. Are there any amendments to section 2?

If not, the Clerk will designate section 3.

The text of section 3 is as follows:

SEC. 3. GOOD FAITH ATTEMPT AT COMPLIANCE DEFENSE AGAINST CIVIL MONEY DAMAGES.

Section 807(b) of the Fair Housing Act (42 U.S.C. 3607(b)) is amended by adding at the end the following:

''(5) GOOD FAITH RELIANCE.—(A) A person shall not be held personally liable for monetary damages for a violation of this title if such person reasonably relied, in good faith, on the application of the exemption under this subsection relating to housing for older persons.

''(B) For the purposes of this paragraph, a person engaged in the business of residential real estate transactions may show good faith reliance on the application of the exemption by showing that—

''(i) such person has no actual knowledge that the facility or community is not, or will not, be eligible for such exemption; and

''(ii) the facility or community has certified to such person, in writing and on oath or affirmation, that the facility or community complies with the requirements for such exemption.''.

The CHAIRMAN. Are there amendments to the bill?

If not, the question is on the committee amendment in the nature of a substitute.

The committee amendment in the nature of a substitute was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker pro tempore (Mr. MCINNIS) having assumed the chair, Mr. DUNCAN, 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. 660) to amend the Fair Housing Act to modify the exemption from certain familial status discrimination prohibitions granted to housing for older persons, pursuant to House Resolution 126, he reported the bill back to the House with an amendment adopted in the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

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.

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

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

Mr. CANADY of Florida. 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 424, nays 5, not voting 5, as follows:

[Roll No. 297]

YEAS—424

Abercrombie
Allard
Andrews
Archer
Armey
Bachus
Baesler
Baker (CA)
Baker (LA)
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bateman
Beilenson
Bentsen
Bereuter
Bevill
Bilbray
Bilirakis
Bishop
Bliley
Blute
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boucher
Brewster
Browder
Brown (CA)
Brown (FL)
Brown (OH)
Brownback
Bryant (TN)
Bunn
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cardin
Castle
Chabot
Chambliss
Chenoweth
Christensen
Chrysler
Clay
Clayton
Clement
Clinger
Clyburn
Coble
Coburn
Coleman
Collins (GA)
Collins (IL)
Collins (MI)
Combest
Condit
Conyers
Cooley
Costello
Cox
Coyne
Cramer
Crane
Crapo
Cremeans
Cubin
Cunningham
Danner
Davis
de la Garza
Deal
DeFazio
DeLauro
DeLay
Dellums
Deutsch
Diaz-Balart
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Dornan
Doyle
Dreier
Duncan
Dunn
Durbin
Edwards
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
Frank (MA)
Franks (CT)
Franks (NJ)
Frelinghuysen
Frisa
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, E.B.
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 (GA)
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
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
Seastrand
Sensenbrenner
Serrano
Shadegg
Shaw
Shays
Shuster
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
Watts (OK)
Waxman
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Williams
Wilson
Wise
Wolf
Woolsey
Wyden
Wynn
Yates
Young (AK)
Young (FL)
Zeliff
Zimmer

NAYS—5

Becerra
Berman
Bryant (TX)
Scott
Watt (NC)

NOT VOTING—5

Ackerman
Chapman
Dickey
Frost
Reynolds

☐ 1341

Mr. WATT of North Carolina changed his vote from ''yea'' to ''nay.''

Mr. RUSH changed his vote from ''nay'' to ''yea.''

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. ARMEY. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks on H.R. 660, the bill just passed.

The SPEAKER pro tempore (Mr. HOBSON). Is there objection to the request of the gentleman from Texas?

There was no objection.

LAST VOTE ON CONTRACT WITH AMERICA—FREE AT LAST

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

Mr. ARMEY. Mr. Speaker, I will just take a minute. Let me say to my colleagues that here we are on day 92 of the 100 days for the Contract With America and on this overwhelmingly bipartisan vote that we just cast we have made our last vote on the Contract With America.

Let me say to all my colleagues on both sides of the aisle how very proud I am of the way we as a body have conducted our affairs. This has been a difficult schedule. It has been extraordinarily demanding on our families, and if I may close my remarks with this observation, on behalf of our families let me just say: Free at least; free at last.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 345

Mr. PICKETT. Mr. Speaker, I ask unanimous consent that the name of the gentleman from Oklahoma [Mr. BREWSTER] be removed from the list of cosponsors of H.R. 345.

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

There was no objection.

PROVIDING FOR CONSIDERATION OF H.R. 483, MEDICARE SELECT EXPANSION

Ms. PRYCE. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 130 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 130

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 483) to amend title XVIII of the Social Security Act to permit medicare select policies to be offered in all States, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Commerce. After general debate the bill shall be considered for amendment under the five-minute rule. In lieu of any committee amendment it shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule an amendment in the nature of a substitute consisting of the text of H.R. 1391. That amendment in the nature of a substitute shall be considered as read. No amendment to that amendment in the nature of a substitute shall be in order except one further amendment in the nature of a substitute which may be offered only by Representative Dingell of Michigan or his designee, shall be considered as read, shall be debatable for one hour equally divided and controlled by the proponent and an opponent, and shall not be subject to amendment. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendment as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the amendment in the nature of a substitute made in order as original text. The previous question shall be considered as ordered on the bill and any amendment thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. Subject to clause 2(l)(5) of rule XI, the Committee on Commerce may file a report to the House on H.R. 483 at any time.

The SPEAKER pro tempore. The gentlewoman from Ohio [Ms. PRYCE] is recognized for 1 hour.

AMENDMENT OFFERED BY MS. PRYCE

Ms. PRYCE. Mr. Speaker, I ask unanimous consent that House Resolution 130 be amended on page 2, line 3, by inserting after ''bill'' the words ''for failure to comply with clause (2)(1)(6) of rule XI.''

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Ohio?

Mr. MOAKLEY. Mr. Speaker, reserving the right to object, I would like to know exactly what the gentlewoman from Ohio [Ms. PRYCE] is doing at the present time.

Ms. PRYCE. Mr. Speaker, will the gentleman yield?

Mr. MOAKLEY. Further reserving the right to object, I yield to the gentlewoman from Ohio.

Ms. PRYCE. Mr. Speaker, the words proposed to be inserted were inadvertently deleted from the text of the rule, even though it is clear from the motion made in committee that those included words were to be reported.

Mr. MOAKLEY. Mr. Speaker, the gentlewoman has a very lucid explanation, and I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Ohio?

There was no objection.

The SPEAKER pro tempore. The resolution is amended.

Ms. PRYCE. Mr. Speaker, for purposes of debate only, I yield the customary 30 minutes to the gentleman from Massachusetts [Mr. MOAKLEY], pending which I yield myself such time as I may consume.

During consideration of this resolution, all time yielded is for the purposes of debate only.

Mr. Speaker, time is of the essence. That is the basic principle underlying our consideration of this legislation today.

In 1990, Congress created the Medicare Select Program to allow Medicare recipients the option of purchasing a MediGap managed care option. This 15-State demonstration project is set to expire on June 30, a date that is not so far away when you consider that we are about to begin a 3-week district work period. Unless Congress takes prompt action to renew this program, the insurance benefits of nearly half a million senior citizens covered by the Medicare Select Program would be in jeopardy.

Failure to extend the program's authority would most likely lead to higher premiums for current enrollees, presenting a new burden for senior citizens who live on fixed incomes.

The legislation before us, crafted by the distinguished gentlewoman from Connecticut [Mrs. JOHNSON], expands this option now being tried successfully in 15 States to seniors in all 50 States, extends the program for a minimum of 5 additional years, and puts it on track to becoming permanent if the Secretary of Health and Human Services certifies that certain conditions have been met.

In order to expedite consideration of this bill in the House, and to ensure that the Senate, will have ample time to debate this issue, the Committee on Rules has reported a fair and balanced rule for this very necessary legislation. Only the rule will be considered by the House today.

Mr. Speaker, the rule provides for 1 hour of general debate, equally divided and controlled by the chairman and ranking minority member of the Committee on Commerce, after which time the bill shall be considered for amendment under the 5-minute rule.

The rule makes in order as an original bill for the purpose of amendment under the 5-minute rule an amendment in the nature of a substitute consisting of the text of H.R. 1391. This bill reflects a consensus position reached by the two committees of jurisdiction in this matter: The Committee on Commerce, and the Committee on Ways and Means.

No amendment to that amendment in the nature of a substitute shall be in order, except one further amendment in the nature of a substitute which may be offered only by Representative DINGELL or his designee. The amendment shall not be subject to further amendment, and is debatable for an hour, which shall be equally divided and controlled by the proponent and an opponent.

Finally, the minority is provided with one motion to recommit, with or without instructions.

Mr. Speaker, health care reform dominated much of the time and attention of the 103d Congress. This year, work has already begun to explore new and innovative ways to make health care more available and affordable for our citizens, especially for older Americans.

As Chairman BLILEY stated before the Committee on Rules last evening, this legislation provides a reasonable balance to permit a very valuable, and arguably successful, program for our senior citizens to continue, while allowing us time to evaluate the program more closely before making it permanent.

Our colleagues should keep in mind that the Medicare Select Program provides senior citizens with another viable option to receive affordable medical care. Premiums under the select option have resulted in savings as high as 37 percent over traditional MediGap products. By giving older Americans more choices within MediGap, we give them the flexibility to choose plans which meet their special, individual needs.

Mr. Speaker, the sponsors of this legislation have made it very clear that the House needs to act on this bill before leaving for the upcoming district work period. More than 450,000 Medicare beneficiaries will be impacted if the Medicare Select Demonstration Program is not expanded.

Mr. Speaker, this is a fair, balanced, and responsible rule. It provides the minority with two distinct opportunities to offer alternative proposals. These proposals may contain whatever germane amendments the minority leadership considers most important, as long as they are consistent with the standing rules of the House.

In the Rules Committee hearing, we discussed a number of substantive amendments which were offered during the separate committee markup process, all of which were defeated at the committee level. While these proposals do have merit, Mr. Speaker, the Rules Committee majority strongly believes that they should be brought up when the House considers legislation specifically addressing reform of Medicare and MediGap programs. It would seem unfair to single out one program for reform at this time when all MediGap policies together should be examined at the proper time.

Once again, Mr. Speaker, let me emphasize that it is imperative that the House complete its consideration of this legislation and forward it to the Senate, which we all know operates at a much different pace than the House.

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

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

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

Mr. Speaker, it gives me great pleasure to stand on the House floor today to publicly thank my good friend, the gentleman from New York, Mr. JERRY SOLOMON.

Democrats were upset to learn yesterday that the Republican leadership was going to deny the Democrats on the Commerce Committee their right to have 3 days to file their views.

But JERRY SOLOMON came to our rescue. He talked to his leadership and convinced them to change the schedule so that Democrats on the Commerce Committee will be given time to file their views.

That's right. Thanks to JERRY SOLOMON we are taking up the rule today, but we will take up the bill tomorrow and Democrats will have the right to voice their opinion just as Republicans did when they were in the minority.

Unfortunately, I cannot say Democrats are as happy with this rule as we were with JERRY SOLOMON yesterday.

Today, we are discussing a closed rule on a simple, noncontroversial bill that anyone and everyone should be allowed to amend if they see fit.

But for some reason Republicans seem to have gotten in the habit of breaking promises and socking it to American families. They are shutting down this rule just as they restricted 66 percent of the contract rules.

At least three amendments that were offered in the Commerce Committee had significant bipartisan support. I would ask my colleagues, what is going on here?

What reason on Earth could you have to forbid Democrats and Republicans from offering amendments to this Medicare bill?

I urge my colleagues to defeat this rule.

DEPARTMENT OF HEALTH AND HUMAN SERVICES, HEALTH CARE FINANCING ADMINISTRATION,

Washington, DC, April 5, 1995.

Hon. JOHN D. DINGELL,
House of Representatives,
Washington, DC.

DEAR MR. DINGELL: I am responding to your request as to whether there is any federal requirement that Medicare SELECT insurers notify their enrollees about the status of their policies prior to the expiration of the current authorization for the demonstration.

There are no provisions in Federal law, regulations or the NAIC Model that require plans to notify enrollees in April or for that matter any time prior to the expiration of the demonstration authority. Even after the demonstration authority expires, plans are required to maintain coverage to all enrollees who continue to hold policies.

Confusion may have arisen on this issue of notification because of a provision in Section 10–N of the NAIC Model. This section outlines the requirements for plans to provide continuation of coverage in the event that the Secretary notifies the states of her determination that SELECT policies should be discontinued because of the failure of the demonstration to be reauthorized or its substantial amendment. This notification to states is at the Secretary's discretion. Given the bipartisan interest in both the House and Senate, we don't anticipate making such a determination in the foreseeable future even in the unlikely event that there is a temporary lapse in the authority for the demonstration.

We are committed to working with Congress to improve the options available to our beneficiaries. As you are aware, the Administration supports a temporary extension of the 15-state demonstration. Such an extension would provide sufficient time to examine what we have learned from the demonstration and to make needed changes to SELECT based on our findings. I look forward to working with you on these issues.

Sincerely,

BRUCE C. VLADECK,
Administrator.

Floor Procedure in the 104th Congress; Compiled by the Rules Committee Democrats

Bill No.	Title	Resolution No.	Process used for floor consideration	Amendments in order
H.R. 1*	Compliance	H. Res. 6	Closed	None.
H. Res. 6	Opening Day Rules Package	H. Res. 5	Closed; contained a closed rule on H.R. 1 within the closed rule	None.
H.R. 5*	Unfunded Mandates	H. Res. 38	Restrictive; Motion adopted over Democratic objection in the Committee of the Whole to limit debate on section 4; Pre-printing gets preference.	N/A.
H.J. Res. 2*	Balanced Budget	H. Res. 44	Restrictive; only certain substitutes	2R; 4D.
H. Res. 43	Committee Hearings Scheduling	H. Res. 43 (OJ)	Restrictive; considered in House no amendments	N/A.
H.R. 2*	Line Item Veto	H. Res. 55	Open; Pre-printing gets preference	N/A.
H.R. 665*	Victim Restitution Act of 1995	H. Res. 61	Open; Pre-printing gets preference	N/A.
H.R. 666	Exclusionary Rule Reform Act of 1995	H. Res. 60	Open; Pre-printing gets preference	N/A.
H.R. 667	Violent Criminal Incarceration Act of 1995	H. Res. 63	Restrictive; 10 hr. Time Cap on amendments	N/A.
H.R. 668	The Criminal Alien Deportation Improvement Act	H. Res. 69	Open; Pre-printing gets preference; Contains self-executing provision	N/A.
H.R. 728	Local Government Law Enforcement Block Grants	H. Res. 79	Restrictive; 10 hr. Time Cap on amendments; Pre-printing gets preference	N/A.
H.R. 7	National Security Revitalization Act	H. Res. 83	Restrictive; 10 hr. Time Cap on amendments; Pre-printing gets preference	N/A.
H.R. 729	Death Penalty/Habeas	N/A	Restrictive; Brought up under UC with a 6 hr. time cap on amendments	N/A.
S. 2	Senate Compliance	N/A	Closed; Put on suspension calendar over Democratic objection	None.
H.R. 831	To Permanently Extend the Health Insurance Deduction for the Self-Employed.	H. Res. 88	Restrictive; Makes in order only the Gibbons amendment; waives all points of order; Contains self-executing provision.	1D.
H.R. 830	The Paperwork Reduction Act	H. Res. 91	Open	N/A.
H.R. 889	Emergency Supplemental/Rescinding Certain Budget Authority	H. Res. 92	Restrictive; makes in order only the Obey substitute	1D.
H.R. 450	Regulatory Moratorium	H. Res. 93	Restrictive; 10 hr. Time Cap on amendments; Pre-printing gets preference	N/A.
H.R. 1022	Risk Assessment	H. Res. 96	Restrictive; 10 hr. Time Cap on amendments	N/A.
H.R. 926	Regulatory Flexibility	H. Res. 100	Open	N/A.
H.R. 925	Private Property Protection Act	H. Res. 101	Restrictive; 12 hr. time cap on amendments; Requires Members to pre-print their amendments in the Record prior to the bill's consideration for amendment. Waives germaneness and budget act points of order as well as points of order concerning appropriating on a legislative bill against the committee substitute used as base text.	1D.
H.R. 1058	Securities Litigation Reform Act	H. Res. 105	Restrictive; 8 hr. time cap on amendments; Pre-printing gets preference; Makes in order the Wyden amendment and waives germaness against it.	1D.
H.R. 988	The Attorney Accountability Act of 1995	H. Res. 104	Restrictive; 7 hr. time cap on amendments; Pre-printing gets preference	N/A.
H.R. 956	Product Liability and Legal Reform Act	H. Res. 109	Restrictive; Makes in order only 15 germane amendments and denies 64 germane amendments from being considered.	8D; 7R.

Floor Procedure in the 104th Congress; Compiled by the Rules Committee Democrats—Continued

Bill No.	Title	Resolution No.	Process used for floor consideration	Amendments in order
H.R. 1158	Making Emergency Supplemental Appropriations and Rescissions	H. Res. 115	Restrictive; Combines emergency H.R. 1158 & nonemergency 1159 and strikes the abortion provision; makes in order only pre-printed amendments that include offsets within the same chapter (deeper cuts in programs already cut); waives points of order against three amendments; waives cl 2 of rule XXI against the bill, cl 2, XXI and cl 7 of rule XVI against the substitute; waives cl 2(e) of rule XXI against the amendments in the Record; 10 hr time cap on amendments. 30 minutes debate on each amendment.	N/A.
H.J. Res. 73	Term Limits	H. Res. 116	Restrictive; Makes in order only 4 amendments considered under a ''Queen of the Hill'' procedure and denies 21 germane amendments from being considered.	1D; 3R
H.R. 4	Welfare Reform	H. Res. 119	Restrictive; Makes in order only 31 perfecting amendments and two substitutes; Denies 130 germane amendments from being considered; The substitutes are to be considered under a ''Queen of the Hill'' procedure; All points of order are waived against the amendments.	5D; 26R
H.R. 1271	Family Privacy Act	H. Res. 125	Open	N/A
H.R. 660	Housing for Older Persons Act	H. Res. 126	Open	N/A
H.R. 1215	The Contract With America Tax Relief Act of 1995	H. Res. 129	Restrictive; Self Executes language that makes tax cuts contingent on the adoption of a balanced budget plan and strikes section 3006. Makes in order only one substitute. Waives all points of order against the bill, substitute made in order as original text and Gephardt substitute.	1D
H.R. 483	Medicare Select Extension	H. Res. 130	Restrictive; Waives cl 2(1)(6) of rule XI against the bill; makes H.R. 1391 in order as original text; makes in order only the Dingell substitute; allows Commerce Committee to file a report on the bill at any time.	1D

*Contract Bills, 67% restrictive; 33% open. **All legislation, 74% restrictive; 26% open. ****Restrictive rules are those which limit the number of amendments which can be offered, and include so called modified open and modified closed rules as well as completely closed rules and rules providing for consideration in the House as opposed to the Committee of the Whole. This definition of restrictive rule is taken from the Republican chart of resolutions reported from the Rules Committee in the 103rd Congress. ****Not included in this chart are three bills which should have been placed on the Suspension Calendar. H.R. 101, H.R. 400, H.R. 440.

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

Ms. PRYCE. Mr. Speaker, I yield 3 minutes to the gentleman from Florida [Mr. GOSS], a very distinguished member of the Committee on Rules.

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

Mr. GOSS. Mr. Speaker, I rise in support of this very fair, structured rule for the consideration of H.R. 1391. This rule balances the rights of the minority, with the pressing need to extend the extraordinarily popular, and highly effective Medicare Select Program. Seniors in my home State of Florida have benefited greatly from this pilot program. Currently, more than 50,000 Medicare enrollees in Florida have voluntarily chosen to purchase one of these unique MediGap-PPO products—a product that helps fill the gap between what health care actually costs and what Medicare will pay. Often this is a substantial gap that has placed seniors in tough financial straits. On the whole, Medicare select enrollees in Florida enjoy supplemental premium costs that are about 25 percent lower than traditional indemnity products. To seniors living on fixed incomes, this type of insurance savings can make the crucial difference between barely surviving and maintaining a certain level of quality of life. In some cases, it can mean the difference between having supplemental coverage for such costly things as prescription drugs or not. Seniors I have talked to appreciate the simplified billing process that a Medicare select policy offers—they do not have to front the cost of care and then file two separate claims to seek reimbursement. In most cases, under this program, all out-of-pocket costs are determined and paid at the time of service. While some have expressed concerns about the quality of care provided through these plans, seniors in Florida have consistently expressed very high rates of satisfaction with the care they have received. This has been demonstrated most convincingly by the fact that more than 90 percent of enrollees retain their policies—even though they could choose another Medigap option at any time. Mr. Speaker, in order to ensure that the hundreds of thousands of current Medicare select enrollees maintain the benefits of this program, the Congress must act expeditiously. The program is set to expire on June 30. And without assurances that the law will be extended, insurers will have to begin to notify enrollees of their plan's pending termination. By passing this rule, and H.R. 1391 today, we will not only ensure that current beneficiaries maintain coverage, but we will make it possible for seniors in an additional 35 States to enjoy the benefits of this program. By extending the Medicare Select Program to the rest of the country, we will reaffirm our commitment to giving seniors more choices in Medicare—and provide them with more opportunities to reduce their health care costs. I urge adoption of this rule and the bill.

Mr. MOAKLEY. Mr. Speaker, I yield 7 minutes to the gentleman from Michigan [Mr. DINGELL], the ranking member of the committee.

□ 1400

Mr. DINGELL. Mr. Speaker, let me thank the distinguished gentleman from Massachusetts for yielding this time to me.

Mr. Speaker, this is a gag rule pure and simple. It is not needed at this particular time. There is plenty of time to deal with this legislation. If we pass this legislation tomorrow or today, the other body will not be able to move on it until after they come back. If we pass it the day after we come back from the recess, the other body can still consider the legislation within sufficient time to meet the June 30 deadline.

Mr. Speaker, I rise in opposition, and I say this with great respect for my good friend, the chairman of the Committee on Rules, the gentleman from New York, who has given us another gag rule.

I also object to the extraordinary way in which this bill was brought to the floor and the way in which the minority's rights have been trampled. There are two rules that have been dealt with unfavorably: One is the 3-day requirement with regard to the minority having opportunity to file minority views, and the other is a provision which requires a 3-day layover. Neither of these needs to be waived at this time.

This is a closed rule. It is an unfair rule. It is a restrictive rule. It prevents Members from offering amendments other than one substitute that requires any and all amendments to be packaged into one, regardless of whether they are consistent with each other. It simply imposes on the Congress a requirement that we legislate poorly without adequate opportunity for debate or proper discussion on a piece of legislation which is relatively unimportant and on which there is no great need for haste.

There is absolutely no justification for this closed rule. Even the justification suggested by my colleagues in the majority collapse on close scrutiny.

My friend, the gentlewoman from Connecticut [Mrs. JOHNSON], has suggested at the Rules Committee that a closed rule shutting off individual amendments is appropriate because she disagrees with the substance of the amendments. It is my view those kind of amendments should be a matter of decision by the House and not by the Committee on Rules, and certainly not by one Member alone.

An open rule would have afforded my colleagues the opportunity to argue why amendments should be passed or defeated. The gentlewoman from Connecticut has suggested that matters on which the Members disagree should not be put before the Members for their consideration. That seems to indicate we should make this body more like the Russian Duma or perhaps the Reichstag and that disagreement over facts and policy are not appropriate for Members on the House floor.

The gentlewoman has also suggested that a closed rule was justified because the amendments the minority was contemplating were too narrow in scope and should apply to a broader series of insurance policies. Ironically, her bill was narrowed by the Republicans in the Committee on Ways and Means precisely for the purpose of preventing the

offering of germane amendments that were broader.

The bill brought before the Committee on Commerce was similarly narrowed to just this one class of policy. We heard in the Rules Committee that a closed rule might be justified by the fact that the Commerce Committee markup involved a discrete number of amendments and took only 2 hours to complete. That sounds like a bill uniquely suited and qualified for a completely open rule. It would not burden Members with too many votes or too much debate time.

Given the relatively small number of issues and the limited time they might occupy, we are here witnessing a rule that has been closed gratuitously.

Finally, it was suggested in the Rules Committee that a closed rule was in order because this bill was reported out by the Ways and Means Committee by a large margin.

Leaving aside the fact that amendments in the Commerce Committee lost by narrow margins, has the measure for whether minority rights should be protected become the number of people in the minority?

We have heard a lot about how a closed rule was necessary because this legislation is urgent. Nothing could be further from the truth. Indeed the minority has not been in any way uncooperative in bringing this legislation to floor. Nor did we in any way delay the consideration of the legislation in either of the two committees.

Even if this legislation were urgent, and it is not, does it mean that debate must be stifled? We managed to debate quite fully the resolution on the Gulf war, and that matter had real urgency and was not so limited, in fact, by time.

But the fact is this bill is not urgently needed. Arguments about the legal need for notification of insurers and policyholders are wrong and are being used to alarm senior citizens unnecessarily so that some insurers who might cut a fat hog off this program might scare off any opposition to it. The 15-State demonstration project does not expire until the end of June, and I have not heard of a single Member who objects to the extension of that particular program.

But what is really curious here is how the proponents of this rule are using the expiration of a program in 15 States, 3 months from now, 3 months from now, to justify urgent expansion of this experiment to the other 35 States.

This is like rushing through a bill that gives flood relief not only to California but the other 49 States and arguing that it is urgent.

A further sign that these arguments are phony is the lack of urgency felt in the other body. There is no indication that body will act before the recess. There has not even been a committee markup there.

In addition to being unduly restrictive, this rule comes to the floor under an exceptional and highly objectionable procedure. The committee report has not been filed. Indeed the Rules Committee met last night without having a committee report before it. The minority has not had its full 3 days to prepare its views. In fact, the rule contains a most extraordinary provision permitting the committee to file its report at any time. Are we beginning a process whereby the committees will not have to file their reports until after bills are passed?

The rule also waives the 3-day layover. These are rights which have always been considered sacrosanct, and whenever any attempt was made to control them on the part of the Democrats when we controlled this body, there was enormous outrage expressed by our colleagues on the Republican side.

Finally, the rule is objectionable because it makes in order a bill that no committee has reported out. It purports to be a compromise between Commerce and the Ways and Means Committees, but there was no consultation whatsoever that took place between the majority and minority. Therefore, it is not a compromise.

Furthermore, the Ways and Means Committee would not even be represented on the floor under this closed rule.

I urge my colleagues to reject this rule, I urge my colleagues to let us consider the matter in a more deliberate and appropriate fashion. There is no need for haste. We have not been delaying the matter. I believe that in protecting the rights of the minority, the rights of all Americans are protected as opposed to just some select few in the insurance industry.

Ms. PRYCE. Mr. Speaker, I yield 5 minutes to the gentlewoman from the State of Connecticut [Mrs. JOHNSON], who has done so much hard work on this issue.

Mrs. JOHNSON of Connecticut. Mr. Chairman, I rise in support of this rule permitting us to vote an extension and expansion of Medicare Select. I urge my colleagues to support making these health insurance plans, which Consumer Reports has rated so highly, available to seniors in all 50 States.

I support this rule because it allows us to get to the central issue, preserving a low-cost, high-quality insurance option for seniors while not allowing requirements to be imposed on a single Medigap policy that cannot under this bill be imposed on all MediGap policies in the market.

Mr. Speaker, it is important that we not add requirements to Medicare Select that would treat these plans differently from other MediGap prices. During each committee's markup, amendments were defeated because they would have required select plans to offer benefits, plan options and rates that would not apply to other Medigap policies.

The time to address these issues is when we make changes to all Medigap plans. Otherwise, Medicare Select plans would operate on an unlevel playing field and at a competitive disadvantage, eroding the savings seniors now enjoy by choosing these plans.

The Ways and Means Committee approved extension and expansion of the select program with a very bipartisan vote of 31 to 2. The Commerce Committee reported its legislation by voice vote.

My esteemed colleague, the gentleman from Michigan [Mr. DINGELL], agrees that this bill has broad bipartisan support.

If Congress does not act to extend this program this week, nearly a half-million seniors risk losing low-cost MediGap coverage. Companies offering these policies need to begin making plans now to prepare providers and beneficiaries about the future of their program.

Medicare Select is a MediGap policy—covering costs and services that Medicare does not. The difference is that select enrollees get their care from a preferred provider organization. Enrollees are still Medicare beneficiaries: Medicare will cover their health care costs even if they go outside the health network. By staying within the network, beneficiaries make the best use of their coverage because the health plan picks up most or all of their out-of-pocket costs.

Medicare Select is not a Medicare HMO/risk-contracting plan. Such plans require Medicare beneficiaries to obtain their care entirely within the network, or Medicare won't pay. With select, beneficiaries can still get Medicare to cover their charges even if they go outside the network, and in cases of emergency, the plan will reimburse charges in full.

Medicare Select saves beneficiaries money. Seniors on fixed incomes can save from 9 to 38 percent on the cost of their MediGap premium—up to $300 a year.

Mr. Speaker, Medicare Select is not a Government program. Medicare Select is a MediGap insurance policy and regulated at the Federal and State levels just as all such policies are.

Mr. Speaker, it operates around Medicare requirements. But it has indirect benefits to Medicare, however, because enrollees are using health providers within an integrated delivery system. Thus, inappropriate utilization of medical services is avoided. A California select plan found that the cost of medical services per admission for network providers was 20 percent lower than for non-network providers. In addition, the average length of stay for network providers was 50 percent lower than for non-network providers.

I urge my colleagues to support this rule and support the extension of Medicare Select to all States before we adjourn.

Mr. MOAKLEY. Mr. Speaker, I yield 7 minutes to the gentleman from California [Mr. STARK], the ranking minority member of the subcommittee.

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

Mr. Speaker, I just wanted to remind my colleagues that Medicare is the finest health insurance program in the country. It is the only functional health insurance system in the country, and universal coverage is guaranteed. More than 99 percent of the Americans over 65 are covered. No private insurance company will even offer insurance to people in that age group.

There is no insurance plan in the country that offers beneficiaries a higher, more broader choice of high-quality, affordable health insurance than does Medicare.

The success of this program, although it may rankle those who cannot stand to see the Federal Government do anything well, is, in large part, due to the willingness of prior Congresses to provide choice to beneficiaries or at the same time putting in the extra effort to guarantee to those beneficiaries that this range of choices will not be hazardous to their health.

Strong beneficiary protections are vital to the well-being of the seniors of our country.

I might remind the gentlewoman from Connecticut that she misspoke. There are no Federal regulations on Medicare select, none whatsoever. Therein might be the modest suggestion that many of us would have for improving this experiment and guaranteeing that it does not become subject to the same avaricious group, like Prudential Insurance, who have been fined $300 million for stealing billions from senior citizens.

I am not sure those are the people I want to run my mother's health care plan under Medicare select, and there would be nothing to stop them from stealing under this plan if Prudential chose to run one.

There are many other questions about the program, questions about the use of attained-age premiums, the bait-and-switch policy that some insurance companies use, selling a lowball premium to somebody when they turn 65 only to see that premium double and triple when they get to the delicate age of 67 or 68 or 80, where they can no longer afford it and see their premiums doubled and tripled.

There is no protection against that. Questions about the comparability of Medicare select products with other MediGap products, so that unscrupulous insurance salesmen do not unnecessarily confuse and cancel insurance for senior citizens.

The seniors deserve some protection there against those few unscrupulous sales people.

Last but not least, questions about the effect of these products on the Medicare expenditures, the trust fund which my Republican colleagues are so concerned about as they continue to break the trust fund with their capricious tax cuts, it is a fact that this has not saved Medicare any money at all and may indeed cost extra money. Those things should be looked at.

It seems to me that some modest protections—even the gentlewoman from Connecticut, in her original bill, had a few protections in her bill which were stripped out when the bill was presented to the Committee on Ways and Means.

□ 1415

These questions deserve answers, and I would ask the gentlewoman who is managing the bill for the majority what is the hurry. I do not know. If we pass this today or tomorrow, is there a reason that this bill must pass tomorrow or today?

Ms. PRYCE. Mr. Speaker, will the gentleman yield?

Mr. STARK. I yield to the gentlewoman from Ohio.

Ms. PRYCE. We would like to get this to the Senate as soon as possible. Their pace is much different than ours. They are coming back a week before we are, so they can get a jump on it and get moving on it. This does expire in June, and we would like to see this extended.

Mr. STARK. I am reliably informed they do not intend to take it up, but, other than that, it can lay over there as well as lay here. That could well be. We still have until the end of June, and, as I say, why are we bringing it up today? I mean, if it is such urgency, I do not know because it seems to me we are bringing it up without the responsible procedure of seeing whether the bill is indeed any good. A closed rule does not permit any changes, and, except in some of the tax bills, I do not know what this urge, this rush, to judgment. If it is so good, why would it not stand the scrutiny of some discussion? I really do not—have no understanding of that, and I have heard precious little response from the majority side as to what they are scared of. What is it they are afraid of that will be offered?

I am puzzled. I begin to—I would not say smell a rat—but why we would rush to jam this down the throats of unsuspecting seniors? My mother is perfectly happy right now with Blue Cross, and she has got Aetna—or she has got AARP's MediGap. Why? She is happy.

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

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

Mr. BILBRAY. Let me say, as somebody who has had to work with this population from a county service point of view, the inconsistency of not letting them know as soon as humanly possible what their options are and if this program will be available, and, as somebody who administered Federal programs, as my colleague knows, his side of the aisle again and again—

Mr. STARK. If I could reclaim my time to just explain to the gentleman that those people who are in the plan cannot be canceled even if we do not pass this. They are guaranteed to stay in. The only thing it would prevent is those insurance salesmen from selling new plans for perhaps a day or a week, it we miss the goal.

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

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

Mr. BILBRAY. I say to the gentleman, ''But their premiums can be raised, and you tell a senior that it's no problem. You just pay more, and you won't know what that is in the future. We try to lay a defined course for these people. They have enough insecurity. They don't need us playing games back and forth, and you, more than anybody else, knows that you try to send messages that we pre-warn citizens of a changing situation as much as humanly possible.''

Mr. STARK. If I can reclaim and explain to the gentleman. The premiums under the current law cannot be raised during the middle of the year so that there, first, is no danger that existing beneficiaries under these plans would have their premiums raised until the end of their policy year; and, second, there would be no restrictions on their being able to maintain their policies. It is just that the salesmen, admittedly, and it may hurt the insurance salesmen because they earn their living doing this. I would just suggest that it is risky business dealing with the fragile elderly who are easily confused, and I say that Democrat elderly are as confused as Republican elderly. We ought to be able to protect them through the process.

Ms. PRYCE. Mr. Speaker, I yield 5 minutes to the gentleman from California [Mr. THOMAS], who has done a lot of work in this area and can speak to many of the concerns just raised.

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

Mr. THOMAS. Mr. Speaker, I would tell the gentleman from California, my friend and colleague who is a freshman, that at the beginning of the 104th Congress it was my privilege to follow the gentleman from California [Mr. STARK] as the chairman of the Health Subcommittee of the Committee on Ways and Means. What he probably does not realize is that this program was supposed to be a permanent program back in 1990. It moved through the Congress as a permanent program. At the 11th hour, behind closed doors, with pulled curtains, they made it a demonstration program. This whining about, gee, what is the delay—I will not yield—the delay is in the gentleman's lap completely.

It took us until 11:30 at night the last day of the 103d Congress to extend this program.

I loved the gentleman from Michigan asking what is the problem. We have plenty of time to move legislation. At 1:30 a.m. the Senate acted to extend this program. Why do they not want to move forward? They want to see the

program dead; that is why. All of these crocodile tears about seniors. What they are scared to death about is that this one little choice program among 10 other MediGap policies will show, by people choosing it, that managed care is a better way to go in the Medicare Program. They cannot stand one chink in the armor of the old-fashioned fee-for-service system to be tested at all.

Now we moved this bill through the Committee on Ways and Means on March 8. The first week in March we moved this bill.

How many members of the Committee on Ways and Means opposed this? Two. There is one of them. He convinced one other member to oppose making this permanent. The gentleman from Florida [Mr. GIBBONS], a senior himself representing a number of seniors, he is for it. The gentleman from California [Mr. MATSUI], outspoken in terms of the protection of seniors' rights, he voted for it. Thirty-one members of the Committee on Ways and Means said, ''You're right. This program should be made permanent.''

What is the rush? There are only about 18 legislative days between now and when this program expires. They want to take all the time in the world.

This objection about rights under this rule? ''How many times, when you were the majority, did you not even give us the right to recommit?''

I say to my colleagues, ''You've got two bites at the apple. You can offer your own substitute, and then you can have the motion to recommit. You can change it twice. You've got an opportunity to convince folks that making it permanent is wrong. You couldn't convince the Commerce Committee. You could only convince two members of the Ways and Means Committee.''

The idea that we did not give them 3 days to examine this rule? Notice carefully he said we are violating the 3-day rule, not on the bill, but on the rule itself. Those folks need 3 days to study a two-paragraph rule? I say to my colleagues, ''You've got your full 3 days guaranteed to the minority on the bill.''

Now, finally, what I consider absolutely egregious and outrageous, for the gentleman from California to stand up and say that the gentlewoman from Connecticut is wrong about Federal protections on this program. She said there were some; he said there were none.

I would invite the gentleman's attention to the Federal Register, August 21, 1992, beginning on page 37993, which is section 10, Medicare Select Policies and Certificates. This section shall apply to Medicare select policies and certificates, and on, and on, and on, page, after page, after page of a Federal structuring that is to be followed by the States to make sure that the seniors are protected in this program area.

This rule is a good rule, it is a fair rule, it is an appropriate rule, it is a timely rule. We will pass this rule, and then, more importantly, we will finally being to move permanently, Medicare select.

The seniors deserve a choice. These detractors continue to try to stand in the way, and we will not let them.

Mr. MOAKLEY. Mr. Speaker, I yield 5 minutes to the gentleman from California [Mr. WAXMAN] who is the ranking member of the committee.

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

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

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

Mr. STARK. I just wanted to correct the misstatements of the previous speaker.

On March 8 the committee report indicates that the gentleman from Florida [Mr. GIBBONS] did not vote. As a practical matter, he was out sick on that day and did not vote on this bill either way.

Second, the House of Representatives has never considered Medicare select in its deliberations. It was added about the Senators in a conference and never considered in the House of Representatives, and I stand by the statement that there are no Federal regulations covering it.

Mr. WAXMAN. Mr. Speaker, I thank the gentleman from California [Mr. STARK] for that clarification.

I must say I am absolutely astounded by the comments of the gentleman from California [Mr. THOMAS] a minute or two ago on the House floor. He seems to ignore the whole history of this proposal and then mischaracterizes what is at issue today.

The Medicare Program pays for the beneficiaries to go to the doctors and the hospitals of their choice and pays most of those costs, but there are costs that have to be incurred by the elderly. For that people go out and buy MediGap supplemental insurance policies.

There are a lot of anticonsumer practices in the sale of these policies, so in 1990 the Congress said the insurance commissioner should set up a uniform benefit package for MediGap so people can compare one policy to another. People were being sold MediGap policies to cover things that were already covered under Medicare. They were paying for coverage that they already had. The consumers were being ripped off.

So these policies were established, 10 different packages.

At the same time the Congress moved to allow people to go into HMO's and have their coverage through a health maintenance organization. Medicare select came out as a sort of different kind of policy, not an HMO, but not a complete choice of doctors and hospitals for the Medicare beneficiary. The Medicare select said that, if a senior would sign up, they could go to the doctors on the panel. If they went outside the panel, they had to pay for it. Their MediGap policy would only cover the doctors on the panel, to supplement the Medicare payments to them. It is like a preferred provider organization, and it was established as an experiment because it was the only MediGap policy being sold that did not give the consumer the free choice of doctors and other health providers.

Many consumers have found this very appealing. It has been an experiment in a number of States, and that experiment is up. But before the experiment is up, we have not had the analysis yet of how well it has done, but from those of us who have followed it, like in my own State of California, I think it has been a choice for consumers that has been well worth while.

The bill before us would make it available in all 50 States. In my opinion that may be premature, but I have no serious problem with allowing Medicare select policies in 50 States. But there are two problems that we should address. One is if someone goes into a Medicare select panel, and they do not like the doctors, and they do not feel they are being treated well in this kind of hybrid MediGap policy. They should be permitted to leave and go to another MediGap coverage policy that would give them the choice of doctors.

One of the amendments that was offered in the Committee on Commerce by a Republican Member, a doctor, the gentleman from Iowa [Mr. GANSKE]—he offered, and I supported, many of our Members supported, the ability of people, if they did not like their Medicare select policy, to be able to have a choice of another MediGap policy. They might not have this choice, they might not have it because they passed up the opportunity for another policy if they signed up on Medicare select. So we wanted to say, if Medicare select were going to be made available in all 50 States, they ought to make sure the consumers have a choice to opt out. That is a very important consumer protection.

One would think from what the gentleman from California [Mr. THOMAS] had to say it was not even an issue, but that is what we are talking about in this rule because that amendment would not even be permitted to be offered as a separate amendment on the House floor when this bill is presented.

A second issue:

If people are in a MediGap policy, they could have a fairly low rate when they start, but there is nothing to restrict the insurance companies as they get older and sicker from moving up the rate of that MediGap policy cost.

□ 1430

That seems to be a real troublesome area, where consumers can be taken advantage of. And if they are priced out of their ability to buy that Medigap policy, because they have attained a higher age and therefore can have a higher premium imposed upon them, the consumers may be priced out

of the ability to get any Medigap coverage. So we wanted to have an amendment on that issue.

The Committee on Rules offered a rule that we are now considering that will not even give us that opportunity to offer those amendments. We have to tie them all together in a substitute amendment, but not be able to offer these two distinct amendments. That is what our objection to this rule is all about. It is not that we do not want to have Medicare Select policies. It is that we do not want them marked in a way where the consumers can be disadvantaged.

Now, the rule is an unfair rule and it has been hastily put together. The bill was marked up in our committee, the Committee on Energy and Commerce, Monday evening, and we offered those two separate amendments that we are not going to be permitted to offer. The rule now before us not only would not allow these two amendments to be offered, it waives the usual 3-day layover period and it would permit the bill to be brought up even though a committee report with dissenting views has not been filed, as far as I know, by the Committee on Energy and Commerce.

I think that we ought to have an opportunity to debate these issues when the bill comes up. Some of us will support the bill, to allow Medicare Select as an option. But they should not have Medicare Select as an option that freezes people into a panel of doctors which may not be satisfactory to them and not allow them then to get another Medigap policy.

So I would urge opposition to this resolution, to allow us the opportunity to argue these separate issues, to protect the elderly consumers in this country from unscrupulous insurance practices when they go out to get their Medigap policy.

Mr. Speaker, I urge a ''no'' vote on the rule.

Ms. PRYCE. Mr. Speaker, it is my pleasure to yield 4 minutes to the distinguished Chair of the Subcommittee on Health and Environment of the Committee on Commerce, the gentleman from Florida [Mr. BILIRAKIS].

Mr. BILIRAKIS. Mr. Speaker, I thank the gentlewoman for yielding time to me.

Mr. Speaker, I rise in support of the rule providing for the consideration of legislation to extend the current Medicare Select Program which is scheduled to expire in June.

On January 11, 1995, our colleague, the gentlewoman from Connecticut, introduced H.R. 483, a bill to amend title 18 of the Social Security Act to permit Medicare Select policies to be offered in all States, and for other purposes. That bill was referred to the Committee on Commerce as the committee of primary jurisdiction and in addition, to the Committee on Ways and Means.

On February 15, 1995, our Health and Environment Subcommittee held an oversight hearing on Medicare Select and issues related to Medicare managed care. On March 22, 1995, the subcommittee met and marked up H.R. 483 and approved the bill for full committee consideration, as amended, by a voice vote. On Monday, April 3, 1995, the full Commerce Committee met and ordered H.R. 483 reported to the House, as amended, by a voice vote, a quorum being present.

As ordered reported by the Commerce Committee, H.R. 483 would extend the Medicare Select Program for an additional 5 years and expand the coverage to include all 50 States in order to continue in an improved way the demonstration project, which is really what we are trying to do.

The Committee on Ways and Means also completed action on H.R. 483, and reported a different version of the legislation to the House. The Ways and Means Committee version of the bill extends the Medicare Select Program to all 50 States on a permanent basis.

Since the time that both committees completed action on H.R. 483, the committees have met and have developed a consensus bill, H.R. 1391, which was introduced in the House on April 4. This rule makes in order the text of H.R. 1391.

The bill to be considered would extend the Medicare Select Program for a 5-year period and expands the coverage to all 50 States.

The bill would also require the Secretary of the Department of Health and Human Services to conduct a study comparing the health care costs, quality of care, and access to services under Medicare select policies with other Medigap policies. This study must be completed by the end of 1998. Based on the results of this study, the Secretary must make a determination that the Medicare Select Program is permanent unless the study finds that, first, Medicare select has not resulted in savings to Medicare select enrollees, second, it has led to significant expenditures in the Medicare Program, or third, it has significantly diminished access to and quality of care.

I think this bill provides for a reasonable balance that will permit a valuable and innovative program for our senior citizens to be continued while permitting a more informed evaluation of the program. We must remember that Medicare select is a Medigap insurance policy which provides seniors with another option to receive medical care. By giving the elderly more choices within Medigap, we give them the option to pick plans which meet their individual needs.

Mr. Speaker, I urge adoption of this rule that will provide for consideration of this important legislation.

Mr. MOAKLEY. Mr. Speaker, I yield 4 minutes to the gentleman from Oregon [Mr. WYDEN].

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

Mr. WYDEN. Mr. Speaker, I rise in opposition to the rule, and specifically would like to address the comment that the gentleman from California [Mr. THOMAS] made earlier about the views that somehow Democrats are a little bit frightened of managed care or skeptical of its benefits.

I come from an area with one of the highest concentrations of Medicare and managed care in our country, and we know that there can be good managed Medicare. But in our programs, there is real choice. There are real options. And that is why we are concerned about this rule, because we think it takes away needed options from senior citizens.

Frankly, because I believe that when we come back the other side will be proposing major cuts in Medicare that are going to take additional choices and options away from seniors, I think it is very important that in Medicare select we build in some more choices and some more consumer protections.

For example, my friends on the other side are not worried about attained age pricing in their bill. What that means is that the prices the senior citizens pay go up with the age of the older person. A lot of these older people have no idea about the rate hikes that are going to hit them with Medicare select.

We hear that seniors are happy at this point about Medicare select. Of course they are, because the product is new. A lot of these older people may have only had it for 18 months. They got a statement, maybe a disclosure form, that said there was going to be attained age pricing. It did not prepare them for the rate shock that is coming.

Let us vote against this rule, let us fashion an alternative, that provides real choice to older people. Let us offer an alternative that protects senior citizens against draconian rate hikes.

Mr. Speaker, I urge my colleagues to vote against this rule, and then fashion a bipartisan program that will protect the rights of older people in our country.

Ms. PRYCE. Mr. Speaker, I yield 2 minutes to the gentleman from California [Mr. BILBRAY], a distinguished new Member who has much experience.

Mr. BILBRAY. Mr. Speaker, let me just say as somebody who is new on the block, but has been involved in many programs that have been mandated, allowed, and pursued by the Federal Government, one of the greatest frustrations a constituency in America has is when Washington starts sending mixed signals and then waits for the last minute to give a go-ahead. The inconsistency of the political process in Congress is always frustrating for the constituents out in real world America. They watch us in the House and they watch the Senate with their faster than light process of coming to a conclusion to let America know what the rules are that they are going to be able to live by.

Well, I strongly support this proposal, because I think we need to send a clear message to our seniors, not only in California where we have over 100,000 seniors that have made this

choice, Mr. Speaker, but also many other States where this opportunity is needed.

Mr. Speaker, I know there are those who fear the MediGap concept. I know there are those who want to defend to their dying day the fee for service, even if it means denying an alternative to fee for service to our seniors.

Mr. Speaker, I strongly urge my colleagues, not as just a Member of Congress, but as somebody who has not so long ago been a consumer of the products that come out of Congress, let us send that clear message as quick as possible, let us make sure the consumer knows what the rules are, and let Congress get its job done in time so the seniors know the rules that they are going to be expected to play by.

Mr. MOAKLEY. Mr. Speaker, I yield 1 minute to the gentleman from California [Mr. STARK].

Mr. STARK. Mr. Speaker, may I engage the gentlewoman from Ohio [Ms. PRYCE] in a colloquy for a moment.

Mr. Speaker, I gather that the majority feels that we should move ahead rapidly with this bill, and I begin to sense that we are not going to have any opportunity to amend it.

Ms. PRYCE. Mr. Chairman, will the gentleman yield?

Mr. STARK. I yield to the gentlewoman from Ohio.

Ms. PRYCE. Mr. Speaker, I disagree with the gentleman. There are two opportunities.

Mr. STARK. Mr. Speaker, the gentlewoman from Ohio is correct. I am sure we are not making many friends with all this, but this is one of the things we might do to accommodate many of our colleagues who might like to end the 100 days sooner: Is there any reason in the rule that the bill could not be considered this afternoon?

Ms. PRYCE. Mr. Speaker, if the gentleman will yield further, It is my understanding we are protecting the rights of the minority.

Mr. STARK. Mr. Speaker, I am about to suggest, if the minority would be willing to accept unanimous consent, that the bill be considered today, so in a matter of comity we are prepared and would be happy to proceed, and I am sure we would make a lot of friends.

Mr. Speaker, I do not believe unanimous consent is necessary, but I ask unanimous consent that the bill be considered today.

Mr. SOLOMON. Mr. Speaker, I reserve the right to object.

The SPEAKER pro tempore (Mr. HOBSON). The gentleman from California [Mr. STARK] was not recognized for the purpose of making a unanimous-consent request. The unanimous consent request is not entertained.

Mr. SOLOMON. Mr. Speaker, If the gentleman would yield, let me just say to the gentleman, as the gentleman from Massachusetts [Mr. MOAKLEY] has said, we did defend the minority's rights. We wanted to give 3 days for the minority's views. I always insisted on it when I was in the minority. You have just filed your minority views, and we have Members on this side of the aisle that would like to have time to look at your minority views. We value your views, seriously.

Mr. MOAKLEY. Mr. Speaker, I yield 1 minute to the gentleman from Michigan [Mr. DINGELL].

Mr. DINGELL. Mr. Speaker, I understand that my views on this matter have created vast distress on the part of my Republican colleagues. They are very easily distressed, and this pains me. For the help of my colleagues on that side, I would say I do not mind bringing the bill up today or tomorrow. If the leadership on that side wants to do it, they can do it. They have been quite wanton in disregard of the rights of the minority and in disregard of the rules, and I see no reason why I would object to further practices of that sort at this time.

So if the leadership on the other side wants to bring this bill up, they control this place. I would suggest that they should commence doing so forthwith, and then we will hear less complaining on the Republican side about how this side, in insisting on the orderly conduct of the business of the House and the proper conduct of the business and protection of the rights of the minority, is delaying the conduct of the business of the House, which we in fact are not doing.

The bill is going to be passed. It needs to be perfected. It will not be passed as perfected because the Republicans will not participate in the perfection of it by eliminating two very significant problems, which the amendments to be offered by this side would perfect.

□ 1445

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

Ms. PRYCE. Mr. Speaker, I yield 30 seconds to the gentleman from California [Mr. THOMAS].

Mr. THOMAS. Mr. Chairman, I thank the gentlewoman for yielding time to me.

I do have to compliment the minority. I thought perhaps they were not learning to become the minority quite as quickly as we had hoped they would. But what we have just heard on the part of the minority is an absolute denouncement of the rule because it denies them the privileges of the minority on the 3-day rule. And then less then 20 minutes later, standing up and deciding, maybe they really did not want that 3-day period.

They talked about the fact that this does not need to be rushed through at all. And then less than an hour later, gee, we might as well expedite the business of the House.

I compliment them that both sides of the mouth is working well.

Mrs. COLLINS of Illinois. Mr. Speaker, I rise in opposition to the closed rule on HR. 483, the Expanded Use of Medicare Select Policies Act that would extend the Medicare Select demonstration program that currently exists in my State of Illinois and 14 other States and would allow all 50 States to participate.

Once again, despite the promises and pledges by the Republicans to allow open debate on the House floor, we are being forced to accept a closed rule that only permits one amendment to be considered. Several germane amendments that were submitted for consideration have been rejected outright with no explanation given. Yet again, free debate is stifled by this rule that permits only 1 hour of debate. Mr. Speaker, this is clearly not sufficient time for the two committees of jurisdiction to debate the bill and the substitute to be discussed.

As we have seen since the 104th Congress first convened in January, the Republicans talk a good talk. They pledge their dedication to free and open debate, they declare how committed they are to the open rule process and yet, once again, we are being bound and gagged with a closed rule for no apparent reason. We are forced to race through the debate at top speed with no chance to truly discuss or debate the important bill before us.

I intend to oppose this rule and I urge my colleagues to do the same.

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

The previous question was ordered.

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

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

Mr. MOAKLEY. 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 253, nays 172, not voting 9, as follows:

[Roll No. 298]

YEAS—253

Allard	Burton	Doolittle
Armey	Buyer	Dornan
Bachus	Callahan	Dreier
Baker (CA)	Calvert	Duncan
Baker (LA)	Camp	Dunn
Ballenger	Canady	Ehlers
Barr	Castle	Ehrlich
Barrett (NE)	Chabot	Emerson
Bartlett	Chambliss	English
Barton	Chenoweth	Ensign
Bass	Christensen	Everett
Bateman	Chrysler	Ewing
Bereuter	Clinger	Fawell
Bevill	Coble	Fields (TX)
Bilbray	Coburn	Flanagan
Bilirakis	Collins (GA)	Foley
Bliley	Combest	Forbes
Blute	Condit	Fowler
Boehlert	Cooley	Fox
Boehner	Cox	Franks (CT)
Bonilla	Crane	Franks (NJ)
Bono	Crapo	Frelinghuysen
Borski	Cremeans	Frisa
Brewster	Cubin	Funderburk
Brownback	Cunningham	Gallegly
Bryant (TN)	Davis	Ganske
Bunn	de la Garza	Gekas
Bunning	DeLay	Geren
Burr	Diaz-Balart	Gilchrest

Gillmor
Gilman
Goodlatte
Goodling
Gordon
Goss
Graham
Greenwood
Gunderson
Gutknecht
Hancock
Hansen
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Heineman
Herger
Hilleary
Hobson
Hoke
Horn
Hostettler
Houghton
Hunter
Hutchinson
Hyde
Inglis
Istook
Jacobs
Johnson (CT)
Johnson, Sam
Jones
Kasich
Kelly
Kennelly
Kim
King
Kingston
Kleczka
Klug
Knollenberg
Kolbe
LaHood
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
Moran
Morella
Myers
Myrick
Nethercutt
Neumann
Ney
Norwood
Nussle
Oxley
Packard
Parker
Paxon
Pelosi
Peterson (MN)
Petri
Pombo
Pomeroy
Porter
Portman
Pryce
Quillen
Quinn
Radanovich
Ramstad
Regula
Riggs
Roberts
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Rose
Roth
Roukema
Royce
Salmon
Sanford
Saxton
Scarborough
Schaefer
Schiff
Seastrand
Sensenbrenner
Shadegg
Shaw
Shays
Shuster
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Spratt
Stearns
Stenholm
Stockman
Stump
Talent
Tate
Tauzin
Taylor (NC)
Thomas
Thornberry
Tiahrt
Torkildsen
Torricelli
Traficant
Upton
Vucanovich
Waldholtz
Walker
Walsh
Wamp
Ward
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)
Zeliff
Zimmer

NAYS—172

Abercrombie
Andrews
Baesler
Baldacci
Barcia
Barrett (WI)
Becerra
Beilenson
Bentsen
Berman
Bishop
Bonior
Boucher
Browder
Brown (CA)
Brown (FL)
Brown (OH)
Bryant (TX)
Cardin
Clay
Clayton
Clement
Clyburn
Coleman
Collins (IL)
Collins (MI)
Conyers
Costello
Coyne
Cramer
Danner
Deal
DeFazio
DeLauro
Dellums
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Durbin
Edwards
Engel
Eshoo
Evans
Farr
Fattah
Fazio
Fields (LA)
Filner
Flake
Foglietta
Ford
Frank (MA)
Furse
Gejdenson
Gephardt
Gibbons
Gonzalez
Green
Gutierrez
Hall (OH)
Hall (TX)
Hamilton
Harman
Hastings (FL)
Hefner
Hinchey
Hoekstra
Holden
Hoyer
Jackson-Lee
Jefferson
Johnson (SD)
Johnson, E. B.
Johnston
Kanjorski
Kaptur
Kennedy (MA)
Kennedy (RI)
Kildee
Klink
LaFalce
Lantos
Levin
Lewis (GA)
Lincoln
Lipinski
Lofgren
Lowey
Luther
Maloney
Manton
Markey
Martinez
Mascara
Matsui
McCarthy
McDermott
McHale
McKinney
McNulty
Meehan
Meek
Menendez
Mfume
Mineta
Minge
Mink
Moakley
Mollohan
Murtha
Nadler
Neal
Oberstar
Obey
Olver
Ortiz
Orton
Owens
Pallone
Pastor
Payne (NJ)
Payne (VA)
Peterson (FL)
Pickett
Poshard
Rahall
Rangel
Reed
Richardson
Rivers
Roybal-Allard
Rush
Sabo
Sanders
Sawyer
Schroeder
Schumer
Scott
Serrano
Sisisky
Skaggs
Slaughter
Stark
Stokes
Studds
Stupak
Tanner
Taylor (MS)
Tejeda
Thompson
Thornton
Thurman
Torres
Towns
Tucker
Velazquez
Vento
Visclosky
Volkmer
Waters
Watt (NC)
Waxman
Williams
Wise
Woolsey
Wyden
Wynn
Yates

NOT VOTING—9

Ackerman
Archer
Chapman
Dickey
Frost
Hilliard
Largent
Miller (CA)
Reynolds

□ 1505

Mr. HOLDEN and Mr. GEJDENSON changed their vote from ''yea'' to ''nay.''.

Mr. LAZIO of New York changed his vote from ''nay'' to ''yea''

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

URGING IMMEDIATE ACTION ON H.R. 483

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

Mr. DINGELL. Mr. Speaker, on this side we are ready to bring up debate and deal with H.R. 483. I would urge the majority to call it up at the earliest possible moment.

CONFERENCE REPORT ON S. 244, PAPERWORK REDUCTION ACT OF 1995

Mr. CLINGER. Mr. Speaker, I call up the conference report on the Senate bill, S. 244, to further the goals of the Paperwork Reduction Act to have Federal agencies become more responsible and publicly accountable for reducing the burden of Federal paperwork on the public, and for other purposes.

The Clerk read the title of the Senate bill.

The SPEAKER pro tempore (Mr. MCINNIS). Pursuant to the rule, the conference report is considered as read.

(For conference report and statement, see proceedings of the House of Monday, April 3, 1995, at page H4093.)

The SPEAKER pro tempore. The gentleman from Pennsylvania [Mr. CLINGER] will be recognized for 30 minutes, and the gentleman from Minnesota [Mr. PETERSON] 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.

Mr. Speaker, I am very pleased to bring to the floor today the conference agreement on the reauthorization of the Paperwork Reduction Act. It is the first reauthorization since the act expired in 1989.

The House version, I would remind my colleagues, of this bill was approved by an overwhelming vote, a unanimous vote, of 418 to nothing. The conference report very closely resembles the excellent provisions which were included in our original bill. There are several provisions which I would just like to discuss for the RECORD.

First, the conference bill reauthorizes the appropriation for the Office of Management and Budget's Office of Information and Regulatory Affairs, so-called OIRA, for 6 years, OIRA is the key office responsible for implementing the provisions of the Contract With America's regulatory reduction goals which are moving through this Congress. OIRA had a permanent authorization which I had hoped the other body would accept. Six years, however, which is what is provided in the conference report, should provide OIRA with a significant authorization to implement the regulatory reforms called for by the Contract With America.

Second, the bill strengthens the requirements of existing law to ensure that agencies develop low-burden, better-quality collections of information that in particular reduce the compliance requirements and paperwork costs for small businesses. This is clearly a very meritorious objective, to take away some of this overwhelming burden that we have imposed on small businesses over the years in the form of regulatory requirements.

Third, it overturns the 1990 Supreme Court case of Dole versus the United Steel Workers of America, which thereby restores the full coverage of the Paperwork Reduction Act over third-party disclosure requirements, which was originally included in this act.

Fourth, Mr. Speaker, and most importantly, the conference bill protects the public by providing citizens with a complete legal defense if agencies refuse to participate in a clearance process involving public notice and comment, public protection, and OIRA review. This provision is based on the very excellent amendment which was offered on the House floor by our colleague, the gentleman from Idaho, Mr. MIKE CRAPO.

Finally, Mr. Speaker, the legislation mandates a paperwork reduction goal of 10 percent for the next 2 years, as proposed in the committee amendment offered by our colleague, the gentleman from Pennsylvania, Mr. JON FOX.

The remainder of the bill was discussed at length during consideration of the House-passed bill on February 22. As I say, those were the only changes that were implemented in this conference report, so I would encourage all Members to support this conference report.

Let me conclude my remarks by expressing my appreciation to those who

helped in drafting this bill and the conference report. In addition to all of my committee members, I particularly appreciate the efforts of the House conferees, the gentleman from New York, JOHN MCHUGH, the gentleman from Indiana, DAVID MCINTOSH, the gentleman from Pennsylvania, JON FOX, the gentlewoman from Kansas, JAN MEYERS, the gentlewoman from Illinois, CARDISS COLLINS, the gentleman from Minnesota, COLLIN PETERSON, and the gentleman from West Virginia, BOB WISE.

I also want to thank the Senate conferees, Senators BILL ROTH, BILL COHEN, THAD COCHRAN, JOHN GLENN, and SAM NUNN; and, finally, express my deep appreciation to the staff of the conferees who worked so tirelessly to produce this much-needed reauthorization of OIRA, the first in 6 years.

Therefore, again, I would just encourage all Members to support enactment of this report, and continue the good work of our predecessors who started the drafting of this legislation back in 1980. It is overdue.

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

Mr. PETERSON of Minnesota. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of the conference report for S. 244, the Paperwork Reduction Act of 1995. This legislation received broad bipartisan support in both houses, and the conference committee has reported a stronger bill.

Mr. Speaker, the Paperwork Reduction Act of 1995 reflects the sentiment that sometimes, Federal agencies ask for too much paperwork from large and small businesses alike. Agency officials, often highly specialized in the programs they administer, require information, surveys, and questionnaires that place a substantial burden on companies while providing benefits that are not always apparent.

The Paperwork Reduction Act sets up a check by reauthorizing the Office of Information and Regulatory Affairs within the Office of Management and Budget to review all information collection requests before they are approved.

It is OIRA's job to approve information requests only if the collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility. OIRA must also ensure that the requests have been open for public comment and that legitimate concerns are addressed. These requirements stem from the recognition that information requests are often time consuming and costly to comply with.

The Paperwork Reduction Act also authorizes another important function, that of providing Government information to the public. The bill charges OIRA with overseeing the dissemination of information to the public by agencies, as well as providing central guidance for public access to that information.

It must oversee agency efforts to provide privacy, confidentiality, security, disclosure, and the sharing of Government information. These are very important policies that cannot be left to the whims of individual agencies.

Mr. Speaker, the conferees made substantial improvements to the bill as reported by the House. Let me briefly describe those changes.

First, the House bill had made the Office of Information and Regulatory and Affairs within OMB a permanent office with permanent authorization. That would have given away Congress' ability to regularly review OIRA by not requiring OIRA to justify and defend its operations during reauthorization hearings.

OIRA, because of its pivotal role in the regulatory process, has been at the center of controversy since its inception in 1980. Reauthorization hearings allow Congress to closely examine how this Office is working, whether you believe it has too much influence or not enough control over agency regulations. To give permanent authorization would have resulted in ceding a key congressional function to the executive branch, which I know is something the 104th Congress is fond of doing.

Fortunately, the conference committee recognized the need for regular review of this Office, and agreed to a 6-year authorization.

Second, the conferees dropped a provision in the House bill authorizing the head of OIRA to waive statutory requirements that agencies not charge more than their marginal copying costs for making Government information publicly available.

This world have been a sharp departure from the policy that while agencies are allowed to charge the actual cost of copying Federal records, they cannot subsidize their operating budgets through higher fees.

This would have resulted in far higher costs for public libraries, the public interest community, and the information industry, and therefore the conference committee wisely rejected this change.

In addition, the Senate bill contained two provisions eliminating hundreds of statutorily required reports. The conference committee dropped these provisions.

Mr. Speaker, both houses included a provision requiring workplace safety notifications required by Federal regulatory agencies to be submitted for OMB clearance. This provision, which overturns a Supreme Court decision, leaves workers at the mercy of politicians instead of safety experts. I would have preferred that his new provision be dropped, but because it was included in both bills, it was retained.

I would hope that OMB would use its new authority only with a view toward paperwork, and not as a mechanism to overturn statutory requirements for full disclosure of safety hazards at the workplace.

I would like to commend Chairmen CLINGER and ROTH, Senator GLENN, and all the other conferees for quickly resolving all of these issues and reporting back a bill that all of us can support.

□ 1515

Mr. CLINGER. Mr. Speaker, I yield 2 minutes to the gentleman from New Jersey [Mr. MARTINI], a very valued freshman member of the committee.

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

Mr. Speaker, first I would like to compliment the chairman and the other members who worked on this conference report. I rise today to express my support for the Paperwork Reduction Act conference report.

Mr. Speaker, the era of big taxing, big spending, and Big Government is finally over. The taxers, the takers, and Government rulemakers are out of business. Congress is taking steps to reduce the size and scope of the Federal Government.

As a member of the Committee on Government Reform and Oversight, I have worked to get Government off the back of business both large and small.

This act will reduce the paperwork burden that hinders both large and small business across our Nation. By decreasing Government paperwork, we will allow companies to do what they do best, expand their businesses and create jobs.

The Council on Regulatory Information Management has estimated that American businesses spend over 10 billion hours a year meeting Federal paperwork requirements. This is simply unacceptable. By easing paperwork requirements, small businesses will now be able to better compete in the global market and in the 21st century.

Mr. Speaker, in a recent meeting of business leaders of the Eighth Congressional District of New Jersey, my constituents complained of the noose that Washington puts around their necks and their businesses' necks.

Mr. Speaker, they have spoken and we have listened. We made a contract with the American people and I am proud to say that we have stood firm and delivered today. This important legislation is the first step toward returning common sense to Government regulation, and I urge support of the conference report.

Mr. PETERSON of Minnesota. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Louisiana [Mr. TAUZIN].

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

Mr. Speaker, I rise in support of the conference report. We went through a very elaborate debate on this floor regarding regulatory reform. The extraordinary effort this House has made to change the way in which agencies of this Government regulate businesses

and entities and individuals in our society is, I think, historic. I hope, indeed, that before this session gets too much older, we can see a conference report on those regulatory reform bills. They are critical to the future success of this country and to a new relationship between the Government and those people in this country who created it and who expect their Government to start serving them again instead of being their master.

Paperwork reduction is a key component of that. Reauthorizing this act, improving it, strengthening it, giving the OMB additional authorities to cut down on the level of paperwork required in business and industry and small business and by individuals in our society is a key element of regulatory reform. More and more people in small business tell me it's not so much the regulation, it's not so much having to comply, it's the enormous paperwork, the reporting we have to do, not to one agency but to 5, 6, 7, 10 agencies on the same activity.

The load of paperwork, the load of extra, unproductive work done in a small business to comply with regulations just in paperwork is crippling our productivity. This conference report will give us a chance to complete, if you will, that effort in regulatory reform, not only to change the way in which regulations are made in this country but hopefully one day to lower the level of reports and paperwork required of small businesses and individuals in our society.

I urge my colleagues to adopt this conference report.

Mr. CLINGER. Mr. Speaker, I yield 3 minutes to the gentleman from Idaho [Mr. CRAPO] for the purposes of a colloquy.

Mr. CRAPO. I thank the gentleman the chairman for yielding me the time.

Mr. Speaker, before I begin my colloquy, I would like to mirror the comments of our colleagues on both sides of the aisle about the importance of this historic opportunity to bring regulatory reform to the forefront in the Congress.

Mr. Speaker, I comment the chairman of the committee and Subcommittee Chairman DAVID MCINTOSH and House Small Business Committee Chairwoman JAN MEYERS for bringing this conference report to the floor. I strongly support the conference report and believe it will provide immediate benefits to business across the country.

In that regard, I am particularly pleased that the final version of this legislation contains an amendment offered by myself, and Congressman TOM DELAY and DAVID MCINTOSH, which passed unanimously on the House floor, that expressly provides for the enforcement mechanism implicit in section 3512 as it was originally enacted by Congress in 1980, and, therefore, put teeth in the public protection provisions of the Paperwork Reduction Act. This should end any confusion which may exist in the courts and Federal agencies about how section 3512 was originally intended to work by codifying existing law.

Mr. Speaker, is it your understanding that the amendments made to section 3512 are intended to clarify that a penalty imposed by a Federal agency based on failure to comply with an information request that does not bear on OMB control number is not enforcable, and had always provided the public with the right to petition the agencies or courts for complete relief at any time during the agency or court review process to eliminate the effects of any penalty.

Mr. CLINGER. Mr. Speaker, if the gentleman will yield, let me say that the gentleman is correct. The conference report is intended to clarify that it is the intent of Congress that section 3512 requires agency information collection requests applicable to 10 or more members of the public to be submitted to OMB and receive a valid control number. If not, the public need not respond, no may it be subjected to any penalty for failing to comply with such an unenforceable collection of information.

Mr. CRAPO. I thank the chairman of the committee. If the gentleman would respond to one more question, I would like to ask, is it the chairman's understanding that section 3512 will become effective as of October 1, 1995, and will apply to all cases then pending before the Federal agencies or the courts?

Mr. CLINGER. Mr. Speaker, the gentleman is absolutely correct. As of October 1, 1995, the defense provided in section 3512 is available at any time in an ongoing dispute.

Mr. CRAPO. Mr. Speaker, I thank the gentleman.

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

Mr. CLINGER. Mr. Speaker, I yield 1 minute to the gentleman from Pennsylvania [Mr. FOX], another very valued freshman member of the committee.

Mr. FOX of Pennsylvania. Mr. Speaker, I rise in support of S. 244, the Paperwork Reduction Act. I want to thank the gentleman from Pennsylvania [Mr. CLINGER] for his initiative on this issue.

This legislation is long awaited and takes the necessary steps to help Federal agencies reduce their paperwork and better utilize information technology. It sets a goal of 10-percent paperwork burden reduction for fiscal year 1996 and 1997 and a 5-percent goal thereafter. This is an attainable goal.

Passage of this legislation is imperative in keeping our reform goals and serving as active players in the information age. Therefore, I ask my colleagues to give full support to this important bill.

Mr. CLINGER. Mr. Speaker, I yield 3 minutes to the gentlewoman from Kansas [Mrs. MEYERS], the chairman of the Committee on Small Business who was a conferee on this measure and made many valuable contributions to the production of this bill and particularly recognizing the burden that we had placed on small business over the years. She has been a real tiger protecting their interests.

(Mrs. MEYERS of Kansas asked and was given permission to revise and extend her remarks.)

Mrs. MEYERS of Kansas. Mr. Speaker, on behalf of nearly all the small business organizations across the country who have for 6 years supported efforts to enact the Paperwork Reduction Act of 1995, and on behalf of the Small Business Committee, I want to proclaim hallelujah. There has been a lot of hard work that has gone into this. Everyone can feel proud that the job has been done well.

This is very strong legislation we are sending to the President. It is a good bill. It establishes a solid legislative framework to reduce the burdens of regulatory paperwork on small business and the American public generally.

I want to particularly acknowledge the work of the broad-based Paperwork Reduction Act coalition, a group of some 70 organizations. They were led by the U.S. Chamber, the National Federation of Independent Businesses, the National Association of Manufacturers, National Small Business United, Citizens for a Sound Economy, and the Council on Regulatory and Information Management. The coalition was most helpful in ensuring this bill had bipartisan support.

It is worth noting Mr. Speaker, that this legislation benefited from a 418-to-0 vote in the House; a 99-to-0 vote in the Senate. There was not a single vote of opposition. That sends a strong signal from Congress to the executive branch that they want the tools in this act used vigorously to reduce the burdens of regulatory paperwork.

□ 1530

We have in this bill now a 6-year organization that is a target of 10 percent for 2 years, and 5 percent after that of reduction of paperwork; a provision that if paperwork is required, the regular regulation must state how long it must be kept. And I think that is very important because we could save millions in this country. There are people paying for storage of paperwork all over this country that we could probably do without.

The public protection provision of this act has been strengthened, and we have the amendment of the gentleman from Idaho [Mr. CRAPO] to thank for that. The feature of the law is intended to help the public self-police the commonsense management principles contained in the law. If, for example, a recordkeeping requirement does not display an OMB control number, then no one can be penalized for failing to comply if a control number is displayed that shows the agency has checked for

duplication, allowed for public comments, and submitted a justification for OIRA review and approval.

This is particularly important, Mr. Speaker, for small business. Paperwork is difficult for all business. The costs are enormous. The Paperwork Reduction coalition thinks that 10 billion hours and $510 billion are spent every year doing paperwork. It is particularly difficult for small business because they frequently do not have an office manager or other personnel to handle it.

I am very grateful, I am proud to be a conferee on this bill, and I urge strong support of S. 244.

Mr. CLINGER. Mr. Speaker, I am pleased to yield 1 minute to the gentleman from Virginia [Mr. DAVIS], another member of our committee, a freshman who is chairman of our District of Columbia Committee who has done valiant work in that area. Even today he has been doing valiant work in that area.

Mr. DAVIS. Mr. Speaker, I thank the gentleman for yielding time to me.

Mr. Speaker, I want to once again congratulate Chairman CLINGER for shepherding yet another bill through both bodies and being able to send it on to the President for signature.

The House action has really succeeded in this with the following: We are authorizing appropriations for the OIRA for 6 years, we are establishing clear guidance for agencies to follow in developing good quality but low-burden forms, including the need to seek public comment before submitting the form to the Office of Information and Regulatory Affairs for review. We are focusing specific attention to the need for agencies to the extent practicable and appropriate to reduce reporting burdens on small business, including the use of techniques set forth in the Regulatory Flexibility Act. We have included third-party-disclosure requirements in the definition of collection of information, returning this act to its original intended scope by overturning the Supreme Court Dole versus Steelworkers decision, and it has agencies give added attention to the management of information technology in performing agency missions.

Mr. Speaker, once again I want to congratulate Chairman CLINGER and other Members who made this possible, and I am proud to get up here today and support it.

Mr. PETERSON of Minnesota. Mr. Speaker, we have no further requests for time. Again I urge my colleagues to support S. 244.

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

Mrs. MALONEY. Thank you, Mr. Speaker. I want to congratulate all who have been so involved in this effort—especially Chairman CLINGER and Ranking Member Congresswoman CARDISS COLLINS.

The Paperwork Reduction Act has been unauthorized since 1989. Some look at that fact as justification for the permanent authorization that was included in the House version of this bill.

I disagree, and offered amendments both in committee and on the floor to limit the period of reauthorization.

Happily, the Conference Committee agreed with me and placed a 6-year sunset on this legislation.

We have made a number of new initiatives in this bill—a new and higher goal on reducing paperwork; specific paperwork reduction goals for each agency; new information dissemination policy; new policy on statistics; and increased responsibility for agencies in incorporating public comment.

The 6 year authorization included in this conference report will allow us to revisit these initiatives to determine their effectiveness.

Frankly Mr. Speaker, there are a number of groups that are not to particularly happy with this bill.

Statisticians feel that the section on statistical policy should be stronger.

Librarians are concerned that the principles of public access to government information could be stated more strongly.

Businesses that specialize in repackaging government information want their access to that information more clearly defined.

For each of these groups and many others, reauthorization will provide the opportunity to make their case again.

It assures a continuing role of and by the public in the legislative process.

Furthermore, as technology improves, this legislation may well become seriously outdated. We cannot predict the impact of the information revolution.

Reauthorization will force us to keep information policy up with technology.

I am pleased that the conference committee agreed to a limited authorization for this bill. The Paperwork Reduction Act is a crucial piece of our public information policy and it is important that we not let it get out of date.

Mr. CLINGER. Mr. Speaker, I also have no further requests for time. I urge a unanimous vote for this very good conference report to reauthorize OIRA for a 6-year period.

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

The SPEAKER pro tempore (Mr. MCINNIS). 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 423, nays 0, answered ''present'' 2, not voting 9, as follows:

[Roll No 299]

YEAS—423

Abercrombie
Allard
Andrews
Archer
Armey
Bachus
Baesler
Baker (CA)
Baker (LA)
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bateman
Beilenson
Bentsen
Bereuter
Berman
Bevill
Bilbray
Bilirakis
Bishop
Bliley
Blute
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boucher
Brewster
Browder
Brown (CA)
Brown (FL)
Brown (OH)
Brownback
Bryant (TN)
Bryant (TX)
Bunn
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cardin
Castle
Chabot
Chambliss
Chenoweth
Christensen
Chrysler
Clay
Clayton
Clement
Clinger
Clyburn
Coble
Coburn
Coleman
Collins (GA)
Collins (IL)
Collins (MI)
Combest
Condit
Conyers
Cooley
Costello
Cox
Coyne
Cramer
Crane
Crapo
Cremeans
Cubin
Cunningham
Danner
Davis
de la Garza
Deal
DeFazio
DeLauro
DeLay
Dellums
Deutsch
Diaz-Balart
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Dornan
Doyle
Dreier
Duncan
Dunn
Durbin
Edwards
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
Frank (MA)
Franks (CT)
Franks (NJ)
Frelinghuysen
Frisa
Funderburk
Furse
Gallegly
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, E. B.
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 (GA)
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	Sanders	Thomas
Obey	Sanford	Thompson
Olver	Sawyer	Thornberry
Ortiz	Saxton	Thornton
Orton	Scarborough	Thurman
Owens	Schaefer	Tiahrt
Oxley	Schiff	Torkildsen
Packard	Schroeder	Torres
Pallone	Schumer	Torricelli
Parker	Scott	Towns
Pastor	Seastrand	Traficant
Paxon	Sensenbrenner	Tucker
Payne (NJ)	Serrano	Upton
Payne (VA)	Shadegg	Velazquez
Peterson (FL)	Shaw	Vento
Peterson (MN)	Shays	Visclosky
Petri	Shuster	Volkmer
Pombo	Sisisky	Vucanovich
Pomeroy	Skaggs	Waldholtz
Porter	Skeen	Walker
Portman	Skelton	Walsh
Poshard	Slaughter	Wamp
Pryce	Smith (MI)	Ward
Quillen	Smith (NJ)	Waters
Quinn	Smith (TX)	Watt (NC)
Radanovich	Smith (WA)	Watts (OK)
Rahall	Solomon	Waxman
Ramstad	Souder	Weldon (FL)
Reed	Spence	Weldon (PA)
Regula	Spratt	Weller
Richardson	Stark	White
Riggs	Stearns	Whitfield
Rivers	Stenholm	Wicker
Roberts	Stockman	Williams
Roemer	Stokes	Wilson
Rogers	Studds	Wise
Rohrabacher	Stump	Wolf
Ros-Lehtinen	Stupak	Woolsey
Rose	Talent	Wyden
Roth	Tanner	Wynn
Roukema	Tate	Yates
Royce	Tauzin	Young (AK)
Rush	Taylor (MS)	Young (FL)
Sabo	Taylor (NC)	Zeliff
Salmon	Tejeda	Zimmer

ANSWERED ''PRESENT''—2

Becerra	Roybal-Allard

NOT VOTING—9

Ackerman	Frost	Pickett
Chapman	Ganske	Rangel
Dickey	Pelosi	Reynolds

□ 1552

Ms. ROYBAL-ALLARD changed her vote from ''yea'' to ''present.''

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.

GENERAL LEAVE

Mr. CLINGER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks, and include extraneous material, on the bill just passed.

The SPEAKER pro tempore (Mr. MCINNIS). Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 555

Mr. MARKEY. Mr. Speaker, I ask unanimous consent that the name of the gentleman from Florida [Mr. FOLEY] be removed as a cosponsor of H.R. 555.

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

There was no objection.

PROVIDING FOR LANGUAGE CLARIFICATION IN CERTAIN STATUTORY REFERENCES RESULTING FROM CHANGES MADE IN THE REORGANIZATION OF THE HOUSE AT THE BEGINNING OF THE 104TH CONGRESS

Mr. THOMAS. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 1421) to provide that references in the statutes of the United States to any committee or officer of the House of Representatives the name or jurisdiction of which was changed as part of the reorganization of the House of Representatives at the beginning of the 104th Congress shall be treated as referring to the currently applicable committee or officer of the House of Representatives.

The Clerk read the title of the bill.

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

Mr. FAZIO of California. Mr. Speaker, reserving the right to object, will the gentleman from California explain the purpose of the legislation?

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

Mr. FAZIO of California. Further reserving the right to object, Mr. Speaker, I yield to the gentleman from California.

Mr. THOMAS. Mr. Speaker, I thank the gentleman for yielding.

What this bill does is attempt to conform the statutes that are on the books with the changes that were made at the beginning of the 104th Congress. As we know, there were three committees that were dissolved, there were significant restructurings in terms of jurisdictions, and all this bill does is to treat references to the old structure in public law as referring to the new structure. References to the old committees are to be treated as referring to the new committees.

This is, in essence, a conforming bill. It does not make policy. Indeed, it simply conforms to policy that has already been passed allowing the new committees to reference themselves in the statutes that are already on the books.

Mr. Speaker, this bill provides that references in public law to any committee or officer of the House whose name or jurisdiction was changed as a part of the reorganization of the House at the beginning of this Congress, shall be treated as referring to the currently applicable committee or officer.

Mr. Speaker, on the first day of the 104th Congress, the new Republican majority lived up to its commitment to the American people by passing major reforms. Among these reforms was the wholesale restructuring of the committee system, which included elimination of three major committees. Committee jurisdictions were consolidated, and the names of several committees were changed.

The primary purpose of this bill is to treat references to the old structure in public law as referring to the new structure. References to the old committees are to be treated as referring to the new committees.

In the course of restructuring the internal operations of the House, we also eliminated the positions of Director of Non-Legislative and Financial Services and the House Doorkeeper. We created the position of Chief Administrative Officer, and we redefined the responsibilities of the Clerk and the Sergeant-at-Arms.

The Committee on House Oversight has been charged in House rules with providing policy direction for and oversight of the House officers, and is continuing to direct the restructuring of the internal operations of the House. References in public law to the function, duty, or authority of a House officer are to be treated as referring to the officer exercising that function, duty, or authority, as determined by the Committee.

Mr. Speaker, enactment of this bill will result in no changes in policy, rather it will reflect policy changes already made.

Mr. FAZIO of California. Mr. Speaker, further reserving the right to object, if there is no further debate, I would certainly concur in the adoption of the bill.

Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

The Clerk read the bill, as follows:

H.R. 1421

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

SECTION 1. REFERENCES IN LAW TO COMMITTEES OF THE HOUSE OF REPRESENTATIVES.

(a) REFERENCES TO COMMITTEES WITH NEW NAMES.—Except as provided in subsection (c), any reference in any provision of law enacted before January 4, 1995, to—

(1) the Committee on Armed Services of the House of Representatives shall be treated as referring to the Committee on National Security of the House of Representatives;

(2) the Committee on Banking, Finance and Urban Affairs of the House of Representatives shall be treated as referring to the Committee on Banking and Financial Services of the House of Representatives;

(3) the Committee on Education and Labor of the House of Representatives shall be treated as referring to the Committee on Economic and Educational Opportunities of the House of Representatives;

(4) the Committee on Energy and Commerce of the House of Representatives shall be treated as referring to the Committee on Commerce of the House of Representatives;

(5) the Committee on Foreign Affairs of the House of Representatives shall be treated as referring to the Committee on International Relations of House of Representatives;

(6) the Committee on Government Operations of the House of Representatives shall be treated as referring to the Committee on Government Reform and Oversight of the House of Representatives;

(7) the Committee on House Administration of the House of Representatives shall be treated as referring to the Committee on House Oversight of the House of Representatives;

(8) the Committee on Natural Resources of the House of Representatives shall be treated as referring to the Committee on Resources of the House of Representatives;

(9) the Committee on Public Works and Transportation of the House of Representatives shall be treated as referring to the Committee on Transportation and Infrastructure of the House of Representatives; and

(10) the Committee on Science, Space, and Technology of the House of Representatives shall be treated as referring to the Committee on Science of the House of Representatives.

(b) REFERENCES TO ABOLISHED COMMITTEES.—Any reference in any provision of law enacted before January 4, 1995, to—

(1) the Committee on District of Columbia of the House of Representatives shall be treated as referring to the Committee on Government Reform and Oversight of the House of Representatives;

(2) the Committee on Post Office and Civil Service of the House of Representatives shall be treated as referring to the Committee on Government Reform and Oversight of the House of Representatives, except that a reference with respect to the House Commission on Congressional Mailings Standards (the ''Franking Commission'') shall be treated as referring to the Committee on House Oversight of the House of Representatives; and

(3) the Committee on Merchant Marine and Fisheries of the House of Representatives shall be treated as referring to—

(A) the Committee on Agriculture of the House of Representatives, in the case of a provision of law relating to inspection of seafood or seafood products;

(B) the Committee on National Security of the House of Representatives, in the case of a provision of law relating to interoceanic canals, the Merchant Marine Academy and State Maritime Academies, or national security aspects of merchant marine;

(C) the Committee on Resources of the House of Representatives, in the case of a provision of law relating to fisheries, wildlife, international fishing agreements, marine affairs (including coastal zone management) except for measures relating to oil and other pollution of navigable waters, or oceanography;

(D) the Committee on Science of the House of Representatives, in the case of a provision of law relating to marine research; and

(E) the Committee on Transportation and Infrastructure of the House of Representatives, in the case of a provision of law relating to a matter other than a matter described in any of subparagraphs (A) through (D).

(c) REFERENCES TO COMMITTEES WITH JURISDICTION CHANGES.—Any reference in any provision of law enacted before January 4, 1995, to—

(1) the Committee on Energy and Commerce of the House of Representatives shall be treated as referring to—

(A) the Committee on Agriculture of the House of Representatives, in the case of a provision of law relating to inspection of seafood or seafood products;

(B) the Committee on Banking and Financial Services of the House of Representatives, in the case of provision of law relating to bank capital markets activities generally or to depository institution securities activities generally; and

(C) the Committee on Transportation and Infrastructure of the House of Representatives, in the case of a provision of law relating to railroads, railway labor, or railroad retirement and unemployment (except revenue measures related thereto); and

(2) the Committee on Government Operations of the House of Representatives shall be treated as referring to the Committee on the Budget of the House of Representatives in the case of a provision of law relating to the establishment, extension, and enforcement of special controls over the Federal budget.

SEC. 2. REFERENCES IN LAW TO OFFICERS OF THE HOUSE OF REPRESENTATIVES.

Any reference in any provision of law enacted before January 4, 1995, to a function, duty, or authority—

(1) of the Clerk of the House of Representatives shall be treated as referring, with respect to that function, duty, or authority, to the officer of the House of Representatives exercising that function, duty, or authority, as determined by the Committee on House Oversight of the House of Representatives;

(2) of the Doorkeeper of the House of Representatives shall be treated as referring, with respect to that function, duty, or authority, to the officer of the House of Representatives exercising that function, duty, or authority, as determined by the Committee on House Oversight of the House of Representatives;

(3) of the Postmaster of the House of Representatives shall be treated as referring, with respect to that function, duty, or authority, to the officer of the House of Representatives exercising that function, duty, or authority, as determined by the Committee on House Oversight of the House of Representatives; and

(4) of the Director of Non-legislative and Financial Services of the House of Representatives shall be treated as referring, with respect to that function, duty, or authority, to the officer of the House of Representatives exercising that function, duty, or authority, as determined by the Committee on House Oversight of the House of Representatives.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

REMOVAL OF NAMES OF MEMBERS AS COSPONSORS OF H.R. 42

Mr. WAXMAN. Mr. Speaker, I ask unanimous consent to delete the names of the gentleman from Minnesota [Mr. OBERSTAR], the gentleman from California [Mr. BONO], and the gentlewoman from Florida [Ms. ROS-LEHTINEN] as cosponsors of the bill, H.R. 42, the Ryan White Reauthorization Act of 1995.

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

There was no objection.

CFTC REAUTHORIZATION ACT OF 1995

Mr. ROBERTS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the Senate bill (S. 178) to amend the Commodity Exchange Act to extend the authorization for the Commodity Futures Trading Commission, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the Senate bill.

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

Mr. DE LA GARZA. Mr. Speaker, reserving the right to object, I do so to yield to our distinguished committee chairman for an explanation of the legislation, and I yield to the gentleman.

Mr. ROBERTS. Mr. Speaker, I thank the distinguished minority leader of the Committee on Agriculture for yielding.

Mr. Speaker, S. 178, the CFTC Reauthorization Act of 1995, was adopted in the other body on February 10. The bill is a simple one-line reauthorization that provides authority for appropriations through the year 2000.

☐ 1600

The Committee on Agriculture on Tuesday reported companion legislation by a voice vote and the presence of a quorum. Since the bills are identical and have no opposition, they are identical and have no opposition in either body, we are considering S. 178 so that we may expedite the reauthorization of the Commission.

Mr. Speaker, S. 178, the CFTC Reauthorization Act of 1995 was adopted in the other body February 10, 1995. The bill is a simple one-line reauthorization providing authority for appropriations for the Commodity Futures Trading Commission through the year 2000 at such sums as may be necessary. The Committee on Agriculture on Tuesday reported companion legislation by voice vote in the presence of a quorum. Since the bills are substanially identical and had no opposition in either body, we are considering today S. 178 so that we may expedite the reauthorization of the Commission.

Mr. Speaker, this is the first time in the 20-year history of the Commodity Futures Trading Commission there has not been, in conjunction with a CFTC reauthorization, either significant amendments to the Commodity Exchange Act or outright questions about whether or not the CFTC should continue to exist.

The CFTC is a mature regulatory organization that is overseeing the most innovative and efficient markets in the world—our futures markets, where risk management concepts were born and the price discovery process provides U.S. commerce and industry the information necessary to compete in a global economy. The CFTC has reached regulatory parity with every other Federal regulator, and I would point out to my colleagues has done so with minimal resources and a staff of approximately 550 full-time employees.

Mr. Speaker, I urge the House to adopt S. 178 today and move it on to the White House, where, I am certain, the President will sign the bill.

Mr. DE LA GARZA. I thank the gentleman for his comments.

Mr. Speaker, I support the legislation.

Mr. Speaker, I commend the distinguished chairman of the Agriculture Committee, Mr. ROBERTS, as well as the chairman, Mr. EWING, and ranking minority member, Mr. ROSE, of the Risk Management and Specialty Crops Subcommittee for their leadership in providing for the expeditious consideration of S. 178, the Commodity Futures Trading Commission Reauthorization Act of 1995. This Senate bill is identical to H.R. 618 which was reported unanimously from the Committee on Agriculture without amendment. The bill authorizes

appropriations to carry out the Commodity Exchange Act for each fiscal year through 2000 and I strongly support its passage.

In the legislative activity leading up to the enactment of the Futures Trading Practices Act of 1992 (FTPA; Public Law 102–546), Congress considered and ultimately enacted a number of new responsibilities and authorities for the Commodity Futures Trading Commission [CFTC]. Those changes were designed to enhance the effectiveness of our futures regulatory system, while accommodating the evolutionary processes which are transforming world financial markets. Our philosophy has been and should continue to be that fair markets are efficient markets, and that a sound, rational and independent regulatory system contributes to their efficiency.

The CFTC has made extraordinary progress in carrying out the mandates of the 1992 Act. The Commission's pace demonstrates clearly that it shares the same sense of importance that we had in Congress when those important changes to the Commodity Exchange Act were adopted.

As a few examples, since the FTPA was enacted the CFTC has: Approved final rules exempting swap transactions, hybrid securities, and energy contracts meeting specified criteria from the exchange-trading and other requirements of the CEA; Approved final rules prohibiting dual trading on high-volume contract markets that do not have adequate systems for monitoring trading activity; Proposed rules to allow existing futures exchanges to sponsor trading among entities meeting qualifying criteria with relief from some of the regulatory strictures that otherwise would apply; and Approved final rules regarding procedures for exchange emergency actions.

In addition, the Commission has submitted five mandated reports to Congress. Notable among these was The Study of Swaps and Off-Exchange Derivatives—one of the more complete and informative discussions of that issue available.

Meanwhile, our Nation's futures markets have continued to grow and innovate. During fiscal year 1994 alone, the Commission approved trading in 28 new futures and options contracts. Futures and options volume on the exchanges increased by 27 percent to 510 million trades in fiscal year 1994 from the fiscal year 1993 level of 402 million.

While the increased use of U.S. futures exchanges demonstrates the confidence that financial risk managers have in these markets, trading on offshore futures markets—which in many cases trade contracts similar to those on U.S. exchanges—has grown even more rapidly. In its report to Congress, A study of the Global Competitiveness of U.S. Futures Markets, April 1994, the CFTC noted U.S. exchanges' declining share of global futures trading. That trend is largely explained as the initial growth stage in the relatively new, foreign futures markets rather than a reflection of significant cost advantages. It should, however, make us aware in our regulatory policy decisions that we need to balance our efforts to ensure that the markets are sound and fair, with a recognition of the potential for excessive regulatory burdens to disadvantage U.S. futures markets vis-a-vis their foreign competitors.

In their efforts to modernize and to comply with trade monitoring requirements in the Commodity Exchange Act, U.S. exchanges continue to work towards the development and implementation of automated audit trail systems. These systems promise to greatly enhance the ability of exchange and Commission enforcement officials to prevent fraud and punish cheaters.

Finally, Commission Chairman Schapiro, other Commissioners, and Commission staff continue to be actively engaged in interagency policy coordination regarding securities and securities derivatives markets, over-the-counter derivatives, and other matters of importance in market regulation. In this effort, the Commission has rightfully asserted itself as the expert regulatory agency where derivative markets are concerned.

Given the agency's substantial progress in carrying out the will of Congress expressed through the FTPA, I strongly support passage of this bill to extend the Commission's reauthorization through fiscal year 2000.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore (Mr. MCINNIS). Is there objection to the request of the gentleman from Kansas?

There was no objection.

The Clerk read as follows:

S. 178

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''CFTC Reauthorization Act of 1995''.

SEC. 2. AUTHORIZATION OF APPROPRIATIONS.

Section 12(d) of the Commodity Exchange Act (7 U.S.C. 16(d)) is amended to read as follows:

''(d) There are authorized to be appropriated such sums as are necessary to carry out this Act for each of fiscal years 1995 through 2000.''.

The Senate bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

REQUEST FOR CONSIDERATION OF HOUSE CONCURRENT RESOLUTION 831, PROVIDING FOR RETURN OF ENROLLED BILL, H.R. 831, AND FOR ITS REENROLLMENT

The SPEAKER pro tempore. For what purpose does the gentleman from Florida [Mr. DEUTSCH] rise?

Mr. DEUTSCH. Mr. Speaker, for the purpose of a unanimous-consent request.

The SPEAKER pro tempore. The gentleman from Florida [Mr. DEUTSCH] may proceed.

Mr. DEUTSCH. Mr. Speaker, I move that the House do take up House Concurrent Resolution 55, requesting the President to return the enrolled bill (H.R. 831) and providing for its reenrollment without the targeted tax benefit contained therein. Mr. Speaker, this deals with a provision, a tax provision, that was put in the bill providing $63 million to Mr. Murdoch.

The SPEAKER pro tempore (Mr. MCINNIS). In accord with the policy first announced on December 15, 1981, and applied consistently ever since, the Chair will confer recognition for a unanimous-consent request for consideration of an unreported measure only when assured that the majority leader, the minority leader, and the chairman and the ranking minority members of the committees of jurisdiction have no objection.

The policy is recorded on page 527 of the House Rules Manual.

PARLIAMENTARY INQUIRY

Mr. DEUTSCH. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. DEUTSCH. Mr. Speaker, parliamentary inquiry: Are you required to tell this Chamber who in fact has objected to the discretionary decision of the Speaker to take up this particular motion that the Speaker himself had said he would favor taking out but has not been taken out?

The SPEAKER pro tempore. The Chair is not aware of the clearance of the parties that are requested to be consulted.

Mr. DEUTSCH. Again, are you required to say which particular people have not cleared it?

The SPEAKER pro tempore. Again, the Chair is not aware that the necessary parties have been conferred with.

PRIVILEGES OF THE HOUSE—RESOLUTION PRESERVING THE CONSTITUTIONAL ROLE OF THE HOUSE OF REPRESENTATIVES TO ORIGINATE REVENUE MEASURES

Mr. DEUTSCH. Mr. Speaker, I rise to a question of privilege under rule IX of the House rules and I offer a House Resolution No. 131.

The SPEAKER pro tempore. The Clerk will report the resolution.

The Clerk read the resolution, as follows:

H. RES. 131

Whereas rule IX of the Rules of the House of Representatives provides that questions of privilege shall arise whenever the rights of the House collectively are affected:

Whereas, under the precedents, customs, and traditions of the House pursuant to rule IX, a question of privilege has arisen in cases involving the constitutional prerogatives of the House;

Whereas section 7 of Article I of the Constitution requires that revenue measures originate in the House of Representatives; and

Whereas the conference report on the bill H.R. 831 contained a targeted tax benefit which was not contained in the bill as passed the House of Representatives and which was not contained in the amendment of the Senate: Now, therefore, be it

Resolved, That the Comptroller General of the United States shall prepare and transmit, within 7 days after the date of the adoption of this resolution, a report to the House of Representatives containing the opinion of the Comptroller General on whether the addition of a targeted tax benefit by the conferees to the conference report on the bill H.R. 831 (A bill to amend the Internal Revenue Code of 1986 to permanently extend the

deduction for the health insurance costs of self-employed individuals, to repeal the provision permitting nonrecognition of gain on sales and exchanges effectuating policies of the Federal Communications Commission, and for other purposes) violates the requirement of the United States Constitution that all revenue measures originate in the House of Representatives.

The SPEAKER pro tempore. Does the gentleman from Florida [Mr. DEUTSCH] wish to be heard on whether the question is one of privilege?

Mr. DEUTSCH. Yes, I do, Mr. Speaker.

The SPEAKER pro tempore. The gentleman may proceed.

Mr. DEUTSCH. I thank the Chair.

Mr. Speaker, article I, section 7 of the Constitution specifically states that revenue measures must originate in this Chamber, in the House of Representatives. It is an infringement of the House prerogatives when that is not done, and in fact this House has consistently ruled that as a question of privilege when that occurs. It consistently occurs when the other body does a revenue provision.

What occurred in this case, as most Members at this point are well aware, is that this revenue measure which did originate in the House, then went to the other body, went to a conference committee.

A provision was put in in the conference committee which clearly did not originate in the House, which provided for a direct benefit of $63 million to Mr. Rupert Murdoch. And then at that point the Constitution of the United States and the prerogatives of this House were violated because that provision did not originate in this Chamber.

The House has consistently held that that type of instance is a violation of our prerogatives.

Furthermore, the Chair has consistently ruled that on issues of this nature the House has the right, and the appropriate action is for the House to decide itself what is a prerogative and what is a violation in terms of the privileges of the House.

Mr. Speaker, if I might, if I may yield to at least one or two other Members.

Mr. WALKER. Mr. Speaker, regular order.

The SPEAKER pro tempore. There will be order in the House. Does any other individual Member wish to be heard on the question of privilege?

The Chair recognizes the gentlewoman from the California (Ms. WATERS).

Ms. WATERS. I thank the chair.

Mr. Speaker, I rise in support of the argument that basically concludes that indeed the tax measure giving the tax benefit to Mr. Rupert Murdoch did not originate in this House. It is no question. One may raise a question about the kind of debate that we attempted to have yesterday where we were denied the opportunity to really explain what had taken place on this. And I think that having heard Mr. DEUTSCH's explanation today, no one in this House can disagree that indeed the measure did originate on the other body's side.

The SPEAKER pro tempore. The gentlewoman shall suspend.

The House will be in order. The gentlewoman deserves the courtesy of being heard. The House will be in order.

The gentlewoman may proceed.

Does the gentleman from Mississippi wish to be heard on the question of privilege?

Mr. TAYLOR of Mississippi. I do, Mr. Speaker.

The SPEAKER pro tempore. The gentleman may proceed.

Mr. TAYLOR of Mississippi. Mr. Speaker, the rules of the House with regard to questions of privilege very clearly state that whenever something that questions the integrity of the proceedings of this body is called into question, then it is the privilege of any Member of this body to try to resolve that issue.

And, of course, the entire reason for the motion was to expedite a ruling on something that could well result in a mammoth tax decrease for one individual, something that many Members of this body think brings the integrity of this body into question.

When we are granting tax relief to someone who apparently has had very lucrative book deals with the heads of state of many countries, who offered a lucrative book deal—though rejected—to the Speaker of the House and then just within 91 days of that offer gets an enormous tax break, I think is prima facie evidence that would bring the integrity of the proceedings of this House into question.

Therefore, I speak on behalf and in defense of the gentleman's motion that this be a privileged resolution.

The SPEAKER pro tempore. Does the gentleman from Kentucky [Mr. WARD] wish to be heard on this question of privilege?

Mr. WARD. I do, Mr. Speaker.

Yes, I wish to speak in favor of the gentleman's privileged motion.

I would ask the Speaker, and I would make the point that this seems to be just business as usual. This seems to be the way that it was not supposed to be done when the changes in the election were held in 1994. The people said they did not want things done as they had been done, and my question speaks to that.

Mr. WALKER. Regular order.

The SPEAKER pro tempore. The Chair is prepared to rule.

Mr. DEUTSCH. Mr. Speaker——

The SPEAKER pro tempore (Mr. MCINNIS). The Chair is prepared to rule.

The Chair rules that the resolution does not constitute a question of privilege under rule IX.

The resolution offered by the gentleman from Florida collaterally questions actions taken by a committee of conference on a House-originated revenue bill by challenging the inclusion in the conference report of additional revenue matter not contained in either the House bill nor the Senate amendment committed to conference. The resolution calls for a report by the Comptroller General on the propriety under section 7 of article I of the Constitution of those proceedings and conference actions on a bill that has already moved through the legislative process.

In the opinion of the Chair, such a resolution does not raise a question of the privileges of the House. As recorded in Deschler's Precedents, volume 3, chapter 13, section 14.2, a question of privilege under section 7 of article I of the Constitution may be raised only when the House is ''in possession of the papers.'' In other words, any allegation of infringement on the prerogatives of the House to originate a revenue measure must be made contemporaneous with the consideration of the measure by the House and may not be raised after the fact.

The Chair rules that the resolution does not constitute a question of the privileges of the House.

PARLIAMENTARY INQUIRIES

Mr. DOGGETT. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. DOGGETT. Mr. Speaker, do I understand the ruling then that the objection about the interference with the prerogatives of the House has to be made contemporaneously with the action complained of? Is that the ruling of the Chair?

The SPEAKER pro tempore. When the House is in possession of the papers, the gentleman is correct.

Mr. DOGGETT. Well, in this case, of course, no one in the House was informed that this special deal had been put in for Mr. Murdoch. So how could that right have been exercised?

The SPEAKER pro tempore. The Chair has ruled.

Does the gentleman from Pennsylvania [Mr. WALKER] wish to be recognized?

Mr. DEUTSCH. Mr. Speaker, I respectfully appeal the ruling of the Chair.

Ms. WATERS. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentlewoman will state it.

Ms. WATERS. Mr. Speaker, do the rules provide for a 3-day notice on a conference report?

The SPEAKER pro tempore. That question is not relevant here. All points of order were waived before the conference report was considered, and were debatable at that time.

Ms. WATERS. The question is raised, Mr. Speaker, because if there was a waiver, then I wonder how does that impact the ruling of the Speaker?

The SPEAKER pro tempore. The issue brought up by the gentlewoman from California is not relevant at this point.

The Chair recognizes the gentleman from Florida [Mr. DEUTSCH].

Mr. DEUTSCH. Mr. Speaker, I respectfully appeal the ruling of the Chair.

The SPEAKER pro tempore. The gentleman from Florida has appealed the ruling of the Chair. The gentleman is recognized.

Mr. DEUTSCH. Mr. Speaker, I believe I am recognized for an hour.

The SPEAKER pro tempore. The gentleman will suspend.

MOTION TO TABLE OFFERED BY MR. WALKER

Mr. WALKER. Mr. Speaker, I offer a motion.

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

The Clerk read as follows:

Mr. WALKER moves to lay the appeal on the table.

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

PARLIAMENTARY INQUIRIES

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

The SPEAKER pro tempore. The gentleman from the State of Mississippi [Mr. TAYLOR] is recognized.

Mr. TAYLOR of Mississippi. Mr. Speaker, since the rules of the House clearly state that when the question of the integrity of the proceedings of this House have been violated, that is indeed a privileged resolution. Now, I realize that the Chair responded to the written request of my colleague, but I have also asked the Chair to respond to whether or not it is prima facie evidence that a question relating to the integrity of the proceedings of this body are called into question when one individual who earlier this session offered the Speaker of the House an over $4 million book deal which the Speaker turned down, but he still offered it and with—that is a parliamentary inquiry. I have just as much right as the Members.

The SPEAKER pro tempore. Regular order. This is a parliamentary inquiry. The gentleman will suspend. The Chair has ruled previously on all points on this issue as textually raised by the resolution. We now have the motion before the House.

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

The SPEAKER pro tempore. The motion is not debatable.

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

Mr. MFUME. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman from Mississippi [Mr. TAYLOR] may state a legitimate parliamentary inquiry.

Mr. TAYLOR of Mississippi. I do not think the Chair responded——

The SPEAKER pro tempore. The gentleman from Mississippi shall suspend. The gentleman from Mississippi may state a legitimate parliamentary inquiry.

The gentleman may proceed.

Mr. TAYLOR of Mississippi. Mr. Speaker, I do not feel like the Chair has responded to my question of whether or not they felt like——

The SPEAKER pro tempore. The House will be in order. The gentleman has a right to be heard.

Mr. TAYLOR of Mississippi. A question of the integrity of the proceedings of this House has been brought into play.

The SPEAKER pro tempore. The gentleman will suspend. The Chair has ruled that the resolution as read does not constitute a question of privilege. The Chair has ruled.

Mr. MFUME. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. MFUME. Mr. Speaker, yesterday evening when there was an appeal of the ruling of the Chair; then there was from the other side of the aisle a request to table. Following that, there were questions raised on this side of the aisle about why is it so difficult to get a vote on an appeal of the ruling of the Chair?

Now, I recognize that the majority has the right to lay it on the table. But if every time there is an appeal of the Chair, a motion is laid on the table and defeated because of the numerical advantage the majority has, it denies not just this side but the entire House an opportunity to vote on the ruling of the Chair. It is a legitimate appeal.

□ 1615

The gentleman has legitimately appealed it and ought to, at least at some point in time, have a vote, so I would say to my distinguished colleague, the gentleman from Pennsylvania, that, while we will vote on the motion to table the appeal, that there may in fact be another motion to appeal the Chair, and another one after that, and, if that is what it is going to take to get one vote on the appeal of the Chair, then this side is prepared to do that. I would rather not do it. They will win in either case, but this side is just asking for a clean vote on the appeal of the Chair.

The SPEAKER pro tempore (Mr. MCINNIS). It is the Chair's ruling that the motion that is currently pending is, in fact, a proper motion under the rules of the House.

Mr. MFUME. I do not dispute that, Mr. Speaker.

The SPEAKER pro tempore. The question before the House is the motion to table.

Are there further parliamentary inquiries?

The question is on the motion offered by the gentleman from Pennsylvania [Mr. WALKER] to lay on the table the appeal of the ruling of the Chair.

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

Mr. WALKER. 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 230, nays 192, not voting 12, as follows:

[Roll No. 300]

YEAS—230

Allard
Archer
Armey
Bachus
Baker (CA)
Baker (LA)
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Bilbray
Bilirakis
Bliley
Blute
Boehlert
Boehner
Bonilla
Bono
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
Cubin
Cunningham
Davis
DeLay
Diaz-Balart
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
Geren
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
Johnston
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
Montgomery
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
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)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wolf
Young (AK)
Young (FL)
Zeliff
Zimmer

NAYS—192

Abercrombie
Andrews
Baesler
Baldacci
Barcia
Barrett (WI)
Becerra
Beilenson
Bentsen
Berman
Bevill
Bishop
Bonior
Borski
Boucher
Brewster
Browder
Brown (CA)
Brown (FL)
Brown (OH)
Bryant (TX)
Cardin
Clay
Clayton
Clement
Clyburn
Coleman
Collins (IL)
Collins (MI)
Condit
Conyers
Costello
Coyne
Cramer
Danner
de la Garza
Deal
DeFazio
DeLauro
Dellums
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Durbin
Edwards
Engel
Eshoo
Evans
Farr
Fattah
Fazio
Fields (LA)
Filner
Flake
Foglietta
Ford
Furse
Gejdenson
Gephardt
Gibbons
Gonzalez
Gordon
Green
Gutierrez
Hall (OH)
Hall (TX)
Hamilton
Harman
Hastings (FL)
Hefner
Hilliard
Hinchey
Holden
Hoyer
Jackson-Lee
Jacobs
Jefferson
Johnson (SD)
Johnson, E. B.
Kanjorski
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kleczka
Klink
LaFalce
Lantos
Laughlin
Levin
Lewis (GA)
Lincoln
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
Oberstar
Obey
Olver
Ortiz
Orton
Owens
Pallone
Pastor
Payne (NJ)
Payne (VA)
Peterson (FL)
Peterson (MN)
Pickett
Pomeroy
Poshard
Rahall
Rangel
Reed
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)
Waxman
Williams
Wilson
Wise
Woolsey
Wyden
Wynn
Yates

NOT VOTING—12

Ackerman
Chapman
Dickey
Frank (MA)
Franks (CT)
Frost
Hayes
Kaptur
Pelosi
Reynolds
Schiff
Tucker

□ 1635

Mr. GEJDENSON and Mr. DINGELL changed their vote from ''yea'' to ''nay.''

Mr. BAUCUS changed his vote from ''nay'' to ''yea.''

So the motion to lay on the table the appeal of the ruling of the Chair was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PROVIDING FOR ADJOURNMENT OF THE HOUSE FROM FRIDAY, APRIL 7, 1995, TO MAY 1, 1995, AND FROM WEDNESDAY, MAY 3, 1995, TO TUESDAY MAY, 9, 1995, AND ADJOURNMENT OR RECESS OF SENATE FROM THURSDAY, APRIL 6, 1995, OR THEREAFTER, TO MONDAY, APRIL 24, 1995

Mr. GOSS. Mr. Speaker, I offer a privileged concurrent resolution (H. Con. Res. 58) and ask for its immediate consideration.

The Clerk read the concurrent resolution, as follows:

H. CON. RES. 58

Resolved by the House of Representatives (*the Senate concurring*), That when the House adjourns on the legislative day of Friday, April 7, 1995, it stand adjourned until 12:30 p.m. on Monday, May 1, 1995, or until noon on the second day after Members are notified to reassemble pursuant to section 3 of this concurrent resolution, whichever occurs first; and that when the Senate adjourns or recesses at the close of business on Thursday, April 6, 1995, Friday, April 7, 1995, Saturday, April 8, 1995, Sunday, April 9, 1995, or Monday, April 10, 1995, pursuant to a motion made by the Majority Leader, or his designee, in accordance with this concurrent resolution, it stand recessed or adjourned until noon on Monday, April 24, 1995, or such time on that day as may be specified by the Majority Leader or his designee in the motion to recess or adjourn, or until noon on the second day after members are notified to reassemble pursuant to section 3 of this concurrent resolution, whichever occurs first.

Sec. 2. When the House adjourns on the legislative day of Wednesday, May 3, 1995, it stand adjourned until 12:30 p.m. on Tuesday, May 9, 1995, or until noon on second day after Members are notified to reassemble pursuant to section 3 of this concurrent resolution, whichever occurs first.

Sec. 3. The Speaker of the House and the Majority Leader of the Senate, acting jointly after consultation with the Minority Leader of the House and the Minority Leader of the Senate, shall notify the Members of the House and the Senate, respectively, to reassemble whenever, in their opinion, the public interest shall warrant it.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

PERMISSION FOR MEMBERS TO EXTEND THEIR REMARKS IN THE RECORD FOR TODAY AND TOMORROW

Mr. GOSS. Mr. Speaker, I ask unanimous consent that for today, April 6, 1995, and tomorrow, April 7, 1995, all Members be permitted to extend their remarks and to include extraneous material in that section of the RECORD entitled extension of remarks.

The SPEAKER pro tempore (Mr. MCINNIS). Is there objection to the request of the gentleman from Florida?

There was no objection.

HOUR OF MEETING ON TOMORROW

Mr. GOSS. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 11 a.m. tomorrow.

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

Mr. WISE. Mr. Speaker, reserving the right to object, and I shall not object, this change was cleared with the Democrat leadership.

Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

MEDICARE SELECT EXPANSION

The SPEAKER pro tempore. Pursuant to House Resolution 130 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 483.

□ 1641

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 483) to amend title XVIII of the Social Security Act to permit Medicare Select policies to be offered in all States, and for other purposes, with Mr. BONILLA in the chair.

The Clerk read the title of the bill.

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

Under the rule, the gentleman from Virginia [Mr. BLILEY] will be recognized for 30 minutes, and the gentleman from Michigan [Mr. DINGELL] will be recognized for 30 minutes.

The Chair recognizes the gentleman from Virginia [Mr. BLILEY].

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

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

Mr. Chairman, I urge my colleagues to join me in supporting the extension of the Medicare Select Program. The bill before the House was worked out between the members of the Commerce and Ways and Means Committees. The bill provides for a 5-year extension of the program and permits it to be offered in all 50 States. The bill also requires the secretary of the Department of Health and Human Services to conduct a study comparing the health care costs, quality of care, and access to services under Medicare select policies with other Medigap policies. The secretary is required to establish Medicare select on a permanent basis unless the study finds that: First, Medicare select has not resulted in savings to Medicare select enrollees, second, it has led to significant expenditures in the Medicare program, or third, it has significantly diminished access to and quality of care. I think the bill provides for a reasonable balance that will permit a valuable and innovative program for

our senior citizens to be continued while permitting a more informed evaluation of the program. We must remember that Medicare select is a MediGap insurance policy which provides seniors with another option to receive medical care. By giving the elderly more choices within MediGap we give them the option to pick plans which meet their individual needs.

In my view, we must not allow this program to expire. It is unfair to both participants and insurers alike to have to worry about what the Congress will do next. Medicare Select is a small but important program—and, I might add, a highly regulated program. It is regulated under the Federal MediGap standards. There are additional Federal statutory standards for select policies, plus our States insurance departments regulate them under State law. Medicare Select saves senior citizens money, provides more choice for senior citizens than the current Medicare risk contract HMO, and has given them the opportunity to secure a more comprehensive benefits package. If we do not act to extend this program, no new enrollees will be permitted to enroll in Select plans and we will see the ultimate demise of these plans. The end result is bound to be significant increases in premiums for current enrollees. Medicare beneficiaries will be denied a product that saves them money and which has served them well. There is no reason not to extend this program in a responsible fashion.

Mr. Chairman, I urge my colleagues to join me in supporting this bill.

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

Mr. DINGELL. Mr. Chairman, I yield myself 4 minutes.

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

Mr. DINGELL. Mr. Chairman, I will not burden the House with the discussions which took place during the consideration of the rule. Suffice it to say my displeasure with the way the rule has been handled in its substance and the way the rights of the minority have been constrained remain. I observe also that those constraints affect the ability of this House to legislate well, as they affect the rights of the people who look to us to see to it that their concerns are properly protected in the consideration of legislation.

□ 1645

I will speak, rather, Mr. Chairman, of the substitute which will be offered by the gentleman from California [Mr. WAXMAN], and I point out that this substitute is a reasonable alternative. It permits Members to support an extension of the program and an expansion of the program while providing very important consumer protections.

First, the substitute differs from the newly-drafted underlying bill in three particulars.

It expands the Medicare Select Program to all 50 States for a 5-year period, just like the bill reported out of the Committee on Commerce. Five years permits an ample opportunity to execute the program, to evaluate it, and to permit the Congress to come back and to extend the period, if necessary, or to make whatever changes might appear appropriate at the conclusion of 5 years.

Second, it bans attained age rating that lets insurance companies raise rates on elderly people as they age.

I want to comment a little on this. One of the perils of the people who would be seeking insurance under this program is that they will find that their initial purchase of insurance will be done on the basis that the prices are going to be very reasonable. Under the attained age rating practices of insurance companies, it means that there can be a substantial annual increase in cost to the insured. This is a deceptive practice. It is increasingly employed. It has the function of misleading consumers, and it makes it impossible for them to make meaningful comparisons of products of insurance.

It also arranges matters so that misrepresentations can be made by unscrupulous insurance salesmen and that the consequences of the annual rating increases are not known to the purchaser of insurance at the time the insurance is first negotiated for.

Third, the substitute allows people in restricted networks, that is, Medicare Select plans of the type we are dealing with here, to get out of those plans, something which they may very well want to do and something which is consistent with their rights as insured and enables them to get into an unrestricted Medigap plan.

Specifically, it requires select insurers also to offer to individuals who disenroll from a select plan a fee-for-service plan under terms comparable to the terms they would have enjoyed had they initially joined a fee-for-service plan. Thus, choice is maintained for the persons who would enroll in these, fairness in achieving the kind of service they might want, protection of their basic liberties and their economic and other concerns.

It is a fair way of addressing the failures which exist with regard to the legislation before us. These proposals do nothing to disturb the underlying bill. They do provide important consumer protections to the elderly. They create a level playing field for insurers, stabilize the marketplace and assure that insurers who would behave fairly toward their insured are not placed at a disadvantage by the behavior of unscrupulous insurers who would utilize these kinds of devices to the detriment not only of the more responsible insurers but also to the different holders of the policies that we are talking about.

I urge my colleagues to adopt the substitute at the time that it is offered.

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

Mr. BLILEY. Mr. Chairman, I yield such time as he may consume to the gentleman from Florida [Mr. BILIRAKIS], chairman of the Subcommittee on Health and Environment of the Committee on Commerce.

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

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

Mr. Chairman, I rise in support of legislation to extend the current Medicare Select Program which is scheduled to expire in June.

On January 11, 1995, our colleague, the gentlewoman from Connecticut [Mrs. JOHNSON] introduced H.R. 483, a bill to amend title 18 of the Social Security Act to permit Medicare select policies to be offered in all States, and for other purposes. That bill was referred to the Committee on Commerce, the principal committee of jurisdiction and in addition to the Committee on Ways and Means.

On February 15, 1995, the Health and Environment Subcommittee held an oversight hearing on Medicare select and issues related to Medicare managed care. On March 22, 1995, the subcommittee met and marked up H.R. 483 and approved the bill for full committee consideration, as amended, by a voice vote. On Monday, April 3, 1995, the full Commerce Committee met and ordered H.R. 483 reported to the House. as amended, by a voice vote.

As ordered reported by the Commerce Committee, H.R. 483 would extend the Medicare Select Program for an additional 5 years and expand the coverage to include all 50 States and this provides for a more true analyses as a demonstration project.

The Committee on Ways and Means also completed action on H.R. 483, and reported a different version of the legislation to the House. The Ways and Means Committee version of the bill extends the Medicare Select Program to all 50 States on a permanent basis.

Since the time that both committees completed action on H.R. 483, the committees have met and have developed a consensus bill, H.R. 1391, which was introduced in the House on April 4. The rule the House just passed makes in order the text of H.R. 1391.

The bill the House is considering would extend the Medicare Select Program for a 5 year period and expands the coverage to all 50 States.

The bill would also require the Secretary of the Department of Health and Human Services to conduct a study comparing the health care costs, quality of care, and access to services under Medicare select policies with other MediGap policies. This study must be completed by the end of 1998. Based on the results of this study. The Secretary must make a determination that the Medicare Select Program is permanent unless the study finds that: (1) Medicare select has not resulted in savings to Medicare select enrollees. (2) it has

led to significant expenditures in the Medicare Program, or (3) it has significantly diminished access to and quality of care.

Congress needs to enact legislation to extend this program now.

The National Association of Insurance Commissioners [NAIC] has testified in favor of the program and stated that out of the 10 Medicare select States that report into the NAIC's Complaint Data System, there were only 9 Medicare select complaints last year.

The program has been a very good one for senior citizens. In August 1994, Consumer Reports rated the top Medigap insurers nationwide. Eight out of 10 of the top-rated 15 MediGap plans were Medicare select plans. It is a very popular program in my home State of Florida where some 13,000 Medicare beneficiaries are enrolled.

I urge my colleagues to support this legislation so we may continue to provide older Americans with an often needed and in my opinion, necessary option.

Mr. DINGELL. Mr. Chairman, I yield 5 minutes to the distinguished gentleman from California [Mr. STARK], a member of the Committee on Ways and Means.

Mr. STARK. Mr. Chairman, I would like first to congratulate the distinguished gentlewoman from Connecticut, the sponsor of H.R. 483. While I may agree with what is in the bill, it is the absence of a few things with which she and I would differ. But she gets my highest admiration for tenacity. She has done an excellent job in bringing this bill to the floor promptly.

I do believe that there is a need for strong beneficiary protections. These may be prophylactic. They may be only a safety net, but we have had anecdotal evidence of abuses. And this program is new, and the administration had hoped that we would only extend it for 18 months. Many of us feel that Federal standards, which would be enforced or reinforced by States, would be in order.

The few States that choose not, like my own State of California, to regulate this through the insurance code, might be required to.

Had we had the opportunity, and we will have a partial opportunity in the substitute to be offered by the distinguished gentleman from California later in the proceedings, I would have suggested that we perhaps extend this for 5 years; also, that we have Federal oversight of Medicare select.

The amendment that I would offer perhaps would require Medicare select plans to have similar requirements as we now require for Medicare approved HMO's, called risk contractors. Those would include community rating.

For example, in California, to compare identical plans with Prudential, AARP's plan, and Blue Cross, the only offeror of Medicare select, there is, indeed, a savings for the first 4 years. From 1965 to 1969, Medicare select only costs $780. AARP's Prudential plan is $957, but it is $957 until you expire or stop paying your premiums.

The Medicare select plan jumps to $1,080 at age 70, $1,260 at 75 and, over 80, it is $1,380, almost a 40 percent increase. This, I believe, is improper and impacts most on seniors when they can lest afford to pay those premiums.

I think we should consider the idea of forbidding premiums that are age-related.

We should have State certification of these plans and an amendment to define the benefit package, not so as to limit it, but so as to put it into context with the plans that are now offered under MediGap so that seniors will have the opportunity to use free market choice and pick a plan that is, in fact, one that they can compare on a price basis.

Many of these amendments will be in the substitute offered by the gentleman from California [Mr. WAXMAN]. I would urge that that be supported.

I think that we will revisit this. One of the reasons I do not want to belabor this, and I will in a moment yield back my time, is that my guess is that some of these provisions may be added later in the legislative process. I hope then we can consider them at some more deliberate pace and consider which of these amendments will make Medicare select a better product, more consumer friendly than what might appear without the regulations that are missing from the current bill.

I thank the distinguished gentleman for yielding time to me.

Mr. DINGELL. Mr. Chairman, I yield 3 minutes to the gentleman from North Dakota [Mr. POMEROY].

□ 1700

Mr. POMEROY. Mr. Chairman, I thank the distinguished ranking member for yielding time to me.

Mr. Chairman, Medicare select is an issue I have followed for several years. I am the only former insurance regulator in the 104th Congress.

At the time the Medicare Select Program came into being, I was regulating the insurance market in North Dakota, the State I now represent in this body. I favored very strongly the Medicare select component. I thought perhaps the 15-State limitation at that time was unduly restrictive, in light of fairly prevalent practices throughout the Medicare supplement market at that time to allow the type of discounting and favorable premium impact it had for the senior citizen consumers under the operation explicitly allowed for the 15 States under the program.

I believe with the Medicare select, those who would believe we are engaged in an experiment here have it exactly wrong. The Medicare select restrictions actually constricted discounting activity that was allowing seniors lower insurance prices throughout the 50 States.

I fought as an insurance regulator to make sure North Dakota got to be one of the 15 States allowed, and was pleased that the Department of Health and Human Services allowed North Dakota to be one of the States. The experience has been significant. It has allowed a 17-percent premium deduction for senior citizens.

I called in the course of the Medicare select legislation to see whether or not problems, some kind of consumer complaints had arisen because of the restricted delivery system that might bring about this kind of discount. I was told by the North Dakota insurance department they did not have one, not a single complaint on their Medicare select book of business allowed in the State of North Dakota, now amounting to about 10,000 policyholders.

Having regulated this market for 8 years, I would say it is rather incredible that any product, no matter how perfect, does not generate one consumer complaint to the insurance department.

I think when it comes to senior citizens, this body owes them the same range of choices allowed throughout the rest of the insurance marketplace. We have discounting arrangements being made with providers to pass a better value on to the policy holder. Why, when it comes to senior citizens, should we somehow become so protectionist as to try and keep them from being able to access that same kind of discounted premium?

Are there questions in the senior MediGap market? Of course there are. Attained age rating is a concern that I believe needs to be addressed. It needs to be addressed, in my opinion, first by the regulatory entities responsible for regulating insurance, State insurance departments.

I believe if the State insurance departments adn their collective organization, the National Association of Insurance Commissioners, a body I formerly served in as president, do not in the very near term address that forcefully, action should be considered in this body to preclude attained age rating. I feel that strongly about it.

However, the vehicle before us certainly is not the one to try in this body to revamp the regulatory structure in this way. This is a simple bill. It serves a positive purpose. Give seniors a choice, give seniors a break, and pass this legislation.

Mr. BLILEY. Mr. Chairman, to close debate on our side, I yield 5 minutes to the gentlewoman from Connecticut [Mrs. JOHNSON], who knows more about this subject, certainly, than anybody on this side of the aisle. It has been a pleasure to work with her.

Mrs. JOHNSON of Connecticut. Mr. Chairman, I rise in strong support of this bill, and urge my colleagues to support it with enthusiasm. A number of issues have been raised from the other side, but they are issues that were thoroughly addressed in the hearings that we have had on this bill.

First of all, this is not a failed program. This is a very strong program that seniors are choosing, and they are

choosing it because it offers them lower cost health care that is also high-quality health care. Their premiums are anywhere from 10 to almost 40 percent less than the premiums of other Medigap policies. That is why they choose it. That is why seniors all over America should have the right to choose it.

Are these good policies? According to the Consumer Reports, 8 of the 15 top-ranked policies were Medicare select policies. That is pretty good.

Second, there have been essentially no complaints. Members heard my colleague, who was an insurance commissioner himself, say in his State there was not a single complaint. Nationwide in 1994 there were only 9 complaints in regard to select plans, when there were 967 complaints for regular Medigap policies, another reason why seniors choose these policies in the Medigap market. They are good.

Third, when we look at the consumer satisfaction surveys, Medicare select rates very high, another good sign.

Lastly, no program that was not well regarded would be supported by the National Governors Association, the National Council of State Legislatures, and the insurance commissioners of 50 States, so this is a good program, it is a successful program and, futhermore, it is a well-regulated program. It is regulated by the States; it is regulated by the Federal Government; it is regulated in exactly the same way that plans are regulated for people of other ages.

There is no problem with seniors who choose this option getting locked in. Later we will hear an amendment that says that these plans ought to be required to offer a fee-for-service option.

In every single State, in every single State, there are at least seven policies offered by Blue Cross or Blue Shield or AARP that guarantee issue at predetermined rates for seniors, so anyone in a Medicare select policy has a choice of choosing another Medigap policy at the same rate anyone else would be able to buy that policy, and without any danger of exclusion for preexisting medical conditions. Therefore, there is no need to pass a law that would force this kind of policy to do something that none of its competitors have to do.

This is a good bill. It is strictly structured. This program has succeeded. I ask Members' support of it, and I ask the Members' opposition to the following substitute, because it would force this plan, in certain States, to offer benefits that no other Medigap policy has to offer. That would effectively kill this low-cost choice for seniors. If it was forced to age rate its premiums, base its premiums on attained age rating, premiums for young seniors would go up.

In the market now, seniors of every age can choose whether they want to buy an attained-age-rating Medigap policy or a community-rated Medigap policy or an issued age-rated Medigap policy. They are all there. Seniors can choose that. Why should we not allow a 67-year-old healthy senior to choose a lower cost policy, if that is what he prefers, and face the higher rates of a 70-year-old when he hits 70, if that is what he wants? He has the right under current circumstances to choose a community-rated or an attained-age-related policy when he is 67, if he wants to do that.

I ask Members to support the bill, to oppose the alternative, and to guarantee that seniors in our Nation will have the choice of a lower cost, high-quality Medigap policy.

NATIONAL GOVERNORS' ASSOCIATION,
NATIONAL CONFERENCE OF STATE LEGISLATURES, NATIONAL ASSOCIATION OF INSURANCE COMMISSIONERS,

March 15, 1995.

Hon. BILL THOMAS,
Chairman, Subcommittee on Health of the Committee on Ways and Means,
Washington, DC.

DEAR CHAIRMAN THOMAS: In an effort to promote consumer choice and the offering of affordable health care coverage for senior citizens, the National Governors' Association (NGA), the National Conference of State Legislatures (NCSL), and the National Association of Insurance Commissioners (NAIC) call to your attention an urgent problem facing over 400,000 Medicare beneficiaries: the imminent expiration of the medicare SELECT program. This program has provided significant savings to Medicare beneficiaries in demonstration project states. We urge its permanent extension and expansion to all fifty states.

As you are aware, the Medicare SELECT program is a three year demonstration project (extended another six months by the 103rd Congress) that authorizes managed care networks to offer Medicare Supplement policies in the fifteen demonstration states. Medicare SELECT offers significant savings to seniors, many of whom live on fixed incomes. It also offers seniors a choice among health plans.

In the absence of Congressional action on this issue, more than 400,000 Medicare beneficiaries will be faced with higher premiums and less choice. If the Medicare SELECT program is not continued, Medicare SELECT carriers could not enroll new members after June 30, 1995. This will result in significant increases in premiums for Medicare beneficiaries already enrolled in the program. Further, those beneficiaries not enrolled in the program will no longer have the opportunity to choose this low-cost and choice-enhancing option.

Nearly every federal health reform proposal before the 103rd Congress included a permanent extension of this program to all fifty states. The momentum and broad-based political support behind this program should not be allowed to dissipate simply due to the absence of more comprehensive Congressional action in the health care reform area. The health care coverage of too many Americans is at stake.

As we testified before two House subcommittees on this issue, we urge you to support the provisions of H.R. 483 that extend and expand the Medicare SELECT program to all fifty states.

The NGA, NCSL and NAIC would be happy to answer any questions and provide you with any additional technical background upon request. Please contact Mary Beth Senkewicz at the NAIC Washington office at 624–7790. Thank you for consideration of this recommendation.

Sincerely,

RAYMOND C. SCHEPPACH,
Executive Director, NGA.
CARL TUBBESING,
Director, Washington Office, NCSL.
KEVIN T. CRONIN,
Washington Counsel, NAIC.

MEDICARE SELECT: THE FACTS

Medicare Select is Point of Service coverage—Beneficiaries can go out of the Select network at any time and Medicare still pays for covered care.

Medicare Select Saves Seniors $'s—Premium savings range from 10 to 38% over regular Medigap policies.

Medicare Select provides Quality and Value—Consumer Reports ranked 8 Select plans among the top 15 plans.

MORE MED SELECT FACTS

Medicare Select Works for Seniors—In 1994 the National Association of Insurance Commissioners reported only 9 complaints on Select plans vs. 967 for regular Medigap.

Medicare Select Offers Choice—Gives seniors an option similar to that enjoyed by millions of working Americans.

EVEN MORE MED SELECT FACTS

Medicare Select Satisfies Seniors—Select plans are highly rated in consumer satisfaction surveys.

Medicare Select has bipartisan Support—Ways and Means bill passed 31 to 2, Commerce bill passed by voice vote.

Medicare Select Wanted by States—NGA, NAIC, and NCSL support the 50 state option.

The CHAIRMAN. All time for general debate has expired.

Pursuant to the rule, the amendment in the nature of a substitute consisting of the text of H.R. 1391 is considered as an original bill for the purpose of amendment and is considered as having been read.

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

H.R. 1391

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

SECTION 1. PERMITTING MEDICARE SELECT POLICIES TO BE OFFERED IN ALL STATES FOR AN EXTENDED PERIOD.

Section 4358(c) of the Omnibus Budget Reconciliation Act of 1990, as amended by section 172(a) of the Social Security Act Amendments of 1994, is amended to read as follows:

''(c) EFFECTIVE DATE.—(1) The amendments made by this section shall only apply—

''(A) in 15 States (as determined by the Secretary of Health and Human Services) and such other States as elect such amendments to apply to them, and

''(B) subject to paragraph (2), during the 8½ year period beginning with 1992.

''(2)(A) The Secretary of Health and Human Services shall conduct a study that compares the health care costs, quality of care, and access to services under medicare select policies with that under other mediare supplemental policies. The study shall be based on surveys of appropriate age-adjusted sample populations. The study shall be completed by December 31, 1998.

''(B) The Secretary shall determine during 1999 whether the amendments made by this section shall remain in effect beyond the 8½ year period described in paragraph (1)(B). Such amendments shall remain in effect beyond such period unless the Secretary determines (based on the results of the study under subparagraph (A)) that—

''(i) such amendments have not resulted in savings of premiums costs to these enrolled

in medicare select policies (in comparison to their enrollment in medicare supplemental policies that are not medicare select policies and that provide comparable coverage),

''(ii) there have been significant additional expenditures under the medicare program as a result of such amendments, or

''(iii) access to and quality of care has been significantly diminished as a result of such amendments.''.

The CHAIRMAN. No amendment to the amendment in the nature of a substitute is in order except a further amendment in the nature of a substitute, which may be offered only by the gentleman from Michigan [Mr. DINGELL], or his designee, is considered as read, is debatable for 1 hour, equally divided and controlled by a proponent and opponent of the amendment, and is not subject to amendment.

Pursuant to the rule, the gentleman from California [Mr. WAXMAN] will be recognized for 30 minutes.

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

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

The CHAIRMAN. The Clerk will designate the amendment.

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

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

Strike all after the enacting clause and insert the following:

SECTION 1. EXTENDING MEDICARE SELECT POLICIES TO ALL STATES FOR AN ADDITIONAL 5-YEAR PERIOD.

Section 4358(c) of the Omnibus Budget Reconciliation Act of 1990, as amended by section 172(a) of the Social Security Act Amendments of 1994, is amended—

(1) by striking ''The amendments'' and inserting ''(1) Subject to paragraph (2), the amendments'';

(2) by inserting ''and, subject to paragraph (3), those other States that elect them to apply'' after ''15 States (as determined by the Secretary of Health and Human Services)'';

(3) by striking ''3½-year'' and inserting ''8½-year''; and

(4) by adding at the end the following new paragraphs:

''(2) The amendments made by this section shall apply to a State after the first 3½ years of the 8½-year period described in paragraph (1) only if the State provides that the premiums for a medicare select policy do not vary at renewal (or at any other time premiums change) on the basis of the age attained by the policy-holder or certificateholder.

''(3)(A) The amendments made by this section shall apply to a State other than the 15 States referred to in paragraph (1) only if the State provides that the issuer of a medicare select policy makes available to a policyholder or certificateholder, at each of the times described in subparagraph (B), a policy described in subparagraph (C) (whether or not otherwise offered by the issuer to individuals in the State and whether issued directly by that issuer or under an arrangement with another issuer) under terms and conditions described in subparagraph (C).

''(B) The times described in this subparagraph are—

''(i) the time the policyholder or certificateholder moves out of the service area of the issuer of the medicare select policy,

''(ii) the time of renewal of such policy, and

''(iii) at the end of the 12-month-period beginning on the date such policy first becomes effective if the policy is canceled or nonrenewed by the policyholder or certificateholder at the end of such period.

''(C) A policy described in this subparagraph is a policy that meets the 1991 Model NAIC Regulation or 1991 Federal Regulation and other requirements of section 1882 of the Social Security Act (without regard to subsection (t)) and the terms and conditions (including premium levels) described in this subparagraph are terms and conditions comparable to the terms and conditions that the policyholder or certificateholder would have had if the policyholder or certificateholder had been enrolled in a policy not under section 1882(t) of such Act during the period in which the policyholder or certificateholder was enrolled in a policy under such section 1882(t).

''(D) The Secretary of Health and Human Services is authorized to issue such regulations as may be necessary to carry out this paragraph.''.

Mr. WAXMAN. Mr. Chairman, I offer this amendment in order to improve this legislation before us. The argument on the floor before us today is not whether we ought to have Medicare select policies or not. A number of States are already marketing these policies. It has been used on an experimental basis in those States. All of us agree that we ought to expand that to other States as well.

However, our amendment would make three changes in the underlying bill. First of all, while we extend Medicare select programs to all 50 States, we would do it for a 5-year period so we can take a look, again, at that period of time to see whether this program is working the way we envision it.

Second, we would in this amendment say that the Medicare select policies would not permit attained age rating that lets insurers raise rates on elderly people as they age. This is a deceptive practice that is increasingly employed to mislead consumers and make meaningful comparison between various insurance options possible.

Third, the substitute allows people in restricted networks, like Medicare select plans, where they only have a panel to choose from of their health care providers, allows them to leave the Medicare select and go to a choice of provider that they may wish to have Medicare and this gap policy pay.

These provisions do nothing to disturb the underlying bill. However, they are important consumer protections for the elderly, they create a level playing field for insurers, and they stabilize the market.

Mr. Chairman, let me elaborate on these points. The gentlewoman from Connecticut [Mrs. JOHNSON], who is the original author of the bill before us, has argued that people have choices now, and we should not have any guarantee in the bill that they will have choices in the future.

My concern is we do not know what the future will bring, except we have some idea of what is going on now in the competitive marketplace dealing with health insurance. As there is competition, there is competition for insurance companies to try to offer the lowest-priced plan to induce people to sign up.

However, if they do not have a community rating, if they do not keep that low price for everybody except for the newcomers in their plan, as people get older, what we call attain an older age, and are therefore more likely to get sick, insurance companies can turn around and say ''You signed up a number of years ago at a certain level, but now we are going to double or triple your premiums.''

That, Members could imagine, would be a terrible thing for an elderly person who has a Medigap policy for which they now think they have security, to suddenly find that there rates have gone up so dramatically.

Sometimes, however, people do not like these preferred provider organizations where they have only a certain list of physicians and health care providers to choose from. They may think it is okay when they are younger, let us say 65, but if they have some experiences later on with a specific illness where they need the expertise of someone who is not on that panel, they may want to choose to leave.

I believe a fundamental value in health insurance for this country ought to be that we give people the right to choose what insurance they will have. We have offered in this substitute a guarantee that when people sign up in these Medicare select policies, that they will have a right to choose to join another Medigap plan. When people turn 65, they can sign up in any MediGap plan available.

What they do not realize is if they sign on to Medicare select, unless we have this substitute adopted, in the future they may not be able to leave and go to another what is called fee-for-service or choice-of-provider plan. They will be faced with either being in the Medicare select or having to go outside of that list and then pay out of their own pockets, not only for their insurance, but they would have to pay for the costs of the doctor who is not on that panel.

Let us keep in mind, we are dealing with Medicare select. It is only a very small issue in the scheme of the Medicare issues that we have already faced and are going to face in this Congress, but what we do in this instance may well become a benchmark for what we are going to do in the future.

There is a lot of talk that the Republicans would like to take the Medicare program and, rather than let people have choices of doctors and other health care providers, to put them in managed care.

□ 1715

Managed care is a reasonable option but it ought to be an option at the choice of the beneficiary, not something which they are forced into whether they like it or not. In fact, if

we really believe in managed choice being a good option, it is only a good option when people have the ability in a free market to walk away and leave and join another alternative plan. But if they only have one choice, you can be sure that when they are captive in that one choice, that they are not going to be as important a customer, since they are a captive customer of the Medicare select plans.

Members will hear in this debate about how well these Medicare select plans are doing. I do not deny they are doing well. The consumers generally seem happy in most States. Our fear is what the marketplace will look like not right now but in a couple of years.

Let us put in this substitute which gives us a 5-year period in which to watch, to see how it is working; second, protect people from this sort of bait-and-switch of signing up and then finding your rates are going to double and triple because there is no protection against insurance companies raising your rates as you get older; and third, a guarantee that when you sign up in a Medicare select system, that that Medicare select system will give you an option which almost all of them do now, to choose another system, a fee-for-service system that will give you unlimited choice.

This is an important consumer protection amendment. It is consistent with the idea of having Medicare select policies. I do not think anybody is arguing against the idea of Medicare select although some people may. But most Members would argue let us allow this Medicare select way of handling MediGap insurance, a supplemental insurance to Medicare, in the most consumer-oriented manner.

I urge support for the substitute amendment.

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

Mr. BLILEY. Mr. Chairman, I yield 5 minutes to the gentleman from California [Mr. THOMAS], the chairman of the Subcommittee on Health of the Committee on Ways and Means.

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

Mr. Chairman, if Members will examine the proponents of the substitute's argument, what they are saying is that we really do want Medicare select, we just want to improve it, we want to help. That would be akin to having you cross the street against the light. Urge you to go down a tunnel with a light ahead and say it is daylight. Turn on the gas with the pilot light out.

They do not want to improve the Medicare program. Their position is clear. They stalled in the last Congress, hoping it would die. It took a Herculean effort at the 11th hour to get the pilot program renewed. And here they are once again, a wolf in sheep's clothing saying all we want to do is try to improve the program.

The substitute says it is going to extend for only 5 years. The underlying bill says if after 5 years on a finding of the Secretary of HHS it saves money, we make it permanent. If it is good and it works, we make it permanent. What does the substitute do?

Notwithstanding saving money after 5 years, the program is dead. That is improving? That is helping? That is a wolf in sheep's clothing.

All they say they want is a level playing field. In fact, what they are trying to do is set up hurdles specific to Medicare select. If what they advocated for Medicare select is good, why is it not applied across-the-board to all MediGap programs? If in fact what they are urging for Medicare select is something that creates 15 States having one program and 35 States having another, so that you are guaranteed not to have a uniform program over 50 States, that is helping? That is creating an impossible standard to meet.

Let's talk about really taking care of seniors.

The gentleman from North Dakota is the only person in the Congress who has done this kind of work. I have great admiration for his courage to stand up and say, after 8 years, not one complaint. He is someone who has been in the trenches. He was a member of the National Association of Insurance Commissioners, and I received a letter from those commissioners, from the National Council of State Legislatures, and from the National Governors Association. This is what they said to me:

> Dear Chairman Thomas, in an effort to promote consumer choice in the offering of affordable health care coverage for senior citizens, the National Governors Association, the National Conference of State Legislatures, the National Association of Insurance Commissioners call to your attention an urgent problem facing over 400,000 Medicare beneficiaries: the imminent expiration of the Medicare select program. This program has provided significant savings to Medicare beneficiaries in demonstration project States. We urge its permanent extension and expansion to all 50 States.

They have seen these programs every day. They do not have the nine pages of improvements. They do not have the 45 points of consumer protection. They agree with our colleague from North Dakota, the program is good the way it is. It should be permanent. The underlying bill says if we save money, it is going to be permanent. Under the guise of protecting seniors, they want to guarantee that this program will not succeed.

Why in the world would they do that? The answer is very simple. The gentleman from California exposed his hole card. He told you what we were going to do with Medicare.

I will tell you what their great fear is, that we will be able to convert an old-fashioned, bloated, government-run, fee-for-service program into an efficient, cost-effective program that gives seniors more than they are getting now. This is the good step in the right direction. His old program will be changed. He does not want the new program. Their substitute will kill Medicare select. Vote against it. Vote for the underlying bill.

> NATIONAL GOVERNORS' ASSOCIATION,
> NATIONAL CONFERENCE OF STATE LEGISLATURES, NATIONAL ASSOCIATION OF INSURANCE COMMISSIONERS,
>
> *March 15, 1995.*
>
> Hon. BILL THOMAS,
> *Chairman, Subcommittee on Health of the Committee on Ways and Means, Longworth House Office Building, Washington, DC.*
>
> DEAR CHAIRMAN THOMAS: In an effort to promote consumer choice and the offering of affordable health care coverage for senior citizens, the National Governors' Association (NGA), the National Conference of State Legislatures (NCSL), and the National Association of Insurance Commissioners (NAIC) call to your attention an urgent problem facing over 400,000 Medicare beneficiaries: the imminent expiration of the Medicare SELECT program. This program has provided significant savings to Medicare beneficiaries in demonstration project states. We urge its permanent extension and expansion to all fifty states.
>
> As you are aware, the Medicare SELECT program is a three year demonstration project (extended another six months by the 103rd Congress) that authorizes managed care networks to offer Medicare Supplement policies in the fifteen demonstration states. Medicare SELECT offers significant savings to seniors, many of whom live on fixed incomes. It also offers seniors a choice among health plans.
>
> In the absence of Congressional action on this issue, more than 400,000 Medicare beneficiaries will be faced with higher premiums and less choice. If the Medicare SELECT program is not continued, Medicare SELECT carriers could not enroll new members after June 30, 1995. This will result in significant increases in premiums for Medicare beneficiaries already enrolled in the program. Further, those beneficiaries not enrolled in the program will no longer have the opportunity to choose this low-cost and choice-enhancing option.
>
> Nearly every federal health reform proposal before the 103rd Congress included a permanent extension of this program to all fifty states. The momentum and broad-based political support behind this program should not be allowed to dissipate simply due to the absence of more comprehensive Congressional action in the health care reform area. The health care coverage of too many Americans is at stake.
>
> As we testified before two House subcommittees on this issue, we urge you to support the provisions of H.R. 483 that extend and expand the Medicare SELECT program to all fifty states.
>
> The NGA, NCSL and NAIC would be happy to answer any questions and provide you with any additional technical background upon request. Please contact Mary Beth Senkewicz at the NAIC Washington office. Thank you for consideration of this recommendation.
>
> Sincerely,
>
> RAYMOND C. SCHEPPACH,
> *Executive Director, NGA.*
> CARL TUBBESING,
> *Director, Washington Office, NCSL.*
> KEVIN T. CRONIN,
> *Washington Counsel, NAIC.*

Mr. WAXMAN. Mr. Chairman, I yield 3 minutes to the gentleman from Oregon [Mr. WYDEN].

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

Mr. WYDEN. Mr. Chairman, I found the comments of the gentleman from California very interesting because many of us who support the Waxman amendment are strong supporters of 21st century Medicare that uses managed care to a much greater extent. In fact, in my community, we have one of the highest concentrations in the country of managed care participation. We have seen the future, and we know it can work.

But the fact is that as part of that future, we should incorporate two principles that the Waxman amendment addresses.

First and foremost, the Waxman amendment will protect the hundreds of thousands of older people in this country from rate shock. I have listened to my colleagues talk, for example, about how consumers are satisfied with Medicare slack. Of course they are, because many of them have had this product for maybe 18 months or so, under attained age pricing, and they have not seen the big rate hikes that are going to hit them down the road.

Under the Waxman proposal, there is a floor of protection for older people from those rate hikes. I would urge my colleagues in the strongest way, the seniors of America do not know what is coming in the days ahead in terms of these rate hikes. The Waxman amendment offers some real protection.

Second, with respect to choice, and again in our area, managed care works because there is real choice, the Waxman amendment offers more choices. Frankly, a lot of us think that is especially important now. We have got the chairman of the Senate Finance Committee saying that there are going to be 400 billion dollars' worth of cuts in Medicare and Medicaid. That will inevitably take choice from the senior citizens. The Waxman amendment again gives to older people more choices, more protection to deal with what we think is going to come in the days ahead from the other side.

Finally, I would say that I have worked very closely with the gentlewoman from Connecticut often. She is a sincere and dedicated leader in the health policy field. I wish to make Medicare select work. I support managed care. My community has been a leader nationwide in this area. We can make managed care work better if we adopt the Waxman amendment so seniors across this country do not get clobbered with rate hikes that they do not expect and that we give them more real choice.

Mr. BLILEY. Mr. Chairman, I yield 2 minutes to the gentleman from North Dakota [Mr. POMEROY].

Mr. WAXMAN. Mr. Chairman, I yield 1½ minutes to the gentleman from North Dakota [Mr. POMEROY].

The CHAIRMAN. The gentleman from North Dakota [Mr. POMEROY] is recognized for 3½ minutes.

Mr. POMEROY. Mr. Chairman, this debate brings up two points of frustration that I have got with Congress:

The first is partisanship. There are technical policy questions that come before this House and they do not need to be debated in a bashing, partisan manner with which we bring to the debates. There clearly are those issues that will divide us along partisan and ideological lines. This is a technical little public policy question we face and we do not need to turn it into a partisan free-for-all. We have had enough of those already.

Second frustration. Sometimes on the floor of this House we try and imagine everything that can go wrong and figure out how to fix it regardless of whether in real life it has been a problem at all. Inevitably that produces the law of unintended consequences and we can foul things up pretty well.

I believe the substitute, while wholly well-intentioned, represents that sort of approach. Having regulated this market, having tracked it since I left regulation, I do not believe we see the practices that would be fairly addressed by this regulation. Even if there were those circumstances out there, the worst place to fashion the right regulatory response would be on the floor of the House with amendments and substitutes. There are experts that do this every day. They are called insurance regulators. They ought to have first crack at this.

Second, in the event that they are remiss, we ought to have a good solid hearing in the committees on this issue. Believe me, when I was commissioner, I can remember some very rigorous days in congressional committees as we discussed these matters. Not on the floor of the House, not in the context of substitute motions.

I urge a defeat of the gentleman's motion, although I have the greatest respect for what he is trying to accomplish, and the passage of the bill.

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

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

Mr. WAXMAN. I thank the gentleman for yielding.

Mr. Chairman, I want to commend the gentleman for his leadership in this area, and particularly for saying to the audience that may be watching this debate, we are arguing in good faith over some policy differences. I do find it startling to think that people would come in and question others' motives.

Questioning people's motives just seems to me so out of place in a debate where we are trying to make the best decisions we can.

We look at the insurance market today, the non-Medicare insurance market, and it is not just in anticipation of problems that may happen but most likely will not, we look at the insurance market today and it just makes more sense for an insurance company to try to offer the lowest possible price to those people that are the healthiest, and they do not really want to insure people who are going to be the sickest, because the sickest are going to cost them more money. Rather than spread the cost out across the broad population, we see a segmentation of the market and lowest prices for the healthiest.

I fear that we see that reality now in regular insurance practices, that in the MediGap policies, we are going to find the same thing, the lowest price for healthier people, and then they get older and sicker, a higher price.

That is why we have offered the substitute. I would like to have the gentleman's thoughts on it.

Mr. POMEROY. I believe attained age rating of the Medicare supplement business generally is inappropriate. I think that it is dead wrong for people whose finances are diminishing in advancing age, whose health is deteriorating in advancing age, to be finding themselves on the upper range of an attained age premium scale. I think that it needs to be addressed in the context of the entire Medicare supplement marketplace, not simply the Medicare select product. Right issue, wrong vehicle. That is why I oppose this substitute. But the gentleman is on to something. This is unacceptable and the insurance commissioners better move quickly on this or Congress should take action.

□ 1730

Mr. WAXMAN. Mr. Chairman, I yield 6 minutes to the gentleman from Michigan [Mr. DINGELL].

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

Mr. DINGELL. Mr. Chairman, I thank the distinguished gentleman from California for yielding me this time.

Mr. Chairman, this is a very important question. It is not something which is arcane. Attained age rating, which this amendment would compel to be not used, permits an insurer to raise his rates on a policy solely on the basis of a policyholder's age.

Some States have sought to place limitations on this practice, and a number of States have already banned that outright, or have community rating.

In all of the States where this has been done, there remains plenty of competition for good Medigap products.

Attained age rating removes the ability of consumers to meaningfully compare different premiums: Hence, this is a practice which undermines the major objective of the 1990 reforms, to standardize policies.

Second, attained age rating can cost consumers thousands of dollars more over the long run than a fairly nicely priced product because it allows insurers to play games with premiums that are hard for regulators to control or consumers to make an intelligent judgment on.

Third, attained age rating is forcing good insurers who want to use community rating to move away from that method of rating. This will cause the kind of fragmentation that occurred in the health insurance marketplace that led to so many of the problems we have today.

Now with thanks to my good friend from California, Mr. STARK, let me go through some of the differences which exist. If you take a policy where premiums do not vary by age, for example the AARP Prudential plan, the plan is, at all times, every year of the life of the insured, $957 a year. But, if you take any of the other plans where attained age rating is used, then you come up with quite a different one.

For example, under Bankers Life and Casualty you start out at age 65 with $892.57, but at age 70 it is $1,060. Your savings are beginning to vanish and, as matter of fact, have done so. By the time you are age 80 it is $1,590.66.

In the case of Blue Cross/Blue Shield of California, at age 65 to 69 it is $780 if they use attained age rating. But by the time they reach 80 it goes to $1,300.80.

In the case of other offerors, for example Life Investors Insurance Co., it starts out at age 65 at $966. It goes at age 70 to $1,200.67. The advantages which you got are now gone. And by the age of 80 it goes to $1,629. In the case of MedCare Plus, it starts at 65 at $833, a saving, but by the time you are at age 80 it is $1,487.

What does the WAXMAN-DINGELL amendment do? Very simple: it says first of all no attained age rating, so that you cannot hook a senior citizen. And if you want to get a senior citizen by selling him an attained age rating insurance policy on the basis he is going to make some massive savings, looks good because he says oh, yeah, I will sign on that, but all of a sudden, by the time he is age 80 and his needs are great, his medical costs and the risks to his pocketbook are greatest, the amount he is paying is almost doubled.

Now under the bill as drawn, a retiree is not able to get out. The WAXMAN-DINGELL amendment says the insurer has to offer him, if he wants out, another insurance package which gives him more conventional type of insurance availability, so that if he finds he is getting skinned or he does not like his service he has a way out of this plan.

The proponents of this legislation have told nobody about these things and they have been somewhat dark secrets and it did not come up very well in the course of the hearings which were conducted in either committee, and we owe particular thanks to the gentleman from California [Mr. STARK] for bringing these matters to light, and we also owe particular thanks to the gentleman from California [Mr. WAXMAN] for having offered the amendment.

The harsh fact of the matter is if you want to protect senior citizens from unscrupulous insurers, from exorbitant prices, from bait and switch, and if you want to see to it that they have decent treatment and they can get out of the onerous process of rapidly escalating costs where they are not offered the services, then you should go this route.

That is, accept and adopt the amendment offered by the gentleman from California [Mr. WAXMAN] on behalf of himself, myself, and the gentleman from California [Mr. STARK].

Mr. Chairman, having said these things, let me simply observe if you really want to protect the senior citizens, if you want to treat them fairly, the Waxman-Dingell-Stark amendment is the way that we should proceed, and to fail to do something different is unfair.

Let us just talk about the home State of the distinguished gentlewoman from Connecticut. That is the State of Connecticut. It requires community rating of all Medigap policies. The Waxman substitute will simply protect that important public policy decision made by the State of Connecticut and will prevent the bill, under the authorship of the distinguished gentlewoman from Connecticut, from skinning a bunch of old folks in amongst other places the State of Connecticut where they may no longer be able to get community-rated policies. And so I urge my colleagues to adopt the amendment that has been offered by the distinguished gentleman from California. I have given Members good reason. They will be protecting the senior citizens from being skinned by unscrupulous bait and switch practices and enabling them to exit policies they have found to be oppressive and to assure that there will be policies available to them at the time they exit. Otherwise you will deny them those important rights.

CONSUMERS UNION,
Washington, DC, April 6, 1995.

DEAR REPRESENTATIVE: We urge you to support the Dingell/Waxman amendment in the nature of substitute to H.R. 483, which is expected to be considered by the House of Representatives on Friday, April 7. Unlike H.R. 483, the Dingell/Waxman amendment offers protections for the nation's senior citizens.

The Dingell/Waxman amendment would do the following:

Limit the extension of Medicare Select to a five year period, assuring that the program is evaluated thoroughly before becoming permanent.

Ban attained age rating for Medicare Select policies. Attained age rating does not belong in health policies designed for people 65 and over; it results in steep premium increases as seniors grow older and have less income, making medigap policies unaffordable for many. Medicare Select policies are at a substantial competitive advantage in the marketplace since, unlike traditional medigap policies, they typically do not have to pay the Part A deductible. Banning attained age rating for Medicare Select policies helps to both level the playing field among medigap insurance policies and provides a first step at protecting seniors against unaffordable medigap premiums.

Require Medicare Select companies to make available to previous Medicare Select policyholders a traditional medigap policy. In today's marketplace, there are no guarantees that seniors with Select policies will have access to a traditional policy in the future at a price they can afford. Without this adjustment, many seniors could find themselves locked into a Select policy when they feel they want and need access to a broader choice of doctors and hospitals.

Many Members have spoken recently of the need to provide choice to seniors. Without the Dingell/Waxman amendment, many seniors will face reduced choice: they will be priced out of the medigap market or will find they have no choice but to remain in a Select policy with limited choice of providers.

We urge you to vote in favor of protecting the nation's senior citizens by supporting the Dingell/Waxman amendment.

Sincerely,

GAIL SHEARER,
Directory, Health Policy Analysis.

Coverage	AFLAC Equalizer, American Family Life Assurance Co. of Columbus, GA		AARP—Prudential Medicare Supplement Plans	Bankers Life and Casualty Co. Medicare Supplements		Blue Cross of Calif. Medicare Select Plans		Blue Shield of Calif. Medicare Supplement Plans	
	Age +	Annual premium	Premiums do not vary by age	Age +	Annual premium	Age +	Annual premium	Age +	Annual premium
Plan A	65–69	$643.50	$552	65	$565.41	65–69	$480	65–66	$720
	70–74	724.90		70	642.21	70–74	540	67–69	852
	75–79	775.50		75	750.10	75–79	600	70–74	936
	85+	809.60		80+	888.76	80+	660	75–79	1,044
								80+	1,044
Plan B	65–69	926.75	858	65	768.65	Not offered		Not offered	
	70–74	1,067.00		70	907.74				
	75–79	1,175.35		75	1,096.90				
	85+	1,263.35		80+	1,340.83				
Plan C	65–69	1,115.40	963	65	884.61	Not offered		Not offered	
	70–74	1,283.70		70	1,045.74				
	75–79	1,426.70		75	1,268.83				
	85+	1,541.65		80+	1,565.01				
Plan D	Not offered		930	65	809.23	Not offered		65–66	960
				70	970.36			67–69	1,140
				75	1,194.32			70–74	1,284
				80+	1,493.01			75–79	1,452
								80+	1,524

Coverage	AFLAC Equalizer, American Family Life Assurance Co. of Columbus, GA		AARP—Prudential Medicare Supplement Plans	Bankers Life and Casualty Co. Medicare Supplements		Blue Cross of Calif. Medicare Select Plans		Blue Shield of Calif. Medicare Supplement Plans	
	Age +	Annual premium	Premiums do not vary by age	Age +	Annual premium	Age +	Annual premium	Age +	Annual premium
Plan E	Not offered		957	65	892.57	65–69	[1] 780	Not offered	
				70	1,061.01	70–74	[1] 1,080		
				75	1,289.77	75–79	[1] 1,260		
				80+	1,590.86	80+	[1] 1,380		
Plan F	65–69	1,316.15	1,161	65	1,220.61	Not offered		65–66	1,044
	70–74	1,507.00		70	1,483.08			67–69	1,248
	75–79	1,663.75		75	1,808.06			70–74	1,392
	85+	1,783.65		80+	2,213.11			75–79	1,572
								80+	1,642
Plan G	65–69	1,218.25	1,104	65	1,111.41	Not offered		Not offered	
	70–74	1,417.35		70	1,368.86				
	75–79	1,584.00		75	1,693.51				
	85+	1,715.45		80+	2,107.40				
Plan H	Not offered		1,212	65	1,778.49	Not offered		65–66	1,224
				70	2,115.47			67–69	1,452
				75	2,555.43			70–74	1,608
				80+	3,116.16			75–79	1,788
								80+	1,896
Plan I	Not offered		1,377	65	2,576.81	65–69	[2] 1,620	65–66	1,440
				70	3,071.87	70–74	[2] 1,920	67–69	1,692
				75	3,704.70	75–79	[2] 2,220	70–74	1,860
				80+	4,505.31	80+	[2] 2,340	75–79	2,088
								80+	2,208
Plan J	Not offered		1,764	Not offered		Not offered		Not offered	

[1] Prudent Buyer Plan. Added skilled nursing facility days. Part B deductible not covered.
[2] Platinum Plan, no drug limit. Increased skilled nursing facility days. No Part B deductible.
Senior World Magazine, May 1994.

Coverage	Golden State Mutual Life, Medicare supplement plans		Life Investors Inc. Co., Medicare supplements		Med-Care Plus Bankers Multiple Line Ins. Co., Medicare supplements		Medico Life, Medicare supplement insurance		Mutual of Omaha, Medicare supplement plans		National Home Life Assurance Co., Medicare supplement insurance			Physicians Mutual Inc. Co., total senior care	
	Age +	Annual premium	Age +	Annual premium	Age +	Annual premium	Age +	Annual premium	Age +	Annual premium	Age +	Annual premium		Age +	Annual premium
Plan A	65–69	$447.27	65	$543.60	65	$519.70	65	$627.15	65	$684.37		Male	Female	65–89	$518.10
	70–74	630.63	70	712.80	70	590.18	66–69	661.05	70	852.07	65	$419.40	$371.40		
	75	930.99	75	865.60	75	689.45	70–72	721.90	79	1,062.67	66–70	539.40	479.40		
			80+	916.80	80+	816.87	73–75	766.35	80+	1,141.14	71–75	599.40	539.40		
							76–79	793.30			76+	659.40	575.40		
							80+	816.70							
Plan B	65–69	531.80	65	808.80	65	720.43	Not offered		Not offered			Male	Female	Not offered	
	70–74	749.81	70	1,062.00	70	850.79					65	719.40	647.40		
	75	1,106.92	75	1,274.40	75	1,027.96					66–70	1,007.40	839.40		
			80+	1,365.60	80+	1,256.61					71–75	1,079.40	947.40		
											76+	1,199.40	995.40		
Plan C	Not offered		65	945.60	65	834.54	65	1,123.20	65	1,157.21		Not offered		65–89	873.10
			70	1,240.80	70	986.61	66–69	1,189.90	70	1,440.82				70–79	977.68
			75	1,489.20	75	1,197.04	70–72	1,310.40	79	1,796.96				80–84	1,070.41
			80+	1,596.00	80+	1,476.42	73–75	1,411.05	80+	1,929.72					
							76–79	1,491.75							
							80+	1,583.05							
Plan D	Not offered		65	924.00	65	759.81	Not offered		Not offered			Not offered		Not offered	
			70	1,213.20	70	911.12									
			75	1,455.60	75	1,121.45									
			80+	1,560.00	80+	1,401.92									
Plan E	Not offered		65	966.00	65	833.34	Not offered		Not offered			Not offered		Not offered	
			70	1,267.20	70	990.65									
			75	1,521.60	75	1,204.35									
			80+	1,629.60	80+	1,485.37									
Plan F	Not offered		65	1,089.60	65	1,220.61	65	1,372.45	65	1,294.02		Not offered		65–69	1,208.79
			70	1,430.40	70	1,483.08	66–69	1,452.00	70	1,611.17				70–79	1,286.56
			75	1,716.00	75	1,808.06	70–72	1,597.05	75	2,009.59				80–89	1,371.59
			80+	1,838.40	80+	2,213.11	73–75	1,714.05	80+	2,157.95					
							76–79	1,806.50							
							80+	1,908.30							
Plan G	Not offered		65	1,039.20	65	1,111.41	Data unavailable		Not offered			Male	Female	Not offered	
			70	1,364.40	70	1,368.86					65	947.40	827.40		
			75	1,598.40	75	1,693.51					66–70	1,307.40	1,079.40		
			80+	1,754.40	80+	2,107.40					71–75	1,415.40	1,199.40		
											76+	1,547.40	1,307.40		
Plan H	Not offered		65	1,296.00	65	1,660.57	Not offered		Not offered			Not offered		Not offered	
			70	1,700.40	70	1,975.29									
			75	2,040.00	75	2,385.91									
			80+	2,185.20	80+	2,909.65									
Plan I	Not offered		65	1,519.20	65	2,410.45	Not offered		65	1,876.21		Not offered		Not offered	
			70	1,993.20	70	2,873.54			70	1,955.93					
			75	2,391.60	75	3,465.68			79	2,439.68					
			80+	2,563.20	80+	4,214.58			80+	2,619.71					
Plan J	Not offered		65	2,235.60	Not offered		Not offered		Not offered			Not offered		65–69	1,858.45
			70	2,935.20										70–79	2,000.02
			75	3,522.00										80–89	2,153.80
			80+	3,772.80											
	Phone 1–213–731–1131 for specific details on coverages.		Six month waiting period for medical conditions occurring within 6 months prior to effective date of coverage. If policy replaces previous supplement insurance, credit for pre-existing condition limitation is applied. Phone 1–800–229–6565 for specific details.		Preferred Provider plan. No balance billing. All network providers accept assignment. Automatic claims filing when using network providers. Rates vary by zip code. Rates shown are for zip code areas 918–925. Phone 619–747–7712 for specific details on coverage and network providers.		Rates vary by geographical areas. Rates shown are for the San Diego area. No pre-existing medical condition limitation. Phone 1–800–228–6080 for specifics on coverages and current rates for geographical areas.		Rates vary by zip code. Rates shown are for zip code areas 900–931. No waiting period for pre-existing conditions for Plans A, C or F. Phone 1–800–228–7669 or 1–402–342–7600 for details and coverage specifics. Automated claims processing feature.		6 months waiting period for pre-existing medical conditions occurring within six months prior to effective date of coverage. Phone 1–800–356–6271 for specifics on details and coverages.			Special savings if husband-wife plans selected. No waiting period for pre-existing conditions. Rates vary by zip code areas. Rates shown are for zip code 92128. Phone 1–800–325–6300 for specifics and coverages.	

Senior World Magazine, May 1994.

Mr. WAXMAN. Mr. Chairman, do I get to close on the debate?

The CHAIRMAN. The gentleman from Virginia [Mr. BLILEY] has the right to close.

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

Mr. Chairman, if I might on our side conclude the debate, I would say this is an important consumer protection effort. As we go down the road of Medicare select, going from 15 States to 50, I worry about what it is going to mean for consumers who may well be taken advantage of by insurance companies that will be able to raise their rates after they get older and, more likely, sick. I agree that it would be viable for us to do this for all Medigap policies, and I hope at some point we will be able to reach all Medigap policies. But this is what is before us now and it would be improper under the rules and nongermane to offer an amendment to all Medigap policies.

But when we come to the closed panel and the fact that consumers will want a choice beyond that, this is the appropriate place and I think it is appropriate to do what Democrats and Republicans recommended out of the Committee on Commerce, and to put that 5-year sunset in place.

This amendment is supported by the Consumers Union, which has played a very active role in advising people about the dangers for consumers, that consumers can be taken advantage of. And it says in this amendment, according to the Consumers Union, the statement which I would like to put in the RECORD, many seniors will face reduced choice, they will be priced out of the Medigap market, or they will find that they have no choice but to remain in a select policy with limited choice of providers.

That is our fear. We think Medicare select policies can survive and function well and we want to encourage them, but we want consumer protections built in. I urge support of the amendment.

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

Mr. BLILEY. Mr. Chairman, I yield myself 30 seconds just to say that one of the problems—and I know the intentions of the gentleman who offered this and I respect him intensely—is that you have an unintended consequence. That is, if you mandate these things on one Medigap policy and they are not mandated on the others, you will have the effect of killing the program because the premiums will be higher.

Mr. Chairman, to close debate on our side, I yield such time as she may consume to the gentlewoman from Connecticut [Mrs. JOHNSON].

Mrs. JOHNSON of Connecticut. Mr. Chairman, I thank the gentleman for yielding time to me.

Mr. Chairman, I rise in opposition to the amendment, but I am pleased that the underlying bill has broad bipartisan support. We are joined together in wanting to make available to seniors a lower-cost, high-quality Medigap insurance policy.

The amendment, however, jeopardizes that choice for seniors because if the amendment passes, it will require Medicare select plans to offer a benefit that no other Medigap policy is required to offer, and by doing that you will force the price of Medicare select policies up, you will kill the savings that seniors now enjoy by buying Medicare select policies. So you will effectively eliminate a choice that has been very good for seniors, very helpful to them in a tough world, saves them $300 a year, and offers them prescription drugs and broader coverage than other Medigap plans could offer them.

We would do ourselves and we would do the seniors of America a great disservice if under the guise of reform we denied them alone any access to participate in, on a voluntary basis, a managed care plan. Medicare is a fee-for-service system. Medicare also has a very tight, closed panel HMO component. The only access seniors have to participate in integrated systems of care is through the Medicare select plan.

If today under the guise of reform we force those plans to offer a benefit that no other Medigap policy in the market has to offer, we put that plan at a competitive disadvantage that will kill it, and we will deny to seniors the most cost-effective, high-quality plan in the market.

I urge a ''no'' vote on the substitute and a yes vote on the bill.

Mrs. COLLINS of Illinois. Mr. Chairman, I rise in support of the substitute offered by Congressmen DINGELL and WAXMAN to H.R. 483, the Expanded Use of Medicare Select Policies Act. This bill would expand the Medicare select demonstration program that currently exists in my State of Illinois and 14 other States to all 50 States and extend these programs until June 2000 and beyond unless the Secretary of Health and Human Services determines otherwise.

Under this program, senior citizens on Medicare are allowed to buy private MediGap insurance policies through managed-care providers to supplement what Medicare does not cover.

I rise in support of the substitute because it would establish important consumer protection safeguards for senior citizens for MediGap insurance. Specifically, the substitute would ban attained age rating for Medicare select policies. Attained age rating hurts senior citizens when they are at their most vulnerable. As they grow older and have less income, attained age rating causes seniors' premiums to rise sharply, make MediGap insurance increasingly unaffordable for many senior citizens on limited incomes. It is critically important to many senior citizens in my district that attained age rating is eliminated.

The substitute would also limit the extension of Medicare select to a 5-year period, to ensure that we provide ample opportunity to review the program before it is established permanently.

Mr. Chairman, I would also like this opportunity to express concerns that I have about the reason that H.R. 483 is being pushed through the House at this time. Based on the drastic cuts that I have seen made to programs during the Republicans' first 100 days, it is crystal clear to me that draconian cuts to Medicare are ahead. There is already discussion about turning Medicare into block grants for the States and based on what happened to the Federal school lunch and breakfast programs in the House of Representatives, I know that block grant is a code word for cutting, slashing, and eliminating.

Let me just urge my colleagues who intend to support this bill to not use H.R. 483 as the first thread with which to unravel the entire Medicare system. I have far too many senior citizens in my district who depend on Medicare and would be devastated by any cuts to the program to allow it to be destroyed.

Mr. BLILEY. Mr. Chairman, I yield back the balance of our time.

The CHAIRMAN. The question is on the amendment in the nature of a substitute offered by the gentleman from California [Mr. WAXMAN].

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

RECORDED VOTE

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

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 175, noes 246, not voting 13, as follows:

[Roll No. 301]

AYES—175

Abercrombie	Frank (MA)	Meek
Andrews	Furse	Menendez
Baesler	Gejdenson	Mfume
Baldacci	Gephardt	Miller (CA)
Barcia	Gibbons	Mineta
Barrett (WI)	Gonzalez	Mink
Becerra	Gordon	Moakley
Beilenson	Green	Mollohan
Bentsen	Gutierrez	Montgomery
Berman	Hall (OH)	Moran
Bonior	Hall (TX)	Murtha
Borski	Hamilton	Nadler
Brewster	Hastings (FL)	Neal
Brown (FL)	Hayes	Oberstar
Brown (OH)	Hefner	Obey
Bryant (TX)	Hilliard	Olver
Cardin	Hinchey	Ortiz
Clay	Holden	Orton
Clayton	Hoyer	Owens
Clement	Jackson-Lee	Pallone
Clyburn	Jefferson	Pastor
Coleman	Johnson (SD)	Payne (NJ)
Collins (IL)	Johnson, E. B.	Poshard
Condit	Johnston	Rahall
Conyers	Kanjorski	Rangel
Costello	Kaptur	Reed
Coyne	Kennedy (MA)	Richardson
Danner	Kennedy (RI)	Rivers
de la Garza	Kildee	Roemer
DeFazio	Kleczka	Roybal-Allard
DeLauro	Klink	Rush
Dellums	LaFalce	Sanders
Deutsch	Lantos	Sawyer
Dicks	Levin	Schroeder
Dingell	Lewis (GA)	Schumer
Dixon	Lincoln	Scott
Doggett	Lipinski	Serrano
Dooley	Lofgren	Skaggs
Doyle	Lowey	Slaughter
Durbin	Luther	Spratt
Edwards	Maloney	Stark
Engel	Manton	Stenholm
Eshoo	Markey	Stokes
Evans	Martinez	Studds
Farr	Mascara	Stupak
Fattah	Matsui	Tauzin
Fazio	McCarthy	Taylor (MS)
Fields (LA)	McDermott	Tejeda
Filner	McHale	Thompson
Flake	McKinney	Thornton
Foglietta	McNulty	Thurman
Ford	Meehan	Torres

Torricelli
Towns
Traficant
Tucker
Velazquez
Vento
Visclosky
Volkmer
Ward
Waters
Watt (NC)
Waxman
Williams
Wilson
Wise
Woolsey
Wyden
Wynn
Yates

NOES—246

Allard
Archer
Armey
Bachus
Baker (CA)
Baker (LA)
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Bevill
Bilbray
Bilirakis
Bishop
Bliley
Blute
Boehlert
Boehner
Bonilla
Bono
Boucher
Browder
Brownback
Bryant (TN)
Bunn
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Castle
Chabot
Chenoweth
Christensen
Chrysler
Clinger
Coble
Coburn
Collins (GA)
Combest
Cooley
Cox
Cramer
Crane
Crapo
Cremeans
Cubin
Cunningham
Davis
Deal
DeLay
Diaz-Balart
Doolittle
Dornan
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
Geren
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
Jacobs
Johnson (CT)
Johnson, Sam
Jones
Kasich
Kelly
Kennelly
Kim
King
Kingston
Klug
Knollenberg
LaHood
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)
Minge
Molinari
Moorhead
Morella
Myers
Myrick
Nethercutt
Neumann
Ney
Norwood
Nussle
Oxley
Packard
Parker
Paxon
Payne (VA)
Peterson (FL)
Peterson (MN)
Petri
Pombo
Pomeroy
Porter
Portman
Pryce
Quillen
Quinn
Radanovich
Ramstad
Regula
Riggs
Roberts
Rogers
Rohrabacher
Ros-Lehtinen
Roth
Roukema
Royce
Sabo
Salmon
Sanford
Saxton
Scarborough
Schaefer
Schiff
Seastrand
Sensenbrenner
Shadegg
Shaw
Shays
Sisisky
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Stearns
Stockman
Stump
Talent
Tanner
Tate
Taylor (NC)
Thomas
Thornberry
Tiahrt
Torkildsen
Upton
Vucanovich
Waldholtz
Walker
Walsh
Wamp
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wolf
Young (AK)
Young (FL)
Zeliff
Zimmer

NOT VOTING—13

Ackerman
Brown (CA)
Chambliss
Chapman
Collins (MI)
Dickey
Frost
Kolbe
Pelosi
Pickett
Reynolds
Rose
Shuster

□ 180

The Clerk announced the following pair:

On this vote:

Ms. Pelosi for, with Mr. Chambliss against.

Mr. GREENWOOD and Mr. BISHOP changed their vote from ''aye'' to ''no.''

Messrs. MARTINEZ, TAUZIN, WILLIAMS, and MEEHAN changed their vote from ''no'' to ''aye.''

So the amendment in the nature of a substitute 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 made in order as original text.

The amendment in the nature of a substitute made in order as original text was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker pro tempore [Mr. HOBSON] having assumed the chair, Mr. BONILLA, 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. 483) to amend title XVIII of the Social Security Act to permit Medicare select policies to be offered in all States, and for other purposes, pursuant to House Resolution 130, 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.

The question is on the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The question is 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.

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

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

RECORDED VOTE

Mrs. JOHNSON of Connecticut. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered

The vote was taken by electronic device, and there were—ayes 408, noes 14, not voting 12, as follows:

[Roll No. 302]

AYES—408

Allard
Andrews
Archer
Bachus
Baesler
Baker (CA)
Baker (LA)
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bateman
Becerra
Beilenson
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
Chenoweth
Christensen
Chrysler
Clay
Clayton
Clement
Clinger
Clyburn
Coble
Coburn
Coleman
Collins (GA)
Collins (IL)
Collins (MI)
Combest
Condit
Cooley
Costello
Cox
Coyne
Cramer
Crane
Crapo
Cremeans
Cubin
Cunningham
Danner
Davis
de la Garza
Deal
DeFazio
DeLauro
DeLay
Deutsch
Diaz-Balart
Dicks
Dixon
Doggett
Dooley
Doolittle
Dornan
Doyle
Dreier
Duncan
Dunn
Durbin
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Ensign
Eshoo
Evans
Everett
Farr
Fawell
Fazio
Fields (LA)
Fields (TX)
Filner
Flake
Flanagan
Foglietta
Foley
Forbes
Ford
Fowler
Fox
Frank (MA)
Franks (CT)
Franks (NJ)
Frelinghuysen
Frisa
Funderburk
Furse
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Geren
Gibbons
Gilchrest
Gillmor
Gilman
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, E. B.
Johnson, Sam
Jones
Kanjorski
Kaptur
Kasich
Kelly
Kennedy (MA)
Kennelly
Kildee
Kim
King
Kingston
Kleczka
Klink
Klug
Knollenberg
LaFalce
LaHood
Lantos
Largent
Latham
LaTourette
Laughlin
Lazio
Leach
Levin
Lewis (CA)
Lewis (GA)
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
McHale
McHugh
McInnis
McIntosh
McKeon
McKinney
McNulty
Meehan
Meek
Menendez
Metcalf
Meyers
Mfume
Mica
Miller (CA)
Miller (FL)
Mineta
Minge
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 (VA)
Peterson (FL)
Peterson (MN)
Petri
Pickett
Pombo
Pomeroy
Porter
Portman
Poshard
Pryce
Quillen
Quinn
Radanovich
Rahall
Ramstad
Rangel
Reed
Regula
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
Sisisky
Skaggs
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence

Spratt	Tiahrt	Waxman
Stearns	Torkildsen	Weldon (FL)
Stenholm	Torres	Weldon (PA)
Stockman	Torricelli	Weller
Stokes	Towns	White
Studds	Traficant	Whitfield
Stump	Tucker	Wicker
Talent	Upton	Williams
Tanner	Velazquez	Wilson
Tate	Vento	Wise
Tauzin	Visclosky	Wolf
Taylor (MS)	Volkmer	Woolsey
Taylor (NC)	Vucanovich	Wyden
Tejeda	Waldholtz	Wynn
Thomas	Walker	Yates
Thompson	Walsh	Young (AK)
Thornberry	Wamp	Young (FL)
Thornton	Ward	Zeliff
Thurman	Watts (OK)	Zimmer

NOES—14

Abercrombie	Gonzalez	Stark
Conyers	Johnston	Stupak
Dellums	Kennedy (RI)	Waters
Dingell	McDermott	Watt (NC)
Fattah	Mink	

NOT VOTING—12

Ackerman	Dickey	Payne (NJ)
Armey	Ewing	Pelosi
Brown (CA)	Frost	Reynolds
Chapman	Kolbe	Shuster

□ 1826

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

AUTHORIZING THE CLERK TO MAKE CORRECTIONS IN ENGROSSMENT OF H.R. 483, MEDICARE SELECT EXPANSION

Mr. BLILEY. Mr. Speaker, I ask unanimous consent that in the engrossment of the bill, H.R. 483, the Clerk be authorized to make technical corrections and conforming changes to the bill.

The SPEAKER pro tempore (Mr. HOBSON). Is there objection to the request of the gentleman from Virginia?

There was no objection.

GENERAL LEAVE

Mr. BLILEY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks, and include extraneous material, on the bill just passed.

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

There was no objection.

FURTHER MESSAGE FROM THE PRESIDENT

A further message in writing from the President of the United States was communicated to the House by Mr. Edwin Thomas, one of his secretaries.

□ 1830

SPECIAL ORDERS

The SPEAKER pro tempore (Mr. RADANOVICH). Under the Speaker's announced policy of January 4, 1995, and under a previous order of the House, the following Members are recognized for 5 minutes each:

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Maryland [Mr. WYNN] is recognized for 5 minutes.

[Mr. WYNN addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

NATIONAL FORMER PRISONER OF WAR RECOGNITION DAY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida [Mr. BILIRAKIS] is recognized for 5 minutes.

Mr. BILIRAKIS. Mr. Speaker, since 1987, Congress has approved legislation declaring April 9 as ''Former Prisoner of War Recognition Day.'' These men and women are among our greatest patriots and I cannot think of a group more deserving of remembrance and special recognition than our former prisoners of war.

Under the new rules adopted at the start of this session, Congress will not enact commemorative legislation this year. That being the case, we should take the time now to honor the Americans held captive in past conflicts and wars.

All those who have been prisoners of war know the true meaning of freedom and have paid a tremendous price for the liberty we all cherish. Their service and sacrifice, and that of their fellow veterans, make possible our way of life.

Some of you may wonder why April 9 was chosen as a day for recognition for former prisoners of war. It was on April 9, 1942, that the largest contingent of American forces ever were taken prisoner with the fall of Bataan in the Philippines during World War II.

Many of those taken prisoner did not survive the infamous Bataan Death March that followed or the nearly 4 years of captivity in deplorable prisoner of war camps throughout the Far East. Many of those that did survive were left with permanent disabilities from the brutalities that they endured.

The 9th of April is also the day on which Gen. Robert E. Lee surrendered to Gen. Ulysses S. Grant at Appatomax, VA, to end the Civil War between the North and South. On that day, prisoners from both sides were released and allowed to return home.

While April 9 commemorates the fall of Bataan and the release of prisoners at the end of the Civil War, the significance of this day extends to all Americans who were ever held prisoner by enemy forces. The brutal treatment and torture to which these POW's were subjected by their captors in violation of fundamental standards of morality and international law ensured that many did not survive.

Yet, despite the suffering inflicted upon them, American POW's have demonstrated an unfailing devotion to duty, honor, and country. Their service helped preserve our freedom through two world wars, regional conflicts of the cold war era, and since. They have given more than most Americans will be called upon to give for their country.

Today, the American Ex-Prisoners of War, an organization comprised of former POW's—both military and civilian—is raising funds to build the National Prisoner of War Museum. This museum will be located at the site of the Civil War prison camp in Andersonville, GA. It will be a legacy for all generations that follow and will contain historic accounts and memorabilia that pertain to former American prisoners from all wars.

Former Prisoner of War Recognition Day serves as a poignant reminder of the sacrifice and commitment of all the American men and women whose patriotism has been tested by the chains of enemy captivity.

Their experiences underscore our debt to those who place their lives in harm's way and stand willing to trade their liberty for ours. As a Nation, we must always remember the sacrifices made by our men and women in uniform.

I hope all of my colleagues will join me in paying special tribute to former prisoners of war. There is little we can do to repay these men and women, but we can recognize their invaluable contribution.

REPORT ON ENVIRONMENTAL QUALITY AND NATURAL RESOURCES—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Resources:

To the Congress of the United States:

The United States has always been blessed with an abundance of natural resources. Together with the ingenuity and determination of the American people, these resources have formed the basis of our prosperity. They have given us the opportunity to feed our people, power and industry, create our medicines, and defend our borders—and we have a responsibility to be good stewards of our heritage. In recent decades, however, rapid technological advances and population growth have greatly enhanced our ability to have an impact on our surroundings—and we do not always pause to contemplate the consequences of our actions. Far too often, our short-sighted decisions cause the greatest harm to the very people who are least able to influence them—future generations.

We have a moral obligation to represent the interests of those who have no voice in today's decisions—our children and grandchildren. We have a responsibility to see that they inherit a

productive and livable world that allows their families to enjoy the same or greater opportunities than we ourselves have enjoyed. Those of us who still believe in the American Dream will settle for no less. Those who say that we cannot afford both a strong economy and a healthy environment are ignoring the fact that the two are inextricably linked. Our economy will not remain strong for long if we continue to consume renewable resources faster than they can be replenished, or nonrenewable resources faster than we can develop substitutes; America's fishing and timber-dependent communities will not survive for long if we destroy our fisheries and our forests. Whether the subject is deficit spending or the stewardship of our fisheries, the issue is the same: we should not pursue a strategy of short-term gain that will harm future generations.

Senators Henry Jackson and Ed Muskie, and Congressman John Dingell understood this back in 1969 when they joined together to work for passage of the National Environmental Policy Act. At its heart, the National Environmental Policy Act is about our relationship with the natural world, and about our relationship with future generations. For the first time, the National Environmental Policy Act made explicit the widely-held public sentiment that we should live in harmony with nature and make decisions that account for future generations as well as for today. It declared that the Federal Government should work in concert with State and local governments and the citizens of this great Nation ''to create and maintain conditions under which man and nature can exist in productive harmony, and fulfill the social, economic, and other requirements of present and future generations of Americans.''

Over the past 25 years, America has made great progress in protecting the environment. The air is cleaner in many places than it was, and we no longer have rivers that catch on fire. And yet, this year in Milwaukee, more than 100 people died from drinking contaminated water, and many of our surface waters are still not fit for fishing and swimming. One in four Americans still lives near a toxic dump and almost as many breathe air that is unhealthy.

In order to continue the progress that we have made and adequately provide for future generations, my Administration is ushering in a new era of common sense reforms. We are bringing together Americans from all walks of life to find new solutions to protect our health, improve our Nation's stewardship of natural resources, and provide lasting economic opportunities for ourselves and for our children. We are reinventing environmental programs to make them work better and cost less.

My Administration is ushering in a new era of environmental reforms in many ways. Following is a description of a few of these reforms, grouped into three clusters: first, stronger and smarter health protection programs such as my proposed Superfund reforms and EPA's new common sense approach to regulation; second, new approaches to resource management, such as our Northwest forest plan, that provide better stewardship of our natural resources and sustained economic opportunity; and third, the promotion of innovative environmental technologies, for healthier air and water as well as stronger economic growth now and in the future.

Stronger and Smarter Health Protection Programs. Throughout my Administration, we have been refining Government, striving to make it work better and cost less. One of the best places to apply this principle in the environmental arena is the Superfund program. For far too long, far too many Superfund dollars have been spent on lawyers and not nearly enough have been spent on clean-up. I've directed my Administration to reform this program by cutting legal costs, increasing community involvement, and cleaning up toxic dumps more quickly. The reformed Superfund program will be faster, fairer, and more efficient—and it will put more land back into productive community use.

Similarly, EPA is embarking on a new strategy to make environmental and health regulation work better and cost less. This new common sense approach has the potential to revolutionize the way we write environmental regulations. First, EPA will not seek to adopt environmental standards in a vacuum. Instead, all the affected stakeholders—representatives of industry, labor, State governments, and the environmental community—will be involved from the beginning. Second, we will replace one-size-fits-all regulations with a focus on results achieved with flexible means. And at last, we're taking a consistent, comprehensive approach. With the old piecemeal approach, the water rules were written in isolation of the air rules and the waste rules, and too often led to results that merely shuffled and shifted pollutants—results that had too little health protection at too great a cost. With its new commonsense approach, EPA will address the full range of environmental and health impacts of a given industry—steel or electronics for example—to get cleaner, faster, and cheaper results.

Better Stewardship of our Natural Resources. Just as representative of our new approach to the environment—and just as grounded in common sense—is the Administration's commitment to ecosystems management of the Nation's natural resources. For decades ecologists have known that what we do with one resource affects the others. For instance, the way we manage a forest has very real consequences for the quality of the rivers that run through the forest, very real consequences for the fishermen who depend on that water for their livelihood, and very real consequences for the health of the community downstream. But until recently, government operations failed to account adequately for such interaction. In many cases, several Federal agencies operated independently in the same area under different rules. In many cases, no one paused to ponder the negative consequences of their actions until it was too late.

Often, these consequences were catastrophic, leading to ecological and economic train wrecks such as the collapse of fisheries along the coasts, or the conflict over timber cutting in the Pacific Northwest. When I convened the Forest Conference earlier this year I saw the devastating effects of the Federal Government's lack of foresight and failure to provide leadership. Here, perhaps more than anywhere else, is a case study in how a failure to anticipate the consequences of our actions on the natural environment can be devastating to our livelihood in the years ahead. Our forest plan is a balanced and comprehensive program to put people back to work and protect ancient forests for future generations. It will not solve all of the region's problems but it is a strong first step at restoring both the long-term health of the region's ecosystem and the region's economy.

Innovative Environmental Technologies. Environmental and health reforms such as EPA's common sense strategy and natural resource reforms such as the forest plan provide an opportunity, and an obligation, to make good decisions for today that continue to pay off for generations to come. In much the same way, sound investments in environmental technology can ensure that we leave to future generations a productive, livable world. Every innovation in environmental technology opens up a new expanse of economic and environmental possibilities, making it possible to accomplish goals that have eluded us in the past. From the very beginning, I have promoted innovative environmental technologies as a top priority. We've launched a series of environmental technology initiatives, issued a number of Executive orders to help spur the application of these technologies, and taken concrete steps to promote their export. Experts say the world market for environmental technology is nearly $300 billion today and that it may double by the year 2000. Every dollar we invest in environmental technology will pay off in a healthier environment worldwide, in greater market share for U.S. companies, and in more jobs for American workers.

Innovations in environmental technology can be the bridge that carries us from the threat of greater health crises and ecological destruction toward the promise of greater economic prosperity and social well-being. Innovation by innovation, we can build a world transformed by human ingenuity

and creativity—a world in which economic activity and the natural environment support and sustain one another.

This is the vision that Jackson, Muskie, and Dingell articulated more than two decades ago when they wrote in the National Environmental Policy Act that we should strive to live in productive harmony with nature and seek to fulfill the social and economic needs of future generations. We share a common responsibility to see beyond the urgent pressures of today and think of the future. We share a common responsibility to speak for our children, so that they inherit a world filled with the same opportunity that we had. This is the vision for which we work today and the guiding principle behind my Administration's environmental policies.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *April 6, 1995.*

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Oregon [Mr. DEFAZIO] is recognized for 5 minutes.

[Mr. DEFAZIO addressed the House. His remarks will appear hereafter in the Extensions of remarks.]

HIGHER EDUCATION ASSISTANCE NEEDED IN AMERICA

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Colorado [Mrs. SCHROEDER] is recognized for 5 minutes.

Mrs. SCHROEDER. Mr. Speaker, I take the well tonight to talk about student loans and what is happening with our young people. We have had several events in my district on student loans. When you look at the numbers in the State of Colorado, over 90,000 young people are receiving student loans. They are very concerned about having to start paying interest from the minute they get that loan while they are in school, because it will really increase the price.

We have also had a lot of the direct lending going on in Colorado, and that makes a tremendous amount of sense, because it cuts out the middleman and gives you more money for loans, and it also means that the school is much more involved with the young person and the young person is not as apt to take the money and go spend it for something other than school. If the school is doing the lending, the school is going to be much more certain that the student comes and the student goes to class. If they are not and they bought a pickup with it or something instead, they will know.

I think the most moving thing that happened at our very first student loan meeting in Colorado was that Dikembe Mutombo came. Maybe many of you do not know him, but he is a very prominent basketball player for the Denver Nuggets. He got off the plane, went to the meeting, and went immediately back to the airport to meet his next game.

He said he knew personally how very, very, very much government aid can help in getting an education; that he would not have gotten even his education if it had not been for the U.S. Government helping him and Georgetown helping him, and he could not possibly believe we would be doing anything to make this more difficult in this country.

You see, today we had a vote on the tax cuts, and people said well, that is the crown jewel of the contract. Let me tell you, I think the crown jewels of this country are our kids, and we have seen a tremendous war on kids I think these last 100 days. Whether you are talking about knocking out Big Bird and Bert and Ernie, about the only decent things left to watch on TV, whether you are talking about cutting back on the nutrition programs, whether you are talking about the great cuts in the math and science programs for public schools, whether you are talking about doing away with summer jobs, we totally zeroed that out, whether you are talking about what we did to the National Service Program, which was the program that allowed young people to work in their community and for that get credit for going on to school or get credit that would be relieving them from some of their student loans. That got really devastated. We had 511 kids that will be knocked out in my district on that alone.

So we are starting to get all these phone calls from young people saying well, what happened? My city tells me there will not be any summer jobs. And we say that is right. Zero means none.

I do not know what happens in the cities this summer. I certainly hope people find other ways to do it. But you know, you cannot keep telling kids to say ''no'' to things if there is nothing for them to say ''yes'' to. And if they do not think they can go on to school, and they are certainly going to think that as you see Pell grants reduced, the work study programs reduced, national service dissipated, and obviously we are taking in fewer and fewer young people in the military, so the Montgomery GI Bill is going to be less and less of an option for many, they are seeing doors slammed in their face every single day. And these young people are the stockholders in the 21st century. They are going to be the ones that provide either that this country has great leadership and continues to remain prominent on the world stage, or, if we do not have them educated, if we do not have them prepared to compete, they are the ones that are going to allow this country to sink.

So I think the one thing that we ought to be doing in this Congress is hold young people harmless from this debt and all these cuts we are making in order to provide tax cuts. I think we ought to do that because these young people did not cause this debt. They are going to inherit it, and they are going to need all the skills they can have to be able to figure out how to deal with it. And I just find it absolutely amazing they are the first ones we are offering up as a sacrifice to the debt.

Every American home I know, when that family is in trouble economically, they sit at that kitchen table and they work that budget every way they know how to hold those children harmless as long as they possibly can from any economic downturn in the family. We all know the stories. We have all heard about our own families and the sacrifices they made to get us where we are.

I think it is outrageous that we go after the young people first. That is what we did in these first 100 days, and I hope it stops.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey [Mr. SAXTON] is recognized for 5 minutes.

[Mr. SAXTON 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 Pennsylvania [Mr. CLINGER] is recognized for 5 minutes.

[Mr. CLINGER addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana [Mr. BURTON] is recognized for 5 minutes.

[Mr. BURTON addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

GUAM COMMONWEALTH

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Guam [Mr. UNDERWOOD] is recognized for 5 minutes.

Mr. UNDERWOOD. Mr. Speaker, as a former academic administrator, I would like to add my words of strong support to the statement just made by the gentlewoman from Colorado. One of the most stirring things about America is the ability to get ahead, and you get ahead through higher education. The proposals from the other side of the aisle are unconscionable and put a heavy burden on our young people. I might add I received an e-mail from one of the students at college at the University of Guam that told me the proposal being advanced is like paying for a mortgage and not even seeing the house yet. It is paying for a mortgage in advance.

Mr. Speaker, I rise today on an entirely different topic.

Mr. Speaker, I rise today to draw attention to Guam's guest to improve its relationship with the Federal Government through the establishment of the Commonwealth of Guam. On February

24 I introduced the Guam Commonwealth Act, H.R. 1056, which would create a commonwealth that would carry Guam into the next century and give Guam the tools to prosper economically in the global marketplace. Guam is confident of its future and Guam has achieved in recent years, through remarkable growth in its private sector, the self-sufficiency to make the new Commonwealth a viable political entity.

The people of Guam voted in plebiscites to improve their relationship with the United States by establishing a commonwealth based on mutual consent and that protects the right to self-determination for the indigenous people of Guam. It will ultimately be Congress' responsibility to respond to Guam's political aspirations. However, before Congress holds hearings on the draft Commonwealth Act, the administration should conclude its discussions with the Guam Commission on Self-Determination that have been ongoing for over a year. The result of these discussions would be useful to Congress in its deliberations on the many issues that the Commonwealth Act addresses.

And there is good reason to believe that these discussions will be helpful to the Commonwealth process. Last year, under the guidance of then-Governor, Joseph Ada, who chaired the Commission, the Guam Commission on Self—Determination had a significant breakthrough on mutual consent to the Commonwealth agreement—meaning, that any agreement between Guam and the United States cannot be changed without the mutual consent of both parties. With the recent elections on Guam, there is renewed optimism in the future. Gov. Carl Gutierrez and the newly reconstituted Commission, Consisting of Judge Alberto Lamorena, Former Lt. Gov. Rudy Sablan, Mayor Frank Lizama, Senator Hope Cristobal, Senator Mark Forbes, Senator Francis Santos, Attorney David Lujan, and Youth Congress Speaker Roy Respicio, bring to the table a team committed to Guam and to our island's future.

These Commonwealth discussions have been recently put on hold because of the announced resignation of the President's Special Representative, Mr. I. Michael Heyman in February of this year. I had hoped that the administration would have moved expeditiously to find a replacement for Mr. Heyman.

Recently, I have been given assurances that this appointment would be given priority in the White House with the strong support of Secretary Babbitt, and that the nominee may be going through the necessary background checks. While I certainly appreciate the efforts of the administration, I must also point out our frustration with the valuable time that has been lost in the past 65 days.

Therefore, I call on the administration to redouble its efforts to finalize the appointment of a special representative. We have made important progress in these talks. But we must be careful not to squander the opportunity that lies before us in resolving Guam's political status, and we must not lose the momentum that we once had.

The Guam Commission on Self-Determination and I are eager to see this process reach its conclusion. The people of Guam are ready to take their rightful place in the American community. We can only hope that the administration and the Congress share our commitment to improve the lives of the American citizens who live on our island.

□ 1845

The SPEAKER pro tempore (Mr. RADANOVICH). Under a previous order of the House, the gentleman from Missouri [Mr. TALENT] is recognized for 5 minutes.

[Mr. TALENT 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 Texas [Ms. JACKSON-LEE] is recognized for 5 minutes.

[Ms. JACKSON-LEE addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.]

INTRODUCTION OF AGRICULTURE DISASTER ASSISTANCE BILL

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California [Mr. FARR] is recognized for 5 minutes.

Mr. FARR. Mr. Speaker, today, I am introducing a bill to provide disaster assistance to farmers who have no other access to disaster assistance. I am joined in this effort by my colleagues, Mr. DOOLITTLE, Ms. PELOSI, Mr. POMBO, Ms. ESHOO, Mr. HERGER, Mr. FAZIO, Mrs. SEASTRAND, Mr. RADANOVICH, Mr. CALVERT, Mr. BROWN of California, Mr. ROSE, and Mr. DOOLEY.

As you know, Mr. Speaker, the central coast and northern California have been racked with flooding. My own district around the Monterey Bay area has been the worst hit with more than $240 million in agriculture damage alone.

But whereas small businesses and individuals have recourse to private flood insurance, to FEMA emergency assistance, and to low-interest loans from the SBA, most of the agriculture in my district has access to none of this help.

Farmers who grow specialty crops—items like strawberries, artichokes, lettuce, and broccoli or flowers—are not eligible for Federal crop insurance. They are not eligible for FEMA assistance. They are not eligible for SBA loans.

This situation is inherently unfair. A businessman whose business is washed out can apply for emergency grants and loans. A farmer with the same investment cannot, simply because his business is agriculture.

Congress attempted to correct this hole in the safety net when in enacted the Non-Insured Assistance Program, or NAP. The purpose of NAP was to provide some assistance where none other was available. Unfortunately, even under this failsafe program, nearly 85 percent of affected farmers in my district are still not eligible for assistance.

The problem arises in three areas: the definition of family farm; the threshold on income that determines eligibility; and, the amount of planted area that must be affected.

In all these three cases, the criteria established looks reasonable on its face. But in real life, they deny access to aid to farmers who have suffered terrible crop losses.

For example, the farms in my district—like most other districts—are run like businesses. The product is produce. Farms that are held by and operated by a single family are considered family farms in the traditional sense. But the NAP definition is unclear on this point and implementation of programs that use this definition have erred on the side of not including these family farmers simply because not every member of the family works on the farm, even though the chief operating officer is a family member.

Another problem is that the NAP program disallows any farmer who has a gross income of $2 million. Many, many farmers have much more than this tied up in their farms. But after all is said and done, their net income is far, far lower than $2 million. But because the program looks at gross income and not net, these farmers are left uncovered.

Finally, there is confusion over how much land and crop must be affected before a farmer becomes eligible for assistance under NAP. As I understand it, 35 percent of the area must be affected by the disaster. But area is not clearly defined. Is it county? Is it acres? Is it statewide? Also, NAP requires that a producer lose 50 percent of his crop before he can be eligible for aid. But what if a farmer loses 100 percent of his first crop but not of the two or three others he would have planted later? Has he lost 100 percent of his crop or only 33? If the decision is that he has lost only 33 percent of his crop, he cannot receive aid under NAP, but again, without assistance, he will have no funds with which to rebuild his farm or plant the other crops.

Mr. Speaker, this is unfair. During times of emergency and disaster, this country has always risen to the occasion and provided relief to hurricane, flood, earthquake, drought, and fire victims, with one exception: farmers of specialty crops.

Well, the livelihood of a strawberry farmer who gets flooded out is just as disrupted as the livelihood of a restaurant owner who gets flooded out.

There shouldn't be a distinction between the two just because one happens to make his living off the land.

So today I and my colleagues are introducing legislation to correct this oversight. Very simply, this bill states that the Secretary of Agriculture shall be authorized to provide assistance from funds appropriated for disaster relief to farmers whose crops are otherwise not eligible for crop insurance coverage under existing department programs; and whose farm does not otherwise qualify for loans, grants, or disaster assistance from other Federal sources.

What does this mean? This means, under those emergency situations where no other Federal programs are available for aid, the Secretary of Agriculture may—and I emphasize may; he isn't required to do so—open up existing agriculture relief programs to farmers who have no other recourse to assistance. This bill does not authorize additional funds but allows the Secretary to use already authorized funds in existing programs.

Mr. Speaker, specialty crop farmers deserve no more than other farmers who suffer natural disasters. But they deserve no less, either. I thank my colleagues for joining me in introducing this bill and urge other Members of the House to support us in helping America's farmers.

UPDATE ON THE CONTRACT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania [Mr. FOX] is recognized for 5 minutes.

Mr. FOX of Pennsylvania. Mr. Speaker, you can see now after 12 weeks that this bipartisan House, under Republican leadership, has passed 9 out of 10 items in the Contract With America.

First the balanced budget amendment which only awaits one vote in the Senate.

Stop violent criminals. Here we have a law which changed the habeas corpus reform by making sure that there is finality to death sentences where we are dealing with violent criminals for which there is a first degree sentence.

Welfare reform. Here we are trying to make sure that able-bodied people will have every right and every incentive to be off welfare within 2 years by giving them job counseling, job training, job placement, and day care, if necessary, and also make sure that we do get healthy meals for our kids with WIC and with the school nutrition programs.

Under the Republican proposal which has been passed with a 4.5-percent increase over this year, that is higher than 3.1 percent recommended by the President and the 3.6 percent recommended by the Democrat minority. The fact is that with the 15-percent middleman eliminated by the Federal bureaucrats and the States taking over the program, we are going to have a 5-percent cap on administrative expense, and we will feed more children more meals.

We are going to have in the tax cuts for families a very important program. Here we have the tax bill historically passed last night. I might say that almost every single bill passed in the Contract With America; there has been bipartisan support, well over the 218 votes necessary, votes approximating 300 on almost all occasions.

In the tax credit bill, we are going to have $500 tax credit for each child in the family. New IRA deductions for health insurance, for first-time home purchases, and for retirement income. We repealed last night the 1993 tax increase on Social Security benefits over 5 years. We provide tax incentives for the purchase of long-term-care health insurance. We provide a 50-percent capital gains exclusion from taxes which will help investments, savings, and create new jobs. We will help small businesses be able to deduct more of the expenses of their business and, therefore, encourage more employment. We will provide a refundable tax credit for families of $5,000 for those families who adopt children, a $500 tax credit for families caring for a dependent elderly parent or grandparent. We will raise the earnings limit for senior citizens up to $30,000, up from the $11,280 we have today.

By working together we have passed almost every single item here in the Contract With America. The only item we have left to pass finally will be congressional term limits. While I supported all four bills, we needed 290 votes to pass it in the House. We had as much as 227.

Speaker GINGRICH has guaranteed that in the beginning session for the next session, 1997, he would make that bill No. 1, if we do not have another opportunity to vote on it again.

We have rolled back Government regulations. We have had commonsense legal reform. We want to make sure people have the legal right to redress their grievances in court, but we also want to make sure that frivolous, fraudulent, and inflated suits would not be encouraged in the courts of the United States.

We are also going to make sure that we have a strong national defense by making sure that our military are properly armed and properly trained, but our U.S. troops will not be under UN command, because we will be making sure that we take care of the United States first.

Now, what is going to happen in the post-100 days? We are going to work on health care reform. We are going to work on FDA reform. We are going to make sure the Food and Drug Administration moves the process along more quickly so that drugs that are life extending and those that are life saving are approved more quickly so we can help our constituents, create jobs and also help people live longer.

Going to work with Mrs. MORELLA, Mrs. LOWEY, and Ms. PELOSI on the women's health care initiatives, very important programs here in the Congress.

We are also going to work on a bill that I have, within 7 years, sunset Federal agencies to make sure that those agencies that have outlived their usefulness or are spending too much money or duplicate what we are doing in the States, that they are eliminated.

We also need to expand the investment tax credit and research and development tax credits to help our small businesses be able to make sure that they keep their employment going to keep their services going and to make sure the engine of America moves forward with new jobs, with expansion, and to make sure we have every family enjoy the American dream.

So the Contract With America is only the beginning. We see a bipartisan effort moving forward in this 104th Congress. We do not see Republicans or Democrats fighting. We do not see conservatives and liberals fighting. We see the end of gridlock. We see the end of finger pointing. We see an America moving forward together to help its people.

We will restore the confidence in the Congress because not only will we get more reforms which helps individuals and families and seniors, but we are going to make sure we have the kind of reforms in this Congress that will have gift ban reform, that we are going to make sure we have campaign reform. And we also are going to make sure we have pension reform. That was part of this last legislation to make sure that Congressmen in fact have the same pensions as other Federal workers.

So, Mr. Speaker, I thank you for the opportunity to give this recap and look forward to working with the American people and the Congress and Senate to make sure we have valuable legislation adopted in the next 100 days.

STUDENT LOANS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio [Mr. BROWN] is recognized for 5 minutes.

Mr. BROWN of Ohio. Mr. Speaker, Republicans have taken aim at middle-class families with proposals to cut student loans. They want to cut student loan programs to pay for tax cuts for the wealthy.

Student loans in this country today have made it possible for 4.5 million middle-class students to go to college. These Republican cuts will mean fewer students going to college and for those students that do go to college that are now receiving student loans, it will mean higher costs to them.

In my State of Ohio, the average debt per student on student loans will increase nearly $3,100.

Mr. Speaker, I wear a tie today from Lorraine County Community College in northeast Ohio. In the county which I live, in Lorraine County, 67 percent of

all Lorraine County Community College students are on some type of financial aid, nearly 5,000 students per quarter.

At a school like Lorraine County Community College, which is an absolute jewel for Lorraine County in terms of job training and people going back to school and getting more education and people going straight from high school onto LC to go to college, Lorraine County Community College has literally thousands of part-time students, hundreds and hundreds of single parents who are students, hundreds of people from a very diverse cross section of the community.

What these cuts to middle-class students mean, what these budget cuts mean on student loans is that many of these students that are now at Lorraine County Community College will be saddled with heavier and heavier debts as they are struggling to work part-time and go to school part-time and raise their children and some of them simply will give up.

□ 1900

These cuts to middle-class students are part of the Republican Contract on America.

Let me briefly discuss the winners and the losers in the Republican Contract on America. The winners are people like Rupert Murdoch. Rupert Murdoch got a $63 million tax break, Australian-born, American-naturalized-citizen Rupert Murdoch. Another winner is American billionaires who are the recipients of $3.6 billion, thanks to the Republican Contract on America, American billionaires who renounced their American citizenship and got this tax break. Other winners are people making $200,000 a year.

The Republicans have called middle class not what people in my district would term middle class. Those are other winners who get a major tax break under the Contract With America.

Another major winner is America''s largest corporations, which in the mid-1980's had enjoyed so many tax loopholes that many of them paid no Federal taxes. Ronald Reagan and the then Democratic Congress put on them an alternative minimum tax so those corporations at least paid some tax. That tax loophole has been recreated under the Republican Contract for America.

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

Mr. BROWN. I yield to the gentleman from Georgia.

Mr. KINGSTON. I was just hoping that in your list of winners you would include 87.5 percent of the American people who will benefit from this $500 per child tax credit. It is a pretty significant group in the population of the country that will benefit from the Contract With America, and I would hope my friend from Ohio would mention this large group of our citizens.

Mr. BROWN of Ohio. Let me answer that.

The fact is that, in spite of all the Republican charts, they have called people making $200,000 a year middle class. The tax cuts are mostly for them when you add in that one particular tax item plus the money for Rupert Murdoch plus the $3.6 billion that people renounced their citizenship plus the alternative minimum tax repeal.

Now, I want to make sure I have this right with the Rupert Murdoch situation. You have got an Australian billionaire who has come to the United States, gotten American citizenship so that he could buy a television network and so that he could buy a major book publishing house and cut book deals with American politicians. Then you have American billionaires who have renounced their citizenship so they can get $3.6 billion in tax breaks.

Perhaps if Rupert Murdoch is really, really smart, after he has become an American citizen and got this $65 million, he will be able to renounce his citizenship and get part of the $3.6 billion.

The fact is, this is ludicrous. Perhaps Mr. Murdoch and perhaps some of those American billionaires that have partaken of the $3.6 billion by renouncing their citizenship will come to Lorain, to my hometown with me, and explain to students at Lorain Community College why in fact their student loans are being cut, will explain to students at Tennyson Elementary in Sheffield Lake, OH, why school lunches are being cut, will explain in Elyria, OH, to young people who have had summer jobs in the past why there are no more summer jobs programs because of these Republican cuts.

It simply does not make sense. It is not fair. It is not right.

I ask, Mr. Speaker, that the House reconsider some of these measures that the Republican Contract With American is all about.

THE CONTRACT WITH AMERICA WILL BENEFIT THE MIDDLE CLASS

The SPEAKER pro tempore (Mr. RADANOVICH). Under a previous order of the House, the gentleman from Georgia [Mr. KINGSTON] is recognized for 5 minutes.

Mr. KINGSTON. Mr. Speaker, I wanted to comment, just a few comments on my friend who spoke previously in front of me.

I think that it is important that as we debate and talk about the situation in America today that we try and leave class envy and prejudice out of it. I know it just sounds so appealing to say everybody's billionaires and millionaires. I guess because you are successful you become guilty of overachievement; therefore, you should be overtaxed equally.

Maybe that is the Democrat mantra; but, as I was pointing out earlier, the distribution of the $500 per child tax credit—and you know what, Mr. Speaker, I am going to go ahead and move down to the easel because I was not intending to show this, but let us go ahead and make sure. All right.

You know, I know the Democrats do not like our charts, and there is reason they do not like our charts. They do not like the truth. When you are pushing propaganda, you do not like to have people stand up and say, well, here is a source that is a neutral source that comes from the Tax Foundation. It is not the Republican party. It is not NEWT GINGRICH's office. But that 87.5 percent of the people who benefit from this middle-class tax cut are people under $75,000 in income. That is pretty much middle class. You know, it is a very mainstream tax credit.

Now, here is on the capital gains tax. Most of the people who will be benefiting, this larger column, make under $50,000 a year. I hope that when we reconvene in May that we can get away from this class envy and this if you do well we are going to attack you because you have done something wrong along the way. I like to believe that people who are successful have done so usually by helping others, by selling a quality good or delivering a service that is needed in America today.

Now, let us talk about the Contract With America, which I know the press and a lot of folks on the other side of the aisle do not like. But the Contract With America, if you go back to when it was introduced in October, everyone said, well, this is cute, but it will never get passed, nobody is really interested in it, and the Republicans are the minority party and will not make a difference.

Well, that was in October. November, what happened? It was passed. And then for the first time in history the media started calling it Contract With America instead of Contract for America. That was a big step within the national liberal media.

Then, by December, what had happened? Instead of people saying, hey, the November elections are over with, ho hum, let's go home, they said this is really different, we are going to have some changes, we are going to have some fundamental changes in Washington, DC. These folks have a campaign promise that they are telling people put on your refrigerator door, call us, follow up, make sure that we follow through on our promise to you that we made on the campaign trail.

And now all the new freshmen, all the sophomore class, all the senior Republicans delivered. But, more importantly, Mr. Speaker, 70 percent of the items on the Contract With America passed with bipartisan support.

Democrats joined in. Why? Not because they are in love with NEWT GINGRICH but because their constituents wanted these items. This is what 60 to 70 to 80 percent of Americans want: smaller government, fewer regulations, more personal freedom, get the government off my back, lower my taxes. And that is what the Contract With America is all about.

When we reconvene, Mr. Speaker, we are going to tackle the budget. Now, the third largest item on the budget, the third largest expenditure, is interest on the national debt, interest paid to bondholders of our debt. In 2 years that interest alone will be more than our military or defense spending, which means you are paying more interest in the year 1997 on the national debt than you will for the Army, the Navy, the Marine Corps, the National Guard, the Air Force, and all of them combined.

We have got to do something about it, and it is a bipartisan problem. We got here by bipartisan action, and we have got to get out of it that way. When we pay so much interest on the national debt, your taxes go up, you have less money to put into education or health care, the interest rates go up.

Alan Greenspan, Chairman of the Federal Reserve, says it makes as much as a 2 percent increase in the interest rate on your home mortgage, on your automobile mortgage, and it is inflationary.

We have got to address this problem. It is not going to be easy, but it has got to be done across the board, it has got to be done in a fair manner, and I hope, Mr. Speaker, we can do it in a bipartisan manner.

Just to give you an idea, farm programs in the year 1986 had a spending level of $26 billion. Today, they are $10.6 billion. And yet agriculture is better than ever. We have a lot of food today, Mr. Speaker. If we can do that with agriculture, we can do it with the rest of our Nation's budget. I look forward to being a part of that process.

THE PIECES OF THE CONTRACT DO NOT FIT TOGETHER

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from South Carolina [Mr. SPRATT] is recognized for 5 minutes.

Mr. SPRATT. Mr. Speaker, tomorrow the Republicans in the House will celebrate the completion or at least the passage through the House of their Contract With America.

I do not like to rain on anybody's parade, but I have to predict, as the parts of this contract which were passed separately are pieced together, I am afraid we are going to find that all the pieces do not fit. Particularly I think there is going to be a misfit when it comes to fitting together revenues and expenditures, the budget, and fulfilling the prediction of a balanced budget by the year 2002.

I say that because yesterday in the final act of this contract we adopted a bill called H.R. 1215, which will reduce the tax revenues that flow into the Government by $189 billion over the next 5 years and by $630 billion over the next 10 years.

I think it is fair to ask here in the Congress, out in the country, how do we do that? How do we cut taxes by $630 billion and increase defense spending as the contract seems to promise or at least hold defense spending constant and at the same time bring the budget into balance by the year 2002?

Well, one way the bill proposed yesterday and passed yesterday offers is to lower what we call the cap on discretionary spending, nonentitlement spending by $100 billion cumulatively over the next 5 years. Before the vote yesterday, the chairman of the Committee on the Budget, Mr. KASICH, sent to us an illustrative list of domestic spending cuts that totaled $100 billion showing how we could get $100 billion out of discretionary spending over the next 5 fiscal years. None of these cuts has been voted on yet, and it would be miraculous to me if half of them were ever approved.

But let's take the list that Mr. KASICH proposed at face value and note this about it. It very conveniently ignored or failed to note anything at all. It was silent on the issue of defense spending, and yet defense spending constitutes fully half of discretionary spending. Discretionary spending is right now about $545 billion. Defense spending is about $270 billion.

Mr. KASICH has said elsewhere that he would like to see defense spending frozen at its current level of about $270 billion a year. What I would like to do tonight is just explore the consequences of that. Let's put the other sphere on the first sphere, defense spending and discretionary spending, domestic discretionary spending together and see what happens.

If we combine the lower caps, that $100 billion lower cap, which are provided for by H.R. 1215 with a constant outlay stream of $270 billion for defense every year, an outlay freeze, we see from this first chart which I have here that we will need to make $41.4 billion in budgetary cuts, in nondefense discretionary programs in fiscal year 1996. And that begins, in effect, next month because that is when we begin the budget for fiscal 1996.

As you can see on this chart, these cuts in nondefense programs would have to rise to $66 billion in fiscal year 1998, and that constitutes a 23.5-percent cut below the current budget level of expenditure, 23.5 percent of student loans, 23.5 percent of Head Start, 23.5 percent of ag programs, job training, the Drug Enforcement Agency, the FBI and the Federal court system. Over the course of this year we would have to take off 23.5 percent and over the course of 5 fiscal years the cuts in nondefense spending required by holding defense spending constant at this year's level would add up to $187 billion, which is $87 billion more than the chairman of the Committee on the Budget spelled out in the illustrative list that he sent out to us yesterday.

There is a second chart I have here that depicts the same story, only in a different way. You can see from this chart, the blue line at the top is the proposed level of discretionary spending for domestic programs, nondefense programs, and President Clinton's budget. It runs from $260 to $280 billion, and it is roughly flat between $275 and $280 for 5 fiscal years.

But if we make these changes I am talking about it drops immediately from $260 to $220 and from $280 down to about $220, a $60 billion cut, very severe reductions.

The term defense freeze sounds sort of noncontroversial, benign, uneventful, but the purpose of these charts is to show you that it will trigger deep nondefense spending cuts because of the linkage between something we call budget authority and outlays. Budget authority are what we budget, what we pass around here every year. Outlays are what the government actually spends. And there is a difference between the two because we have to put up lots of budget authority, particularly for defense programs, and yet it takes the Department of Defense years in building a carrier to spend out all of that budget authority.

□ 1915

There is a difference between the two. Because discretionary outlay is a cap, an increase in defense budget authority requires a 1-to-1 decrease in the budget authority of nondispensed accounts. Anything you put in defense, you have to take out of nondefense.

An outlay freeze seems to say, well, we just hold things like they are. But a defense outlay freeze means anything but the status quo for a nondefense program.

The cuts I have just gone over assume a hard freeze, that is, a flat freeze on defense spending. It would not be adjusted up or down except for inflation.

The SPEAKER pro tempore (Mr. RADANOVICH). Under a previous order of the House, the gentleman from Ohio [Mr. HOKE] is recognized for 5 minutes.

[Mr. HOKE 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 North Carolina [Mrs. CLAYTON] is recognized for 5 minutes.

[Mrs. CLAYTON 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 Florida [Mr. MICA] is recognized for 5 minutes.

[Mr. MICA 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 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 Illinois [Mr. LIPINSKI] is recognized for 5 minutes.

[Mr. LIPINSKI 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 West Virginia [Mr. WISE] is recognized for 5 minutes.

[Mr. WISE 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 Minnesota [Mr. OBERSTAR] is recognized for 5 minutes.

[Mr. OBERSTAR addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

DORNAN TO ANNOUNCE PRESIDENTIAL BID

The SPEAKER pro tempore. Under the Speaker's announced policy of January 4, 1995, the gentleman from California [Mr. DORNAN] is recognized for 60 minutes as the designee of the majority leader.

Mr. DORNAN. Mr. Speaker, and I am particularly pleased that you are in the chair tonight, sir, because, given the change of events today, which enabled us to finish tomorrow's work this evening, thereby having no votes tomorrow, just our well-deserved Republican majority celebration for completing the 100 days of the Contract With America in only 93 days as of today, I decided that although I got this time, from the Speaker, to honor our Americans that died over the longest period of any sea battle in history, Guadalcanal was 7 months of land and sea battles, but the battle of Okinawa, which began on April 1, 1945, 50 years ago, and reached a crescendo today after a slow beginning that persisted for over 87 days, with one of our Members who has served on both sides of the aisle, BOB STUMP, a conservative Democrat, came here with me in our bicentennial year election, sworn in January 4, 1977, and after 6 years of seeing his party drift to the left, actually not 6 years, less than that, about half of that, he became a Republican, and now is the No. 2 Republican in seniority on the National Security Committee, formerly the Armed Services Committee.

BOB STUMP was a young 18-year-old sailor—he had joined at 16—in that battle of Okinawa, and he saw many sailors burned to death before his eyes in the fuel spread across the seas, watched some of the 34 ships that we lost sunk, and I will come back in May and do a full hour on the battle of Okinawa.

Tomorrow the largest battleship ever created, the Japanese *Yamamoto* was sunk with no survivors, almost 3,000 men. The Japanese this very day, BOB STUMP was just telling me in the cloakroom—he has already flown back to Arizona—the Japanese lost 477 planes on April 6, 50 years ago, a world record for any aerial conflict.

This is quite a battle. I would loved to have spent the whole hour on it.

But, Mr. Speaker, my good colleague from California, George, when I come back on May 1, I will be a declared Presidential candidate, one of nine.

I believe our Governor will declare during this month, Pete Wilson. I believe that BOB DOLE will start a trek back to Russell, KS, the most severely wounded Member in any war that serves in either the House or Senate. BOB DOLE declares Monday and starts back to be in Russell, KS, on Good Friday, the 50th anniversary of his crucifixion where his young body of 21 years of age was ripped for the rest of whatever life God gives him. I will start on Holy Thursday, declaring at the National Law Enforcement Memorial which is exactly like the Vietnam Wall, a memorial to those who gave their lives to protect our lives.

In the case of the police, or Law Enforcement Memorial, it will have names added every year till the end of our lives, Mr. Speaker. We added more than a dozen names just this year, I believe 14 or 15, and two of them were female officers who died in the line of duty. The Vietnam Wall has just about ended with changing names from missing in action or POW, the last one, Col. Charles Shelton who was lost on his 33d birthday, southeast Asia, a known POW for 5 years, he, just a few months ago, was declared presumptive finding of death.

There are no POW's left on the wall. Missing in action monthly are turned into killed in action. But the Police Memorial will be updated each year with the names of young men and women and some not so young. I found a Dornan on there who was killed in the line of duty as the chief of police in a small West Virginia town.

This living memorial is truly something to visit. It is very moving. And because crime is one of our No. 1 issues, I will start with my declaration on Thomas Jefferson's birthday, the founder of the oldest party in America, now the minority party in the House and the Senate, and when I think of Jefferson, I think of two things. I think of ''least government is the best government'' and I think of what is inscribed inside of that beautiful Jefferson Memorial across the reflecting pond with all of the beautiful Japanese cherry blossoms that were given to this Nation in 1912, such a living gift, when they were our friends and our allies through World War I.

But inside that Jefferson Memorial, up in the frieze area it says, ''I have sworn upon the altar of God eternal vigilance against every tyranny over the mind of man.''

This founder of the Democrat Party, it is a nice day to declare on the 13th, but I will be heading toward my principal day of declaration, which is Easter Sunday.

We take the train, my wife, and I, two sons-in-law, a daughter-in-law, all of our five grown children, two sons, three daughters, and nine grandchildren—it is going to be quite a gaggle—on the Amtrak train to Boston, be picked up by young Republicans on the morning of the 15th, and then we will go up to Exeter, NH, in front of the once hotel, now business building where the Republican Party was born.

Three cities claim this honor, Jackson, MI, Ripon, WI, but I think Exeter has the edge, at least on dates, Columbus Day, October 12, 1853.

Our party was born over a moral issue, slavery, taking people's lives, the fruits of their labors, enslaving them, taking away their freedom.

The abortion issue in this country is equally the moral issue of our day, because you don't just steal a person's months and years and the sweat of their brow. You take their life away. You snuff out their life. You crush their little skull in the womb. You flatline their brain waves. You snuff out that heartbeat. Every abortion stops a tiny little beating heart because that heart starts between day 18 and 20 and most women don't even know they are pregnant except a little feeling inside that your body is changing, that you have human life inside of you, a whole different genetic package, a different gender possibly, different hair color, eye color, different height, different bone structure, a total genetic package with a little heartbeat and by day 40 a brain wave.

This is an important issue. That is why I chose Exeter. Not only is it the birthplace of the Republican Party, but a birth born of a moral issue, slavery.

Then we are going across the State, it should not take more than an hour. We may stop in Manchester and say hello to some of the folks at one of the Nation's greatest newspapers, the Manchester Union Leader. Then we are going over to Nashua, to Nashua High School, in the gymnasium, to resurrect a memory that is certainly good for me and I hope will incline people to understand that I not only was conservative before it was cool, I was conservative by decades ahead of some of my worthy colleagues that are declared.

I will declare again at the Nashua High School gymnasium where Ronald Reagan, fair and square, beat George Bush in 1980, when he grabbed that microphone from Mr. Breen, who is now a newspaper editor over by the seacoast in Portsmouth, and mistakenly called him Mr. Green and said, ''I've paid for this microphone.''

There was only one Congressman there for Ronald Reagan, it was yours truly, Mr. Speaker, BOB DORNAN. I had a great Senator sitting there next to me, Paul Laxalt and on the other side, Bush, having served in this House from 1967 to 1971, had about 15 Congressman there, several Senators. He had the

rooting section, but Ronald Reagan carried the day.

I want to resurrect that memory for the press in New Hampshire and whoever else has any interest in my candidacy.

Then we will car caravan with young Republicans at the helm down to New York City, Easter Sunday, where I was born, in Harlem, 110th Street, April 3, 1933, the 30th day of Franklin Delano Roosevelt's 12-year-plus Presidency. We have graciously received 20 seats from one of the greatest cardinals in church history, Cardinal John Joseph O'Connor of New York. We are going to his Sunday Mass, that is my wife's birthday which makes it extra nice, Easter Sunday, and our 40th wedding anniversary.

We will stand, at a quiet moment that early moment that early afternoon, at the altar where my parents were married June 27, 1929, a few months before Black Tuesday and the crash. They did not come home from their honeymoon. My dad, a young 37-year-old New York businessman, said sell it all off, the first loss is the best loss. I've got more important things to do. I'm on my honeymoon.

They went as far as the Holy Land. My mom was 29. Irish folk got married earlier in those days. I married by wife on her 21st birthday, 13 days past my 22nd birthday.

We will renew our wedding vows. Then we will stay overnight, go out and declare again for anybody that is interested on Ellis Island, because I still haven't sorted out in my head the fair way to approach illegal immigration as opposed to legal immigration because this, as our Speaker describes it, is an unique civilization. The American civilization is composed of people from every continent on the Earth, from Australia to all of Eurasia, to our second largest continent Africa, to South America, from American Eskimo Native Americans to every part of the world, all the islands in the Pacific.

In my old part of my district that is ED ROYCE'S district now, we swore in 800 people a few weeks ago, and the largest group was Vietnamese-Americans. Then Mexican, about to become Mexican-Americans. Then Koreans, about to become Korean-Americans. And the list went on through about 38 different countries.

We are a melting pot of the world. If we cannot make the dream work, nobody can.

Then we are going over to the Statue of Liberty, a nice way to begin a Presidential race. Then I will come back here in Virginia, answer a few more press questions, do the regular routine that has become de riguer now, the Larry King Show. Face the Nation is going to give me my own half-hour for the first time in my life. I did Meet the Press way back in 1982. Maybe I will get a second shot at that.

Then I am joining a great group of American Republicans.

Mr. Speaker, BOB DOLE, PHIL GRAMM, DICK LUGAR, ARLEN SPECTER, four sitting Senators, one Congressman, two former Reagan appointees, Pat Buchanan and Alan Keyes, terrific guys, both great radio talk show hosts, great writers, great columnists, wonderful speakers, and a former Governor, Lamar Alexander of Tennessee; and a current Governor.

That is the field of nine. I don't think it is going to expand much. All of this field—I don't even want to exclude myself—I'll be vain enough to say, including me, we stand head and shoulders in character and integrity and in political skills, I believe, above the current occupant of the White House. This is an honor to go out on the road with them.

I see my pal, my friend, my colleague from the other big sunshine State and retirement State, Florida, in the well. As I recognize him, let me get in one piece of history first, then I am going to tell everybody why I am running for President.

□ 1930

Do you know, Mr. STEARNS of Florida, how many members of the Democratic Party in the House of Representatives have gone from this, the world's greatest parliament, the world's greatest deliberative body, right to the White House? The answer is zero.

Do you know how many Republicans have done it? Our minority leader from 1880. A highly decorated Civil War two-star general. James A. Garfield, not known outside of Ohio, won it on the 36th ballot in Chicago, and was shot on day 120. Would have saved him in a week and he would have been back on the job in two or three weeks today. No anesthesia to probe for the bullet. No X-ray to look for it.

After 80 days of suffering, took him to the New Jersey coast to get out of this hot city. He died on day 200. That is it for this House.

Now we have got lots of people who served here and went on to the Senate, to governorships or to a long gap, like Lincoln served 2 years, lost the Senate race in 1858 to Douglas, and then got elected President. His last immediate job was here in 1847 to 1848. That is the only man to make it from this House directly to the White House.

People say, ''DORNAN, when was that? 1880? Look at the odds you are against.''

Let's talk Senators. In the 1700s and 1800s not a single U.S. Senator ever went from the other body to the White House. In this entire century, and it is almost over, 95 years, I am speaking 206 years of history, two, 1 Democrat, John F. Kennedy, and 1 Republican, Warren Harding, a Senator who had been a newspaper publisher who was dead when he was five years younger than I am, died at age 57 in his third year in the White House. That is it. One Senator from each party. No Democrats. One James A. Garfield, Civil War general, who had been in the House about 18 years and was the minority leader. That is it.

Does that mean that Lamar Alexander has a lock on this or Pete Wilson? Not necessarily. Records are made to be broken. I am about to embark on a quest, a crusade that I think is going to be one of the most enjoyable years of my life, and as with most endeavors in life, only God literally knows the outcome.

Mr. STEARNS. If the gentleman would yield for just about 15 or 30 seconds.

Mr. DORNAN. I will yield to the gentleman from Florida [Mr. STEARNS].

Mr. STEARNS. Mr. Speaker, I came down just to say this is the 25th day of captivity for David Daliberti and William Barloon. I just want to mention this.

But before I say my piece here, I do want to let the gentlemen from California know how much I admire him. Frankly, I think you bring to the presidential debate something that is needed and that is a social conservativism that you have displayed. As you know, you and I voted many, many times in very difficult votes.

I think you are going to bring to the presidential debate items like prayer in school, which a lot of candidates will not talk about but that you have the courage to do. So I commend you for what you are doing; and I certainly, as you know, admire you.

But I wanted to point out to the Speaker that today marks the 25th day of captivity for 2 Americans held prisoner in Iraq. Their incarceration began on the 13th of March. They were tried and unfairly convicted on the 25th. The two men were sentenced to 8 years in prison simply because they made a wrong turn.

Mr. Speaker, we must continue to hold the two Americans in our minds and hearts. Twenty-five days is too long for any innocent American to be held in captivity, so I ask all Americans to recognize that this is the 25th day of their captivity.

Mr. DORNAN. Thank you for reminding us of that. Because if the audience on C–SPAN is 1.3 million going toward 1½ million, I mean dedicated people who have really come to know their government by watching C–SPAN, we can ask 1.3 million people right now to pray for these 2 fellow Americans to give them courage.

The worse part of their captivity is over: the slapping around, the torture, some beatings. Now comes the boredom and the drudgery.

DICK LUGAR, U.S. Senator, has gone out further than any of us calling for military action. People say, ''Well, isn't that your style, Mr. DORNAN?'' No, I am holding back my thunder because I think this is a crude bluff, and I think that diplomatically is probably the way to force this dictator's hand.

However, a friend of mine who is a great movie director, John Milleous, did ''Flight of the Intruder,'' did a movie with Brian Keith, I think it was

called ''The Wind and the Lion,'' about an American held captive in North Africa by one of the Berber leaders in Algiers or Morocco. Teddy Roosevelt was the President then, and he came out with a simple sentence. I believe the man's name was Porteralis, ''alive or rastuli,'' dead. That was the Arab chieftain or warlord. The American citizen was soon released, and it turned out he was a Greek citizen about to become an American, and he did become an American.

But we can speak softly and carry a big stick because you try to do these things quietly and deliberately at first, but if it came down to a standoff and months went by, this is a republic. Clinton is not a royal personage. Every American is worthy of full support and protection by his country as Mr. Clinton gets from the Secret Service.

And I will focus like a laser beam on getting these two men out with proper challenge if they are not out. It is their 25th day, so I hope everybody will pray for their safe release. I have seen their families on television shows, and they are suffering and worried about them.

Mr. Speaker, why am I running? Tomorrow night I will be the sponsor at the confirmation for the oldest of my nine grandchildren, Richard Cobban. Ricky and other young people have said to me, ''Why are you running?'' The first thing that pops into my mind is so simple it probably sounds flippant: Save America.

We have a financial crisis, $5 trillion of debt by this summer, and there is nothing any of us can do in this Chamber from either party or the U.S. Senate to stop that debt from creeping up to $6 trillion before we begin to turn it around. I believe it will take us 30 measured years of dedicated work to pay off that national debt.

The average American is coming close to owing $20,000, the newest baby, the oldest senior about to meet his maker. The average American family has $76,000 worth of debt put on their back by the U.S. Government.

One stunning figure is, if you break this down monthly, just the interest on the debt, and we must pay that interest every year on time if we are a noble superpower, every average family's debt of just the interest is $440 per month. How many people can afford to make a car payment that big?

So here is why I am running, and I have some thoughts written down. I would like to share them with this great electronic audience. Mr. Speaker, it looks like it is just the two of us and a few guests and our great Capitol Hill police in the gallery.

If you do not know already, Mr. Speaker, I am very different from most of my colleagues. I have found out in my 17th year here, 2 years out of office but staying in close contract, this is my 17th year in office. Nineteen years I have been around the Hill. I have noticed that I think differently.

I have a voracious appetite for history. It knows no bounds. I consider myself one of the three true historians in Congress. If anybody else is, they sure keep it to themselves. The others being two Ph.D.s, NEWTON GINGRICH of Georgia and PHILIP CRANE of Illinois.

To a large degree, this sense of history, my sense of history is one of the major reason why I serve in Congress and why I will always try to lengthen my stride in service to my country.

In my 62 years, I have witnessed American men and women continuously, consistently, virtuously lay down their lives and their good names of preserve our liberty only to see that these twin pillars, liberty and virtue, only to see them trampled upon by the selfishness and greed of others.

In America, this beautiful, bountiful land, through the grace of God, we, the people, are the repository of power. The rise and fall of our great Nation rests squarely on the shoulders of the men and women in this Chamber and in the U.S. Senate and the occupant of the White House. We are only to blame in failure, and only pure humility prods us to credit God for our success.

The fact is that no civilization can long endure the hollow sustenance of fallen men and women, and I do mean fallen, Mr. Speaker, in the Biblical sense. We cannot have liberty without virtue, and we cannot truly be virtuous without liberty. Men and women must be free to choose virtue, but they must unequivocally choose virtue to be free.

Benjamin Franklin said it best as he described his, our, newly formed Nation to a woman who demanded, ''Dr. Franklin, what have you given us?'' And he responded, coming out of these long, secret sessions, he said, ''Madam, we have a republic, if we can keep it.''

A key reason for my Presidential quest is to focus on this vision for America and to say that my conservative friends who only concern themselves with economic issues are providing a grave disservice to the American people invoking the near deity of the marketplace on such altars as the ''Baal Street Journal.''

Well, these false economic priests of conservatism are little different than the Keynesians who believe we can use government to spend our way to prosperity or, for that matter, hardened Marxists who view the world with the tunnel vision of economic models and class warfare. Lord knows, Mr. Speaker, we have heard a lot of class warfare rhetoric, some of it poisonous, in this Chamber over the last 2 weeks, if not longer.

The truth is that without a moral base and a virtuous people, the free market simply cannot function. Happiness is not necessarily a derivative of prosperity. True happiness, true happiness comes from a deep and an abiding faith in God and in living the way that God intended.

The tendency toward only an economic view of life has given rise in social conservative ranks to what some pretenders call a cultural free market. Frankly, I have never met a purebred conservative who believes in this cultural free market. Nor, by the way, have I ever met anyone who believes in a decadent society with a balanced budget.

The fact is that successful political leadership demands that some cultures be discouraged and other cultures encouraged. Any American, let alone any of us seeking the mantle of the Presidency who is unwilling to make these kinds of judgments, is hardly a productive citizen.

I disagree wholeheartedly with some of my econ-obessed friends who pontificate that the market punishes immorality, and, therefore, that is reason enough why no social issues should be discussed in this campaign or in this Chamber or in the Senate or in any other campaign by a participant who is a Republican.

Let me tell you something, Mr. Speaker, and I am going to carry this message sea to shining sea, the defenders of the second amendment will back me up with this little play on words. Markets don't punish immorality; people punish immorality. People also reward immorality, which is why we have arrived at the sorry state in which we find our society today.

What do we and what do our public institutions and our debased popular culture consist of today if not wholesale corruption?

□ 1945

Please do not misunderstand what I am saying nor mistake the motives of true social conservatives. For instance, I am not talking about the wrongheaded and extreme use of using tax dollars to fund even wholesome art or Christian art or anything like that. But I am saying, keeping within this art framework for just a moment, that responsible leaders find ourselves morally compelled to make absolute judgments on what passes for art in contemporary society when tax dollars go to fund the arts, and as long as tax dollars are used to fund the arts, I would not dare leave such an important stewardship up to the marketplace to make that point, especially when today that art sells so well.

Once again, the false gods of prosperity and economics do not produce good citizens or even virtuous ones. Actually the reverse is true.

Our Founding Fathers understood this moral imperative better than anyone. The countless allusions to God and the Creator in their writings, including our Declaration of Independence, the very words ring out with a firm reliance upon divine providence.

When I was a 19-year-old aviation cadet, I took a ball pen and pressed that, the reverse of embossing, into my little, cheap blue Air Force binder with a firm reliance upon divine providence, we mutually pledge our lives, our fortunes, and our sacred honor, and of those 56 signers, almost the whole bunch lost their homes, burned to the ground, and many of their lives and all

of their fortunes. But they kept their contract with God.

It is true, these grant men were religious men, but they understood first and foremost that a free people had to be a good people, and when a nation stopped being good, it became enslaved.

The best of the ancient Greek cultures, the best of the ancient Roman cultures, and there was more corruption and decay and brutality and slavery than there ever were of these golden moments in those two amazing civilizations, but they taught us that when a nation stopped being virtuous, eventually all of the citizens were enslaved.

I have long held to a motto of ''God, family, and country.'' To second the nomination of Vice President George Bush in the beautiful city of New Orleans in 1988 in August, I want for alliteration and changed ''God'' to ''faith'' to embrace all of the great religions of the world, and I changed ''country'' to broaden it out to ''freedom,'' because my dad had offered his life to die for France and almost did, and I offered my life during the Eisenhower years to defend Hungary. We pulled back on that one, and I volunteered later to fight to not only save Korea but Vietnam, Israel, other small countries around the world.

And I had been out of the cockpit too long to be recalled on active duty, but I went to Vietnam to witness these heroes and their excellent nurses, which is where women mainly served in that tragic decade of trying to keep half of Vietnam free as we kept half of Korea free. I watched those young heroes, by now most of them younger than I, and it is a debt that I want to pay back.

Truthfully, I would declare in front of the Vietnam Memorial, but I know what the liberal press would say. ''DORNAN is doing this to get at Clinton, DORNAN cannot let go of Vietnam, DORNAN is locked in the past.'' That is why I will pay a private visit there on the morning of April 13, I repeat, Jefferson's birthday, and then go to the National Law Enforcement Memorial for the first of several declarations during that 4-day period.

So I have long held to his motto, Mr. Speaker, ''Faith, family, and freedom.''

The world has always been divided along these lines, and it always will be as long as sin and transgression exist. The 20th century humanists' attempt to remove faith from civics has only deepened the divide which separates us as an American people.

We believe that a Creator grants unto us certain inalienable rights. Or do we not? Is that not how we were founded? In my view, Mr. Speaker, there was no greater political distinction to be made by any aspirant to the Presidency. We either believe as our Founders did, or we do not. Either God grants us our most fundamental of rights or man does, and if it is man, then man can also take away those rights in a heartbeat. But if it is God who grants us these rights, then our allegiance as Americans should be to his goodness and his mercy. I take the latter view.

This is why I believe that liberty and virtue are absolutely inseparable.

The second component of my motto, and this would be on the family escutcheon, if I were not from dirt-poor Irish farmer background. If I had one of these beautiful brand crests, it would be, ''Faith, family, and freedom,'' for this generation of Dornans.

Well, family, the traditional family, is what I mean in that battle cry. The family, along with a deep and abiding faith in God, is the basis for all successful civilizations. The family is the fundamental social, political, and economic unit of Western civilization, not the state, not the corporation, not the individual. Essential faith is first manifest, and because of this fact, the family is the most natural of settings from which to base all human actions including public policy.

It is a truism, Mr. Speaker, that no other success in life can compensate for failure in the home. Nothing. Nothing makes up for that. How many millionaires have we read about in fact and fiction that would pay millions of dollars to get back their son that committed suicide, their daughter who destroyed herself on drugs or turning herself over to the mean streets? Who can deny this, that anybody will squander his fortune to have the love back of a son or a daughter or to get back a wife in those early years that he just so easily let slip away from him because of irreconcilable so-called differences?

And yet an ever increasing march against the traditional family mounts up like an evil force in this United States of ours. The deadly combination of heavy taxes, levied by government at every level, county, State, Federal, and personal selfishness has both driven and led many women away from the home and encouraged men to justify their own familial neglect of wife and children. Onward to the new Mercedes, your income goes up, the wife's income goes down, and her struggle deepens.

To help save your families, we must substantially cut taxes, which means spending as well, of course, and we have got a good start on that, a small start in the last few days, and then we must do all we can within the proper bounds of governmental powers to encourage single-earner family wages so that mom can stay home when she chooses it with the children and so that dad can feel confident, or the mother, if she is the breadwinner, that he or she is able to provide sufficient income for the family, and in most cases because of that need for the mother to be with small growing children, I believe most families will opt for the traditional role.

And this does not mean in any way to cater to the almost vicious lie of flippant elitist media that traditional family people want to keep the mother home uneducated, pregnant, barefoot, and slaving over the spaghetti. No; no. It means an intelligent family sharing in both roles, the husband the breadearner when the children are tiny and need their mother around the clock, not quality care, an hour a day, not good day-care centers, which is a fruitless search for many families, but when those little children are 1, 2, 3, 4, 5, and 6, what the abortion industry says is viable, that little 1-year-old viable, that 1-week-old viable, 1-month-old, 1-year-old. A 4-year-old is not viable; out they go into traffic to be kidnaped or torn apart by the mean streets again.

At what point are we really able to go out on our own without being nurtured through an educational process? I heard a philosopher say every generation is only 18 years from the savagery of the jungle existence, survival of the fittest, the cruel, the brutal rule, because it takes 18 years to prepare most people, and most civilizations, to play a productive part in society.

To help our families, I repeat, we must substantially cut taxes and spending.

Now, the last thing we in Congress should do is to create something like a Department of the Family. That would ensure the family's demise. We have seen what other departments have done.

The third and final component of my chosen motto is freedom, freedom, interchangeable with liberty. We must once and for all, before it is too late, return to our political roots and change, Mr. Speaker, what I will call the mechanisms of power.

Let me explain that. The first American revolution was certainly incited by the abuse of power; a great movie out now about King George, mad as a hatter, but more importantly, it was also the direct result of a corrupt power structure.

Today, like then, 1776, Americans face not only the abuse of power but the very same corrupt power structure.

To think, as do some of my neo-conservative or country-club Republican friends of the big-tent school, that is a simple change of personnel or an obsessive focus on money, and they think that will solve the problems of the Federal Government. It is not only crudely elitist, but it is downright offensive.

I have many friends of our new second American Revolution which began to take hold on November 8 last year, but I would no more trust them with the current mechanisms of power than I would trust Mr. Clinton. It is the mechanisms of power that must be altered.

I am for a flat tax. I have been for about 27 years. I was trying to figure this out the other night.

But as large an improvement as a flat tax would be compared to our current system of tyranny which punishes hard work and investment and savings, the best solution is one where the IRS is completely abolished. Is anybody ready for this in a Presidential campaign? I do believe the Nation is.

Let us face reality. The IRS is a creature of a planned economy, a socialist state. It exists solely as the enforcer, the muscle, for a comparatively few elitists who desire to control our lives. Without it, how could these liberal elites extort so much of our money, your money?

Yes, the flat tax is an improvement. But with the enforcement mechanisms of the IRS would remain in place. I think the chairman of our Committee on Ways and Means, the gentleman from Texas [Mr. ARCHER], the man who actually took George Bush's seat in this Congress, is the right man, in the right place, at the right time.

A flat tax is a plateau for a few years to work out how we shut down the income tax.

I prefer the repeal of the income tax, Mr. Speaker, the repeal of the corporate income tax, the repeal of the capital gains tax, and any other tax which requires the IRS to enforce collections, and I would replace all of this with a national sales tax or a similar proposal.

What could be fairer? The rich would pay the bulk of the taxes while the poor, who spend very little in comparison, would pay little in comparison.

I mean, the Irish comedian, George Carlin, always talks about how the rich accumulate stuff, stuff, stuff, and more stuff. I know that urge. I am a collector, and my collections are little things, coins, stamps, little automobiles, model airplanes. There is still a lot of the little boy in me. But people who collect Duesenbergs and people who collect art, major art, and hide it out in their homes instead of donating it to museums where the poorest and humblest of us can share in that joy, they all do that when they are about a week from their death bed, some a little bit before. Andrew Carnegie, that dour Scot, is my ideal. He said it is more fun to give away money than to make it, and the perfect life is when you give the last dime of the money you earned during God's gift of life, you give away the last dime on your death bed.

We could even exempt the poor up to a certain income from some of this new tax structure.

That is what I mean by changing the mechanisms of power. I have got a lot of good people that I have met over my life that work at the IRS. They work hard, and we will get other good jobs for them that are not part of the elite structure.

Another example is abolishing the Federal Reserve and returning the power of money back to the elected representatives of the people. My pal Jack Kemp says, ''I would rather be Chairman of the Fed, Chairman of the Federal Reserve, than President of the United States.'' Jack has studied this and knows the raw power of our good friend and decent man, Alan Greenspan.

I do not know about you, Mr. Speaker, but I am sick and tired of having an unelected, little, tiny group of people come up to Congress every few months and tell the American people that our economy is growing too fast, and that one person, the chairman all by himself, has made the decision to stall the economy by artificially raising interest rates.

Why not speak the truth? Harmful inflation is not caused by a growing and productive economy. It is caused by government intervention in our money supply.

□ 2000

Now, I loathe violence. That is why I marched with Martin Luther King. I have to believe that our founders have taken a similar power structure with King George, out to the gallows, the full weight of the good citizens hard-earned money strapped to his ankles. They were not as patient as some court systems today.

I have introduced a bill on this subject, Mr. Speaker, H.R. 1130, to halt the absurd mechanism which allows advocacy groups, most of which are very left wing, to receive Federal grants and then turn around and lobby and protest the Federal Government to keep those tax dollars flowing.

Here is an example of what I mean about my legislation, changing again the mechanisms of power, H.R. 1130. The National Council for Senior Citizens, NCSC, it is a left wing, AFL–CIO front group, established in 1961 to help pass the Medicare bill, and they took in just $105,000 in membership dues for the most recent year of record, 1993. $105,000, less than the pay of one Congressman or woman. That same year they received over $68 million in Federal grants. National Council for Senior Citizens.

They are a tax exempt political lobby. They rate us in this Chamber. They rate our congressional votes. They hand-picked votes to give some of us a zero rating, and others a 100 percent rating who did their bidding. They endorse candidates. What in the world, Mr. Speaker, are tax dollars going to fund the political activities of this left wing lobby group for? Just one example. American Education Union, on the national level, is another public institution held embarrassingly captive by powerful special interest groups. Going all the way back to the George McGovern, Shirley MacLaine Convention, that is the way I remember it best, in 1972, the majority of delegates were members of the teachers union, and it has been that way at every Democratic Convention since.

Under the circumstances, it is absolutely a no-brainer to abolish the Department of Education. BOB DOLE has called for this, Lamar Alexander, a former Secretary of Education under George Bush, Bill Bennett after he left that position and went to another job in the White House. I think before this race is over, all nine of us will be calling for the abolition of the Department of Education, as are most people in the cloakroom that I have spoken to here on the Republican side of the aisle, the majority side.

Again, some of our friends who call themselves conservatives do more harm than good on this issue as they attempt to play to the very natural interests parents have in the education of their children. All we hear about from some so-called conservatives is how we need to train our children to compete in the world markets of the 21st century. More math, more science, more national goals and standards.

Well, whether we like to hear it or not, Mr. Speaker, it is just New World Order mumbo-jumbo in the main. All this talk of remaining competitive, the best, the best in the world, the best this, the best that, all of this for economic purposes only is global baloney. Global baloney. It is funny how we did not need this kind of political leadership to become the most industrious Nation that had ever existed. Only social engineers talk about America in macro terms as if they know better than parents what is best for their children and how to train them and how to educate them.

Education in America is not in jeopardy because parents continue to care. Education is in jeopardy because we have not yet taken the time to change the mechanisms of power, particularly at the Federal level, built up around our educational systems state to state.

Everyone knows that on the whole private schools and home schooling outperform public schools, and that given a choice, most parents, if they could, would send their children to private schools or keep them home, particularly given the violence and the guns and narcotics and the beepers and the knives that are carried in some urban schools. Not only urban schools.

But then why have we built up all of our mechanisms of power around a particular, bureaucracy laden public school system, and my younger brother is a proud and hard working public schoolteacher, why have we built up this system which locks up all of our children into an education of lesser distinction? Is it to help the poor? If so, then why not lift the poor up rather than pull a lot of middle class students down?

In changing the mechanisms of power, Mr. Speaker, surrounding education, we must remind ourselves that the essential state interests in education is liberty, and from liberty comes that virtue, and vice versa. It is not surprising that a socialist, welfare state mentality would ultimately pervert this state interest in education into some kind of class struggle, solvable by redistribution of the wealth enforced by the IRS?

I would rather abolish the welfare state before ever relinquishing over to some people who at their hearts are Marxists the real, real reason why we stress education in America. Abolish that Department of Education, repeal

compulsory attendance laws, and localize all schooling decisions, and our Nation will not only house the best educated and most literate people in the world; we will remain the freest people on Earth as well.

Lastly, changing the mechanisms of power, it is as they relate to defense and foreign policy. Mr. Speaker, we need such a spirited public debate on just what national interest means that I just yearn for this debate.

I am a staunch pro-lifer. Everyone round here knows that. But my allegiance to life does not stop in the womb. I care about every man and woman asked to give their life for our country. It is the very height of immorality to send American lives into harm's way without a crystal clear moral reason for doing so, and I released position papers on this on my birthday last Monday on all of the mistakes, some of them just through sheer stupidity and lack of understanding about why someone would dedicate their life to the profession of arms. Warriors hate war and do not want to have to lose any of the lives in their care.

This administration has been the worst in this century as far as not understanding why you do not put our Rangers and our Delta Force and our 10th Mountain Division in harm's way in the angry violent ridden streets of Mogadishu. We did accomplish saving 300,000 or more lives of women and children, but now they are left again to the non-tender mercies of the battling politicians there for power with their jeeps mounted with heavy weaponry, and we can only pray for them. The slaughter in Burundi this week, we could not extend a helping hand because Rwanda suffered severely, and we were unable to go in because of what Clinton showed in the way of absolute bankrupt leadership in Mogadishu. That is why the fathers and mothers of the two Medal of Honor winners who were given that medal posthumously because they tried to save Michael Durant's helicopter crew, and did succeed, in trading their lives for Michael Durant's life, getting him out of the helicopter, laying him down on the ground where God took over from there and kept him from being beaten to death as were his three other crewmen and the two rescuers. ''Greater love than this no man has, that he give up his lives for his colleagues and friends.'' God bless Gary Gordon and Randy Shugart and their wonderful families and their wives, and those two little beautiful children of Gary Gordon, Ian and Brittany. This is what you have to understand when you are the commander-in-chief, that every family, every life of every man and woman in the military is precious.

What is our national interest, Mr. Speaker? Is it bailing out multinational corporations who roll the dice in a foreign land and then lose? Should we shed blood over an economic commodity, even oil in the Middle East? We had a great debate here at the beginning of the 103d Congress. Everybody on both sides did themselves proud. But at least we fought it out here, whether or not we were going to lose 148 lives of our finest young men and several women to Scud missile attacks and plane crashes and a lady helicopter pilot flying into power lines in bad weather and desert sand. We lost the best, the very best this country has to offer, for a commodity. We should have debated that in depth.

Should we sacrifice lives in the names of foreign wars far removed from any direct threat to the United States? Sometimes, yes, we should help. I am not nearly as narrowly focused on this as my pal Pat Buchanan with his battle cry of ''America first.'' There are many cases where we should help because we can help and we can save many innocent people. But it has got to be debated in this Chamber and the Senate, except for emergencies when the President has to act swiftly. And that is why I put in legislation to kill the War Powers Act, to give back the White House its full emergency power to use force.

I cannot tell you how many American veterans I meet who will break down and actually shed tears at the mere mention of men and women having to don the blue beret or blue helmet of the United Nations to risk their lives in battle under foreign commanders. It is a atrocity that some of our leaders would allow this to happen. To think that Americans bled and died, lost life and limb 50 years ago in Okinawa, or going back to the birth of our country, our revolutionary struggle, the Civil War between the States, World War I, World War II, Korea, Vietnam, Panama, the Persian Gulf, Somalia, only to see American sovereignty go out the window with a stroke of a pen. No one would ever, of course, ever see that under the presidency of this congressman.

There is no more enduring term for any Nation than sovereignty, when properly respected and constructed. In fact, if the United States were a person and we asked it to define itself, it would tell us that without sovereignty, it would not exist. Those leaders who would push us to shed our borders and merge our lives, our economies, our cultures and our governments into one big wonderful world government, ask for something they will only receive answerable through much uprising and probably bloodshed.

We are historically, Mr. Speaker, a moral nation, and a moral nation fights only moral wars. And that is why we have a Department of Defense, not a department of offense, of attack, or of war any longer. We must immediately begin to develop world class antiballistic missile systems to defend the homeland. Then and only then do we have the moral authority to establish peace through strength.

Somebody said to me what would be a blue print for your campaign, BOB? And I said how about the Preamble to the Constitution? Just think of that preamble. ''We the people of the United States, in order to form a more perfect union,'' and there is the word union carved right into the Speaker's platform there along with liberty, ''in order to form a more perfect union, establish justice, ensure domestic tranquility, provide for the common defense, promote the general welfare,'' and welfare in those days meant the common wheel of the commercial marketplace, a chance to success and farm and have small businesses, and that is what welfare meant in any 1700's dictionary, ''and to ensure the blessings of liberty upon ourselves and our posterity,'' that is our children, ''do ordain and establish this Constitution of the United States of America.''

There it is, provide for the common defense, right in the preamble, for the whole beautiful Constitution. The original contract is the Constitution. The original contract is the Constitution. And we have past in this House, it is one of the items in this Contract with America, the 24 Republicans jumped ship and the majority of Democrats voted not to defend the American homeland. We will defend our troops overseas, a moral obligation. We will defend our allies overseas with a ballistic missile defense from rogue missiles, if nothing else, but we are not going to defend our homeland yet by the Contract.

We can truly call ourselves a free people once we change all of the mechanisms of power, once we reassert the 10th Amendment, which this Contract does very well, that 10th Amendment to the Constitution, return the power back to the states and local communities, once we reaffirm property rights, Mr. Speaker, as the most basic of all our inalienable rights, once we send a clear message that multinational profiteers do not run this country wherein they expect to be bailed out every time they make a bad investment. Our founders already fought that war, and now we must renew the struggle.

This is the real revolution. What happened last November 8th is just the beginning. I am committed to ceiling this new second American revolution through to the very end.

Let me conclude with a few personal observations about principal leadership, and I will return in a month to do that hour on the heroes of Okinawa. For the next 87 days, since April 1st, we will be living through the 50th anniversary of the greatest Naval conflict ever fought in history, with 49,000 American seamen blasted apart or drowned or burned to death, and 4,800 wounded. That rarely happens where the wounded are less than your killed.

But let me conclude by saying I have always felt that principal leadership means not asking anyone to do something you would not do yourself. For instance, as president, this means the unenviable task of perhaps one day

calling your nation to arms and sending men and now young women into harm's way. What an insult it would be to have a President who never wore the uniform, when he had the obligation and the opportunity, if he was healthy. That is God's call. 4–F is nobody's fault. Or being a woman that is not subject to the draft or being alive not during a voluntary period. I mean when the obligation was there and you were healthy, to ask a young man to go in your place, and then to aspire to the mantle of the presidency, asking young men and women to die for their country or for some other country that truly needs us when that person refused to do the same when it was asked of him.

□ 2015

We have got to sort this out. This job of president is different than any governorship. It is different than any other role in our Nation because of this aspect of commander in chief.

Further, I have always felt, Mr. Speaker, that principled leadership also means self-control. What right does any man have to claim authority to govern the lives of others when he cannot control his own behavior? Fortunately, I do not see that problem with any of the nine candidates that are out before the people at the end of this month. Principled leadership sifts through the pack rather quickly.

I serve here in the House of Representatives, in my 11th year from Orange County and a very exciting six years from West Los Angeles in the late 1970's and early 1980's. I serve here because I want to help restore America to its former greatness and its promised future.

My last sentence, Mr. Speaker, is this, America's future will remain in jeopardy as long as leaders lack the guts and convictions to move the revolution. The first 100 days was important, but the second, third and fourth and fifth 100 days will reveal the character of this body.

We either stand for liberty and virtue or we cower toward a seemingly safe island of moral isolation. I stand for liberty and for virtue.

ON THE EFFECTS OF THE CONTRACT WITH AMERICA

The SPEAKER pro tempore. Under the Speaker's announced policy of January 4, 1995, the gentleman from Vermont [Mr. SANDERS] is recognized for 60 minutes as the designee of the minority leader.

Mr. SANDERS. Mr. Speaker, let me begin by quoting from an article that appeared on the front page of the New York Times today and what the article does is analyzes a poll that was done by the New York Times and CBS News. Let me read, if I might, the second paragraph on the front page. It goes as follows:

''Despite the best efforts of the Republicans to publicize and promote what they call their legislative revolution, the survey,'' i.e., the poll that CBS and the New York Times did, ''suggested that much of the public remains largely disengaged. Only 38 percent said they had read or heard anything about the Contract With America, the Republican policy agenda that has driven the House in these first three months. Forty-seven percent said they were 'mostly disappointed' with the first 100 days compared with 39 percent who said they were pleased, and Mr. GINGRICH's personal ratings remain remarkably negative.''

What I find disturbing about the results of the poll is not really whether people cared about Mr. GINGRICH or how much they liked or disliked the Contract With America, what I find absolutely incredible is that only 38 percent of the people contacted said they had read or heard anything about the Contract With America.

Now, how can that be? Every single day on the front pages of newspapers there are discussions about the Contract With America. Turn on the television tonight, every news program will be discussing the Contract With America, and only 38 percent of the people had heard anything about the Contract With America. What is that about?

It suggests to me a very serious problem in America. And that is, by the tens of millions of people, ordinary Americans are tuning out and not paying attention, ignoring the politics that goes on in this country. This phenomenon was certainly reflected in the November 8 election that brought the Republicans power in both the House and the Senate. In that ''mandate,'' 38 percent of the American people voted; 62 percent of the people did not vote at all.

The question, therefore, is, what is going on with American democracy? And the deeper question that I think we must ask ourselves is, to what degree are we, in fact, today a democracy, when the vast majority of the people do not vote and when tens of millions of people are not aware of what is going on in our society and within our political system?

Mr. Speaker, I would argue that perhaps, and I am not quite sure of the full reasons as to why so many people have given up on the political process. I do not really know why when Sweden holds an election, 90 percent of the people come out to vote. France is now in the middle of a major campaign. The guess is that over 70 percent of the people will vote there. And in Canada, our neighbor, over 70 percent of the people vote. I cannot tell you why it is that so few people in America have faith in the political system and no longer participate, no longer vote, no longer care about what goes on here in Washington.

Here every day people are yelling and screaming, but it does not mean much to the folks out there. I would argue that perhaps the major reason is that the average American today is hurting very, very badly. The average American family is in a lot of pain. We are becoming a poorer nation. Our standard of living is in decline. The gap between the rich and the poor is growing wider. Millions of Americans are fearful that their jobs are going to go to Mexico. They are going to go to China. Millions of Americans are working longer hours. They are afraid to stand up on the job and protect their rights and fight for their rights because they are going to get fired.

And I think with people in pain they look to Washington, they turn on the television and they do not see the reality of their lives reflected in the debate that takes place here in Congress. They listen to corporate America on the media. They do not see that reality reflected. And they say, Hey, I am in trouble. I am in pain. My standard of living is going down. My kids are going to have a lower standard of living than I am. I cannot afford health care. My job is going to Mexico. Who is talking for me? Certainly not the politicians. Why should I pay any attention?

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

Mr. SANDERS. I yield to the gentleman from Oregon.

Mr. DEFAZIO. In response to that, I think that part of what breeds the disenfranchisement, the fact that people are turned off, is things like the bill that was passed here in the wee hours last night.

Funny thing, when Mr. GINGRICH had things in his contract and he wanted to trump it, we always stopped about the middle of the evening and then brought them up the next day so they could play it prime time. But two bills, term limits and now tax breaks, were voted on very, very late at night.

They are very cynically named. This was a bill to provide middle income tax relief. The gentleman touched on this very well. The only group of people who are consistently paying higher taxes in 1995 than in 1980 are middle-income wage earners, small business owners and people who work for hourly wages or a salary. They are paying more, because Congress jacked up the FICA tax, Social Security, dramatically, a regressive flat tax which is capped at $64,000 a year of income, and also what has happened with bracket creep and other things.

The wealthy, those who earn over 200,000 a year, they were yelling and screaming like stuck pigs over the Clinton budget which put them in the normal 39 percent tax bracket, which is down from the 70 percent tax bracket that they were in in 1979. And, of course, they only paid the 7 percent FICA tax on the first $60,000 of their earnings.

But then what people see, they tune in. And some of them would have voted for the new majority who were disenchanted with what had happened to them. They saw their standard of living declined, and they asked for help and reached out for change and help. And they brought in a group of people who turned back the clock to the point

where there is not going to be middle-class tax relief from the bill that was passed last evening, but what there will be is tremendous court relief.

They did not talk much about those parts of the bill on the floor. They talked about some of the smaller portions.

Just the repeal of the corporate alternative minimum tax, your eyes glaze over when you hear that. But it is so significant.

Mr. SANDERS. Let me jump in, if I might. Some Americans, Mr. Speaker, will remember, as I am sure my colleague from Oregon will remember, that in the early 1980s, after Reagan was elected president, there was an enormous scandal that many people were discussing in America.

What they were discussing is that at the time when middle-income people were paying more and more in Federal, State and local taxes, lo and behold, as a result of a variety of loopholes, it appeared that some of the largest and most profitable corporations in America, primarily owned by the wealthiest people in America, were paying what in taxes, Mr. DEFAZIO?

Mr. DEFAZIO. I brought the list, just so we could review a few. 1982 to 1985, 42 major corporations paying zero or less.

Mr. SANDERS. These must be small businesses with marginal profits, I would suspect. Is that the case?

Mr. DEFAZIO. Sure. Let us start at the top. American Telephone and Telegraph, profit, $24,898,000,000 from 1982 to 1985 in profits. And guess how much they paid in taxes?

Mr. SANDERS. Six billion dollars? I would guess that would be a fair——

Mr. DEFAZIO. They had 24 billion in profits. Would you think, if they were working for wages, they would have paid even a little more than 6 billion? They would have paid 28 percent? No, try one more time.

Mr. SANDERS. Well, 4 billion maybe 4. Am I wrong again?

Mr. DEFAZIO. A reasonable guess. But guess what? This is sort of a miracle. This is a miracle of supply side economics, which we brought back to America last night.

They did not pay any taxes. In fact, they not only did not pay any taxes, with 26,898,000,000 in profits. Guess what? Working stiffs in this country gave them a $635.5 million tax credit. They did not pay any taxes, and they got a credit for the taxes they did not pay. So their tax rate was minus 2.6 percent. Not bad.

Mr. SANDERS. We have been a little bit facetious about this. I think this deserves analysis and serious look.

What we are talking about is some of the largest corporations in America, owned by the wealthiest people in America, making huge profits and paying less in taxes, zero, than the average working stiff who makes $20,000 or $30,000 a year.

You mentioned AT&T. What other corporations were involved?

Mr. DEFAZIO. Let me list a couple of others. This is serious. And we do not want to be facetious. I will jump down to, say, the middle of the list. Xerox Corporation, over that three-year period, $670,300,000 in profits. And they received a tax credit of $42.8 million. So their tax rate was minus 6.5 percent.

Mr. SANDERS. That means——

Mr. DEFAZIO. One more. Let us pick a high tech company, Tectronics—they have not been doing so well lately but back then they did better—$163,300,000 profits over three years, and they got a $13,800,000 tax rebate for a negative 8.5 percent rate of taxation.

Just last night we repealed the law that did away with this scandal. That was part of the contract on America, to do away with the corporate alternative minimum tax. That means that an American who works in a factory job for 10 bucks an hour, if Mr. GINGRICH'S dream bill here goes through, the crown jewel, will pay absolutely, not in rates, but will pay absolutely more in taxes than some of these largest corporations in the world.

Mr. SANDERS. Let us back up a little bit.

What Mr. DEFAZIO is talking about is that in the early 1980s, if my memory is correct, a majority of the major corporations in America paid zero, not a penny in taxes, and, as Mr. DEFAZIO indicates, some of them actually got a credit. That is how absurd and corrupt the tax system was.

Well, both the Democrats and the Republicans became a little bit embarassed by this scandalous situation where we have working people making $20- or $30,000 a year paying more in taxes than all of AT&T and General Electric and the other large corporations.

□ 2030

So what they passed in 1986 was called the minimum corporate tax. Basically, what that said, it said large multinational corporations with all of your fancy lawyers and your tax accountants and everybody else, after you go through all of the tax loopholes and after you avoid paying taxes on this, that and the other thing and you end up with zero, well, guess what, we think you should at least pay a minimal tax, a minimal tax. And that is what was passed in 1986, mandating the corporations at least paid something.

What Mr. DEFAZIO is describing is that yesterday, as part of the Republican tax bill, that minimal corporate tax was repealed, and we are rapidly moving back to the time when the largest corporations in America will pay zero in taxes.

Now, some people will say, well, so what? So what does it matter that AT&T and General Electric and duPont and all these corporations do not pay anything in taxes? What does it have to do with me?

Mr. DEFAZIO, what does it have to do with the average working person?

Mr. DEFAZIO. Well, if it gets as bad as it did in the 1980', working people will pay taxes in order to give tax credits to corporations that did not pay any taxes at all, which they then passed through to their shareholders who are also hiring the same accountants to avoid taxes and now will be allowed with the new 14-percent tax bracket for capital gains or 18 percent established by the Republican bill, will be able to pay a lower rate of taxes than someone earning $25,000 or $30,000 a year through the capital gains loophole.

So what we are doing is asking people who are struggling to make ends meet, people who are struggling to figure out desperately some way to save a few bucks for their kids' education or just for their clothes are going to be asked to send money to the Federal Government so it can be handed back to large, profitable corporations so they can distribute it to shareholders who will not pay very much tax on it.

Mr. SANDERS. What it also means, it seems to me, is that if the major corporations in America are paying nothing in taxes there will be less money available for Federal aid to education, Federal aid for environmental protection, Federal aid for the handicapped, Federal aid for Head Start, and so forth and so on. So, in essence, what will happen is the tax burden will be passed on back to the State and local level.

Now, I do not know about Oregon. I am not familiar with Oregon's local tax situation. But in my State of Vermont we are highly dependent for education and municipal services on the property tax, which is an extremely regressive tax.

To the degree that the Federal Government cuts back on Federal aid to education because corporations are not paying any taxes, who is going to make up the difference? In the State of Vermont it will be family farmers, it will be senior citizens, it will be working people who are not making a lot of money who will have to pay higher and higher property taxes, higher and higher State taxes because the AT&T's and the GE's primarily owned by wealthy people are not paying their fair share of taxes.

Mr. DEFAZIO. If I can interject again. Another interesting historical note, in 1960 the corporations in America paid about 20 percent of the tax bill. This year, before the Republicans repealed the corporate alternative minimum tax, the corporations will pay about 10 percent of the tax bill in this country.

So someone else has had to pick up the slack. And guess what? It is not the people who earn over $200,000 a year who just got also some very generous tax breaks last night; it is average working families.

There was some move on the part of the Republican Party, and I have got to give credit to the 106 Republicans who signed a letter to the Speaker saying they could not go home with a

straight face and say they were providing middle-income tax relief when it went up to $200,000 a year, and they asked to take it down to $100,000 a year.

Well, I cannot go home with a straight face to Oregon and talk about $100,000 as middle income, but if we were talking $30,000, $40,000 a year, that would be in the ball park. And those people are being asked to pick up the additional share of the burden or finding that the programs on which they depend, that is people who have incomes at that level and who are retired now, Medicare, are being cut back, seniors with even lower incomes, Medicaid is being cut back, younger people with kids who are growing up are finding that Pell grants and other things are going to be cut back, both in the rescission bill earlier passed in this House by Mr. GINGRICH and in the budget which Mr. KASICH will put forward shortly.

So not only are we asking the middle-income people to pay more, the few programs from which they and their families have been able to benefit and the few sorts of things they had to depend upon are being gutted. I mean, it is a very bitter reality.

So I can understand why a lot of these people are turned off to politics and not voting. But I mean my solution is they should all get out and vote. Because the people who earned over $200,000 a year who got these very generous tax breaks last night probably voted at a rate of 90 percent, and the people in the $30,000 tax bracket who are going to end up picking up the tab probably voted at the rate of 37 percent.

Mr. SANDERS. Let me jump in and just pick up on that point. Let's talk for a moment about something which, amazingly enough, I do not know how it happened, but the Contract With America just ignored or I missed it, it must have been by accident, and that is the role of money in politics and campaign finance reform.

Now, I find it extremely interesting that within the last several months, and, by the way, as the only independent in the Congress I will say the same things about the Democratic Party here, but within the last couple of months after the Republican victory huge amounts of corporate money has been flowing into the Republican National Committee, campaign contributions.

Several months ago, as you will recall, the Republicans had a fundraiser, and on one night, one night, they raised $11 million from some of the wealthiest people in America and large corporations.

Furthermore, at about the same time, Speaker GINGRICH attended a fundraiser in order to raise money for a conservative television network. And the deductions to that fundraiser, by the way, were tax deductible. Interestingly enough, that fundraiser cost a mere $50,000 a plate, $50,000 a plate. My understanding is that extra coffee was served free of charge, and that included gratuities. In fact, I would have loved to have been the waiter getting a 15 percent tip on that. But $50,000 a plate. Huge amount of money.

Mr. DEFAZIO, it would seem to me that there is a direct correlation between this huge amount of corporate money and money from the wealthy flowing into the Republican party and what happened yesterday. Do you see that relationship?

Mr. DEFAZIO. Well, not only what happened in the tax bill yesterday, certainly. More than 50 percent of the individual benefits in this tax bill will go to people earning over $100,000 a year. And, of course, the corporate benefits will not go to small businesses. They are going to go to these largest corporations, again those who are subject to the alternative minimum tax.

I do not know any small businesses in my district who have to pay the alternative minimum tax, but the large corporations, multinational corporations certainly do. So that is one thing.

But there was something else going on yesterday, and I don't want to get too far afield, but we were marking up over about a 30-hour period in the Committee on Transportation and Infrastructure a revision of the Clean Water Act, and I will say also that the corporate payoff was going on there, too. Because we saw amendment after amendment offered on the Republican side to remove restrictions from industry to allow direct discharge of toxics into the Great Lakes and other bodies of water in this country, to reduce the list of chemicals restricted from direct discharge into our drinking water from 70,000 to 5. That was an amendment.

These amendments, I saw after the Great Lakes were removed from Federal control, the Great Lakes bordering some 10 States and a foreign nation have been removed from Federal control for toxic discharge because that was an undue burden. It has now become a voluntary program.

I saw some paper company and other lobbyists hugging and jumping up and down outside. They had just won this tremendous victory. You can bet that they have been writing checks.

Then we saw, one of the most outrageous things I have seen, I have been around a while, this is my ninth year in Congress, but I have never seen anything so blatant as what I saw a couple of weeks ago when a number of new Republican freshmen members were quoted as saying they are telling lobbyists if they did not contribute to their campaigns or contributed to their opponents, they had better make up for that. I mean, this is the most blatant squeezing of corporate America I have ever seen. It is unbelievable.

Mr. SANDERS. Now, I have not witnessed this with my own eyes, but I have read and I have heard from other Members that the lobbyists themselves are now writing the legislation and giving it to Members to present. Have you heard that?

Mr. DEFAZIO. Well, there were amendments in the Committee on Transportation and Infrastructure yesterday being presented which favored polluters over public interests which could not be satisfactorily explained by the Republicans offering them on the other side. And at one point I was tempted to say why don't we just bring the lobbyist up to the dais, they can at least explain it, and then we will go forward with the vote.

You know, clean water. I mean, there were things like allowing industries to discharge whatever they wanted into municipal sewers and requiring the local taxpayers to pick up the tab. No more pretreatment requirements for toxics or extraordinarily difficult things that are difficult to deal with.

I am not saying the Clean Water Act is perfect the way it is, but a reading by an impartial person of what went through that committee yesterday will say, whoa, are we going back to 1955 when the Cuyahoga River was flammable? Are we going back to the days in Oregon when the Willamette River was an open sewer?

And the unfunded mandates, we offered an amendment to say that, you know, the bill should identify unfunded mandates because what this does substantially is move burdens from industry to public taxpayers and people who pay sewer bills and people who pay property taxes and bonds for municipal sewer systems.

Of course, the Republicans would not let an unfunded mandate provision through that related to private interests. It is okay that these large corporations who are also contributing to the Republican party can now just dump their stuff in the river and then it is up to the people in the local city to try and clean it up.

Mr. SANDERS. We have been trying to understand in this discussion not just the outrageous nature of the recent Republican tax plan in which half of the benefits go to people earning $100,000, 25 percent of the benefits go to those people earning $200,000 a year or more, where the largest, the wealthiest 1 percent of earners get more benefits than the bottom 60 percent.

All of that is important, but it takes place within the context and I think helps us understand why so many people out there shrug their shoulders and say why should I vote, why should I participate. It does not really matter, the game is rigged, the people who have the money call the shots. Nobody cares about me. I am just a plain working person.

Mr. DEFAZIO. If I could interject a story at that point. I, in my first term went to stand with some men and women who were on strike at a lumber mill in my district. I stood there with them and caused some disruption and dismay by the management and ownership of this very large company, and I was asked by a reporter how can you do

this? You are dealing with one of the most powerful corporations in America, privately held, one of the 500 richest men in America.

I said, you know, on election day he gets one vote and all these people get one vote each, and that is the thing. People have to come back to the ballot box. They do not have to be a Democrat or a Republican. They can be an Independent, I mean nonaffiliated. They can form a third party. It does not matter. This country is not going to be healed until we get turnouts in the 70s, 80s, 90s. I do not think I will ever live to see the day when we get close to 100 percent.

Mr. SANDERS. We should ask ourselves why it is in the Scandinavian countries, many of the European countries turnouts are 70, 80, 90 percent; and we just had an election in which 38 percent of the people came out to vote. That turnout is directly related to what we have been talking about in terms of huge tax breaks for large corporations and wealthy people and cutbacks that will be coming in Medicaid, Medicare, student loans for those young people who today are having a hard time getting into college, WIC, Head Start, you name it. Every program that every working person, elderly person and kid in this country needs is on the chopping block.

What is going on, and Mr. DEFAZIO stated it well, if you have only 38 percent of the people who are voting and if the vast majority of low income and working people do not vote, those people are invisible.

□ 2045

You don't have any health insurance, so what? Who cares? Your pain is not reflected on the floor of this House.

You can't afford to send your kid to college? So what? No one is going to pay attention to you unless you make your concerns known by getting involved politically.

What goes on is that the vast majority of poor people and working people don't vote. Therefore, they are politically invisible. But there are some people who understand the political system very well. It is not just that the upper income people vote in very high percentages, but they contribute huge amounts of money to political campaigns. If a corporation like Amway or some other large corporation contributes hundreds and hundreds of thousands of dollars to the Republican Party, don't you think that maybe the leadership of the Republican Party is going to sit down and listen to their concerns? If wealthy people contribute thousands and thousands of dollars to the party of their choice, they have enormous power in shaping the agenda.

The gentleman from Oregon [Mr. DEFAZIO] was suggesting that on his subcommittee, lobbyists paid a major role in writing the legislation. That is what is going on. The only way to change that situation is when working people and low-income people say, ''Wait a minute. This country belongs to all of us, not just the wealthy and the powerful.'' One person-one vote. It is not how much you contribute. It is not a $10,000 contribution gives me power. That is not what it is supposed to be about. One person-one vote.

I absolutely agree with the gentleman from Oregon [Mr. DEFAZIO] that we are not going to change the priorities and the agenda of the Congress so that it begins to pay attention to ordinary Americans, working people, unless we make radical changes in who participates, who votes.

If you are not happy with what is going on, you can ignore everything and not vote. The people who own America are delighted. That is exactly what they want. They want you to think that politics is a joke, that it is irrelevant. They don't think it is irrelevant. They contribute huge amounts of money. They help determine the agenda. So if you want to have some input, you have got to participate politically, you have got to vote, you have got to get involved.

Mr. DEFAZIO. If the gentleman would yield, I am going to have to leave shortly, I would just like to change the subject for a moment but it bears on the whole discussion, again, why people are so cynical about what is going on in Washington. It goes to the subject that we have spent some time on, on the floor earlier this year, which is the bailout of Mexico.

There is an article, a very interesting article from yesterday's Los Angeles Times. It says it more succinctly than I could.

Thus far, the United States has put up $20 billion of our taxpayer dollars through a rather secretive fund controlled by the Federal Reserve and the Treasury and Mexico has spent slightly more than $4 billion of the funds. There is some discussion, we heard certainly from Speaker GINGRICH and Majority Leader DOLE in the Senate who were avid supporters of the Mexico bailout who are not trying to sort of cover that up, but they were there, they signed on with the administration, the President and Robert Rubin. They were all together. This is again why people are cynical because they saw a Democratic President and a newly elected House Speaker and a newly elected majority leader, both Republicans, in the House and the Senate signing on to the same $40 billion bailout of Mexico.

Here is what the Los Angeles Times says about the first $4 billion of our money that has gone to this bailout:

> Much of the money never left New York. It was paid out by the Federal Reserve in New York, where it was used to redeem the high profit bonds held primarily by major U.S. institutions, Wall Street speculators, and wealthy Mexicans who bought the securities largely through non-taxable offshore corporations according to investment sources and market analysts.

So here it is. We are supposedly saving our neighbors to the south in a gesture of good will and the money changes hands from our tax deposits with the Treasury and the Federal Reserve in New York directly into the bank vaults of the speculators and the wealthy investment banks in New York City. This kind of outrage is again part of what brings people to cynicism. At the same time as that is going on, we see in yesterday's Washington Post a little headline saying power to boost dollar doubted. Dollar hits a record low 3 days in row against the Japanese yen. We are basically heading to one dollar and one yen the way we are going here and the United States cannot do anything about it.

Why? In great part because we are too involved in attempting to prop up the failing government of Mexico and the crashing peso and as soon as we became associated dollar with peso like a Eurocurrency, the dollar started plummeting. This is a good part of the problem.

Mr. SANDERS. If the gentleman will yield, I am very glad he raised this issue because that in fact is the issue I wanted to get to next. When we talk about why people are cynical about the political process, the gentleman is absolutely right in suggesting that this multi, multibillion-dollar bailout of Mexico is precisely the reason why people shrug their shoulders and they say, ''Government doesn't represent me.''

Let's start off with a couple of facts. You made the right point. Who is supporting the bailout? We have presumably 2 political parties, right? And theoretically they are supposed to be really different, big basic philosophical differences.

Well, you have President Clinton and some of the leadership of the Democratic Party are supporting the bailout. One would therefore expect that the opposition in terms of the Republican Party would obviously be strongly opposed, right? That is what one might expect. But lo and behold, surprise of all surprises, there is the gentleman from Georgia [Mr. GINGRICH] and the leadership of the Republican Party supporting the bailout. The truth of the matter is there are a number of people in the Democratic party, the gentleman from Oregon [Mr. DEFAZIO], the gentlewoman from Ohio [Ms. KAPTUR], some of the leaders there, a number of people in the Republican Party, the gentleman from Texas [Mr. STOCKMAN], the gentleman from California [Mr. ROHRABACHER], and others in strong opposition as well.

When we talk about cynicism, this really gets to me. We are talking about a bailout which puts at risk the possibility of losing over $20 billion of American taxpayers' money at the same time as we have a $200 billion deficit and at the same time we are cutting back on a wide variety of programs for the most vulnerable people in this country.

I ask the gentleman from Oregon [Mr. DEFAZIO], help me out, what was the vote on the floor of the House after that vigorous debate on this bailout?

Do you recall what the vote was after we discussed that issue thoroughly on the House?

Mr. DEFAZIO. We attempted to bring a privileged resolution to the floor of the House about 2 months ago on this issue, the secretive rendering of funds from the Federal Reserve and from the Treasury accounts that are supposed to be there to prop up the dollar, and obviously they are not there to prop up the dollar anymore. My recollection is we were able to get 14 Republican votes who were all threatened with punishment the next day if they ever would vote that way again, and obviously we got more votes on the Democratic side. I do not recall the total number.

Mr. SANDERS. I was being a little facetious. There has never been a vote of course on the floor of the House.

Mr. DEFAZIO. That was on an extraordinary attempt to bring the issue to the floor.

Mr. SANDERS. Right.

Mr. DEFAZIO. No, we have not been allowed to directly bring the issue to the floor, although there was some language attached to today's Department of Defense conference report.

Mr. SANDERS. In other words, the point is that with over $20 billion of taxpayers' money at risk, Speaker GINGRICH and the Republican leadership in conjunction with a number of Democrats are prepared not to allow that debate on the floor of the House, not to allow that vote.

Mr. DEFAZIO. The gentleman is on the Banking Committee. Has there been a vote in the Banking Committee on this issue?

Mr. SANDERS. There certainly has not. I have introduced legislation which would not allow any more funding from the Exchange Stabilization Fund to go to the bailout of Mexico without the appropriation and the authority of a vote from the Congress. But we have not been able to get that legislation on the floor of the House.

When we talk about cynicism, let's talk a little bit about Mexico, let's talk a little bit about NAFTA, and I know that my friend from Oregon has introduced legislation to repeal NAFTA.

What really gets to me is that a year and a half ago when there was a vigorous debate on the floor of the House, we had the Clinton administration fighting terribly hard for the NAFTA agreement, we had the leadership of the Republican Party fighting very, very hard for the NAFTA agreement, we had virtually every multinational corporation in America telling us just what a wonderful thing NAFTA would be for American workers and Mexican workers. We had the corporate media, every, underlined, every major newspaper in the America editorialized in favor of NAFTA. That is the Wall Street Journal, the New York Times, the Boston Globe, the L.A. Times, you name it. All of the establishment and the money interests said, ''Boy, NAFTA is just what we need.''

I ask the gentleman from Oregon [Mr. DEFAZIO] why he introduced legislation to repeal NAFTA. Has it not been quite the success that these corporate giants and pundits told us it would be?

Mr. DEFAZIO. It is kind of extraordinary, actually. What we are doing now with the Mexico bailout is we are paying billions of dollars to speculators to attempt to prop up the Mexico peso and the Mexican economy because we are linked to them through the NAFTA agreement. We are losing jobs to Mexico, where wages and the standard of living have been reduced by 35 percent because of the devaluation of the peso.

The situation is the workers of Mexico, everyone outside of Mexico's 24 billionaires and a few hundred millionaires, have seen their standard of living go down by 35 percent in direct relation to NAFTA. Thousands at this point, over 20,000 American workers have been approved for unemployment benefits because their job loss was linked directly to the movement of their plant to Mexico.

We ran in January the first trade deficit with Mexico in 12 years, $863 million, 1-month trade deficit with Mexico, and it is predicted by next year we will run a $20 billion trade deficit with Mexico, which means, according to the Commerce Department, for every billion dollars of net on our trade balance, we create 20,000 jobs in America.

So if we run a $20 billion trade deficit with Mexico, we are ceding $400,000 to Mexico and we are paying $40 billion to do it. Absurdity on absurdity on mistake.

Mr. SANDERS. If the gentleman will yield, a year and a half ago we were told by every major corporate newspaper in America that NAFTA was a good deal. The multinational corporations put big ads in the newspapers saying, NAFTA is a good deal. Working people and their unions fought back against NAFTA. Environmentalists understood the terrible environmental impact that NAFTA would have. Consumer groups fought against NAFTA. But we could not defeat the enormous amount of power and money that was arrayed against us.

Since NAFTA has gone into effect, the figures that I have seen indicate that we have lost some 50,000 American jobs.

As the gentleman from Oregon [Mr. DEFAZIO] just indicated, at a time that historically we have always had a trade surplus with Mexico, we have a terrible trade deficit internationally, but we have always had a surplus with Mexico, for the first time now, we are running a significant trade deficit.

The gentleman is right, in January the deficit was $800 million in 1 month, and it is predicted that the trade deficit will mushroom and grow. The standard of living of Mexican workers is plummeting with the devaluation of the peso.

And now, atop of all of that, American workers who have lost their jobs because of NAFTA are being asked to bail out American speculators and billionaires in Mexico because the peso was devalued and the L.A. Times appropriately I think correctly indicates that most of our bailout money is going back to Wall Street and to wealthy Mexicans.

□ 2100

Mr. SANDERS. Now, on top of all of that, if that is not enough for you, during the debate over NAFTA, some of us were concerned that we were merging our economies with an authoritarian and corrupt government.

Mr. DEFAZIO, maybe you want to share with the public, and I have some of the information here, what has recently taken place in Mexico that I have a feeling some people may have known before the NAFTA debate. What about Mr. Salinas' brother? Where is that gentleman sitting right now? Former President Salinas' brother is now in jail.

Mr. DEFAZIO. He is in jail, that is right.

Mr. SANDERS. Now, this gentleman, Mr. Salinas, was President of that country. His brother is in jail under arrest for masterminding a political assassination. Furthermore, the former Deputy Attorney General of their country who had the responsibility for cracking down on the very serious drug problem in Mexico and the exporting of drugs from Mexico to the United States. Surprise, surprise. Where is that Deputy Attorney General today, who was their drug czar? My goodness, he is also in jail. He is in jail under charge that he has taken millions and millions of dollars from the Mexican drug cartel.

Mr. DEFAZIO. Do not forget that, of course, President Salinas said his brother was innocent and went back and staged I think it was a 12-hour hunger strike and then fled the country for the United States he was so convinced of his brother's innocence. He is of course somewhere at large in the United States living off of his Swiss back accounts and his investments in New York City and his many residences there.

Mr. SANDERS. So at a time when we continue to have a large deficit, when the government is cutting back in my State, in your State, Oregon, cold weather up there, not as cold as Vermont but it gets cold. We are talking about in the House cutting back and completely eliminating the fuel assistance program by which 5 million low income people get help in the wintertime to heat their homes, including 2 million senior citizens. We cannot afford to do that.

We are cutting back on student loans and grants upon which millions of working class kids depend in order to get their college education. We are cutting back on the WIC program, wonderful program for pregnant women, low income children. We are cutting back, now the debate will begin on the new

budget, major cutbacks in medicare, major cutbacks in medicaid. There are those who seriously want to dismantle the social security system. We just don't have enough money for all of that, but lo and behold, isn't it amazing, just amazing that we have $20 billion to put at risk bailing out another country, in this case Mexico. Much of that money will accrue and go back to investors who originally made a whole lot of money in Mexico lost money and now they want Uncle Same to bail them out.

Mr. DEFAZIO. According to the Los Angeles Times, many of those folks are high stakes American investors who had invested the money through nontaxable offshore corporations, so we cannot even say that they have made a gain or they are going to recoup their funds and pay taxes on it. These are Americans who are not paying taxes on 50 percent interest earnings on failed Mexican bonds which have been propped up by working people's tax dollars, which brings up one other outrageous thing that went on this week. The issue of the billionaires, people amassing huge fortunes in the United States which if they were to dispose of it they would have to pay a capital gains tax on, 28 percent, that is about what your average working person pays or, under the new Republican proposal, 19 percent.

But in any case, a number of those people, and again this is a collusion between the Republicans and Democrats, unfortunately, from my own party between the administration. The Treasury has a list of how many of these billionaires and cente-millionaires have in the last year renounced their United States citizenship which means that they can expatriate all of their holdings and profits to Ireland or Costa Rica and not pay any United States taxes.

On the floor of the House we attempted several times to pass a simple piece of legislation that would have said before these people can expatriate the money, since they enjoyed the fruits of American citizenship, since they made that money as American citizens, since they made that money by employing Americans and selling things to Americans in this country, that they should pay a fair rate of taxes, at least the capital gains rate of 28 percent, before they expatriated and before they renounced their American citizenship. Amazingly, somehow the Republican party stood up and defended that practice.

It is alleged two former members of Congress have been hired by an investment firm out of New York to lobby this issue. How is it that you cannot get 435 people elected to represent citizens of the United States of America and the interests of the citizens of the United States of America to vote to say that people who want to renounce their citizenship, traitors to the United States of America, should not pay some minimum tax before they expatriate the hundreds of millions or billions they made operating businesses in this country? That was one of the most outrageous and one of the lowest points, there are many low points in the first hundred days, but that has to be the lowest because that kind of goes to the heart of everything.

Who do we really work for here? Do we work for the American people? Apparently a majority, since we were voted down by a large majority of Republicans and a few Democrats several times on this issue feel that multi-millionaires and billionaires no matter what their citizenship have a stronger call on their vote than the people who elected them. I think if people who elected the new majority knew about that vote they would be outraged.

Mr. SANDERS. We are running out of time and I just want to conclude by saying this. This is a great country and we are great people, but I think as Mr. DEFAZIO just demonstrated, time after time what ends up happening in Congress is that the decisions that are made here are not made in the best interests of ordinary Americans. They are made in the best interests of the wealthy and the powerful, very often the same people who contribute heavily to the political parties, who hire lobbyists and lawyers to get things done for those people.

In this country, we can, if we put our minds to it and we work together, develop a new trade policy which stops corporate America from taking our jobs to Third World countries. We can have those corporations reinvest in America and create decent paying jobs for our people. That is not utopian.

In this country, we can raise the minimum wage. We do not need to continue a minimum wage of $4.25 an hour in which people work long, hard hours and they end up deeper in poverty. We can raise the minimum wage to $5.50 an hour. We have legislation in to do that.

In this country, if you had a Congress that represented ordinary people rather than the big money interests, we could joint he rest of the industrialized world and pass a national health care system that guarantees health care to all people. We do not need to continue the most expensive, wasteful bureaucratic system in the world in which 40 million Americans today have no health insurance.

We can do better. we can have a tax system which is fair, which asks those people who have the money to pay their fair share of taxes so we can lower taxes for middle income and working people.

We can put more money into education so that we do not have so many of our kids dropping out of high school and have a situation where so many of our kids cannot afford to go to college. Throughout Europe, in Canada, in Scandinavia, their governments put more money into higher education, enabling their working people to be better able to send their kids to college.

Those things are not magical. They are not utopian. They can happen, but they will not happen until the American people wake up and reclaim this government from the millionaires and the billionaires who today control it.

Mr. DEFAZIO. In conclusion, I could say we can do all those things and, in my opinion, with the proper priorities, we can balance the Federal budget.

Mr. SANDERS. I would certainly agree. Let me conclude by thanking my friend, Mr. DEFAZIO from Oregon, for joining me.

I think we depart by saying to the American people, please stand up, fight back and take back your country.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. GEPHARDT (at the request of Mr. FROST), for Thursday, April 6 and Friday, April 7, on account of death of his father.

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. FARR) to revise and extend their remarks and include extraneous material:)

Mr. WYNN, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Mr. KLINK, for 5 minutes, today.

Mrs. SCHROEDER, for 5 minutes, today.

Ms. JACKSON-LEE, for 5 minutes, today.

Mr. OBERSTAR, for 5 minutes, today.

Ms. SLAUGHTER, for 5 minutes, today.

Mrs. CLAYTON, for 5 minutes, today.

Mr. OWENS, for 5 minutes, today.

Mr. BROWN of Ohio, for 5 minutes, today.

Mr. LIPINSKI, for 5 minutes, today.

Mr. UNDERWOOD, for 5 minutes, today.

Mr. WISE, for 5 minutes, today.

Mr. SPRATT, for 5 minutes, today.

Mr. FARR, for 5 minutes, today.

(The following Members (at the request of Mr. HOKE) to revise and extend their remarks and include extraneous material:)

Mr. MICA, for 5 minutes, today.

Mr. KINGSTON, for 5 minutes, today.

Mr. FOX of Pennsylvania, for 5 minutes, today.

Mr. HOKE, for 5 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. MOAKLEY, during debate of House Resolution 130.

Mr. THOMAS and to include extraneous material on H.R. 483 in the Committee of the Whole today.

ADJOURNMENT

Mr. SANDERS. Mr. Speaker, I move that the house do now adjourn.

The motion was agreed to; accordingly (at 9 o'clock and 10 minutes p.m.), under its previous order, the House adjourned until tomorrow, Friday, April 7, 1995, at 11 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the speaker's table and referred as follows:

689. A letter from the Under Secretary for Personnel and Readiness, Department of Defense, transmitting the Department's defense manpower requirements report for fiscal year 1996, pursuant to 10 U.S.C. 115(b)(3)(A); to the Committee on National Security.

690. A letter from the Chairman, National Research Council, transmitting a study of live-fire survivability testing of the F–22 aircraft; to the Committee on National Security.

691. A letter from the Administrator, National Aeronautics and Space Administration, transmitting a report of activities under the Freedom of Information Act for calendar year 1994, pursuant to 5 U.S.C. 552(d); to the Committee on Government Reform and Oversight.

692. A letter from the President, Overseas Private Investment Corporation, transmitting the fiscal year 1994 management report, pursuant to Public Law 101–576, section 306(a) (104 Stat. 2854); to the Committee on Government Reform and Oversight.

693. A letter from the Acting Assistant Secretary for Civil Works, Department of the Army, transmitting a report recommending authorization of a deep-draft navigation project at Salem River, NJ; to the Committee on Transportation and Infrastructure.

694. A letter from the Senior Vice President, Tennessee Valley Authority; transmitting a copy of the Authority's statistical summaries as part of their annual report for the fiscal year beginning October 1, 1993, and ending September 30, 1994, pursuant to 16 U.S.C. 831h(a); to the Committee on Transportation and Infrastructure.

695. A letter from the Chairman of the Board, Pension Benefit Guaranty Corporation, transmitting the 20th annual report of the Corporation, which includes the Corporation's financial statement as of September 30, 1994, pursuant to 29 U.S.C. 1308; jointly, to the Committees on Economic and Educational Opportunities and Ways and Means.

696. A letter from the Chief Counsel for Advocacy, U.S. Small Business Administration, transmitting an analysis of the impact on small businesses of the ''Contract With America Tax Reform Act of 1995''; jointly, to the Committees on Small Business and Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BLILEY; Committee on Commerce, H.R. 483. A bill to amend title XVIII of the Social Security Act to permit Medicare select policies to be offered in all States, and for other purposes; with an amendment (Rept. 104–79 Pt. 2). Referred to the Committee of the Whole House on the State of the Union.

Mr. ROBERTS: Committee on Agriculture H.R. 618. A bill to extend the authorization for appropriations for the Commodity Futures Trading Commission through fiscal year 2000 (Rept. 104–104). Referred to the Committee of the Whole House on the State of the Union.

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. THOMAS:

H.R. 1421. A bill to provide that references in the statutes of the United States to any committee or officer of the House of Representatives the name or jurisdiction of which was changed as part of the reorganization of the House of Representatives at the beginning of the 104th Congress shall be treated as referring to the currently applicable committee or officer of the House of Representatives; considered and passed.

By Mr. BARRETT of Wisconsin:

H.R. 1422. A bill to amend the Job Training Partnership Act to provide for employment and training assistance for certain individuals employed at a facility at which the employer has made a public announcement that a substantial member of employees will be terminated or laid off from employment; to the Committee on Economic and Educational Opportunities.

By Mr. BROWN of California (for himself and Mr. TORRICELLI):

H.R. 1423. A bill to amend the Federal Meat Inspection Act and the Poultry Products Inspection Act to provide for improved public health and food safety through the reduction in meat and poultry of harmful substances that present a threat to public health, and for other purposes; to the Committee on Agriculture.

By Mr. STEARNS:

H.R. 1424. A bill to provide Americans with secure, portable health insurance benefits through tax credits, medical savings accounts, and greater choice of health insurance plans without mandates, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Commerce, the Judiciary, and Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BURTON of Indiana (for himself, Mr. TORRICELLI, Mr. COX, Mr. FLAKE, Mr. ROHRABACHER, Mr. MORAN, Mr. KING, Mr. JEFFERSON, Mr. HUNTER, Mr. REYNOLDS, Mr. DIAZ-BALART, Mr. CONDIT, Mr. FIELDS of Texas, Mr. TOWNS, Mr. DOOLITTLE, Mr. ABERCROMBIE, Mr. POMBO, Mr. PETERSON of Minnesota, Mr. CUNNINGHAM, Mr. LIPINSKI, Mr. CRANE, Mr. HERGER, Mrs. WALDHOLTZ, Mr. BARTLETT of Maryland, Mr. FUNDERBURK, Mr. HASTINGS of Washington, Mr. JONES, Mr. CALVERT, Mr. STOCKMAN, Mr. PETE GEREN of Texas, and Mr. WILSON):

H.R. 1425. A bill to suspend United States development assistance for India unless the President certifies to the Congress that the Government of India has taken certain steps to prevent human rights abuses in India; to the Committee on International Relations.

By Mr. CLAY (for himself and Mr. WILLIAMS):

H.R. 1426. A bill to assist States and secondary and postsecondary schools to develop, implement, and improve school-to-work opportunities systems so that all students have an opportunity to acquire the knowledge and skills needed to meet challenging State academic standards and industry-based skill standards and to prepare for postsecondary education, further learning, and a wide range of opportunities in high-skill, high-wage careers, and for other purposes; to the Committee on Economic and Educational Opportunities.

By Mr. COSTELLO:

H.R. 1427. A bill to amend the Federal Election Campaign Act of 1971 to control House of Representatives campaign spending, and for other purposes; to the Committee on House Oversight.

By Mr. DE LA GARZA:

H.R. 1428. A bill entitled, ''The North American Border Stations Improvements Act''; to the Committee on Transportation and Infrastructure.

By Mr. EVANS (for himself, Mr. GUTIERREZ, Mr. KENNEDY of Massachusetts, Mr. WILLIAMS, and Mr. DOYLE):

H.R. 1429. A bill to amend title 38, United States Code, to provide for the organization and administration of the Readjustment Counseling Service of the Department of Veterans Affairs, to improve eligibility for veterans' readjustment counseling and related counseling, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. FARR (for himself, Mr. DOOLITTLE, Ms. PELOSI, Mr. POMBO, Ms. ESHOO, Mr. HERGER, Mr. FAZIO of California, Mrs. SEASTRAND, Mr. BROWN of California, Mr. RADANOVICH, Mr. ROSE, Mr. DOOLEY, and Mr. CALVERT):

H.R. 1430. A bill to authorize the Secretary of Agriculture to provide emergency financial assistance to agricultural producers who suffer severe crop losses in federally designated disaster areas; to the Committee on Agriculture.

By Mr. FLANAGAN:

H.R. 1431. A bill to amend the Internal Revenue Code of 1986 to repeal the 30-percent of gross income limitations applicable to regulated investment companies; to the Committee on Ways and Means.

By Mr. GREENWOOD:

H.R. 1432. A bill to amend the Federal Election Campaign Act of 1971 to eliminate multicandidate political committees, and for other purposes; to the Committee on House Oversight.

By Mr. HAYES (for himself and Mr. BALLENGER):

H.R. 1433. A bill to require the Secretary of Labor to establish a program under which employers may consult with State officials respecting compliance with occupational safety and health requirements; to the Committee on Economic and Educational Opportunities.

By Mr. HOUGHTON (for himself and Mr. LEVIN):

H.R. 1434. A bill to establish a commission to review the dispute settlement reports of the World Trade Organization, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LEWIS of Georgia:

H.R. 1435. A bill to amend the Internal Revenue Code of 1986 to permit the use of certain agricultural byproducts in wine production; to the Committee on Ways and Means.

By Mr. LIPINSKI (for himself and Mr. MINETA) (both by request):

H.R. 1436. A bill to amend subtitle IV of title 49, United States Code, to eliminate unnecessary regulation of transportation industries, to streamline regulation of rail carriers, to sunset the Interstate Commerce Commission, and for other purposes; to the Committee on Transportation and Infrastructure.

H.R. 1437. A bill to authorize appropriations for the National Railroad Passenger Corporation, and for other purposes; to the Committee on Transportation and Infrastructure.

By Ms. LOWEY (for herself, Ms. DELAURO, Mr. GEJDENSON, Mrs. KENNELLY, Mr. BONIOR, Mr. YATES, Mr. MILLER of California. Mr. FRANK of Massachusetts, Mr. ACKERMAN, Mr. ENGEL, Mr. MANTON, Mr. SERRANO, Ms. ESHOO, Mr. FILNER, Ms. PELOSI, Ms. WOOLSEY, Ms. FURSE, Mr. REED, Mr. TORRES, Ms. HARMAN, Ms. NORTON, Mr. PALLONE, Mr. MCDERMOTT, Mr. TOWNS, Mr. WAXMAN, Ms. WATERS, Mr. DICKS Mr. VENTO, Mr. WYNN, Mr. GONZALEZ, Ms. VELAZQUEZ, Mr. JOHNSTON of Florida, Mr. MARTINEZ, Mr. MARKEY, Mr. BERMAN, Mr. HINCHEY, Mr. ROMERO-BARCELO, and Mr. FALEOMAVAEGA):

H.R. 1438. A bill to amend the Federal Water Pollution Control Act to provide special funding to States for implementation of national estuary conservation and management plans, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Resources, 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. METCALF:

H.R. 1439. A bill to amend the National Forest Management Act of 1976 to require the Timber Sale Program conducted by the Forest Service on National Forest System lands to be financed only by receipts from the sale of timber under the program; to the Committee on Agriculture, and in addition to the Committee on Resources, 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. MINETA (by request):

H.R. 1440. A bill to amend title 49, United States Code, to simplify and improve the organization of the Department of Transportation, and for other purposes; to the Committee on Transportation and Infrastructure.

H.R. 1441. A bill to provide for the transfer of operating responsibility for air traffic services currently provided by the Federal Aviation Administration on behalf of the United States to separate corporate entity, in order to provide for more efficient operation and development of these transportation services and related assets, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committees on Ways and Means, and the Budget, 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. MINGE (for himself, Mrs. MEYERS of Kansas, Mr. DEFAZIO, and Mrs. FOWLER):

H.R. 1442. A bill to amend the Internal Revenue Code of 1986 to allow individuals to designate any portion of their income tax overpayments, and to make other contributions, for deficit reduction; to the Committee on Ways and Means.

By Mr. MOORHEAD (for himself, Mr. SENSENBRENNER, Mr. COBLE, Mr. GOODLATTE, Mr. BONO, Mr. GALLEGLY, and Mr. CANADY):

H.R. 1443. A bill to amend chapter 44 of title 28, United States Code, to provide for arbitration in all U.S. district courts, and for other purposes; to the Committee on the Judiciary.

By Mr. MARKEY (for himself, Mr. BROWN of California, Mrs. JOHNSON of Connecticut, Mr. PALLONE, Mrs. KENNELLY, Mr. DELLUMS, Mr. FRANK of Massachusetts, Mr. OLVER, and Mr. STUDDS):

H.R. 1444. A bill to amend the Solid Waste Disposal Act to require a refund value for certain beverage containers, and to provide resources for State pollution prevention and recycling programs, and for other programs; to the Committee on Commerce.

By Mr. MOORHEAD (for himself, Mrs. SCHROEDER, Mr. COBLE, and Mr. CANADY):

H.R. 1445. A bill to amend rule 30 of the Federal Rules of Civil Procedure to restore the stenographic preference for depositions; to the Committee on the Judiciary.

By Mr. MOORHEAD:

H.R. 1446. A bill to amend the Revised Statutes of the United States to promote equity and fairness in lawsuits brought against State and local law enforcement officers; to the Committee on the Judiciary.

By Mr. NEAL (for himself, Mr. BLUTE, Mr. KENNEDY of Rhode Island, and Mr. REED):

H.R. 1447. A bill to revise the boundaries of the Blackstone River Valley National Heritage Corridor in Massachusetts and Rhode Island, and for other purposes; to the Committee on Resources.

By Ms. PRYCE (for herself, Mr. SOLOMON, and Mr. BURTON of Indiana):

H.R. 1448. A bill to amend the Indian Child Welfare Act of 1978 to require that determinations regarding status as an Indian child and as a member of an Indian tribe be prospective from the date of birth of the child and of tribal membership of the member, and for other purposes; to the Committee on Resources.

By Mr. ROBERTS (for himself and Mrs. MEYERS of Kansas):

H.R. 1449. A bill to provide for the establishment of the Tallgrass Prairie National Preserve in Kansas, and for other purposes; to the Committee on Resources.

By Mr. ROEMER (for himself, Mr. KLUG, and Mr. CHRYSLER):

H.R. 1450. A bill to eliminate certain activities from the functions performed by the National Weather Service, and for other purposes; to the Committee on Science.

By Mr. ROHRABACHER (for himself and Mr. HAMILTON):

H.R. 1451. A bill to provide authority for the extension of nondiscriminatory (most-favored-nation) trade treatment to Cambodia; to the Committee on Ways and Means.

By Mr. ROSE (for himself, Mr. CLAY, Mr. LIPINSKI, Mrs. MINK of Hawaii, Mr. PICKETT, Mr. RAHALL, Mr. SANDERS, Mr. QUILLEN, and Mr. EMERSON):

H.R. 1452. A bill to amend the Harmonized Tariff Schedule of the United States to clarify that certain footwear assembled in beneficiary countries is excluded from duty-free treatment, and for other purposes; to the Committee on Ways and Means.

By Mr. SOLOMON:

H.R. 1453. A bill to amend the Internal Revenue Code of 1986 to deny tax-exempt status to organizations which promote the legalization of certain drugs; to the Committee on Ways and Means.

By Mr. STARK:

H.R. 1454. A bill to require the Federal Trade Commission to issue a trade regulation rule which requires the release of prescriptions for contact lenses; to the Committee on Commerce.

By Mr. STARK (for himself, Mr. HANSEN, Mr. DURBIN, Mr. COYNE, Ms. PELOSI, Mr. LEWIS of Georgia, Mr. LIPINSKI, Mr. MORAN, Mr. OBERSTAR, Mrs. COLLINS of Illinois, and Mr. EVANS):

H.R. 1455. A bill to amend the Internal Revenue Code of 1986 to increase the tax on tobacco products, and for other purposes; to the Committee on Ways and Means.

By Mr. STARK (for himself, Mr. WAXMAN, and Mr. MCDERMOTT):

H.R. 1456. A bill to amend title XVIII of the Social Security Act to provide expanded coverage of mental health and substance abuse treatment services under the Medicare Program; to the Committee on Ways and Means, 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. STARK (for himself and Mr. KLECZKA):

H.R. 1457. A bill to amend the Internal Revenue Code of 1986 and the Social Security Act to provide tax benefits with respect to long-term care insurance contracts that satisfy certain requirements; to the Committee on Ways and Means, 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. STUMP (for himself, Mr. MONTGOMERY, Mr. BURTON of Indiana, Mr. PARKER, Mr. TRAFICANT, and Mr. BILIRAKIS):

H.R. 1458. A bill to provide for the award of the Purple Heart to persons held as prisoners of war before April 25, 1962, on the same basis as persons held as prisoners of war after that date; to the Committee on National Security.

By Mr. THOMPSON (for himself, Mr. HILLIARD, Mr. JEFFERSON, Mr. MONTGOMERY, Ms. JACKSON-LEE, Mr. FIELDS of Louisiana, and Ms. EDDIE BERNICE JOHNSON of Texas):

H.R. 1459. A bill to increase the supply of minority scientists and help meet the research and development needs of the public and private sectors of the United States; to the Committee on Science.

By Mr. TORRICELLI (for himself, Mr. GILMAN, Mr. LANTOS, Mr. GEJDENSON, Mr. SOLOMON, Mr. ACKERMAN, Mr. ROHRABACHER, Mr. FALEOMAVAEGA, Mr. BROWN of Ohio, Mr. DEUTSCH, and Ms. PELOSI):

H.R. 1460. A bill to amend the Taiwan Relations Act to permit visits to the United States by the elected leaders of the people of Taiwan or their elected representatives; to the Committee on International Relations.

By Mr. UPTON (for himself and Mr. BROWN of Ohio):

H.R. 1461. A bill to amend the Public Health Service Act to eliminate the incentives that lead to increased prices and utilization of clinical laboratory diagnostic testing services and other ancillary health services; to the Committee on Commerce.

By Mr. WAXMAN (for himself, Mr. UPTON, Mr. DINGELL, Mr. ABERCROMBIE, Mr. ANDREWS, Mr. COYNE, Mr. DEUTSCH, Mr. DIXON, Mr. FRANK of Massachusetts, Mr. GREENWOOD, Mr. KLECZKA, Ms. LOWEY, Mr. MARKEY, Mr. MCDERMOTT, Mr. MILLER of California, Mrs. MINK of Hawaii, Mrs.

MORELLA, Mr. OBERSTAR, Mr. PALLONE, Mr. PASTOR, Mr. SISISKY, Mr. STUDDS, Mr. TOWNS, and Ms. WOOLSEY):

H.R. 1462. A bill to amend the Public Health Service Act to provide for programs of research regarding Parkinson's disease, and for other purposes; to the Committee on Commerce.

By Mr. WOLF (for himself and Mr. DAVIS):

H.R. 1463. A bill to provide for the adoption of mandatory standards and procedures governing the actions of arbitrators in the arbitration of labor disputes involving transit agencies operating in the National Capital area; to the Committee on Transportation and Infrastructure.

By Mr. YOUNG of Alaska:

H.R. 1464. A bill to amend title 39, United States Code, to require the Postal Service to accept a change-of-address order from a commercial mail receiving agency and to forward mail to the new address; to the Committee on Government Reform and Oversight.

By Mr. ZELIFF:

H.R. 1465. A bill to amend the Magnuson Fishery Conservation and Management Act to establish additional prohibitions against removing, damaging, tampering with, or moving fishing gear and fish, including gear and fish from aquaculture operations in the exclusive economic zone; to the Committee on Resources.

By Mr. GOSS:

H. Con. Res. 58. Concurrent resolution providing for the adjournment of the two Houses; considered and agreed to.

By Mr. LANTOS:

H. Con. Res. 59. Concurrent resolution expressing the sense of the Congress that the Government of the United States should encourage resumption of direct, bilateral talks between India and Pakistan at the earliest possible time; to the Committee on International Relations.

By Mr. ROSE (for himself and Mr. GILMAN):

H. Con. Res. 60. Concurrent resolution commending India for its commitment to religious plurallism and tolerance; to the Committee on International Relations.

By Mr. MILLER of California (for himself, Ms. DELAURO, Mr. FROST, Mr. LIPINSKI, Ms. PELOSI, Mr. POSHARD, Mrs. SCHROEDER, Mr. VENTO, and Mr. CLAY):

H. Res. 132. Resolution amending the Rules of the House of Representatives to provide for disclosure of the source of amendments, measures, and committee reports; to the Committee on Rules.

By Mrs. SCHROEDER:

H. Res. 133. Resolution amending the Rules of the House of Representatives to require that reports from the Committee on Ways and Means accompanying revenue bills with targeted tax benefits clearly identify those benefits; to the Committee on Rules.

By Mrs. WALDHOLTZ (for herself, Mr. BARRETT of Wisconsin, Mr. SHAYS, Mr. MINGE, Mr. KLUG, Mr. DEAL of Georgia, Mr. CASTLE, Mr. MCHALE, and Mr. DICKEY):

H. Res. 134. Resolution to amend the Rules of the House of Representatives concerning the receipt of gifts from lobbyists and other persons; to the Committee on Standards of Official Conduct.

MEMORIALS

Under clause 4 of rule XXII,

41. The SPEAKER presented a memorial of the Legislature of the State of Oregon, relative to Federal mandates on States; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. GILCHREST:

H.R. 1466. A bill to authorize the Secretary of Transportation to issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade and fisheries for each of the vessels *Sallie D* and *Memory Maker;* to the Committee on Transportation and Infrastructure.

By Mr. LIPINSKI:

H.R. 1467. A bill for the relief of Leland E. Person; to the Committee on Veterans' Affairs.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 65: Mr. ANDREWS.

H.R. 70: Mrs. VUCANOVICH and Mr. TORKILDSEN.

H.R. 103: Mr. COLLINS of Georgia, Mr. SAWYER, Mr. SHAW, Mr. TALENT, Mr. BONO, and Mr. VENTO.

H.R. 127: Ms. HARMAN, Mr. HALL of Texas, Mr. FIELDS of Louisiana, and Mr. WAXMAN.

H.R. 218: Mrs. KELLY.

H.R. 311: Ms. NORTON Mr. SHAYS, Mr. GEJDENSON, Mr. WYDEN, and Ms. RIVERS.

H.R. 329: Mr. PACKARD.

H.R. 333: Mr. MINETA.

H.R. 359: Mr. CHAMBLISS, Mr. MCHALE, and Mrs. FOWLER.

H.R. 367: Mr. RANGEL.

H.R. 427: Mr. SKEEN, Mr. UPTON, Mrs. CHENOWETH, and Mr. STOCKMAN.

H.R. 436: Mr. PASTOR, Mr. PETRI, and Mr. COOLEY.

H.R. 468: Mr. HAMILTON.

H.R. 549: Mr. HAMILTON.

H.R. 553: Mr. MFUME.

H.R. 592: Mrs. FOWLER.

H.R. 616: Mrs. MEEK of Florida, Mr. FROST, Mr. LIPINSKI, Mr. THOMPSON, Mr. UNDERWOOD, Ms. NORTON, Mr. JEFFERSON, Mr. SCHUMER, Mr. DELLUMS, Mr. TUCKER, Mr. BISHOP, Mr. RUSH, Mr. FORD, Mr. WATT of North Carolina, Mr. OWENS, Mr. FIELDS of Louisiana, Ms. MCKINNEY, Mr. CLYBURN, Mr. SCOTT, Ms. JACKSON-LEE, and Mr. LEWIS of Georgia.

H.R. 638: Mr. MENENDEZ.

H.R. 676: Mr. FATTAH.

H.R. 677: Mr. LEWIS of Georgia.

H.R. 700: Mrs. MYRICK, Mr. SHAW, Mr. LINDER, Mr. BROWNBACK, Mr. HOSTETTLER, Mr. ENGLISH of Pennsylvania, Mr. PAXON, Mr. BAKER of California, and Mr. SCARBOROUGH.

H.R. 713: Ms. MCCARTHY, Mr. MANTON, and Mrs. MINK of Hawaii.

H.R. 727: Mr. HINCHEY.

H.R. 733: Mr. SAWYER.

H.R. 734: Mr. SAWYER.

H.R. 739: Mr. CALVERT and Mrs. MEYERS of Kansas.

H.R. 743: Mr. GRAHAM and Mr. SOUDER.

H.R. 752: Mrs. WALDHOLTZ, Mr. BURTON of Indiana, Mr. STOCKMAN, Mr. CHAMBLISS, and Mr. YOUNG of Florida.

H.R. 761: Mr. RANGEL.

H.R. 795: Mrs. SMITH of Washington.

H.R. 798: Mr. MCDERMOTT, Mr. SERRANO, Mrs. THURMAN, Mr. FROST, Mr. GENE GREEN of Texas, Mr. JEFFERSON, MS. RIVERS, Mrs. SCHROEDER, Mr. THOMPSON, and Mr. ROMERO-BARCELO.

H.R. 820: Mr. MORAN.

H.R. 822: Mrs. CHENOWETH and Mr. LUTHER.

H.R. 844: Mr. MINGE.

H.R. 850: Mr. FOX.

H.R. 896: Mr. ACKERMAN and Mr. LEWIS of Georgia.

H.R. 899: Mr. DREIER, Mr. WICKER, Mr. LEWIS of Kentucky, Mr. SOLOMON, Mr. MICA, Mr. EMERSON, Mr. SPENCE, Mr. CALVERT, Mr. HILLEARY, Mr. BARTLETT of Maryland, Mrs. VUCANOVICH, Mr. BEREUTER, Mr. CHAPMAN.

H.R. 924: Mr. BOEHLERT and Ms. HARMAN.

H.R. 991: Mr. ROHRABACHER.

H.R. 1010: Mr. BEILENSON, Mr. DELLUMS, Mr. DICKEY, Mr. PALLONE, Mr. MENENDEZ, Mr. FRANK of Massachusetts, Mr. FILNER, and Mr. PETRI.

H.R. 1018: Mrs. FOWLER.

H.R. 1020: Mr. FRISA.

H.R. 1023: Mr. ROMERO-BARCELO and Mr. FRANK of Massachusetts.

H.R. 1028: Mr. UPTON and Mr. SKEEN.

H.R. 1044: Mr. FIELDS of Texas.

H.R. 1079: Mr. MCDADE, Mr. PALLONE, Mr. ROMERO-BARCELO, Mr. TORRES, Mr. FROST, Mrs. MINK of Hawaii, Mr. BAKER of Louisiana, Mr. BISHOP, Mr. YATES, Mr. POSHARD, Mr. TRAFICANT, Mr. STOKES, Mrs. COLLINS of Illinois, Mr. COSTELLO, Mr. BRYANT of Texas, Mr. PASTOR, Mr. DUNCAN, Mr. FILNER, Mr. BORSKI, Mr. FRAZER, and Mr. TUCKER.

H.R. 1085: Mr. HINCHEY.

H.R. 1103: Mrs. SEASTRAND and Mr. COOLEY.

H.R. 1129: Mr. BEVILL, Mr. BONIOR, Ms. NORTON, Mr. MARKEY, Mrs. MINK of Hawaii, and Mr. WAXMAN.

H.R. 1143: Mr. SAXTON.

H.R. 1144: Mr. SAXTON.

H.R. 1145: Mr. SAXTON.

H.R. 1173: Mr. GOODLATTE.

H.R. 1191: Mr. LUTHER.

H.R. 1210: Mr. DIAZ-BALART.

H.R. 1220: Mr. NETHERCUTT, Mr. FUNDERBURK, Mr. THORNBERRY, Mr. COMBEST, Mr. DOOLITTLE, Mr. MCINTOSH, Mr. PACKARD, and Mr. JONES.

H.R. 1235: Mr. HOEKSTRA, Mr. ACKERMAN, Mr. COX, and Mr. ROHRABACHER.

H.R. 1242: Mr. LAHOOD.

H.R. 1252: Mr. SENSENBRENNER and Mr. MINGE.

H.R. 1288: Mr. BURTON of Indiana, Mr. ROBERTS, Mr. MYERS of Indiana, Mr. HOSTETTLER, Mr. SOUDER, and Mr. MCINTOSH.

H.R. 1300: Mr. COBLE, Mrs. CLAYTON, Mr. STENHOLM, Mr. HEINEMAN, Mr. GOODLATTE, Mr. KLUG, and Mr. FUNDERBURK.

H.R. 1309: Mr. DIAZ-BALART and Mr. FILNER.

H.R. 1316: Ms. MOLINARI.

H.R. 1329: Mr. BRYANT of Tennessee and Mr. ROMERO-BARCELO.

H.R. 1339: Mr. EVANS.

H.R. 1378: Mr. MATSUI and Mr. KLECZKA.

H.R. 1397: Mr. WILSON.

H.J. Res. 61: Mr. SHAYS.

H.J. Res. 79: Mr. HAYES and Mr. INGLIS of South Carolina.

H. Con. Res. 32: Mr. KING, Mr. FLAKE, Mr. TUCKER, Mrs. WALDHOLTZ, Mr. MORAN, Mr. TRAFICANT, Mr. FUNDERBURK, Mr. JONES, Mr. SALMON, Mr. HOKE, Mr. REYNOLDS, and Mr. COX.

H. Con. Res. 43: Mr. LUTHER and Ms. SLAUGHTER.

H. Con. Res. 48: Mr. MEEHAN, Mr. MCDERMOTT, Mr. LEVIN, Mr. SCHUMER, Mr. STEARNS, Mr. DOYLE, Mr. ROYCE, Mr. GENE GREEN of Texas.

H. Con. Res. 54: Mr. ANDREWS.

H. Res. 30: Mr. BARTON of Texas, Mr. ABERCROMBIE, Mr. OBERSTAR, Mr. HAYES, Mr. LEACH, Mr. INGLIS of South Carolina, Mr. ROSE, Mr. NEAL of Massachusetts, Mr. PORTMAN, Mr. CUNNINGHAM, Mr. BURR, Mr. WAMP, and Mr. GRAHAM.

H. Res. 122: Mr. ACKERMAN, Mr. BALDACCI, Mr. BOEHLERT, Mrs. COLLINS of Illinois, Ms.

DELAURO, Mr. DEUTSCH, Mr. FLAKE, Mr. FROST, Mr. GONZALEZ, Mr. HOLDEN, Ms. JACKSON-LEE, Mr. MARKEY, Mr. PICKETT, Mr. RAHALL, Mr. VENTO, Mr. WISE, and Mr. WYDEN.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, sponsors were deleted from public bills and resolutions as follows:

H.R. 42: Mr. BONO, Mr. OBERSTAR, and Ms. ROS-LEHTINEN.

H.R. 345: Mr. BREWSTER.

H.R. 555: Mr. FOLEY.